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Planning Committee Agenda

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

13 March 2018

To the Members of the PLANNING COMMITTEE

Councillors: Cllr Brunt (Chairman),

Cllr Allcard	Cllr King	Cllr Thomson
Cllr Blacker	Cllr Kulka	Cllr Parnall
Cllr Bray	Cllr McKenna	Cllr Pay
Cllr Crome	Cllr Selby	Cllr Paul
Cllr Ellacott	Cllr Stephenson	Cllr Powell
Cllr Grant-Duff	Cllr Stevens	

Substitutes

Conservatives:	Councillors: Cllr Absalom, Cllr Ascough, Cllr Ashford, Cllr Coad, Cllr Curry, Cllr Durrant, Cllr Foreman, Cllr Godden, Cllr Hack, Cllr Horwood, Cllr Knight and Cllr Ross-Tomlin
Residents Group:	Cllr Harper, Cllr Harrison, Cllr Stead, Cllr Whinney and Cllr White
Liberal Democrat:	Cllr Tarrant
Green Party:	Cllr Essex

For a meeting of the **PLANNING COMMITTEE** to be held on **WEDNESDAY, 21 MARCH 2018 at 7.30 pm** in the New Council Chamber (TH1) - Town Hall.

John Jory
Chief Executive

- 1. MINUTES** (Pages 5 - 46)

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** (Pages 47 - 52)

To note the addendum tabled at the meeting which provides an update on the agenda of planning applications before the Committee.
- 5. 17/02876/F: REDHILL YOUTH ASSOCIATION HALL, MARKETFIELD ROAD, REDHILL** (Pages 53 - 90)

Demolition of existing building to provide 50 residential units (including affordable housing) and a community hall, together with bicycle spaces, plant, internal refuse storage, roof-garden and associated landscaping.
- 6. 17/02662/F: FAIRLAWN, THE GLADE, KINGSWOOD** (Pages 91 - 116)

Demolition of an existing house and construction of a new building containing seven flats and a basement car park.
- 7. 17/02942/F: 31 BLACKBOROUGH ROAD, REIGATE** (Pages 117 - 142)

Demolition of existing commercial buildings and the erection of 5 no. dwellings with associated external works.
- 8. 18/00036/F: LAND TO THE REAR OF 4A CROYDON LANE, BANSTEAD** (Pages 143 - 162)

Demolition of stable and storage barn to be replaced by two bungalows with associated parking.
- 9. 17/02491/F: 8 PILGRIMS WAY REIGATE** (Pages 163 - 184)

Erection of two dwellings, garaging, parking, gates and associated access on land to the rear of 8 Pilgrims Way, with access from Brokes Road.
- 10. LOCAL ENFORCEMENT PLAN** (Pages 185 - 208)

To consider and agree the Local Enforcement Plan.

11. 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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Minutes of a meeting of the Planning Committee held at the Town Hall, Reigate on Wednesday 21 February at 7.30 pm.

Present: Councillors: Mark Brunt (Chairman); Rosemary Absalom†, Derek Allcard, Michael Blacker, Jill Bray, Richard Coad†, Graeme Crome, Julian Ellacott, James King, Steve Kulka, Steven McKenna, Simon Parnall, Jamie Paul, David Pay, David Powell, Michael Selby, Christian Stevens, Barbara Thomson and Rachel Turner

† Substitute

* Part meeting

120. **MINUTES**

RESOLVED that the minutes of the meeting held on 24 January 2018 be confirmed as a correct record and signed.

121. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillor Grant-Duff (substitute: Councillor Coad) and Councillor Stephenson (substitute: Councillor Absalom).

122. **DECLARATIONS OF INTEREST**

Councillor King declared a disclosable pecuniary interest in agenda item 14 (17/03027/HHOLD) as he was the applicant. Councillor King confirmed that he would leave the meeting throughout the debate and vote on the item.

Councillor Ellacott declared a non-pecuniary interest in agenda item 11 (17/02197/HHOLD) because he was acquainted with the applicant.

Councillor Parnall declared a non-pecuniary interest in agenda item 11 (17/02197/HHOLD) because he was a friend of many years to the applicant. Councillor Parnall advised that he would leave the meeting through the debate and vote on the item because of his close connection to the applicant.

123. **ADDENDUM TO THE AGENDA**

An addendum was circulated at the meeting to provide an update on matters arising after the agenda was published.

RESOLVED to note and to take into consideration the content of the addendum.

124. **17/02196/F: 32 - 42 PRICES LANE, REIGATE**

The Committee considered an application for demolition of the existing buildings and redevelopment to form 31 retirement apartments for the elderly including communal facilities, access, car parking and landscaping.

RESOLVED that planning permission be **GRANTED** subject to:

- (a) completion of all documentation required to create a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure:
 - (i) a contribution of £240,000 towards the provision of affordable housing upon commencement of development;
 - (ii) a clawback mechanism to provide that, in the event that legislation which would prevent the charging of ground rents on the application scheme is in force at the point of first occupation, the council covenants to return a sum of up to maximum £103,508 to the applicant within 30 days; and
 - (iii) the Council’s legal costs in preparing the agreement

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

The proposal fails to provide an agreed contribution to fund affordable housing provision within the Borough of Reigate & Banstead, and is therefore contrary to policy CS15 of the Reigate and Banstead Core Strategy 2014.

(b) the following conditions:

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

Reason:

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

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

Plan Type	Reference	Version	Date Received
Site Layout Plan	20071RG P02		22.09.2017
Landscaping Plan	20071RG RF10		22.09.2017
Site Layout Plan	20071RG P11		22.09.2017
Elevation Plan	20071RG P09	A	01.12.2017
Elevation Plan	20071RG P08	A	01.12.2017
Elevation Plan	20071RG P07	A	01.12.2017
Roof Plan	20071RG P06	A	13.12.2017
Floor Plan	20071RG P05	A	13.12.2017
Floor Plan	20071RG P04	A	13.12.2017
Floor Plan	20071RG P03	A	13.12.2017
Location Plan	20071RG P01		22.09.2017
Arb/Tree Protection Plan	17192-BT2	E	04.10.2017
Other Plan	SU01		04.10.2017
Elevation Plan	EL 01		13.10.2017
Floor Plan	UNNUMBERED		13.10.2017
Floor Plan	32-34-GND		13.10.2017

Floor Plan	36-38-1ST	13.10.2017
Floor Plan	36-38-GND	13.10.2017
Floor Plan	40-42-1ST	13.10.2017
Floor Plan	40-42-GND	13.10.2017

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 commence including groundworks preparation and demolition until all related arboricultural matters including tree protection measures, pre commencement meeting, arboricultural supervision and monitoring are implemented in accordance with the approved details contained in the Arboricultural Assessment and Method Statement dated 26th September 2017 reference 17192-AA-AN Tree Protection Plan Barrell plan reference 17192-BT2 and the Manual for Managing Trees on Development Sites compiled by barrel Tree Consultancy.

Reason:

To ensure good arboricultural practice in the interests of the maintenance of the character and appearance of the area and to comply with policies Pc4 and Ho9 of the Reigate and Banstead Borough Local Plan 2005 and the recommendations within British Standard 5837.

4. 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) HGV deliveries and hours of operation; and
 - (f) measures to prevent the deposit of materials on the highway
 has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason:

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

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

6. No development shall take place until the detailed design of the surface water drainage scheme has been submitted to an approved in writing by the Local Planning Authority. Such details should include:
- (a) a design that follows the principles set out in the approved drainage strategy (Drainage Impact Assessment dated September 2017 by Peter Brett Associates);
 - (b) detailed drawings showing drainage layout, long or cross sections of each drainage element, pipe sizes and invert and cover levels;
 - (c) appropriate calculations to the elements above showing how the national SuDS requirements have been met (if different from the approved strategy), including filtration rates;
 - (d) details of outline construction phasing and how surface water and any associated pollution will be dealt with during the construction of the development and how any on site drainage systems will be protected and maintained;
 - (e) details of who will manage the drainage elements and their associated maintenance regimes; and
 - (f) details of where any exceedance flows (i.e. rainfall greater than design or flows following blockages) would run to, avoiding risks to people and property.

Reason:

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

7. Notwithstanding the approved plans, no above ground works on the residential buildings hereby approved shall take place until written details of the materials to be used in the construction of the external surfaces, including fenestration and roof, have been submitted to and approved in writing by the Local Planning Authority, and on development shall be carried out in accordance with the approved details.

Reason:

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

8. The development hereby approved shall be carried out in accordance with the recommendations for mitigation, construction practice and ecological enhancement – including in relation to bats – identified in the Preliminary

Ecological Appraisal by ECOSA (report reference 3232.F0 dated 2nd October 2017).

Reason:

In order to preserve and enhance the wildlife and habitat interest on the site and ensure species present on the site are afforded appropriate protection during construction works with regard to Reigate and Banstead Borough Local Plan 2005 policy Pc2G.

9. Notwithstanding the approved plans, the development hereby approved shall not be first occupied unless and until the proposed vehicular access to Prices Lane has been constructed with kerbed radii and tactile paving at the pedestrian crossing points and pedestrian visibility measuring two metres from the sides of the accesses by two metres from the back of the footway in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter the pedestrian visibility zones shall be kept permanently clear of any obstruction over 0.6m high above the footway surface.

Reason:

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

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

Reason:

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

11. The development hereby approved shall not be first occupied until facilities for the secure, accessible storage of a minimum of 14 bicycles have been provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter, the bicycle storage facility shall be retained and maintained for its designated purpose.

Reason:

To ensure that the development would promote sustainable transport choices with regard to Policy CS17 of the Reigate and Banstead Core Strategy 2014 and in recognition of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2012

12. The development hereby approved shall not be first occupied unless and until the existing accesses to the site from Prices Lane have been permanently closed and any kerbs, verge and/or footway fully reinstated.

Reason:

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

13. The development hereby approved shall not be first occupied until the external buggy/mobility scooter store has been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved above facility shall be retained and maintained for its designated purpose.

Reason:

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

14. The development hereby approved shall not be first occupied until details of external lighting within the site have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed prior to occupation and thereafter maintained in accordance with the approved details.

Reason:

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

15. The development hereby approved shall not be first occupied until refuse storage facilities have been provided in accordance with the approved plans. The said facilities shall thereafter be retained exclusively for its designated purpose.

Reason:

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

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

Reason:

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

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

Reason:

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

18. The first floor and second floor windows in the east side elevation (Elevation F-F) of the development hereby permitted shown as serving apartments 15, 16, 25 and 26 on the approved plans shall be glazed with obscured glass which shall be fixed shut, apart from a top hung opening fanlight whose cill height shall not be less than 1.7 metres above internal floor level, and shall be maintained as such at all times.

Reason:

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

19. The occupation of the residential dwellings hereby approved (excluding any on-site staff) shall be restricted at all times to persons 60 years old and above, with the exception of persons 55 years old and above who are a spouse or partner of an occupant 60 years old and above.

Reason:

To ensure the development caters for those requiring sheltered/retirement housing in order to maintain an appropriate choice of housing with regard to Policy CS14 of the Reigate and Banstead Core Strategy 2014.

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 advised that prior to the occupation of the development, adequate provision should be made for waste storage and collection. You are advised to contact the Council's Recycling and Cleansing team to discuss the required number and specification of wheeled bins on rc@reigate-banstead.gov.uk or on the Council's website at http://www.reigate-banstead.gov.uk/info/20051/commercial_waste.

3. Your attention is drawn to the benefits of using the Secured by Design award scheme.

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

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

- (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit. In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme - www.ccscheme.org.uk/index.php/site-registration.

5. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see: <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>

6. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.

7. The 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).

8. 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.

9. 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.

10. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

11. The use of a suitably qualified arboricultural consultant is essential to provide acceptable supervision and monitoring in respect of the arboricultural issues in respect of the above condition. All works shall comply with the recommendations and guidelines contained within British Standard 5837.

12. 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 semi mature /Advanced Nursery Stock sizes with initial planting heights of not less than 6m 4.5m with girth measurements at 1m above ground level in excess of 20/25cm and 16/18cm.

13. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions.

125. **17/00444/F: FORMER SHAFTESBURY HOUSE, 14 SCHOOL HILL, MERSTHAM**

The Committee considered an application for retention and conversion of the original villa to provide 2 apartments, demolition of all more recent additions and erection of a new storey extensions to provide 4 apartments and erection of 7 houses with associated landscaping, car parking provision and alterations to the proposed access.

The importance of having an effective traffic management plan in place, and adhered to, throughout the construction phase was noted, and officers undertook to consult with ward members on the details.

RESOLVED that planning permission be **GRANTED** subject to:

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

- (i) the provision on site of 4 x 2 bed shared ownership affordable units; and
- (ii) the Council's legal costs in preparing the agreement

In the event that a satisfactorily completed obligation is not received by 21 August 2018 or such longer period as may be agreed, the Head of Places and Planning be authorised to refuse permission for the following reason:

1. The proposal fails to provide an agreed contribution to fund affordable housing provision within the Borough of Reigate & Banstead, and is therefore contrary to policy CS15 of the Reigate and Banstead Core Strategy 2014.

(b) the following conditions:

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

Reason:

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

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

Plan Type	Reference	Version	Date Received
Site Layout Plan	4238-PL-10		23.02.2017
Detailed Technical Plan	E13018117 CO1	C	22.01.2018
Location Plan	4238-PL-00	B	22.01.2018
Elevation Plan	4238-PL-06	C	17.01.2018
Floor Plan	4238-PL-09	C	17.01.2018
Floor Plan	4238-PL-08	D	17.01.2018
Floor Plan	4238-PL-07	C	17.01.2018
Elevation Plan	4238-PL-05	C	17.01.2018
Elevation Plan	4238-PL-04	E	17.01.2018
Site Layout Plan	4238-PL-03	D	17.01.2018
Site Layout Plan	4238-PL-02	D	17.01.2018
Site Layout Plan	4238-PL-01	F	17.01.2018

Reason:

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

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

Reason:

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

4. Notwithstanding the drawings, the proposed external finishing materials and details shall be carried out using the external facing materials and details specified below and there shall be no variation without the prior approval in writing of the Local Planning Authority;
- All roofs to the front old building (plot 1 & 2) and all new buildings shall be of wealden handmade sandfaced plain clay tiles with bonnet tiles to hips and clay ridge tiles. All tile hanging shall be of wealden handmade sandfaced plain clay tiles with no winchester cut. The tile hanging shall be of a lighter colour than the roof tile.
 - All external joinery shall be of painted timber.
 - All windows shall be white painted timber vertically sliding sashes, set back behind the reveal at one brick depth where set in brickwork. Plots 7 to 13 may be white painted timber side hung casements if required, with casements in each opening to ensure equal sightlines. All glazing bars shall be of traditional profile and externally applied.
 - All brickwork shall be of handmade brick in Flemish bond. All windows arches where set in brick walls shall be of gauged brick arches. All repairs to the front garden wall shall be in English bond.

- e) All dormers shall have an ogee cornice.
- f) All rainwatergoods shall be of painted cast metal or cast metal profile.
- g) The original Georgian building, numbered plots 1 and 2, shall be retained.
- h) All access and drives shall be of fixed gravel and all footpaths shall be of flagstones.
- i) details of any photovoltaics / solar panels shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works

Reason:

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

5. No development shall commence including demolition and or groundworks preparation until a detailed, finalised, scaled 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 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-start 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 Pc4, Pc12 and Ho9 of the Reigate and Banstead Borough Local Plan

Informative:

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

6. No development shall commence on site until a scheme for the landscaping of the site including the retention of existing landscape features has been submitted to and approved in writing by the LPA. Landscaping schemes shall include details of hard and soft landscaping, including any tree removal/retention, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation and management programme.

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

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, shrubs of the same size and species.

Reason:

To ensure good arboricultural and landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies Pc4, Pc12, Ho9 of the Reigate and Banstead Borough Local Plan 2005.

Informative:

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

7. No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding behind any visibility zones
 - (f) HGV deliveries and hours of operation
 - (g) measures to prevent the deposit of materials on the highway
 - (h) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
 - (i) no HGV movements to or from the site shall take place during school drop off and pick up times nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in School Hill during these times

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

Reason:

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

8. The development hereby approved shall not be first occupied unless and until the proposed modified vehicular access to School Hill has been constructed and provided with visibility zones of 2.4m 'x' distance by 43m 'y' distance in each direction in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

Reason:

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

9. The development hereby approved shall not be first occupied unless and until a pedestrian inter-visibility splay measuring 2m x 2m has been provided on each side of the proposed modified vehicular access to School Hill, the depth measured from the back of the footway and the widths outwards from the edges of the access, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. No obstruction to visibility between 0.6m

and 2m in height above ground level shall be erected within the area of such displays.

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

13. The first floor windows in the north elevation of plot 3 & 4 and 5 &6 excluding the window to the external communal staircase shall be glazed with obscured glass which shall be fixed shut, apart from a top hung opening fanlight whose cill height shall not be less than 1.7 metres above internal floor level, and shall be maintained as such at all times.

Reason:

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

14. No development, shall commence until details of the detailed design of the surface water drainage scheme has been submitted to and approved in writing by

the Local Planning Authority. Hereafter the drainage scheme shall be implemented and maintained in strict accordance with the approved details. The submission shall include:

- (a) A design that satisfies the SuDs Hierarchy and follows the principles set out in the approved drainage strategy 'Flood Risk & Drainage Strategy Report'
- (b) Detailed drawings showing drainage layout, long or cross sections of each drainage element, pipe sizes and invert and cover levels.
- (c) Appropriate calculations to the elements above showing how the national SuDs standards have been met (if different from the approved strategy)
- (d) Details of outline construction phasing and how surface water and any associated pollution will be dealt with during the construction of the development, and how any on site drainage systems will be protected and managed
- (e) Details of who will maintain the drainage elements and their associated maintenance regimes.
- (f) Details of where any exceedance flows (i.e. rainfall greater than design or flows following blockages) would run to, avoiding risks to people and property

Reason:

To ensure the design meets the technical stands for SuDS and the final drainage design does not increase flood risk on or off site in accordance with Reigate and Banstead Borough Local Plan 2005 policy Ut4, Policy CS10 of the Core Strategy 2014, as well as the requirements of the Non-statutory technical standards and the provisions of the NPPF.

15. Prior to first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Urban Drainage System has been constructed as per the agreed scheme.

Reason:

To ensure the Sustainable Drainage System is designed to the technical standards and the final drainage design does not increase flood risk on or off site in accordance with Reigate and Banstead Borough Local Plan 2005 policy Ut4, Policy CS10 of the Core Strategy 2014, as well as the requirements of the Non-statutory technical standards and the provisions of the NPPF.

16. The development shall be carried out in accordance with the measures identified within the Greenspace Ecological Solutions Ltd. (GES Extended Phase I Habitat Survey and those previously identified by Lloyd Bore Ltd. in August 2013.

Reason :

In order to ensure suitable wildlife protection with regards Policy Pc2G of the Reigate and Banstead Borough Local Plan 2005.

INFORMATIVES

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

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 or modify a vehicle crossover or to install dropped kerbs. Please see:

www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.

7. 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).

8. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

9. The applicant site is situated on or in close proximity to land that could be potentially contaminated by virtue of previous historical uses of the land. As a result there is the potential of ground contamination to be present beneath part(s) of the site. Groundworkers should be made aware of this so suitable mitigation measures and personal protective equipment measures (if required) are in place and used. Should significant ground contamination be identified the Local Planning Authority should be contacted promptly for further guidance.

126. **17/01401/F: C F SPARROWHAWK LTD, 24 EPSOM LANE NORTH, EPSOM DOWNS**

The Committee considered an application for change of use from a scrap metal business to residential flats by demolishing the existing work sheds and building a total of 12 flats in two units with undercroft parking for the residences.

The agent representing the applicant spoke in favour of the application.

RESOLVED that planning permission be **REFUSED** on the following grounds:

1. The proposal, by virtue of the excessive height, depth, bulk and massing of the buildings and their layout within the site including the close spacing between them and their close proximity to the road frontage, would appear uncharacteristically dominant within the street scene of Epsom Lane North and harmful to the more spacious character of the area. Ho9, Ho13 and Ho16 of the Reigate and Banstead Local Plan 2005, policy CS4 of the Reigate and Banstead Core Strategy and the provisions of the NPPF in relation to "Requiring Good Design".
2. Insufficient information has been provided to demonstrate that the development would be make adequate provision for a feasible sustainable drainage system to effectively manage surface water run-off. The proposed development could therefore give rise to risk of flooding to future occupants and neighbouring property and highway, contrary to policy CS10 of the Reigate and Banstead Core

Strategy, the provisions of the NPPF and the 2014 Written Ministerial Statement on “Sustainable Drainage Systems”.

3. In absence of a completed legal agreement, the proposal fails to make adequate provision for affordable housing and is therefore contrary to policy CS15 of the Reigate and Banstead Core Strategy 2014.

Note: Councillor Coad was not present at the start of this item and, in accordance with the Committee’s protocol, did not take part in the debate or vote.

127. **17/02787/F: 40 FIR TREE ROAD, BANSTEAD**

The Committee considered an application for demolition of the existing building previously used as C2 residential institution and erection of a three-storey building to allow for five residential flats.

An unaccompanied site inspection was undertaken in respect of this application.

RESOLVED that planning permission be **GRANTED** subject to the following conditions:

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

Plan Type	Reference	Version	Date Received
Location Plan	0117		30.11.2017
Floor Plan	010		30.11.2017
Floor Plan	011		30.11.2017
Roof Plan	012		30.11.2017
Elevation Plan	013		30.11.2017
Elevation Plan	014		30.11.2017
Block Plan	0117	B	10.01.2018
Site Layout Plan	0117 P 050	B	10.01.2018
Floor Plan	0117 P 100	C	10.01.2018
Floor Plan	0117 P 101	C	10.01.2018
Floor Plan	0117 P 102	D	09.02.2018
Roof Plan	0117 P 103	D	09.02.2018
Elevation Plan	0117 E 300	D	09.02.2018
Elevation Plan	0117 E 301	D	09.02.2018
Street Scene	0117 E 302	C	10.01.2018

Reason:

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

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

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

Reason:

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

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

Reason:

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

4. 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) HGV deliveries and hours of operation
 - (f) measures to prevent the deposit of materials on the highway
 - (g) 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:

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

5. No development, except demolition, shall commence on site until a scheme for the landscaping of the site 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 and management programme.

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

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

Reason:

To ensure good arboricultural and landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies Pc4 and Ho9 of the Reigate and Banstead Borough Local Plan 2005 and the recommendations within British Standard 5837.

6. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason:

The site covers an area in which it is considered necessary to preserve for future reference any archaeological information before it is destroyed by the development with regard to the Reigate and Banstead Borough Local Plan 2005 policy Pc8.

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

Reason:

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

8. Notwithstanding the approved drawings, the development hereby approved shall not be first occupied unless and until details of a revised design and siting for the bin store building has been submitted to and approved in writing by the Local Planning Authority. The bin store shall be constructed in accordance with the revised details and thereafter retained and maintained for its designated purpose.

Reason:

To ensure that the development would make appropriate provision for the storage of waste and recycling in a manner which would not adversely impact on the character of the area with regard to policy Ho9 of the Reigate and Banstead Borough Local Plan 2005.

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

Reason:

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

10. The development hereby approved shall not be first occupied until space has been laid out in the development in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for a minimum of five bicycles to be stored in a covered, well-lit and secure location. Thereafter the bike storage shall be retained and maintained for its designated purpose.

Reason:

To ensure that the development would promote sustainable transport choices with regard to Policy CS17 of the Reigate and Banstead Core Strategy 2014 and

in recognition of Section 4 “Promoting Sustainable Transport” in the National Planning Policy Framework 2012

11. The development hereby approved shall not be first occupied until details of privacy screens to be installed to the side returns of the proposed rear terraces have been submitted to and approved in writing by the Local Planning Authority. The screens shall be installed in full accordance with the approved details and thereafter retained and maintained as such at all times.

Reason:

To ensure that the development does not affect the amenity of the neighbouring property by overlooking with regard to Reigate and Banstead Borough Local Plan 2005 policy Ho9 and Ho13.

12. Notwithstanding the drawings, the development shall not be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details before the occupation of the development hereby permitted and thereafter permanently maintained.

Reason:

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

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

Reason:

To ensure that the development does not affect the amenity of the neighbouring property by overlooking with regard to Reigate and Banstead Borough Local Plan 2005 policy Ho9 and Ho13.

14. The second floor rooflights in the eastern and western side elevations of the development hereby permitted shall be glazed with obscured glass which and shall be fitted with restrictors limiting opening to 10cm or less unless the cill height would be greater than 1.7 metres above internal floor level, and shall be maintained as such at all times.

Reason:

To ensure that the development does not affect the amenity of the neighbouring property by overlooking with regard to Reigate and Banstead Borough Local Plan 2005 policy Ho9 and Ho13.

INFORMATIVES

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at www.firesprinklers.info.

2. The applicant is advised that prior to the occupation of the development, adequate provision should be made for waste storage and collection. You are advised to contact the Council's Recycling and Cleansing team to discuss the

required number and specification of wheeled bins on rc@reigate-banstead.gov.uk or on the Council's website at http://www.reigate-banstead.gov.uk/downloads/file/2579/making_space_for_waste.

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

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

Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit. In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme - www.ccscheme.org.uk/index.php/site-registration.

4. 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.

5. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority Local Highways Service Group (0300 200 1003) before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs.

Please see: www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.

6. When an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways

Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.

7. 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).

8. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

9. The 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

10. The applicant is advised to use the 'Secured by Design' scheme to design out crime by the use of effective crime prevention and security standards.

11. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions.

Note: In accordance with the Constitution, and at his request, it was noted that Councillor Selby voted against this application.

128. **17/02433/F: BARCLAYS BANK PLC, 24 STATION APPROACH, TADWORTH**

The Committee considered an application for change of use from former bank (use class A2) to residential (use class C3), alterations/extensions at roof level and a rear extension to provide seven self-contained flats and associated development.

The importance of having an effective traffic management plan in place, and adhered to, throughout the construction phase was noted, and officers undertook to consult with ward members on the details.

RESOLVED that planning permission be **GRANTED** subject to the following conditions:

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

Reason:

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

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

Plan Type	Reference	Version	Date Received
Other Plan	UNNUMBERED		20.11.2017
Block Plan	267(PL)01		18.10.2017
Site Layout Plan	267(PL)02		18.10.2017
Roof Plan	267(PL)05		18.10.2017
Floor Plan	267(PL)04		18.10.2017
Floor Plan	267(PL)03		18.10.2017
Floor Plan	267(PL)08	B	25.01.2018
Floor Plan	267(PL)07	B	25.01.2018
Floor Plan	267(PL)09	B	25.01.2018
Roof Plan	267(PL)10	C	25.01.2018
Section Plan	267(PL)15	B	25.01.2018
Elevation Plan	267(PL)14	C	25.01.2018
Elevation Plan	267(PL)13	C	25.01.2018
Elevation Plan	267(PL)12	C	25.01.2018
Elevation Plan	267(PL)11	C	25.01.2018
Site Layout Plan	267(PL)06	B	25.01.2018

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

Reason:

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

3. Notwithstanding the drawings, the proposed external finishing materials and details shall be carried out using the external facing materials and details specified below and there shall be no variation without the prior approval in writing of the Local Planning Authority:
 - a) All roofs shall be of dark Wealden handmade sandfaced plain clay tiles with bonnet tiles to hips and handmade clay ridge tiles. The side gables shall be tile hanging in Wealden handmade sandfaced plain clay tiles with no Winchester cut.
 - b) All external joinery shall be of painted timber (except for the plate glass doors and windows which shall be of dark grey finish).
 - c) All windows shall be white painted timber vertically sliding sashes with exposed box sashes, painted timber architrave surrounds and glazing bars to match existing (except the dormer windows).
 - d) All brickwork shall be of handmade 50mm (2 inch) multistock brick in Flemish bond with closer bricks to surrounds and gauged red brick arches.
 - e) All hipped roof dormers shall have side hung white painted timber casements with casements in each opening to ensure equal sightlines. The hips shall be

in bonnet tiles. The cheeks shall be thin and clad in lead or tile hung and the eaves shall be traditionally detailed without gutters.

- f) All rainwater goods shall be of black painted cast metal.
- g) The cornice and entablature shall be of natural bath stone and the existing cornice shall be repaired like for like before occupation of the building.
- h) The bin store doors shall be of dark stained vertical timber boarding.
- i) All rooflights shall be black painted metal conservation rooflights with single vertical glazing bars of traditional profile.
- j) The fascias to the rear box dormers shall be of no more than two brick courses deep and of black finish.

Reason:

To ensure that the development hereby permitted is only constructed using the appropriate external facing materials in the interest of the visual amenities of the area with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9, Ho13 and Pc13.

- 4. Prior to commencement of the works, details of the hipped dormers showing the pitch to be raised to 50 degrees shall be submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the development hereby permitted is implemented with traditional design in the interest of the visual amenities of the area with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9, Ho13 and Pc13.

- 5. The development shall not be occupied until detail of the bicycle lockers have been submitted to and approved in writing by the Local Planning Authority and installed.

Reason:

To ensure that the development hereby permitted is only constructed using the appropriate external facing materials in the interest of the visual amenities of the area with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9, Ho13 and Pc13.

- 6. No development shall be undertaken until details of the north elevation doors and fanlights have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved door and fanlight details.

Reason:

To ensure that the development hereby permitted is only constructed using the appropriate external facing materials in the interest of the visual amenities of the area with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9, Ho13 and Pc13.

- 7. The development shall not be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected 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 ensure that the development hereby permitted is only constructed using the appropriate external facing materials in the interest of the visual amenities of the

area with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9, Ho13 and Pc13.

INFORMATIVES

1. 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.

2. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at www.firesprinklers.info.

3. 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.

4. Building works involving work on an existing wall shared with another property; or new building on the boundary with a neighbouring property; or excavating near a neighbouring building, may fall within the scope of the Party Wall, etc. Act 1996 and may require that you serve a Statutory Notice on all affected owners. Further guidance is available from www.communities.gov.uk.

129. 17/02949/F: WEST VIEW FARM, ST GEORGES ROAD, SALFORDS

The Committee considered an application for demolition of existing agricultural buildings and removal of hardstanding areas and erection of three three-bedroom dwellings with parking and landscaping.

Members were concerned to ensure that the proposed eco habitat was not allowed to degrade over time so that local wildlife was encouraged and protected.

Officers undertook to provide the applicant with the contact details for Horley Conservation Group, who would be able to provide support and guidance on managing the natural habitat.

Officers also undertook to share members' concerns with Tandridge District Council because part of the site was situated within their authority and a planning application would be coming before them in due course.

RESOLVED that planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Type	Reference	Version	Date Received
Location Plan	(PL)00		15.12.2017
Floor Plan	(PL) 13		15.12.2017
Arboricultural Plan	CM/17638		15.12.2017
Section Plan	(PL) 18		15.12.2017
Elevation Plan	(PL) 19		15.12.2017
Site Layout Plan	(PL) 01		15.12.2017
Proposed Plans	(PL) 20		15.12.2017
Block Plan	(PL) 11		15.12.2017
Floor Plan	(PL) 14		15.12.2017
Floor Plan	(PL) 12		15.12.2017
Site Layout Plan	(PL) 10		15.12.2017
Existing Plans	(PL) 02	B	15.01.2018
Existing Plans	(PL) 03	B	15.01.2018
Section Plan	(PL) 15	B	15.01.2018
Section Plan	(PL) 16	B	15.01.2018
Section Plan	(PL) 17	B	15.01.2018

Reason:

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

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

Reason:

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

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

Reason:

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

5. No development shall commence including groundworks preparation and demolition until all related arboricultural matters, including arboricultural supervision, monitoring and tree protection measures are implemented in strict accordance with the approved details contained in the Tree Protection Plan and Arboricultural Method Statement compiled by SJA reference 17104-01, dated December 2017

Reason:

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

Informative:

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

6. No development shall commence on site until a scheme for the landscaping of the site including the retention of existing landscape features has been submitted to and approved in writing by the LPA. Landscaping schemes shall include details of hard and soft landscaping, including any tree removal/retention, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation and management programme.

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

Any trees shrubs or plants planted in accordance with this condition which are removed, die or become damaged or become diseased within five years of

planting shall be replaced within the next planting season by trees, shrubs of the same size and species.

Reason:

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

Informative:

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

7. The development shall be constructed in accordance with the submitted Construction Management Plan, ref A13457/VAA prepared by Pell Frichmann dated 13th December 2017. This includes provision for before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused. Any variation to the CMP shall be agreed in writing with the Local Planning Authority.

Reason:

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

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

Reason:

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

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

Reason:

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

10. 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 or E of Part 1 of the Second Schedule of the 2015 Order shall be constructed.

Reason: To control any subsequent enlargements in the interests of the visual and residential amenities of the locality with regard to Reigate and Banstead Borough Local Plan 2005 policies Co1, Ho24, Ho9, Ho13, and Ho16

11. No development, shall commence until details of the design of a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority
Reason:
To ensure that the development is served by an adequate and approved means of drainage and to prevent flooding with regard to Policy Ut4 of the Reigate and Banstead Borough Local Plan 2005 and Policy CS10 of the Reigate and Banstead Core Strategy 2014.
12. The development hereby permitted shall be implemented in accordance with the recommendations of the Preliminary Ecological Appraisal and Ecological Mitigation and Enhancement Strategy submitted with the application in all respects. Any variation shall be agreed in writing by the Local Planning Authority before such change is made. This condition will be discharged on receipt of a letter from the project ecologist stating that the mitigation has been completed according to the recommendations.
Reason:
To protect the important species and habitats on the site, in accordance with Policy Pc2G of the Reigate and Banstead Borough Local Plan 2005, Natural England standing advice and the provisions of the NPPF
13. No development shall commence until a landscape and ecological management plan (LEMP) for the new pond and the retention and enhancement of the meadow grassland on land to the east of the built footprint within the application red line has been submitted to and approved in writing by the Local Planning Authority. The LEMP should be based on the proposed mitigation and biodiversity enhancements set out in the Ecological Mitigation and Enhancement Strategy and shall include the long term ecological design objectives, management responsibilities and maintenance schedules for all landscape and ecological areas. The LEMP shall ensure that construction activities on site have regard to the potential presence of protected species and ensure recommendations are incorporated with respect to 'means of escape' and precautionary working methods that follow best ecological practice. The development shall thereafter be carried out and thereafter managed in accordance with the approved LEMP.
Reason:
To preserve and enhance the ecological and landscape value and open rural setting of the locality and ensure that the development would not harm any wildlife or protected species with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9, Ho13 and PC2G.
14. Prior to commencement of development a written comprehensive environmental desktop study report is required to identify and evaluate possible on and off site sources, pathways and receptors of contamination and enable the presentation of all plausible pollutant linkages in a preliminary conceptual site model. The study shall include relevant regulatory consultations such as with the Contaminated Land Officer and be submitted to the Local Planning Authority and is subject to the approval in writing of the Local Planning Authority and any additional requirements that it may specify. The report shall be prepared in accordance with the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR 11) and British Standard BS 10175.

Reason:

To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Core Strategy CS10 and the provisions of the NPPF

15. In follow-up to the environmental desktop study report and prior to the commencement of development, a contaminated land site investigation proposal, detailing the extent and methodologies of sampling, analyses and proposed assessment criteria required to enable the characterisation of the plausible pollutant linkages identified in the preliminary conceptual model, shall be submitted to the Local Planning Authority. This is subject to the written approval in writing of the Local Planning Authority, and any additional requirements that it may specify, prior to any site investigation being commenced on site. Following approval, the Local Planning Authority shall be given a minimum of two weeks written notice of the commencement of site investigation works.

Reason:

To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Core Strategy CS10 and the provisions of the NPPF

16. Prior to commencement of the development, a contaminated land site investigation and risk assessment, undertaken in accordance with the site investigation proposal as approved that determines the extent and nature of contamination on site and is reported in accordance with the standards of DEFRA's and the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR 11) and British Standard BS 10175, shall be submitted to the Local Planning Authority and is subject to the approval in writing of the Local Planning Authority and any additional requirements that it may specify. If applicable, ground gas risk assessments should be completed inline with CIRIA C665 guidance.

Reason:

To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Core Strategy CS10 and the provisions of the NPPF

- 17a. Prior to commencement of the development a detailed remediation method statement should be produced that details the extent and method(s) by which the site is to be remediated, to ensure that unacceptable risks are not posed to identified receptors at the site and details of the information to be included in a validation report, has been submitted to and approved in writing by the Local Planning Authority, and any additional requirements that it may specify, prior to the remediation being commenced on site. The Local Planning Authority shall then be given a minimum of two weeks written notice of the commencement of remediation works.
- 17b. Prior to occupation, a remediation validation report for the site shall be submitted to the Local Planning Authority in writing. The report shall detail evidence of the remediation, the effectiveness of the remediation carried out and the results of post remediation works, in accordance with the approved remediation method

statement and any addenda thereto, so as to enable future interested parties, including regulators, to have a single record of the remediation undertaken at the site. Should specific ground gas mitigation measures be required to be incorporated into a development the testing and verification of such systems should be in accordance with CIRIA C735 guidance document entitled 'Good practice on the testing and verification of protection systems for buildings against hazardous ground gases' and British Standard BS 8285 Code of Practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings.

Reason:

To demonstrate remedial works are appropriate and demonstrate the effectiveness of remediation works so that the proposed development will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Core Strategy CS10 and the provisions of the NPPF

18. Unexpected ground contamination: Contamination not previously identified by the site investigation, but subsequently found to be present at the site shall be reported to the Local Planning Authority as soon as is practicable. If deemed necessary development shall cease on site until an addendum to the remediation method statement, detailing how the unsuspected contamination is to be dealt with, has been submitted in writing to the Local Planning Authority. The remediation method statement is subject to the written approval of the Local Planning Authority and any additional requirements that it may specify.

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

Reason:

To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Core Strategy CS10 and the provisions of the NPPF

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 development hereby approved is liable to pay the Community Infrastructure Levy (CIL). Payment of CIL is mandatory. You are advised to familiarise yourself with CIL, its implications and your responsibilities. More information about CIL is available at www.reigate-banstead.gov.uk/cil.

If you have not already done so, you should submit an Assumption of Liability Form as soon as possible to notify the Council who will be responsible for paying CIL for the development. This will ensure that the CIL Liability Notice, and any subsequent correspondence associated with CIL, is issued to the correct party. Responsibility to pay CIL will default to the landowner unless another party has assumed liability. All relevant forms can be found on the Planning Portal website at:

<http://www.planningportal.co.uk/planning/applications/howtoapply/whattosubmit/cil>

4. 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.

5. 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.

6. Environmental Health would like to draw the applicant attention to the specifics of the contaminated land conditional wording such as 'prior to commencement', 'prior to occupation' and 'provide a minimum of two weeks notice'.

7. The submission of information not in accordance with the specifics of the planning conditional wording can lead to delays in discharging conditions, potentially result in conditions being unable to be discharged or even enforcement action should the required level of evidence/information be unable to be supplied. All relevant information should be formally submitted to the Local Planning Authority and not direct to Environmental Health.

8. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to

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

Note: Councillor Pay was not present at the start of this item and, in accordance with the Committee's protocol, did not take part in the debate or vote.

130. **17/02197/HHOLD: GULFOSS, THE GLADE, KINGSWOOD**

The Committee considered an application for retention and remodelling of the attached garage.

An unaccompanied site inspection was undertaken in respect of this application.

The application, for a reduction in the size of the garage, had been brought by the applicant following the loss of an appeal to maintain the current structure, which was the subject of an extant enforcement notice.

Officers advised that, if the Committee was minded to grant permission, then an informative could be added advising the applicant that work should be completed within three months to avoid any future review of the enforcement notice.

The Committee expressed a desire for the screening to be of a mix of species, rather than laurel as proposed in the application. It was also keen to ensure that the two silver birch trees to be planted were of a reasonable size and girth.

Officers undertook to add a further screening condition, to control the details of landscaping, in consultation with the Chairman and Ward Members.

RESOLVED that planning permission be **GRANTED** subject to

- (a) a condition to control landscaping and screening, and
- (b) the following conditions:
 1. The development hereby permitted shall be completed before the expiration of three years from the date of this permission.
Reason:
To comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
 2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Type	Reference	Version	Date Received
Location Plan	1776-P001	A	21.11.2017
Roof Plan	16 51 03		22.09.2017
Floor Plan	16 51 03		22.09.2017
Elevation Plan	1776-P103	A	21.11.2017
Combined Plan	1776-P101	A	21.11.2017
Survey Plan	SO863-01	B	21.11.2017
Floor Plan	1776-P102	A	21.11.2017

Elevation Plan	1776-P303	A	21.11.2017
Roof Plan	1776-P104	A	21.11.2017
Elevation Plan	1776-P304	A	21.11.2017
Block Plan	1776-P002	A	21.11.2017
Site Layout Plan	1776-P003	A	21.11.2017
Elevation Plan	1776-P302	A	21.11.2017
Elevation Plan	1776-P301	A	21.11.2017
Landscaping Plan	1776-P004	C	10.01.2018
Other Plan	2018/4132/002		30.01.2018
Other Plan	2018/4132/001		30.01.2018

Reason:

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

3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason:

To ensure that the development hereby permitted is only constructed using the appropriate external facing materials or suitable alternatives in the interest of the visual amenities of the area with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9 and Ho13.

4. Within the first planting season following this permission the landscaping of the site including the retention of existing landscape features shall be completed in accordance with the submitted and approved scheme.

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

Reason:

To ensure good arboricultural and landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies Pc4, Ho15 and Ho9 of the Reigate and Banstead Borough Local Plan 2005.

5. The visibility zones in accordance with the approved plans shall be kept permanently clear of any obstruction over 1.05m high.

Reason:

The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users with regards Policy CS10 of the adopted Reigate and Banstead Core Strategy 2014, Policies Mo4 and Mo5 of the Reigate and Banstead Borough Local Plan 2005 and the National Planning Policy Framework 2012.

INFORMATIVES

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at www.firesprinklers.info.

2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions.

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

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

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

4. The Applicants attention is brought to the requirement of the Planning Enforcement notice that required the corrective works to be completed within three months of the date the Enforcement Notice became effective. The Enforcement Notice is extant and the Council will expect, to avoid prosecution proceedings, the works to the garage and accommodation in the roof to be completed within 3 months of the date of this permission.

5. The works hereby approved are to be completed within three months. Failure to do so will result in a review of the existing enforcement notice and consideration of further action to be taken.

Note: Councillor Parnall left the meeting throughout the debate and vote on this item.

131. 17/02187/F: 32 HIGH STREET, HORLEY

The Committee considered an application for a two storey rear extension following removal of redundant storage shed to provide two one-bedroom flats.

RESOLVED that planning permission be **GRANTED** subject to the following conditions

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

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

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

Plan Type	Reference	Version	Date Received
Location Plan	01	A	21.09.2017
Elevation Plan	08	A	21.09.2017
Elevation Plan	07		21.09.2017
Floor Plan	06	A	21.09.2017
Floor Plan	05		21.09.2017

Reason:

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

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

Reason:

To ensure that the development hereby permitted is only constructed using the appropriate external facing materials or suitable alternatives in the interest of the visual amenities of the area with regard to Reigate and Banstead Borough Local Plan 2005, policies Ho9, Ho13 and Ho16

4. Notwithstanding the submitted plans the development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the a scheme to be submitted to and approved in writing by the Local Planning Authority for a minimum of two bicycles to be stored in a covered and secure location. Thereafter the bicycle storage area shall be retained and maintained for its designated purpose.

Reason:

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

5. Prior to commencement of development a written comprehensive environmental desktop study report is required to identify and evaluate possible on and off site sources, pathways and receptors of contamination and enable the presentation of all plausible pollutant linkages in a preliminary conceptual site model. The study shall include relevant regulatory consultations such as with the Contaminated Land Officer and be submitted to the Local Planning Authority and is subject to the approval in writing of the Local Planning Authority and any additional requirements that it may specify. The report shall be prepared in accordance with the Environment Agency’s Model Procedures for the Management of Contaminated Land (CLR 11) and British Standard BS 10175.

Reason:

To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Local Plan 2005 Policy (insert reference) and the NPPF.

6. In follow-up to the environmental desktop study report and prior to the commencement of development, a contaminated land site investigation proposal, detailing the extent and methodologies of sampling, analyses and proposed assessment criteria required to enable the characterisation of the plausible pollutant linkages identified in the preliminary conceptual model, shall be submitted to the Local Planning Authority. This is subject to the written approval in writing of the Local Planning Authority, and any additional requirements that it may specify, prior to any site investigation being commenced on site. Following approval, the Local Planning Authority shall be given a minimum of two weeks written notice of the commencement of site investigation works.

Reason:

To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Local Plan 2005 Policy (insert reference) and the NPPF.

7. Prior to commencement of the development, a contaminated land site investigation and risk assessment, undertaken in accordance with the site investigation proposal as approved that determines the extent and nature of contamination on site and is reported in accordance with the standards of DEFRA's and the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR 11) and British Standard BS 10175, shall be submitted to the Local Planning Authority and is subject to the approval in writing of the Local Planning Authority and any additional requirements that it may specify. If applicable, ground gas risk assessments should be completed inline with CIRIA C665 guidance.

Reason:

To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Local Plan 2005 Policy (insert reference) and the NPPF.

8. a. Prior to commencement of the development a detailed remediation method statement should be produced that details the extent and method(s) by which the site is to be remediated, to ensure that unacceptable risks are not posed to identified receptors at the site and details of the information to be included in a validation report, has been submitted to and approved in writing by the Local Planning Authority, and any additional requirements that it may specify, prior to the remediation being commenced on site. The Local Planning Authority shall then be given a minimum of two weeks written notice of the commencement of remediation works.

b. Prior to occupation, a remediation validation report for the site shall be submitted to the Local Planning Authority in writing. The report shall detail evidence of the remediation, the effectiveness of the remediation carried out and the results of post remediation works, in accordance with the approved remediation method statement and any addenda thereto, so as to enable future interested parties, including regulators, to have a single record of the remediation undertaken at the site. Should specific ground gas mitigation measures be required to be incorporated into a development the testing and verification of such systems should have regard to CIRIA C735 guidance document entitled 'Good practice on the testing and verification of protection systems for buildings against

hazardous ground gases' and British Standard BS 8285 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings

Reason:

To demonstrate remedial works are appropriate and demonstrate the effectiveness of remediation works so that the proposed development will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Local Plan 2005 Policy (insert reference) and the NPPF.

9. Unexpected ground contamination: Contamination not previously identified by the site investigation, but subsequently found to be present at the site shall be reported to the Local Planning Authority as soon as is practicable. If deemed necessary development shall cease on site until an addendum to the remediation method statement, detailing how the unsuspected contamination is to be dealt with, has been submitted in writing to the Local Planning Authority. The remediation method statement is subject to the written approval of the Local Planning Authority and any additional requirements that it may specify.

Note:

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

Reason:

To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Local Plan 2005 Policy and the NPPF.

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;
 - (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 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.

6. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned 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).

7. Environmental Health would like to draw the applicant attention to the specifics of the contaminated land conditional wording such as 'prior to commencement', 'prior to occupation' and 'provide a minimum of two weeks notice'.

The submission of information not in accordance with the specifics of the planning conditional wording can lead to delays in discharging conditions, potentially result in conditions being unable to be discharged or even enforcement action should the required level of evidence/information be unable to be supplied. All relevant information should be formally submitted to the Local Planning Authority and not direct to Environmental Health.

132. 17/02818/F: LA LANTERNA, 73 BELL STREET, REIGATE

The Committee considered an application for a two storey building to comprise of two flats.

An accompanied site inspection was undertaken in respect of this application.

Reasons for refusal were proposed and seconded.

RESOLVED that planning permission be **REFUSED** on the following grounds:

1. The proposed development would, by reason of its scale and juxtaposition with the rear elevation of No.71a Bell Street, appear significantly overbearing from the first floor rear window of No. 71a Bell Street, harmful to the outlook from, and residential amenities of, this property contrary to policies Ho9 and Ho13 of the Reigate and Banstead Borough Local Plan 2005.

133. **17/03027/HHOLD: 46 HITCHINGS WAY, REIGATE**

The Committee considered an application for a single storey rear extension and porch.

The application was before the Committee because the applicant was a councillor.

RESOLVED that planning permission be **GRANTED** subject to the following conditions.

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

Reason:

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

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

Plan Type	Reference	Version	Date Received
Block Plan	UNNUMBERED		21.12.2017
Location Plan	UNNUMBERED		21.12.2017
Floor Plan	3699/E/01		21.12.2017
Elevation Plan	3699/E/02		21.12.2017
Elevation Plan	3699/E/03		21.12.2017
Combined Plan	3699/01		21.12.2017

Reason:

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

3. The materials to be used in the construction of the external surfaces of the extension must be of a similar appearance to those used in the construction of the exterior of the existing building.

Reason:

To ensure that the development hereby permitted is only constructed using the appropriate external facing materials or suitable alternatives in the interest of the visual amenities of the area with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9 and Ho1

4. The development hereby permitted shall not be implemented before works have commenced on the single storey extension granted by 17/02272/F at 48 Hitchings Way.

Reason:

To ensure that the development does not affect the amenity of the neighbouring property by reason of overbearing and loss of light with regard to Reigate and Banstead Borough Local Plan 2005 policy Ho9.

INFORMATIVES

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

- (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.

Note: Councillor King left the meeting throughout the debate and vote on this application.

134. 17/02735/CLP: 11B HOLLY HILL DRIVE, BANSTEAD

The Committee considered an application for fitting of a Velux window to the roof at the front of house.

The application was before the Committee because the applicant was a councillor.

RESOLVED to note that development is permitted by Class C subject to the following condition:

Any window located on a roof slope forming a side elevation of the dwellinghouse shall be-

- a) obscure-glazed; and

- b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

135. **ANY OTHER URGENT BUSINESS**

None.

The meeting closed at 10.24 pm

ADDENDUM
MEETING OF THE PLANNING COMMITTEE
WEDNESDAY 21st MARCH 2018

ITEM NO: 5

**APPLICATION: 17/02876/F– REDHILL YOUTH ASSOCIATION HALL,
MARKETFIELD ROAD, REDHILL**

PAGE NO: 47

Assessment

Paragraph 6.42 of the Officer Report (page 62) relating to air quality has some missing text. The second and third sentences should read:

“In terms of the proposed residential units, whilst the site is within the A23/Redhill Town Centre Air Quality Management Area, Environmental Health has confirmed that due to the set back from the road future occupants will not experience unacceptable air quality or pollution. Furthermore, latest monitoring of NO₂ concentrations in the vicinity of the site shows a steady improvement in air quality over the past 5 years, with annual mean concentrations now meeting UK air quality objectives”.

CONDITIONS

As a result of further consideration and clarification from the Environment Agency in respect of their requirements for the Redhill Brook, Condition 4 should be replaced with the following:

4. No development shall commence until details of measures to safeguard the Redhill Brook culvert have been submitted to and approved in writing by the Local Planning Authority. Such measures shall include:
 - (a) Confirmation of the exact location, alignment, depth and dimensions of the culvert in the vicinity of the site, including a CCTV condition survey for the culvert length adjacent to the site boundary
 - (b) Detailed design drawings and structural calculations for any works within 8 metres of the outer most edge of the culvert to demonstrate that the structural integrity of the culvert will not be undermined due to the proximity of any proposed works
 - (b) a construction method statement including timing of works, methods used for all works within 8 metres of the culvert, machinery to be employed on site (including location and storage of plant, materials and fuel, access routes) and details of site supervision (including supervision of works within 8 metres of the culvert)

Only the approved details shall be implemented during the construction of the development.

Reason: In order that the development does not increase the risk of flooding by compromising the structural integrity of the Redhill Brook or its ability to convey water in accordance with policy Ut4 of the Reigate and Banstead Borough Local Plan 2005 and Policy CS10 of the Reigate and Banstead Core Strategy.

ITEM NO: 6

APPLICATION: 17/02662/F – FAIRLAWN, THE GLADE, KINGSWOOD

PAGE NO: 85

Proposal and Design Approach

4.6 The table is corrected as follows:

Site area	0.512ha
Proposed parking spaces	19
Parking standard	7+ (recommended maximum)
Net increase in dwellings	6
Existing site density	1.95dph
Proposed site density	13.67dph
Density of the surrounding area	2.7dph (extent of coverage of site location plan)
Former Kingsworthy House on a site of 0.28ha area	Density of 24.5dph

CONDITIONS

Condition no. 2, dates of receipt of plans should read as follows.

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

Plan Type	Reference	Version	Date Received
Site Location Plan	4796 3 110		16.11.2017
Exg GF Site Plan	4796 2 51		16.11.2017
Exg Floor Plans	4796 2 52		16.11.2017
Exg Elevations	4796 2 53		16.11.2017
Proposed Site Plan	4796 3 120	C	13.02.2018
Prop Bst/GF Plans	4796 3 121	B	13.02.2018
Prop 1/2FL/Roof Plans	4796 3 122	B	13.02.2018
Prop Elevations	4796 3 123	B	13.02.2018
Exg/Prop Street Elevns	4796 3 126	B	13.02.2018
Prop Street/Rear	4796 3 128	A	13.02.2018
Site Sections	4796 3 129	A	13.02.2018
Site Cross Section	4796 3 134	A	13.02.2018
Landscape Diagram	4796 3 135		13.02.2018

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

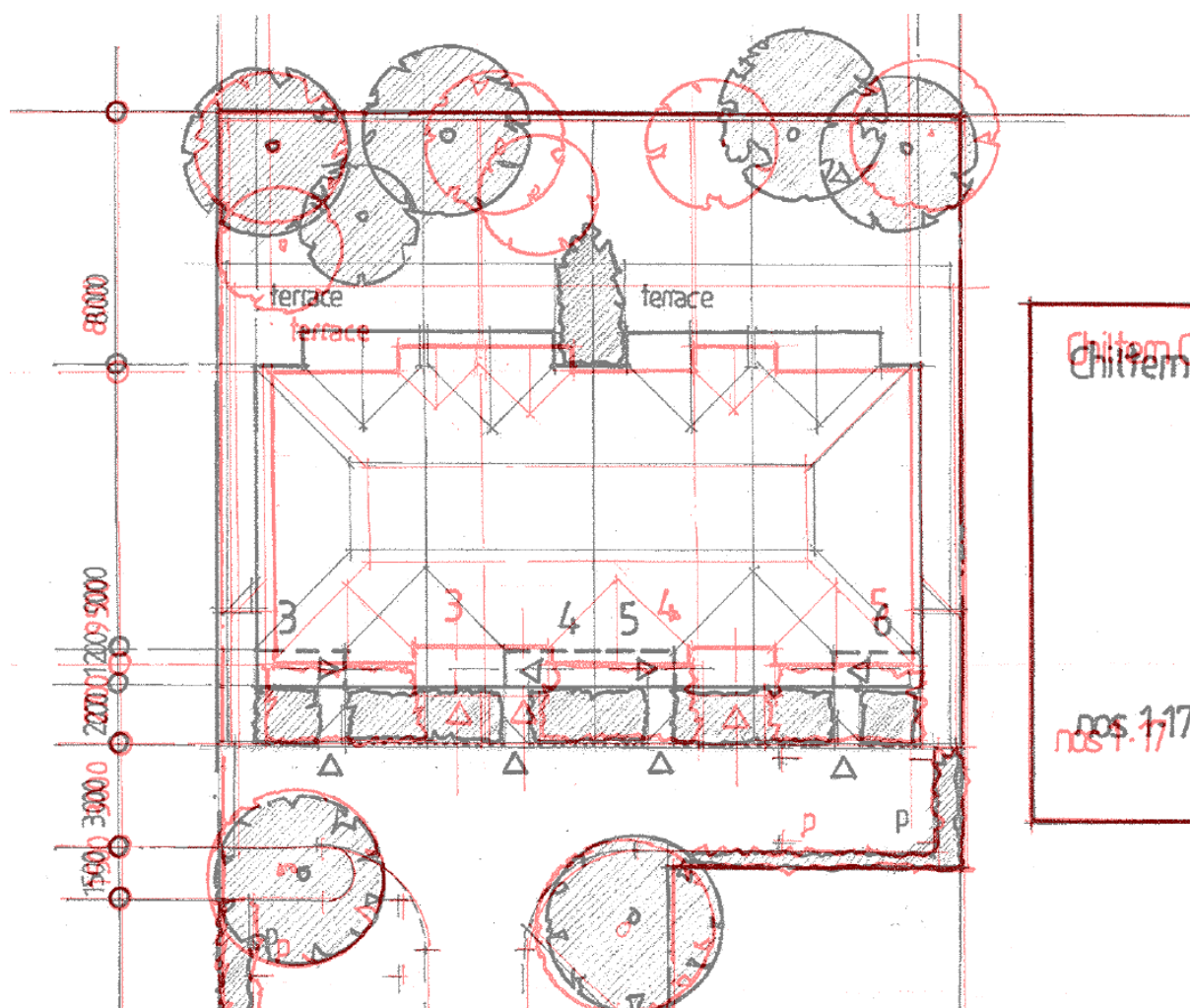
ITEM NO: 7

APPLICATION: 17/02942/F – 31 Blackborough Road, Reigate, Surrey, RH2 7BS

PAGE NO: 111

The layout of the most recently approved scheme, 16/02801/F is included at Appendix A.

The overlay plan below shows the proposed scheme outlined in red, and the refused application reference: 17/01351/F in black.



ITEM NO: 8

**APPLICATION: 18/00036/F– LAND TO THE REAR OF 4A CROYDON LANE,
BANSTEAD**

PAGE NO: 137

The block plan on page 152 of the agenda has been superseded by the block plan on page 153, following amendments to reduce the garden sizes. The plan on page 152 does not form part of the application.

CONDITIONS

Condition 1 to be replaced with:

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

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

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

Plan Type	Reference	Version	Date Received
Survey Plan	UNNUMBERED		05.01.2018
Block Plan	UNNUMBERED	A	02.03.2018
Combined Plan	UNNUMBERED	A	02.03.2018
Site Layout Plan	UNNUMBERED	A	02.03.2018
Location Plan	UNNUMBERED	A	02.03.2018
Elevation Plan	UNNUMBERED	A	02.03.2018

Condition 5 to be replaced with:

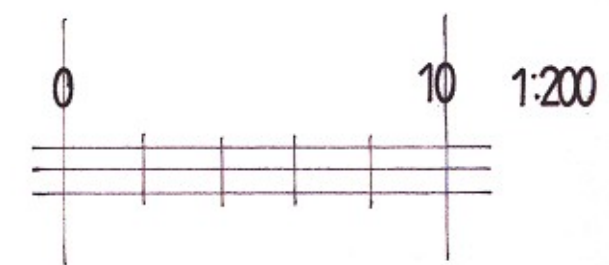
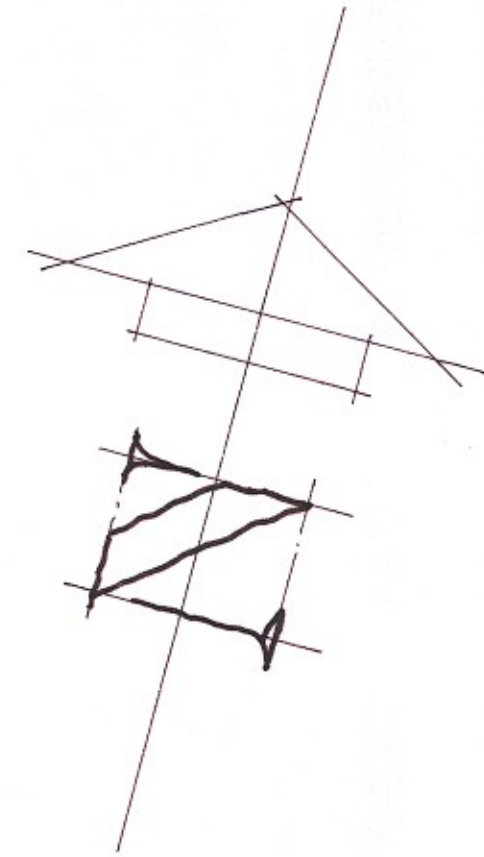
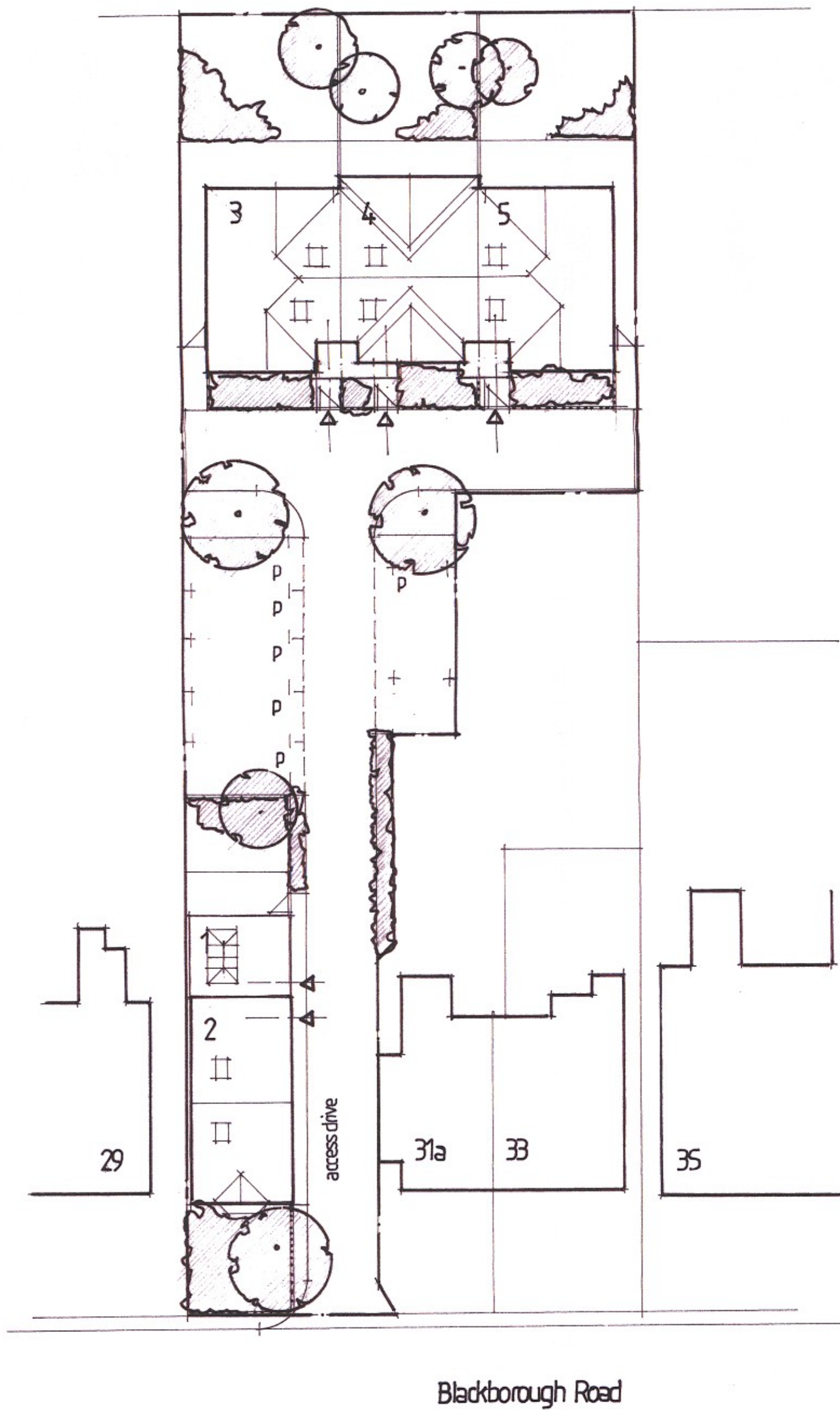
5. The development shall not be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The fencing shall be of an open, ranch style and maintained as such thereafter. 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 the openness of the Metropolitan Green Belt with regard to the Reigate and Banstead Borough Local Plan 2005 policies Ho9 and Co1.

All dimensions must be checked and confirmed by the contractor before start of any works. Any errors or omissions must be advised to client/DPS.
 All site setting out dimensions to be checked against approved planning drawings and approved by client before start of any works.
 Do not scale from this drawing use only figured dimensions.
 All drawings are to be read in conjunction with approved construction notes and schedules.
 Copyright Reserved.

revisions :

location plan 1:1250



31 Blackborough Road, Reigate

Site Layout


no 81-16-01 scale 1:200 at A2 date 11/16



Dps Architectural and Planning Consultancy
 Rosemary Cottage, Newpound, Wisborough Green
 West Sussex RH14 0AX

telephone: 01403 701923

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 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	21 st March 2018
	REPORT OF:	HEAD OF PLACES & PLANNING
	AUTHOR:	Billy Clements
	TELEPHONE:	01737 276087
	EMAIL:	billy.clements@reigate-banstead.gov.uk
AGENDA ITEM:	5	WARD: Redhill East

APPLICATION NUMBER:	17/02876/F	VALID:	11 December 2017
APPLICANT:	Solum Regeneration (Redhill) LLP	AGENT:	WYG
LOCATION:	REDHILL YOUTH ASSOCIATION HALL, MARKETFIELD ROAD, REDHILL		
DESCRIPTION:	Demolition of existing building to provide 50 residential units (including affordable housing) and a community hall, together with bicycle spaces, plant, internal refuse storage, roof-garden and associated landscaping.		
All plans in this report have been reproduced, are not to scale, and are for illustrative purposes only. The original plans should be viewed/referenced for detail.			

SUMMARY

This is a full application for the demolition of the existing building and redevelopment of the site to include a new community use, 50 residential units, new public realm and associated works.

The existing hall has been in active use by a number of community groups, most notably the Redhill Corps of Drums and is clearly considered to be a community use for the purposes of local policy. Whilst these existing more “active” D2 type community uses would not be accommodated in the replacement unit, evidence has been provided to demonstrate that there would be adequate alternative facilities for such groups in the surrounding area, a position supported by the Council’s Community Development Team. Correspondence has also been received from the existing tenants confirming the support, including financial, which the applicant has provided in helping them to relocate to these alternatives.

In terms of the replacement hall, whilst smaller than the existing, it would be of much improved quality and modern facility for which there is considered to be a need. The applicant has agreed to transfer the unit to the Council on a long-leasehold interest. This is felt to be the optimal solution, giving the Council long-term control over the future use and management of the premises to make sure it is available to best meet the needs of Redhill. A contribution of £200,000 towards the fit-out of the unit for future use has also

been negotiated with the applicant. Taking all into account, the replacement unit is felt to meet the requirements of local policies.

Whilst the proposal would represent an increase in scale of built form compared to the existing low level community hall, the height, scale and massing is felt to be acceptable given the existing and emerging context of larger scale development along the A23 and responds appropriately to the two larger landmark buildings proposed on the Liquid & Envy and Marketfield Way schemes. In particular, the staggered height reflects the “stepping down” in scale which was designed into the adjoining Liquid & Envy scheme and avoids a too dominant feel onto Marketfield Way. The appearance, detailing and materials palette also takes some cues from these two schemes, ensuring there is a degree of design consistency between them but without appearing monotonous or repetitive. A new area of public realm is proposed to the north of the building. This would provide a much improved pedestrian link between Marketfield Way and railway underpass and is felt to be a welcome addition.

The application proposes a car-free scheme with no on-site parking. Given the highly accessible nature of the site, the absence of dedicated parking is not felt to be objectionable and the County Highway Authority have raised no concerns in respect of highway safety. Through conditions and the legal agreement, measures to promote sustainable travel – including provision of car club membership for future occupiers – will be secured.

No material harm is identified to the amenity of neighbouring properties and, subject to conditions, it is considered that the development would offer a good standard of accommodation and amenity for future occupants. In addition, whilst the scheme is partially in Flood Zone 2, it is felt to pass the Sequential Test and the Environment Agency are satisfied that subject to conditions, the development would be acceptable in terms of impact on flooding and safety of future occupants.

In terms of affordable housing, the application was accompanied by an open book viability appraisal which has been independently appraised by consultants on behalf of the Council. Following this review, Officers have engaged in negotiations with the applicant and through this have secured an improved affordable housing offer of 7 units (equivalent to 14% and up from 5 units originally offered) of shared equity tenure. Based on the conclusions of the independent review – which are discussed in fuller detail in the main body of the report – this level of provision is felt to be reasonable and justified given the viability of the scheme, the provision of the new community unit and costs associated with both the realigned and improved station subway works and remediation necessary. It is therefore acceptable in the context of Policy CS15 of the Core Strategy.

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

RECOMMENDATION(S)

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

- (i) 7 units of affordable housing as shared equity tenure;
- (ii) The provision of a new community facility to an agreed shell & core specification and transfer of a long-leasehold interest in the facility to the Borough Council at a peppercorn and otherwise reasonable terms
- (iii) A contribution of £200,000 towards the internal fit-out of the community facility
- (iv) Car club membership for all residents for a period of 3 years
- (v) A contribution of £4,600 towards the monitoring of a Travel Plan for the development
- (vi) The Council's legal costs in preparing the agreement;

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

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

The proposal fails to make adequate provision for: affordable housing, the satisfactory replacement of the existing community use and measures to promote sustainable travel and is therefore contrary to policies Cf1, Mo4 and Mo7 of the Reigate and Banstead Borough Local Plan 2005 and policies CS12, CS15 and CS17 of the Reigate and Banstead Core Strategy 2014.

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Consultations:

County Highway Authority: No objection subject to conditions and appropriate agreement to secure funding for Travel Plan monitoring. Response contains the following commentary:

“The proposed development is car free which is appropriate for the location of the site.

The site is located within a suitable location, being within 400 metres of the bus and train station and within 1000 metres of Redhill town centre and its key every day facilities. The streets surrounding the site have either double yellow or single yellow line parking restrictions. They also have controlled parking bays. This means that it is not legally possible to park in a dangerous location. Given the location of the site and the parking restrictions on the roads surrounding the site, it is likely that the proposed development would be attractive to no car owning residents. To support this, there are three nearby car club vehicles, which the developer is proposing to offer free three years membership of the car club.”

Tree Officer: No objection subject to conditions

Community Development Manager: Supports application, comments as follows:

“In my view, there are a range of church halls and other community facilities in Redhill and surrounding areas which can be used for noisy / highly active community uses, including (but not limited to) Redhill Baptist Church, Redhill Methodist Church, Holy Trinity Church, Christ Central, St Matthew’s, St Joseph’s, the Salvation Army, and local scout halls. The fact that the current tenants have found alternative premises in my mind confirms this view.

Given the proposed residential development, in my view, highly active community uses are not best suited to the proposed community space. However, other community uses, such as co-location of voluntary organisations would be much better suited to the space. There is a real lack of suitable space in Redhill and the surrounding area for this type of activity at the moment. Providing an affordable opportunity for some of our voluntary sector partners to co-locate would provide real tangible and lasting benefits to our residents. The back office activities, combined with some resident facing activities (such as 1:1 appointments), would comfortably co-exist with the residential neighbours above.

My team and I fully support the proposed community space in this application.”

Contaminated Land Officer: Identifies potential for ground contamination to be present on and/or in close proximity to the site and therefore recommends conditions.

Noise Officer: No objection subject to conditions regarding noise mitigation and to manage the impact of the proposed community use

Air Quality Officer: No objection subject to conditions

Surrey Lead Local Flood Authority: No objection subject to conditions

Environment Agency: No objection subject to conditions

UK Power Networks: No objections

Surrey Crime Prevention Design Adviser: Objects due to lack of information and reference to security or creation of a safe environment.

Reigate Society: Objects due to concerns about ‘canyonised’ effect on Marketfield Road with effects on daylight, sunlight, wind and pollution. Considers height of building to be too tall and objects to the lack of parking, inadequate provision for servicing and no landscaping proposals.

Representations:

Letters were sent to neighbouring properties on 22nd November 2017; a site notice was posted 6th December 2017 and the application was advertised in local press on 7th December 2017.

A number of responses (neither objecting nor supporting) were received from one individual raising issues relating to waste collection, fire safety, the visual interpretations submitted with the application, tree replacement and crime and security.

A letter of support for the application has also been received from the Redhill Youth Association and a further letter from the Redhill Corps of Drums (the current users of the existing hall) setting out how the applicant has supported them in finding alternative accommodation has also been received.

1.0 Site and Character Appraisal

- 1.1 The site is located on the eastern side of Marketfield Way which is adjacent to Redhill Town Centre and in close proximity to the railway station.
- 1.2 The site presently comprises a single storey, low slung building which is used as a community hall. The building is set back within the site, with an area of open grounds and a belt of trees fronting onto Marketfield Way. The site slopes up relatively steeply from the road, such that the existing building is at a markedly higher level than the road. To the rear (east) of the site runs a pedestrian footpath which serves an underpass under the railway lines. There is a dense belt of trees to the east of the site on the railway embankment.
- 1.3 The site is partially within Flood Zone 2 according to EA Flood Maps and the Redhill Brook runs close to the site along Marketfield Way (although culverted).
- 1.4 The area surrounding the site is of mixed character both in terms of use and built form. Whilst presently typified by low level development (save for the Kingsgate House office development to the south), this edge of the town is in the process of transition with planning permissions granted for large developments to the north (former Liquid and Envy up to 10 storeys) and opposite on the western side of Marketfield Way (the mixed use scheme ranging up to 13 storeys). These prospective schemes are intended to act as the “landmark” buildings in this part of the town.
- 1.5 As a whole, the application site extends to approximately 0.19ha.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: Pre-application advice relating to the redevelopment of the site was sought earlier this year. Advice was given in respect of the need to reconsider the height and bulk of the building, amenity of future and neighbouring occupants and the need to retain a community use.
- 2.2 Improvements secured during the course of the application: None
- 2.3 Further improvements to be secured through planning conditions or legal agreement: Various conditions are recommended to control landscaping, materials and other works to ensure a high quality development. A legal agreement will be required to secure the on-site affordable housing provision, the transfer of the community space on a long-lease to the Council, a capital contribution towards the fit out of the unit for future tenants and various provisions relating to sustainable travel.

3.0 Relevant Planning and Enforcement History

- 3.1 There is no relevant planning history

4.0 Proposal and Design Approach

- 4.1 The proposed development seeks planning permission for the demolition of the existing community hall and the erection of a new building comprising 50 one and two bedroom apartments and a new community facility with new public realm, landscaping and associated works.
- 4.2 The new building fronts on Marketfield Way and comprises two conjoined blocks, one slightly set back at upper floors. The blocks range in height from 6 storeys to the front adjacent to Marketfield Way, rising to the equivalent of 8 storeys to the rear adjacent to the railway line (partially owing to the change in levels across the site). The design approach in part reflects a contemporary grid composition, albeit the two "blocks" would have a separate visual identity.
- 4.3 An area of public realm incorporating new hard and soft landscaping is proposed around the building, including a new public space/pedestrian route to the north of the building between Marketfield Way and the underpass. The development is proposed to be car free with no parking provision made on site.
- 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:

<p>Assessment</p>	<p>There is a varied townscape, architecture and public realm around the station and the town centre. The quality of architecture is mixed without a distinct character style. There is limited enclosure and activity along Marketfield Way at present with the west side occupied by a large open car park and the rear elevations of the High Street. The existing trees provide some enclosure. To the east the character of this locality is dominated by the rail line and station which are elevated above the application site. The existing building is of poor architectural quality and does not contribute positively to the townscape.</p>
	<p>The trees adjacent to the site provide a positive contribution but the quality and condition is not the best quality for this location.</p>
<p>Involvement</p>	<p>Pre-application advice was sought from the Council in 2017 and design of the scheme amended in response. The applicant held a public exhibition on 20th November 2017 within the town which was advertised in the local press and through leafletting. The most common concern raised amongst local consultation was car parking.</p>
<p>Evaluation</p>	<p>The Design & Access Statement sets out the evolution of the design of the scheme, as a result of the pre-application discussions. This includes a revisions to the form, height and massing of the building as well as inclusion of a community use. The Design & Access Statement discusses the various options considered through the design process in respect of footprint and massing of the building and elements of design detailing (incl. balconies for e.g.)</p>
<p>Design</p>	<p>The applicant's justification for the chosen design is that it responds to and achieves an appropriate relationship with the emerging context of the Liquid & Envy and Marketfield Way developments. The development seeks to contribute to continuity of townscape and enclosure along Marketfield Way. The scheme seeks to deliver a new, improved public realm link to the underpass and create a public realm setting to the development. The appearance of the elevations are designed to sit comfortably with these two emerging developments.</p>

4.6 Further details of the development are as follows:

Site area	0.19ha
Existing use	Community hall (D2)
Proposed use	Residential (flats) and community facility
Net increase in dwellings	50
<i>Of which affordable</i>	7 (14%)
Proposed site density	263 dwellings per hectare (dph)
Density of the surrounding area	Varied 493dph – Liquid & Envy (as approved) 260dph – Marketfield Way (as approved) 382dph – Nobel House (as built)
Proposed parking spaces	Nil
Parking standard	BLP 2005 – 58 spaces (maximum)
Estimated CIL contribution	Nil (within Town Centre nil rated zone)

5.0 Policy Context

5.1 Designation

Urban Area
Flood Zone 2
Air Quality Management Area
Integrated Mixed Use Scheme

5.2 Reigate and Banstead Core Strategy

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

5.3 Reigate & Banstead Borough Local Plan 2005

Landscape & Nature Conservation	Pc4
Housing	Ho9, Ho10, Ho13, Ho16
Employment	Em7
Community Facilities	Cf1, Cf2, Cf3
Movement	Mo4, Mo5, Mo6, Mo7

Utilities	Ut4
Redhill Town Centre	Rd3

5.4 Other Material Considerations

National Planning Policy Framework

National Planning Practice Guidance

Redhill Town Centre Area Action Plan Consultation Draft 2012

Supplementary Planning Guidance

Developer Contributions SPD

Affordable Housing SPD

Local Distinctiveness Design Guide

Surrey Design

Other

Human Rights Act 1998

Community Infrastructure Levy Regulations
2010 (as amended)

Conservation of Habitats and Species
Regulations 2010

6.0 **Assessment**

6.1 The application site comprises the Redhill Youth Association Community Hall, an active existing community use. The site is adjacent to Redhill Town Centre boundary (as per the 2005 Borough Local Plan) and falls within a designated Integrated Mixed Use development area. The site is partially within Flood Zone 2.

6.2 The main issues to consider are therefore:

- community use
- design and impact on the character of the area
- effects on the amenity of neighbouring properties
- access, parking and highway implications
- trees and landscaping
- affordable housing and infrastructure contributions
- noise and air quality
- flooding and drainage
- other matters

Principle of development and loss of community use

6.3 The existing site comprises the Redhill Youth Association Community Hall and is therefore in active community use. In this respect, the provisions of Policy Cf1 (and similar provisions of Core Strategy Policy CS12) apply. Both of these policies seek to resist the loss of community facilities unless the existing use is surplus to requirements or equivalent/better provision is to be made.

6.4 The hall presently provides space for – and is actively use by – a number of community groups, most notably the Redhill Corps of Drums. As part of the submission supporting the application, the applicants have provided details of a number of alternative community facilities and halls in the surrounding area which

have capacity for, and would be available to, the groups and activities which presently use the Youth Association Hall. This includes a variety of school and church halls as well as community and village halls. The Council's Community Development Team was consulted on the application and confirmed that – based on their experience and knowledge in this area – they agree with this conclusion.

- 6.5 In addition, the applicant has been proactively working with the present tenants to support them in finding appropriate alternative accommodation as well as assisting them to ensure any such move is affordable (through a £12,500 grant). This is confirmed in a letter which has been received from the existing tenants (Redhill Youth Association and Redhill Corps of Drums) in response to this application.
- 6.6 On this basis, given the availability of alternative facilities in the surrounding area, it is not considered that the loss of the existing hall would prejudice the ability of the types of clubs, groups and activities which presently run out of the hall to continue operating in the area.
- 6.7 However, whilst this is the case, this alone is not considered to prove that a community use of this site is surplus to requirements. No marketing has been undertaken on the current building to demonstrate whether it would be attractive to any other community uses. On this basis, through the pre-application process, the applicant was advised that any redevelopment would need to incorporate a replacement community facility.
- 6.8 This is reflected in the current application which includes provision of a new community space of c.250sqm. Although slightly smaller than the existing premises, it would be of demonstrably better quality and more modern accommodation. Whilst its siting alongside residential uses may introduce some limitations on the activities which might be appropriate within the unit, the Council's Community Development Team have confirmed that it would nonetheless be a valuable, useful and viable unit for a community use. In particular, they identify – for example – a specific need for accommodation to provide a “hub” for voluntary sector organisations operating within the local area (to provide a space from which they could offer their services as well as running courses, training and the like for local people) for which the proposed unit would likely be appropriate. It is therefore considered that a unit in this location, and of the size and configuration proposed, would represent an “equivalent or better provision in terms of quantity and quality” compared to the existing hall.
- 6.9 However, in addition to the physical accommodation, the management and “ownership” of the community space is also material. Whilst the specific future tenant(s) is not a material planning consideration and not appropriate to determine at this stage, it is appropriate to ensure that – through the planning process - adequate measures and mechanisms are in place to ensure that the space would be genuinely available for, and affordable to, community groups in the same way as the existing premises.
- 6.10 In this respect, through negotiation, the applicant has agreed to transfer the community space to the Borough Council on a long-leasehold interest (at a peppercorn rent and on otherwise reasonable terms). This would be secured

through a legal agreement and would provide the Council with long-term control over the future use of the premises to ensure that they are used and made available in a way which would best meet the needs of Redhill and the borough more generally. This is considered to be the optimal solution in terms of the future management of the space. Discussions as to the specific future tenants would be a separate matter for the Council in due course. In addition to the above provisions, a contribution from the developer of £200,000 toward the fit out of the community space has also been negotiated and this will be again be secured through a legal agreement.

- 6.11 It is therefore considered that, subject to securing the provisions above through an appropriate legal agreement, the community space proposed within the scheme, both physically and in terms of the management thereof, would represent an adequate replacement for the existing use. In this respect, the proposals therefore comply with policy Cf1 of the Local Plan, CS12 of the Core Strategy and the relevant provisions of the Framework.

Design and impact on the character of the area

- 6.12 The proposals were subject to extensive pre-applications discussions with Officers regarding the proposed scale and design. Improvements were secured through this process, including a reduction in height and changes to the form of the building to improve its overall massing, in particular onto Marketfield Way.
- 6.13 The application is supported by a detailed design and access statement and townscape assessment which explain the rationale and impact of the proposed development, including in relation to the emerging schemes at Liquid & Envy and Marketfield Way.
- 6.14 In response to concerns about massing and scale onto the public realm, the building has been designed as two co-joined side-by-side blocks, the northernmost of which has been set back above first floor level and angled slightly away from the road frontage. The height of the building is also staggered, with a taller 8 storey element adjacent to the railway line and a lower 6 storey element fronting onto Marketfield Way.
- 6.15 This approach to the form, footprint and height of the building is considered to help achieve an appropriate relationship onto the public realm on the key thoroughfare of Marketfield Way, as well as an acceptable relationship in townscape terms to the emerging schemes in this part of the town. The angling and setting back of the two blocks helps break up the massing onto Marketfield Way and opens up the space and views between this proposal and the building on the former Liquid & Envy site to avoid them appearing as a consistent, unbroken elevation. This visual separation between the buildings is further aided by the proposed new corridor of public realm.
- 6.16 The height of the building, at 6 and 8 storeys, also represents a continuation of the “stepping down” and transition in scale which was designed into the front block of the Liquid & Envy scheme. Furthermore, the height is considered to offer this proposal a degree of subservience to the taller buildings on Liquid & Envy and Marketfield Way schemes, ensuring that it would complement rather than compete

with these two key landmark features. Given the set back of part of the taller part of the building and the more subservient height of the frontage, it is not considered that the proposals would give rise to an unacceptable “canyon” effect along Marketfield Way.

- 6.17 The appearance, detailing and materials palette is considered to be appropriate given the emerging townscape and architectural context in this part of the town. The two different “blocks” of the building have a degree of variety in terms of architectural style, detailing and materials which further helps to break up the mass of the building. The main element of the building fronting Marketfield Way would adopt the grid composition which is employed on the Liquid & Envy and Marketfield schemes, ensuring a degree of consistency between them. As with these schemes, the grid would be articulated with the use of inset recessed balconies and feature brick panels, including on the southernmost end of the building, which would ensure visual interest on this key and visually prominent element of the building. Whilst the less prominent railway elevations are of a simpler appearance, they are nonetheless felt to be appropriately designed.
- 6.18 As above, the plans include a new area of public realm around the building, principally to the north between it and the proposed Liquid & Envy scheme providing a new, improved link between Marketfield Way and the railway underpass which would be interspersed with areas of landscaping and planting to help soften this area. Furthermore, the proposed community facility would face onto and be accessed from the new public realm which would help to activate and provide natural surveillance to the new approach to the underpass. Overall, the proposed public realm is considered to be well designed as an integral part of the overall design and layout of the scheme (as required by Policy Ho9 (viii)).
- 6.19 Overall, it is recognised that the proposal would represent a demonstrable increase in scale of built form on the site compared to the existing community hall; however, on balance the height, scale, massing and design of the building is felt to be acceptable and complementary to the existing and emerging context of larger scale development in the surrounding area along the A23. The proposed public realm would represent a significant improvement to the pedestrian environment on this part of Marketfield Way and is a positive benefit of the scheme.

Effects on the amenity of neighbouring properties

- 6.20 The location of the site is such that, at present, the nearest existing neighbouring properties – particularly residential – are a considerable distance from the proposed building and would not experience any significant loss of amenity as a result of the proposed building.
- 6.21 However, in addition to the existing buildings, further residential units could be introduced in the immediate locality through the two approved schemes at former Liquid & Envy Station and Marketfield Car Park. These neighbours would potentially experience some change in relationship and amenity as a result of the development and an assessment needs to be made with regard to the level of harm in terms of privacy, light and overbearing.

- 6.22 During the course of pre-application discussions on the proposals, concerns were particularly raised regarding the proximity of the proposed building to, and its relationship with, the residential units in the southern end of the proposed Liquid & Envy scheme. To address this, improvements were secured at that stage which involved setting back the upper floors of the northern part of the proposed building. This change, coupled with the separation distance (c.11m), is considered to ensure that the proposed building would not be unduly overbearing on the future occupants of the Liquid & Envy scheme, particularly recognising the dense urban environment. The separation distances to the Marketfield Way scheme would similarly ensure the proposed block would not be overbearing or dominating.
- 6.23 The application was also supported by a detailed daylight and sunlight assessment which provides a comprehensive assessment of the impact of the proposed block on the consented schemes at Marketfield and Liquid & Envy. The Council's own Supplementary Planning Guidance advocates 45 and 25 degree rules; however, these mechanisms are simplistic and the findings of a more in depth analysis of vertical sky component, average daylight factors and sunlight hours should be favoured for complex schemes and urban environments such as this.
- 6.24 The submitted assessment demonstrates that, whilst there would be some daylight/sunlight impact on these developments, the vast majority of rooms in the proposed dwellings would continue to meet guidelines for daylight distribution (sky visibility) and for average daylight factors. In the small number of instances where guidelines would not be met, the transgression would be relatively small and/or the room would still achieve daylighting levels comparable to other rooms in the development. Mindful of the fact that the BRE Guidance stresses that the numerical guidelines should be interpreted flexibly and taking account of the town centre location of the site (where daylight expectations are generally somewhat lower than other locations), it is considered that the results demonstrate that the proposals would not give rise to serious overshadowing or loss of light so as to warrant refusal.
- 6.25 The northern end flank of the proposed development has been designed such that the only side facing windows towards the Liquid & Envy development would be towards the rear of the building. Given the respective siting of the building in relation to that development, any views would be at a tight angle and would thus not give rise to a harmful loss of privacy. The intervening tree cover would further restrict any views. The residential blocks proposed as part of the Marketfield Way approval would be sited further south than the southernmost part of the building and some 22-23m from it. Whilst these would ultimately be the closest residential properties to the site, the separation distances are such that future occupants of these properties would not experience undue loss of privacy.
- 6.26 Overall, the proposed building is not considered to give rise to an unacceptable loss of amenity and would achieve acceptable relationships to neighbours – existing and proposed – which would not be uncharacteristic in a central urban town centre environment such as this. It therefore complies with policy Ho9 and Ho13 of the Borough Local Plan 2005.

Accessibility, parking and highway implications

- 6.27 The development is proposed to be a car-free development, with no parking provided on site for either the residential dwellings or the community use.
- 6.28 Given the highly accessible location of the site, close to the centre of Redhill (with a wide range of shops and services available nearby), a short walk from the railway and bus stations, the absence of dedicated parking for the development in this highly accessible location is not considered to be objectionable. The County Highway Authority has confirmed in their response to the application that the absence of parking is not considered to give rise to a highway safety issue, noting that *“the proposed development is proposed to be car free which is appropriate for the location of the site...the streets surrounding the site have either double yellow or single yellow line parking restrictions. They also have controlled parking bays. This means that it is not legally possible to park in a dangerous location.”*
- 6.29 Mindful of the lack of parking, there is however a clear need for the development to promote and support future residents in accessing other sustainable travel options. In this respect, the applicant’s Transport Statement recommends a number of measures including provision of secure cycle storage, Travel Information Packs to be provided to occupants of the new homes and 3 year car club membership for each household. These measures, which will variously be secured through condition or legal agreement are considered proportionate and adequate to ensure that it would be a realistic option for future residents to be non-car owning.
- 6.30 Concerns have been raised in representations regarding the servicing of the development. In this regard, the proposals incorporate provision of a new restricted loading bay to the front of the building on Marketfield Way which would provide opportunity for servicing, waste collections and deliveries to take place without the need for vehicles to stop on, or obstruct, the carriageway. On this basis, it is considered that the development would make adequate provision for servicing as required by policy Mo6.
- 6.31 As discussed above, the proposals also incorporate a new area of public realm between the proposed building and adjoining former Liquid & Envy development. These works would benefit the pedestrian environment along Marketfield Way and particularly the link to the underpass beneath the railway line, providing a more direct and welcoming route into town.
- 6.32 Subject to the conditions proposed by the County Highway Authority, the proposal is considered to comply with policies Ho9, Mo4, Mo5, Mo7 and Mo10 of the Borough Local Plan and policy CS17 of the Core Strategy.

Flooding and drainage

- 6.33 As identified in the applicant’s Flood Risk Assessment, the site is largely within Flood Zone 1; however, a small part is within Flood Zone 2 according to EA Flood Mapping. In addition, the FRA notes some potential for pluvial (surface water) flood risk affecting a small part of the site.

- 6.34 Given the location of the site partially in Flood Zone 2, the applicant has undertaken a Sequential Test as required by national policy and concludes that there are no reasonably available sites in areas at lower probability of flooding capable of delivering the development proposed.
- 6.35 The Sequential Test provided by the applicant is considered to be sound. The search area within the Sequential Test is, broadly speaking, focussed on Redhill Town Centre: this is considered appropriate in this case given the specific regeneration ambitions and aspirations for the town centre as well as the fact that the development seeks to replace the existing community use. The sites reviewed and conclusions reached on each by the applicant are considered by Officers to be reasonable and, based on this, it is agreed that the Sequential Test is passed for this site.
- 6.36 The Flood Risk Assessment includes within it a series of mitigation measures to ensure that the development would be resilient to, and safe in the event of, a flooding event and would not give rise to risk of flooding elsewhere. These measures include flood resilient construction to ground floor plant areas, raising the floor level of the ground floor apartment above the 1% annual probability level (plus an appropriate freeboard), an appropriate drainage system and inclusion of a storage void to manage any displaced floodwater (with a volume far exceeding that which is calculated to be required).
- 6.37 The Flood Risk Assessment has been reviewed by the Environment Agency who has confirmed that they have no objection subject to conditions primarily related to the Redhill Brook. Surrey CC as the Lead Local Flood Authority have also responded to the application and, on the basis of the revised drainage strategy, raise no objection subject to conditions.
- 6.38 Based on the above, and taking account of the expert advice of the relevant consultees, it is concluded that the application passes the Sequential Test and, furthermore, would respond to the flood risk on site appropriately in terms of drainage, storage, resilience and safety measures. On this basis, the proposal complies with Policy CS10 of the Core Strategy, Ut4 of the Local Plan and the relevant national policy provisions.

Amenity for future occupants (including noise and air quality)

- 6.39 In terms of internal accommodation, the proposed units would be a combination of 1 and 2 bedrooms, ranging from 50sqm to 75sqm which meets the nationally described standard. In this respect, the units are considered to provide adequate internal space to meet the needs of day to day life.
- 6.40 The vast majority of the flats would have access to a modest private balcony providing some amenity space. In addition, a communal roof terrace and some small areas of outdoor amenity space at ground floor level are also proposed. Whilst outdoor amenity provision would therefore be relatively limited, future occupants would have very close access to the town centre and Memorial Park and would benefit from the amenities these provide. On balance, it is therefore

considered that the provision would be acceptable and not inconsistent with such an urban setting.

- 6.41 Given the position of the site between Marketfield Way and the railway line, it is considered to be sensitive in terms of noise and air pollution. The site specifically falls within an Air Quality Management Area.
- 6.42 The application was accompanied by an Air Quality Assessment which has been reviewed by the Council's Environmental Health team who have confirmed that they have no objection subject to the development following the ventilation approach set out in the applicant's Air Quality Assessment report. In terms of the proposed residential units, whilst the site is within the A23/Redhill Town Centre Air Quality Management area, Environmental Health has confirmed that due to the set back from the road. Furthermore, latest monitoring of NO₂ concentrations in the vicinity of the site shows a steady improvement in air quality over the past 5 years, with annual mean concentrations now comfortably below targets.
- 6.43 The application was also supported by a noise and vibration assessment, which identifies the level of noise likely to be experienced and potential noise intrusion into dwellings. The report specifies the measures required to ensure that acceptable internal noise levels would be achieved, including recommendations as to the specification of fabric and glazing on the building and the need to incorporate mechanical ventilation. This report has been reviewed by Environmental Health who confirms that they consider an acceptable level of amenity could be achieved for future occupants subject to conditions to secure the specified mitigation. Whilst noise levels on external amenity areas are likely to exceed recommended criteria, it is recognised that in an urban area such as this such guidelines are often unattainable. The report includes recommendations at the measures to reduce noise to lowest practicable levels including screening and balustrades to balconies. In terms of vibration, the report identifies that the levels experienced on site are comfortably below levels at which vibration is judged to become an issue.
- 6.44 In terms of the relationship between the proposed community use and the residential properties, the Council's Environmental Health department has identified this as a concern. On this basis, they encourage imposition of appropriate measures to manage the types of activities, hours of use (as appropriate) and sound insulation in the construction. These measures will be secured through a combination of conditions (see below) and through lease provisions on the community unit which are to be embodied in the legal agreement. Subject to these measures, it is considered that these two uses can co-exist without detriment to residential amenity.
- 6.45 In view of the above, the proposed development is considered to offer an acceptable level of amenity for future occupants and complies with the requirements of Policy Ho9 of the Borough Local Plan 2005 in this regard.

Trees and landscaping

- 6.46 Whilst in an urban environment, there are presently a number of trees on site – notably along the frontage with Marketfield Way – as well as tree cover along the railway embankment to the rear of the site, all of which contribute to the character and visual amenity of the area.
- 6.47 To accommodate the development, all of the trees along the frontage with Marketfield Way (which are a mixture of Grade B, C and U classified trees) are proposed to be removed. These are however proposed to be replaced with five new trees along the Marketfield Way frontage, and a further four trees within the area of public realm to the north of the site. The group of mature trees on the railway land to the rear of the site would be retained and protected during the course of the development.
- 6.48 The Tree Officer was consulted on the application and confirmed that whilst the trees to be lost make some contribution to the local landscape, they are of limited value as individual specimens. He also notes that the trees lost can be adequately replaced and that there is significant opportunity to add value to this development through replacement planting and landscaping on both the site frontage and to the rear of the development. With regards to the off-site trees, and most notably the off-site Horse Chestnut, the Tree Officer concludes that has raised no objections or concerns to the protection/monitoring measures proposed to safeguard off-site trees.
- 6.49 The conclusions of the Tree Officer are agreed. Whilst tree losses would occur, these would be adequately replaced with locally appropriate species and there would be ample opportunity for soft landscaping and planting to private areas around the building and within the new area of public realm.
- 6.50 Concerns have been raised in representations regarding the lack of detail regarding proposed landscaping; however, as above, the Design and Access statement submitted with the application provides a clear, well developed design which sets out the principles for the proposed hard and soft landscaping (including tree replacement) and examples of the likely planting and materials, all of which are felt to be acceptable. Final details would be secured through condition; however, from the information and plans submitted, it is considered that a high quality landscaping scheme which would be appropriate to the locale and which would contribute to the visual amenity of the area could be achieved.
- 6.51 Accordingly subject to conditions requiring submission and implementation of a landscaping scheme and tree protection the proposal would not have an undue impact on the arboricultural interest of the site and has the potential to enhance the visual amenity of the locality and would therefore comply with policies Pc4 and Ho9 of the Borough Local Plan 2005.

Community Infrastructure Levy (CIL) and requested contributions

- 6.52 As the proposals involve the creation of new dwellings, the development would technically be CIL liable. However, the site falls within the Redhill and Horley town centre charging zone (Zone 1) which is subject to a nil charge for residential development, reflecting the viability challenges which can be associated with high density town centre development. As such, no contributions would be due through this mechanism.
- 6.53 The Community Infrastructure Levy (CIL) Regulations were introduced in April 2010 which states that it is unlawful to take a planning obligation into account unless its requirements are (i) relevant to planning; (ii) necessary to make the proposed development acceptable in planning terms; and (iii) directly related to the proposed development. As such only contributions that are directly required as a consequence of development can be requested and such requests must be fully justified with evidence including costed spending plans to demonstrate what the money requested would be spent on.
- 6.54 In this case, as above, in addition to securing the provision of the replacement community facility and its transfer to the Borough Council (as a long-leasehold), a contribution of £200,000 has been agreed with the applicant towards its fit out. This is considered to be justified in order to secure a fit for purpose facility. Contributions towards the monitoring of Travel Plan provisions and to secure Car Club membership for future residents are considered necessary in order to promote sustainable travel and in view of the fact that the development is proposed to be car free.

Affordable housing

- 6.55 Under Policy CS15 of the Council's Core Strategy and the Affordable Housing SPD 2014, the development should provide affordable housing as an on-site provision at a rate of 30%. Both the Policy and SPD make allowance for a lower level to be negotiated where it is demonstrated that the provision of affordable housing would make the development unviable, in accordance with national policy.
- 6.56 The application was accompanied by an open book viability appraisal was submitted which indicated that, with the 5 units of affordable housing proposed, the margin/developer profit generated by the scheme would be only 10.6% of gross development value (GDV), which the applicant considered to be below the level at which a willing developer would proceed.
- 6.57 This appraisal was scrutinised by independent development viability experts Aspinall Verdi appointed by the Council who managed to extract further value from the scheme in their own appraisal, particularly through adjustments to a number of variables – most notably in relation to site preparation (e.g. demolition), construction costs and contingency. With these adjustments taken into account, they conclude that – whilst a policy compliant scheme is unviable - the development may be able to provide 9 affordable housing units.

- 6.58 Aspinall Verdi's review does however acknowledge that delivering 9 units of affordable housing on the scheme is only viable on the basis that no allowance is made for land value (which is contrary to standard practice, industry guidance and national policy all of which dictate that appraisals should provide a "competitive return to a willing landowner"). If a realistic land value were allowed for, they conclude that the offer of 5 units put forward by the Applicant would be reasonable. It should also be noted that the original appraisals also include a much lower contribution towards the fit-out of the community use than the £200,000 agreed (as above) – were this to be included, it would potentially reduce viability further.
- 6.59 Following the findings of this independent review, the Officers have engaged in negotiations with the applicant regarding the acceptable and appropriate level of affordable housing for the scheme. Through this, an improved affordable housing offer of 7 units (increased from the 5 originally proposed and equivalent to 14%) has been secured.
- 6.60 Whilst the units are proposed as shared equity tenure only, this is considered acceptable as the small number of units would make mixed tenure unattractive due to management and service charge complications. The proposed shared equity tenure is also supported by the Council's Housing Strategy Manager given it would meet a need for affordable home ownership products in the Redhill area and the borough more generally.
- 6.61 Mindful of the conclusions of the independent review which are summarised above, together with the increased contribution towards fit-out of the community unit than originally allowed for by the applicant, this increased provision of 7 units is considered to be reasonable given the viability of the scheme and acceptable in the context of Policy CS15 of the Core Strategy and the provisions of the Framework. Requiring a greater contribution (or requiring a clawback arrangement) would risk stalling the development and, given the prevailing appeal decisions, would likely be considered unreasonable at appeal.

Other matters

- 6.62 The application was accompanied by an ecological survey, including bat surveys. This concludes that the site and existing building has low potential for bat interest and no evidence of bat activity was identified during emergence surveys undertaken on site. Nonetheless, as bats are a protected species, the report makes a number of precautionary recommendations to avoid impacts on bats. Compliance with these recommendations will be secured through condition.
- 6.63 Concerns have been raised regarding fire safety and installation of sprinklers. Issues of fire safety would be addressed by the developer at Building Control stage and any plans submitted for Building Regulations approval would need to demonstrate compliance with the relevant requirements of Approved Document B in terms of means of escape, fire spread and access for the fire service. Concerns have also been raised regarding crime and anti-social behaviour. In this respect, the Design & Access Statement clearly identifies the measures to be employed to ensure a safe and secure environment. Surrey Police Crime Prevention were consulted on the application but no comments were received. In terms of the

underpass, it is considered that the opening up of a wider, more welcoming access to the underpass, associated creation of new public realm and the introduction of both community uses and residential properties overlooking this area will increase natural surveillance of this area and would therefore likely be beneficial in terms of acting against crime and anti-social behaviour.

- 6.64 Potential for contaminated land and ground gas risks has been identified by the Council's Environmental Health Team and through the applicant's own initial ground investigations. Given the age of the investigations previously carried out on site, the Contaminated Land Officer considers that an updated Ground Investigations are required. On this basis, conditions are recommended requiring appropriate further investigations and remediation.

CONDITIONS

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

Reason:

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

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

Plan Type	Reference	Version	Date Received
Site Layout Plan	A1-001	1	07.12.2017
Existing Plans	A2-003	0	07.12.2017
Site Layout Plan	A2-002	0	07.12.2017
Location Plan	A2-001	0	07.12.2017
Proposed Plans	A1-104	2	07.12.2017
Elevation Plan	A1-103	2	07.12.2017
Floor Plan	A1-102	1	07.12.2017
Floor Plan	A1-101	1	07.12.2017
Site Layout Plan	UNNUMBERED		07.12.2017
Site Layout Plan	UNNUMBERED		07.12.2017
Site Layout Plan	UNNUMBERED		07.12.2017

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 commence until a Construction Transport Management Plan, to include details of:
- (a) Parking for vehicles of site personnel, operatives and visitors
 - (b) Loading and unloading of plant and materials
 - (c) Storage of plant and materials
 - (d) Programme of works (including measures for traffic management)
 - (e) Provision of boundary hoarding behind any visibility zones
 - (f) Measures to prevent the deposit of materials on the highway

(g) Measures to encourage use of non-car modes of transport to the site during construction

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

Reason:

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

4. No development shall commence until details of measures to safeguard the Redhill Brook culvert have been submitted to and approved in writing by the Local Planning Authority. Such measures shall include:

- (a) Confirmation of the exact location, alignment, depth and dimensions of the culvert in the vicinity of the site
- (b) A condition survey of the culvert and any identified repairs to be undertaken
- (c) Detailed design drawings and structural calculations for any works within 8 metres of the outer most edge of the culvert to demonstrate that the structural integrity of the culvert will not be undermined due to the proximity of any proposed works
- (d) a construction method statement including timing of works, methods used for all works within 8 metres of the culvert, machinery to be employed on site (including location and storage of plant, materials and fuel, access routes) and details of site supervision (including supervision of works within 8 metres of the culvert)

Only the approved details shall be implemented during the construction of the development.

Reason:

In order that the development does not increase the risk of flooding by compromising the structural integrity of the Redhill Brook or its ability to convey water in accordance with policy Ut4 of the Reigate and Banstead Borough Local Plan 2005 and Policy CS10 of the Reigate and Banstead Core Strategy.

5. No development shall commence on site until a scheme for the landscaping of the site, including the new public realm area between Marketfield Way and the subway, has been submitted and approved in writing by the Local Planning Authority. The landscaping scheme shall details of:

- a) hard landscaping including materials and street furniture,
- b) planting plans including schedules of plants noting species, plant sizes and proposed numbers/densities,
- c) specifications for tree, shrub, and hedge or grass planting and establishment, including details of planting pits/trenches, soils, guying, aeration, drainage and irrigation
- d) an implementation programme

All hard and soft landscaping work, including the new public realm area, 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 Pc4 and Ho9 of the Reigate and Banstead Borough Local Plan 2005.

6. No development shall commence until details of the proposed finished floor levels and flood mitigation works as detailed in the approved Flood Risk Assessment (FRA) revision 6 produced by AECOM dated 19 January 2018 have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
- a) The finished floor level of the residential section of the ground floor unit shall have a finished floor level of no less 77.5m AOD which is set 600mm above the 1% annual probability event flood level
 - b) Safe access shall be provided to the east side of the building, whilst egress from the ground level residential unit shall be achieved by a raised entrance to the south of the building out of the floodplain
 - c) The plant section of the building which has proposed ground levels below the 1% annual probability event shall include flood resistant construction required to protect vulnerable equipment
 - d) Flood plain compensation shall be provided in the void underneath the residential ground floor unit

Reason:

To reduce the risk of flooding and ensure the development will be safe over its lifetime in accordance with policy Ut4 of the Reigate and Banstead Borough Local Plan 2005 and Policy CS10 of the Reigate and Banstead Core Strategy.

7. No development shall commence until the detailed design of the surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. Such details should include:
- a) A design that satisfies the SuDS Hierarchy and is compliant with the national non-statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS
 - b) Evidence that the proposed solution will effectively manage the 1 in 30 and 1 in 100 (+40% CC allowance) for climate change storm events, during all stages of the development (pre, post and during), associated discharge rates and storage volumes shall be provided using a Greenfield discharge rate of 2 litres per second
 - c) Detailed drawings to include: a finalised drainage layout detailing the location of SuDS elements, pipe diameters, levels, details of how SuDS elements will be protected from root damage and long and cross sections of each SuDS element including details of any flow restrictions and how they will be protected from blockage
 - d) Details of the remedial works required to utilise the existing surface water outfall

- e) Details of management and maintenance regimes and responsibilities
- f) A plan showing exceedance flows and how property on and off site will be protected

Reason:

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

8. No development shall commence until updated contaminated land desktop study and contaminated land site investigations have been undertaken, the results of which shall be submitted to and approved in writing by the Local Planning Authority and should address the following points:
- a) An updated desktop study for the site, including a revised and updated site walkover and identification of any changes to site environs
 - b) Updated testing of shallow soils for similar determinants to those tested in the Ground Investigation Report by Geo-Environmental (ref: GE8630C dated September 2012) and taking account of any Asbestos Containing Materials that may have degraded and affected site soils in the intervening period;
 - c) A further report on the knotweed status of the site
 - d) Ground gas monitoring data from a minimum of 3no. boreholes for a minimum of 6no. visits with regard to the frequency and monitoring periods stipulated in Tables 5.5a and 5.5b of CIRIA C665 "Assessing risks posed by hazardous ground gases to buildings guidance document".

The above investigations shall be carried out in accordance with a proposal to be submitted to and approved in writing by the Local Planning Authority.

Reason:

In order that contamination risks on the site are fully assessed on the basis of up to date information and to ensure that any remediation and subsequent development will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Local Plan 2005 and the NPPF.

9. Prior to commencement of development or remediation on site and following submission of the updated desktop study and site investigations required in Condition 8, a detailed remediation method statement shall be submitted to and approved in writing by the Local Planning Authority.

The statement shall explain the extent and method(s) by which the site is to be remediated, including any ground gas protection, to ensure that unacceptable risks are not posed to identified receptors. The statement shall also identify the information to be included in any validation report.

Any remediation works shall be completed in strict accordance with the approved method statement and the Local Planning Authority shall be given a minimum of two weeks' notice before the relevant remediation works commence on site.

Reason:

To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters

with regard to Reigate and Banstead Borough Council Local Plan 2005 and the NPPF.

10. Any contamination not previously identified by the site investigation but subsequently found to be present at the site shall be reported to the Local Planning Authority as soon as is practicable.

If deemed necessary development shall cease on site until an addendum to the remediation method statement, detailing how the unsuspected contamination is to be dealt with, has been submitted in writing to the Local Planning Authority. The remediation method statement is subject to the written approval of the Local Planning Authority and any additional requirements that it may specify.

Reason:

To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Local Plan 2005 and the NPPF.

11. Notwithstanding the approved plans, no development above ground floor slab level of any part of the development hereby approved shall take place until written details of the materials to be used in the construction of the external surfaces, including fenestration, balconies and roof, have been submitted to and approved in writing by the Local Planning Authority, and on development shall be carried out in accordance with the approved details.

Reason:

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

12. No development above ground floor slab level of any part of the development hereby approved shall take place until a scheme for the soundproofing of the floors and walls between the proposed Community Use unit and any vertically or horizontally adjoining residential accommodation has been submitted to and approved in writing by the Local Planning Authority.

The measures shall be implemented in strict accordance with the approved details prior to first occupation of the development and shall thereafter be retained as such.

Reason:

In order to safeguard the residential amenities of adjoining occupiers of the development with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9 and Ho13.

13. The community unit (identified as Community use on approved drawing A1-101 P Rev 1) hereby approved shall be occupied for purposes falling within Use Class D1 and/or as offices falling within Use Class B1(a) provided the latter is carried on only by a charitable, voluntary sector, community sector or similar organisation as may be agreed by the Local Planning Authority.

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 change of use shall occur without planning permission obtained from the Local Planning Authority.

Reason:

To ensure there is adequate control over the use of the unit in order to safeguard the availability of the accommodation for community uses and organisations with regard to Reigate and Banstead Borough Local Plan 2005 policy Cf1.

14. The development hereby approved shall be carried out in accordance the approved Noise and Vibration Assessment produced by Sharps Redmore (dated 30 November 2017)

The window systems installed to the residential units shall meet the specifications set out in paragraphs 4.9 and 4.10 (including the corresponding figure on paragraph 4.11) unless an alternative specification is agreed in writing with the Local Planning Authority.

Reason:

To ensure that future occupants would not be exposed to unacceptable levels of noise and in order to achieve an adequate level of residential amenity with regard to policies Ho9 and Ho10 of the Reigate and Banstead Borough Local Plan 2005 and policy CS10 of the Reigate and Banstead Core Strategy.

15. The development hereby approved shall be carried out in accordance with the approved Air Quality Assessment produced by AECOM dated 26 November 2017, with particular regard to the use of a low NOx emission (<40 mg/kWhr) boiler/heating plant as specified in Section 4 and the recommendations in Appendix C with regard to Construction Phase Mitigation.

Reason:

To ensure that the development would not give rise to unacceptable impacts on air quality or put future occupants at unacceptable risk of poor air quality with regard to policy Ho9 of the Reigate and Banstead Borough Local Plan 2005 and policy CS10 of the Reigate and Banstead Core Strategy.

16. The development hereby approved shall be carried out in accordance with the Energy and Sustainability Statement by Building Services Design dated December 2017 (revision 03).

Notwithstanding the approved plans, details of the final siting and positioning of the proposed solar photovoltaic panels shall be submitted to an approved in writing by the Local Planning Authority prior to the occupation of the first residential unit. Thereafter, the panels shall be installed and operational prior to the occupation of the first residential units.

Reason:

In order to promote renewable energy and to ensure that the development would minimise carbon emissions with regard to Policy CS10 of the Reigate and Banstead Core Strategy.

17. The development hereby permitted shall be carried out in accordance with the approved Ecological Survey Including Bat Emergence Surveys Report by Furesfen dated September 2017.

Reason:

In order to preserve and enhance the wildlife and habitat interest on the site and ensure species present on the site are afforded appropriate protection during construction works with regard to Reigate and Banstead Borough Local Plan 2005 policy Pc2G.

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

Reason:

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

19. Notwithstanding the approved plans, the development hereby approved shall not be first occupied until the proposed restricted layby loading bay within Marketfield Way and the associated Traffic Regulation Order have been designed and fully implemented in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, with all associated costs met by the developer.

Reason:

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

20. The development hereby approved shall not be first occupied until facilities for the secure, accessible storage of a minimum of 50 bicycles has been provided within the site in accordance with the approved plans.

Thereafter, the bicycle storage facility shall be retained and maintained for its designated purpose to the satisfaction of the Local Planning Authority.

Reason:

To ensure that the development would promote sustainable transport choices with regard to Policy CS17 of the Reigate and Banstead Core Strategy 2014 and in recognition of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2012

21. Notwithstanding the submitted Travel Plan, the development hereby approved shall not be first occupied until a revised final Travel Plan in accordance with the aims and objectives of the National Planning Policy Framework and Surrey County Council's Travel Plan Guidance has been submitted to and approved in writing by the Local Planning Authority.

The applicant shall then implement the approved Travel Plan upon first occupation and for each subsequent occupation of the development and thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

Reason:

To ensure that the development would promote sustainable transport choices with regard to Policy CS17 of the Reigate and Banstead Core Strategy 2014 and in recognition of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2012

22. The residential units hereby approved shall not be first marketed for sale, rent or other occupation until details of the Travel Packs to be provided to purchasers have been submitted to and approved in writing by the Local Planning Authority.

The Travel Packs shall include, as a minimum the following details:

- a) The location of leisure, retail, employment, education and health facilities within a 2km walking distance and a 5km cycling distances of the site
- b) Bus and train facilities within 400 metres walking distance of the site
- c) The nearest car club vehicles and details of the membership to be provided to each household

The approved Travel Packs shall be given to each household and shall be updated appropriately as required.

Reason:

To ensure that the development would promote sustainable transport choices with regard to Policy CS17 of the Reigate and Banstead Core Strategy 2014 and in recognition of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2012

23. The development hereby approved shall not be first occupied until refuse storage facilities have been provided in accordance with the approved plans. The said facilities shall thereafter be retained exclusively for its designated purpose.

Reason:

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

24. The development hereby approved shall not be first occupied until details of any external lighting have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and thereafter retained and maintained as such.

Reason:

To ensure safeguard the visual and residential amenities of adjoining occupiers and the surrounding area with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9 and Ho13.

25. The development hereby approved shall not be first occupied unless and until a remediation validation report detailing evidence of the remediation, the effectiveness of the remediation carried out and the results of post remediation works, in accordance with the approved remediation method statement and any addenda thereto, has been submitted to and approved in writing by the Local Planning Authority.

Should specific ground gas mitigation measures be required to be incorporated into a development the testing and verification of such systems should have regard to CIRIA C735 guidance document entitled 'Good practice on the testing and

verification of protection systems for buildings against hazardous ground gases' and British Standard BS 8285 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings

Reason:

To demonstrate remedial works are appropriate and demonstrate the effectiveness of remediation works so that the proposed development will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Local Plan 2005 Policy Ho9 and the NPPF

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

Reason:

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

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 advised that prior to the occupation of the development, adequate provision should be made for waste storage and collection. You are advised to contact the Council's Recycling and Cleansing team to discuss the required number and specification of wheeled bins on rc@reigate-banstead.gov.uk or on the Council's website at http://www.reigate-banstead.gov.uk/info/20051/commercial_waste.
3. Your attention is drawn to the benefits of using the Secured by Design award scheme.
4. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
 - (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
 - (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
 - (c) Deliveries should only be received within the hours detailed in (a) above;
 - (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of

materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;

- (e) There should be no burning on site;
- (f) Only minimal security lighting should be used outside the hours stated above; and
- (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit. In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme - www.ccscheme.org.uk/index.php/site-registration.

5. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see: www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme. The applicant is also advised that consent may be required under Section 23 of the Land Drainage Act 1991. Please see: www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice
6. The applicant is advised that the submitted Travel Plan shall be revised to include details of how the car club vehicles are to be marketed to site occupants including details of how those residents would obtain free three years car club membership as specified in paragraph 7.7. The applicant shall include the information that is within paragraphs 3.8 to 3.18 of the submitted Transport Assessment and the information within table 3.4 and figure 3.11 of the submitted Transport Assessment, including details of how the travel packs will be kept up to date.
7. 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.
8. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
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. The culverted section of the Redhill Brook at this location is an Environment Agency designated Main River. Therefore any permanent or temporary activities within 8 metres of the outer most edge may require a Flood Risk Activity Permit. For further information, please see www.gov.uk/guidance/flood-risk-activities-environmental-permits
11. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written consent.
12. The developer is reminded of the need to comply with Network Rail requirements and standards for the safe operation of the railway and the protection of Network Rail's adjoining land, both during construction and after completion of works.
13. The use of a suitably qualified arboricultural consultant is essential to provide acceptable supervision and monitoring in respect of the arboricultural issues in respect of the above condition. All works shall comply with the recommendations and guidelines contained within British Standard 5837.
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 street trees will be of Advanced Nursery Stock sizes with initial planting heights of not less than 4.5m with girth measurements at 1m above ground level in excess of 16/18cm.

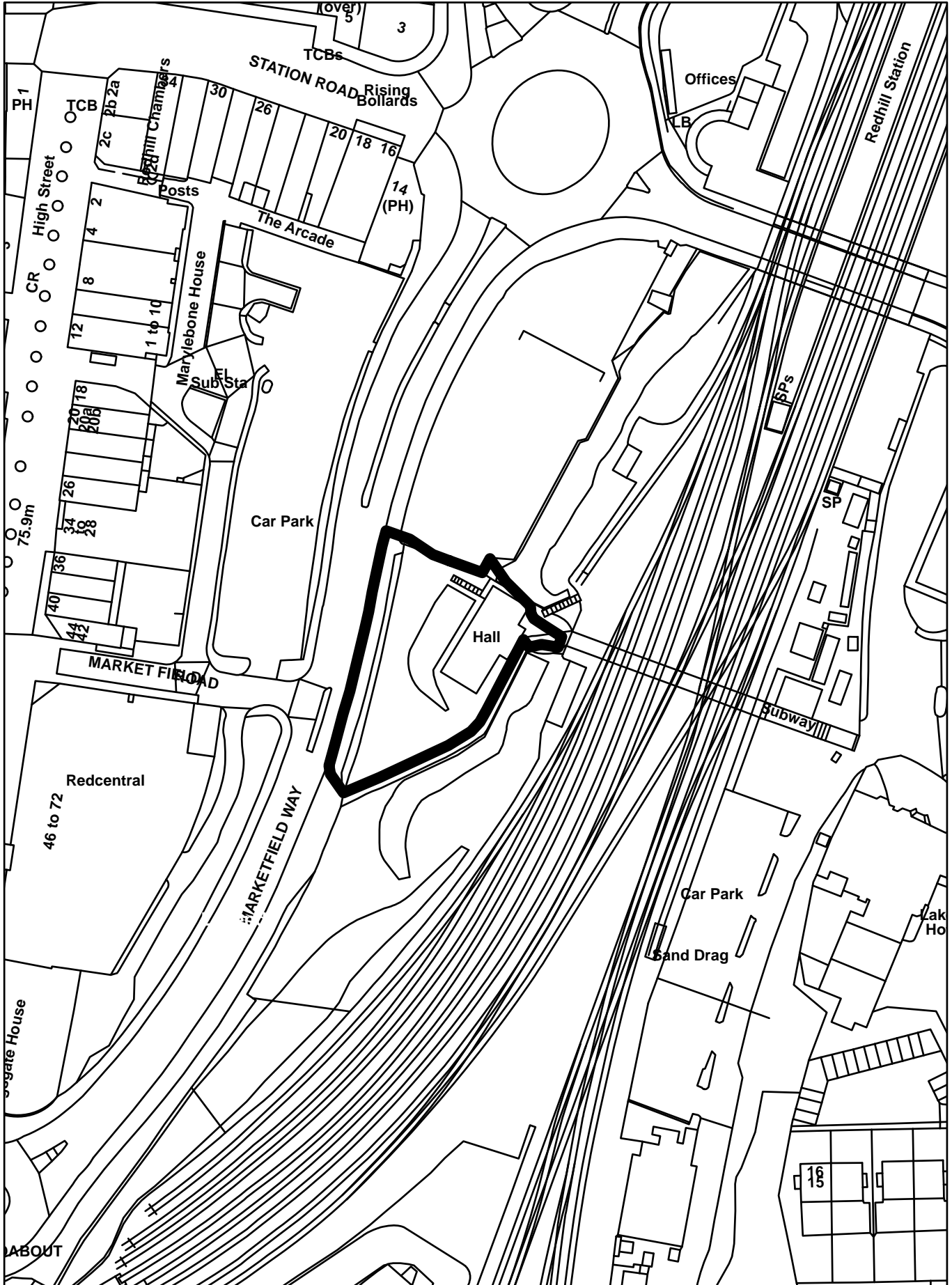
REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies CS1, CS4, CS10, CS11, CS12, CS13, CS14, CS15, CS17, Pc2G, Pc4, Cf1, Cf2, Cf3, Ho9, Ho13, Mo5, Mo6, Mo7 and Ut4 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

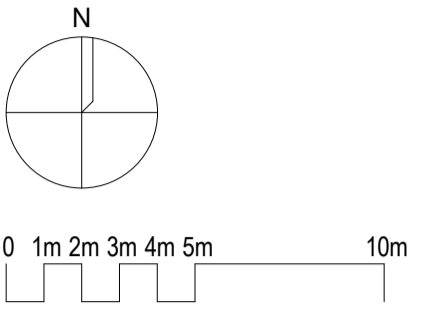
The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in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

17/02876/F - Redhill Youth Association Hall,
Marketfield Road, Redhill



NOTES ORIGINAL A1

1. All boundaries, dimensions and levels are to be checked on site before construction and any discrepancies are to be reported to the Architect / Designer.
2. Parties Service: Any discrepancies with site or other information is to be reported to the Architect / Designer and direction or approval is to be sought before the implementation of the detail.
3. Block and site plans are reproduced under license from the Ordnance Survey.
4. This is a site plan drawing.
5. For the purpose of coordination, all relevant parties must check this information prior to implementation and report any discrepancies to the Architect / Designer.



PLANNING ISSUE

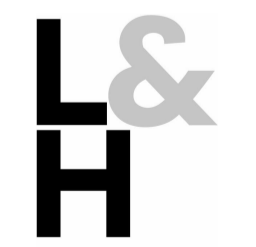
1	29.11.2017	General Updates	LC	MA
0	17.11.2017	Issued for Planning	LC	MA

REV	DATE	DESCRIPTION	DRN	CHEK
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CLIENT
Solum

PROJECT
**LAND ON MARKETFIELD WAY, REDHILL,
SURREY**

DRAWING
Proposed Site Plan



54a Linlodge Street
London
W8J 6HL
Tel: 0207 724 1611
Email: london@lewisandhickey.com

SCALE	DATE	DRN	CHEKED
1 : 200	16/11/2017	LC	MA

PROJECT No	DRAWING No	STATUS	REV
L2860	A1-001	P	1

1 = Approval, 2 = Series, 3 = Construction, 4 = Rect

NOTES ORIGINAL A1

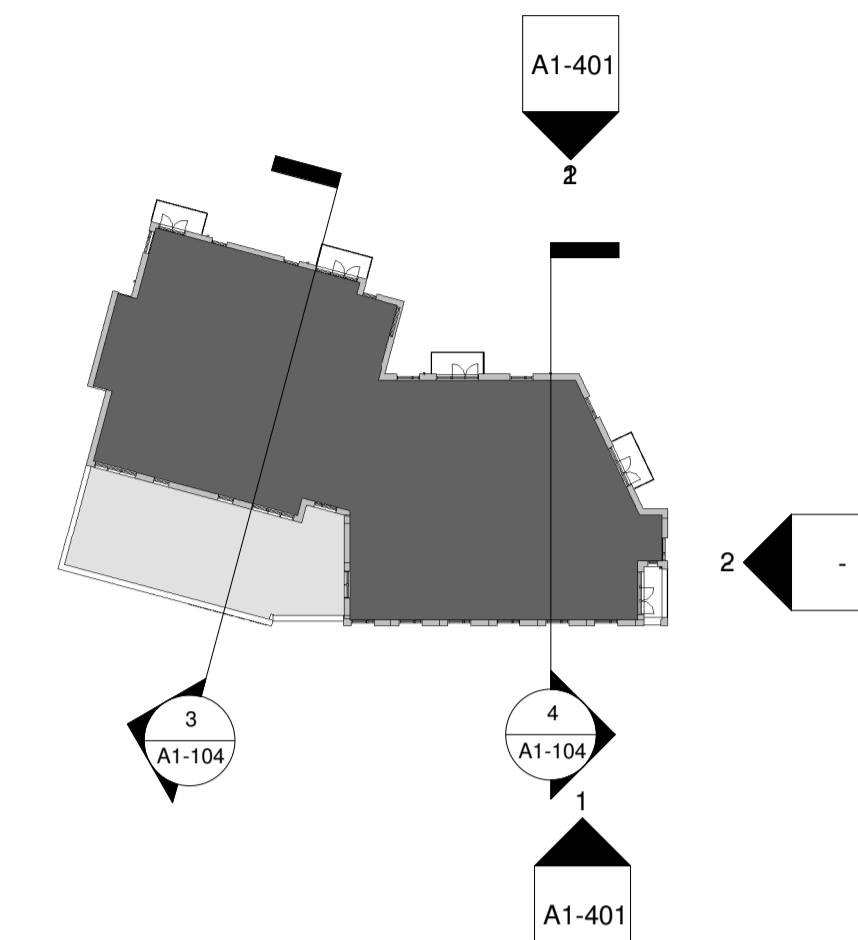
- Lewis & Hickey accept no responsibility for any costs, losses, claims, however arising from these drawings, specifications and related documents unless there is full compliance with the client and any authorised user of the following:
- All boundaries, dimensions and levels are to be checked on site before construction and any discrepancies are to be reported to the Architect / Designer.
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 - For the purpose of coordination, all relevant parties must check this information prior to implementation and report any discrepancies to the Architect / Designer.



1 Elevation 5 - a
1:200



2 Elevation 6 - a
1:200

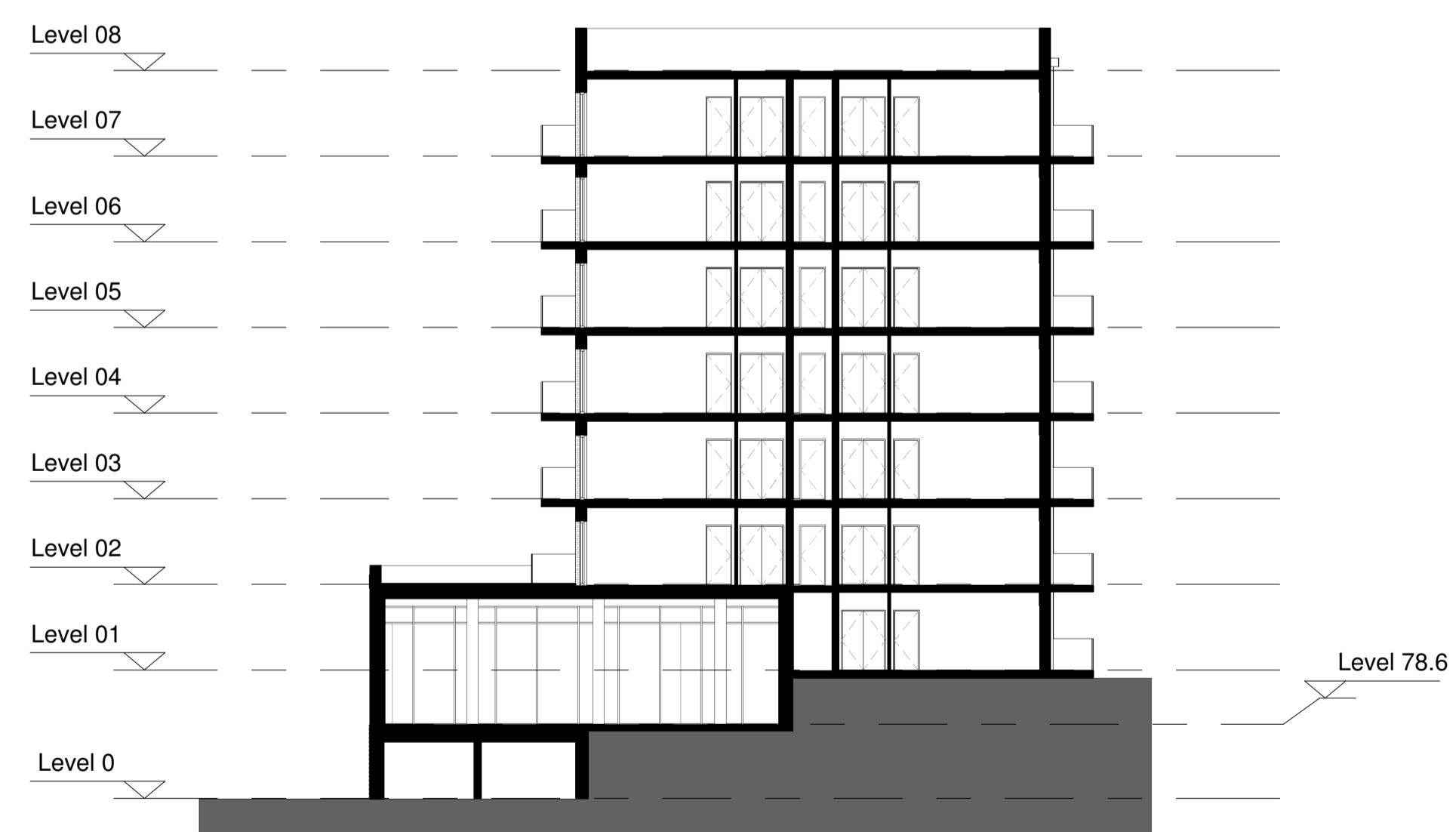


Material Key:

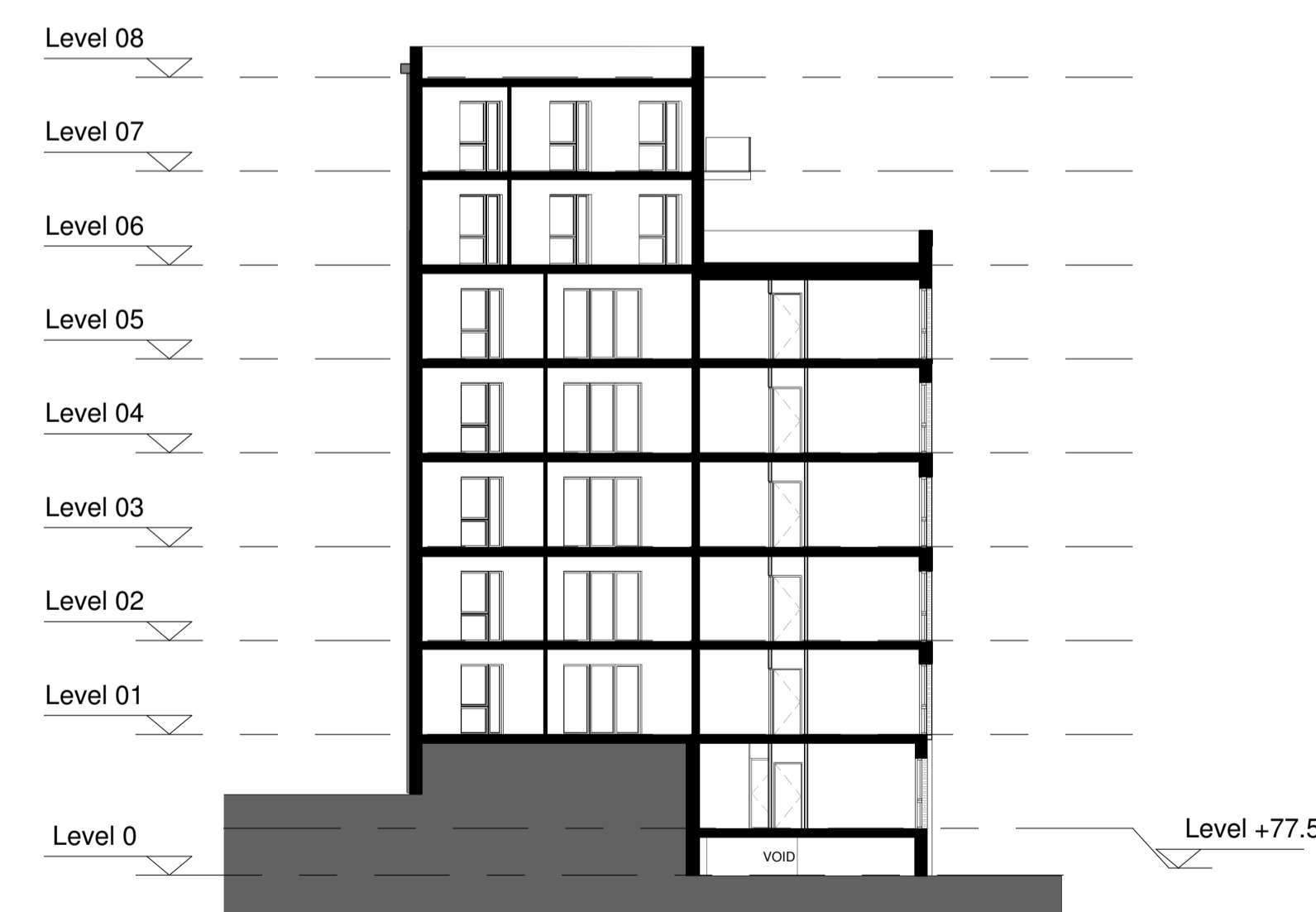
- Facing Brickwork Type A
- Facing Brickwork Type B
- Facing Brickwork Type C
- Cladding Panels
- Windows
- Double doors
- Doors to cycle store and plant room
- Steel balconies with opaque glass
- Railings to terrace
- Rainwater hopper and downpipes
- Spandrel panel
- Glazing
- Cappings/copings
- Perforated Brick Pattern with flood drainage
- Glazed Juliette Balconies

Note* All windows tilt-turn to facilitate cleaning from inside
Note* Airbricks inlet & outlet required to each flat for MVHR
AOV Automatic open window for ventilation

Note* Project Datum 0.00 Represents +76.00 AOD



3 Section 1
1:200



4 Section 2
1:200

REV	DATE	DESCRIPTION	DRN	CHEK
2	23.11.2017	General Update	LC	MA
1	22.11.2017	Windows Update	LC	MA
0	17.11.2017	Issued for Planning	LC	MA

REV	DATE	DESCRIPTION	DRN	CHEK
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CLIENT

Solum

PROJECT
LAND ON MARKETFIELD WAY, REDHILL,
SURREY

DRAWING
Proposed Elevations & Sections



54a Linage Street
London
NW1 6HL
Tel: 0207 724 1611
Email: london@lewisandhickey.com

SCALE	DATE	DRN	CHEKED
1:200	16/11/2017	LC	MA
PROJECT No	DRAWING No	STATUS	REV
L2860	A1-104	P	2

NOTES ORIGINAL A1

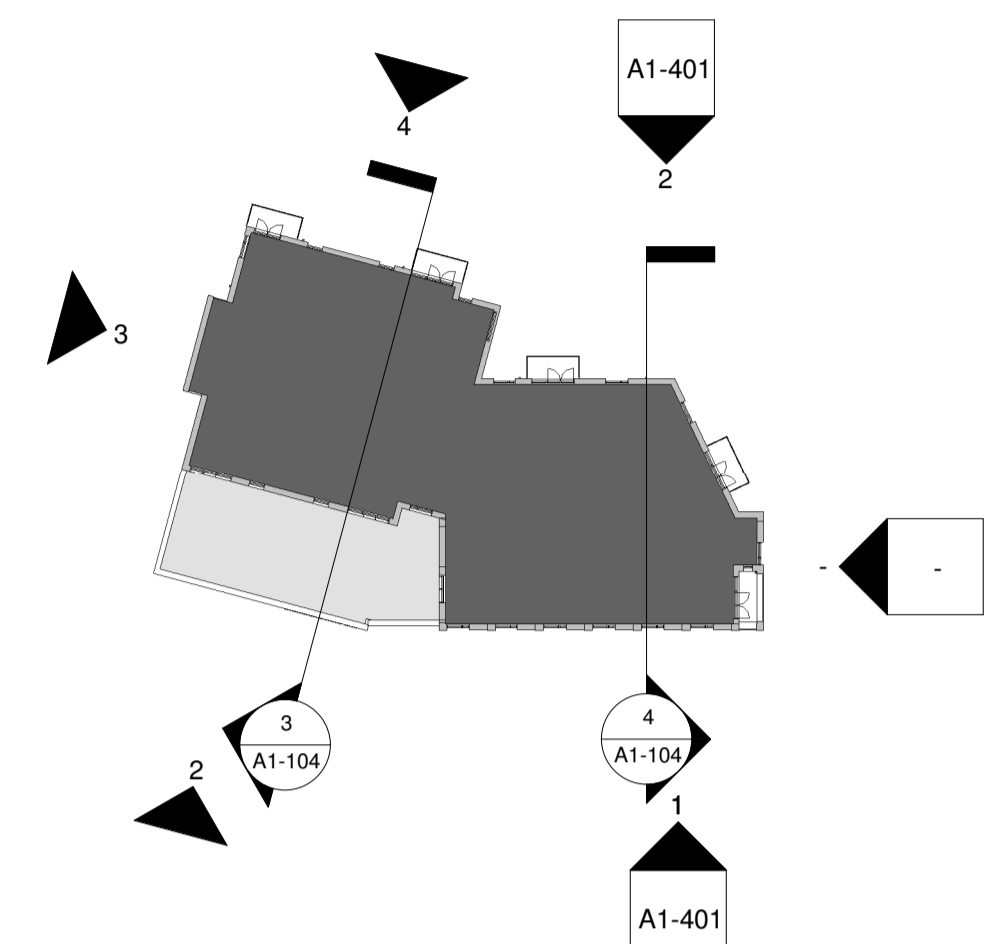
- Lewis & Hickey accept no responsibility for any costs, losses, claims, however arising from these drawings, specifications and related documents unless there is full compliance with the client and any authorised user of the following:
1. All boundaries, dimensions and levels are to be checked on site before construction and any discrepancies are to be reported to the Architect / Designer.
 2. Parties Service: Any discrepancies with site or other information is to be reported to the Architect / Designer and direction or approval is to be sought before the implementation of the detail.
 3. Block and site plans are reproduced under license from the Ordnance Survey.
 4. The client is responsible for the accuracy of the information provided.
 5. For the purpose of coordination, all relevant parties must check this information prior to implementation and report any discrepancies to the Architect / Designer.



1 Elevation 1 - a
1 : 200



2 Elevation 2 - a
1 : 200



- Material Key:**
1. Facing Brickwork Type A
 2. Facing Brickwork Type B
 3. Facing Brickwork Type C
 4. Cladding Panels
 5. Windows
 6. Double doors
 7. Doors to cycle store and plant room
 8. Steel balconies with opaque glass
 9. Railings to terrace
 10. Rainwater hopper and downpipes
 11. Spandrel panel
 12. Glazing
 13. Cappings/copings
 14. Perforated Brick Pattern with flood drainage
 15. Glazed Juliette Balconies

Note* All windows till-turn to facilitate cleaning from inside
 Note* Airbricks inlet & outlet required to each flat for MVHR
 AOV Automatic open window for ventilation
 Note* Project Datum 0.00 Represents +76.00 AOD

98



3 Elevation 3 - a
1 : 200



4 Elevation 4 - a
1 : 200

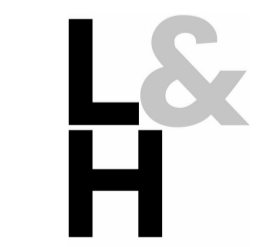
REV	DATE	DESCRIPTION	DRN	CHEK
2	23.11.2017	General Update	LC	MA
1	22.11.2017	Windows Update	LC	MA
0	17.11.2017	Issued for Planning	LC	MA

REV	DATE	DESCRIPTION	DRN	CHEK
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CLIENT
Solum

PROJECT
LAND ON MARKETFIELD WAY, REDHILL,
SURREY

DRAWING
Proposed Elevations & Sections



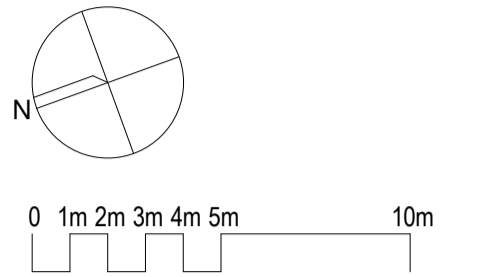
LEWIS & HICKEY

54a Linage Street
London
W8J 6HL
Tel: 0207 724 1611
Email: london@lewis-hickey.com

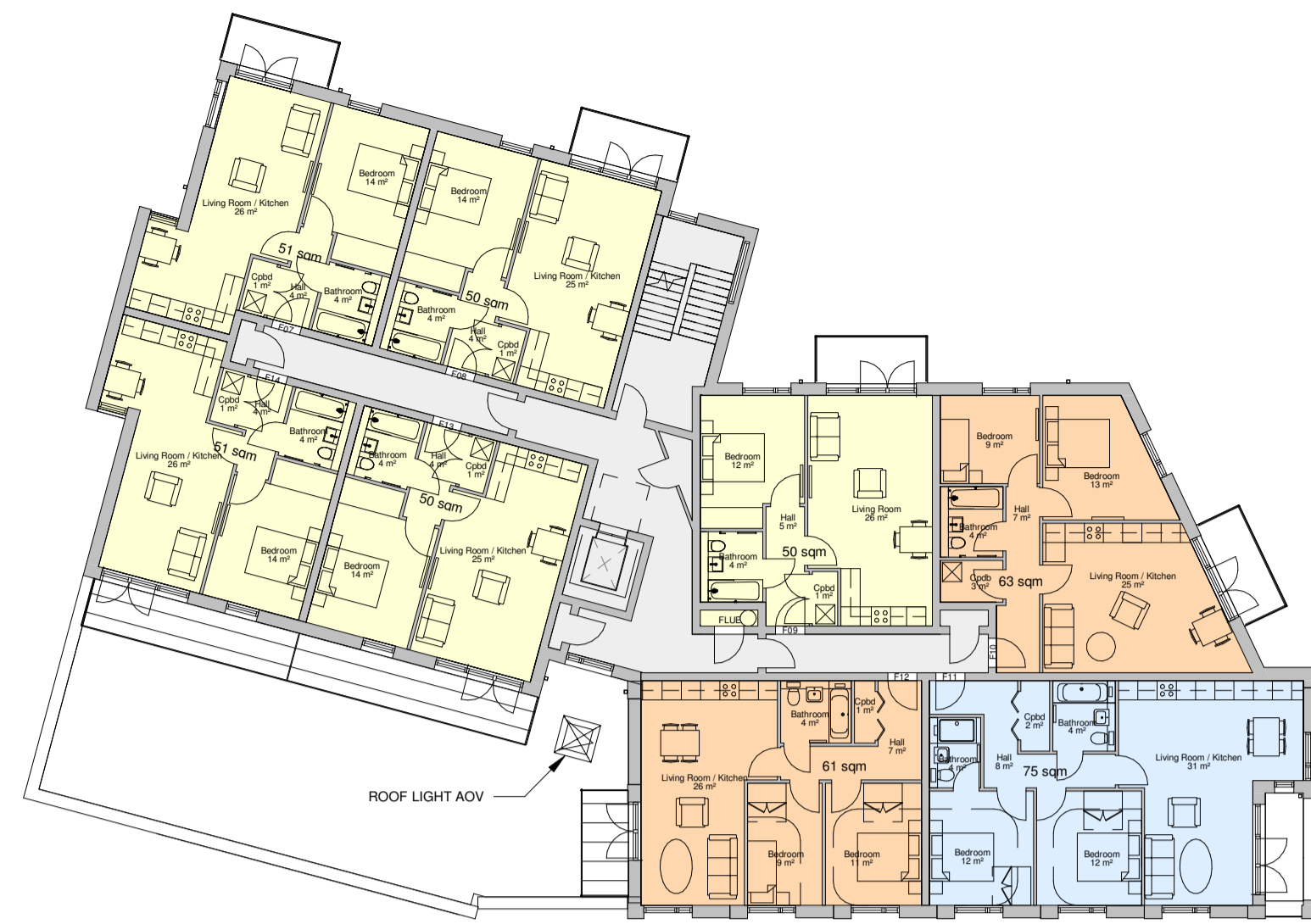
SCALE	DATE	DRN	CHEKED
1:200	16/11/2017	LC	MA
PROJECT No	DRAWING No	STATUS	REV
L2860	A1-103	P	2

NOTES ORIGINAL A1

1. All boundaries, dimensions and levels are to be checked on site before construction and any discrepancies are to be reported to the Architect / Designer.
2. Party Service: Any discrepancies with site or other information is to be raised to the Architect / Designer and direction or approval is to be sought before the implementation of the detail.
3. Block and site plans are reproduced under license from the Ordnance Survey.
4. The scale of this drawing is 1:200.
5. For the purpose of coordination, all relevant parties must check this information prior to implementation and report any discrepancies to the Architect / Designer.



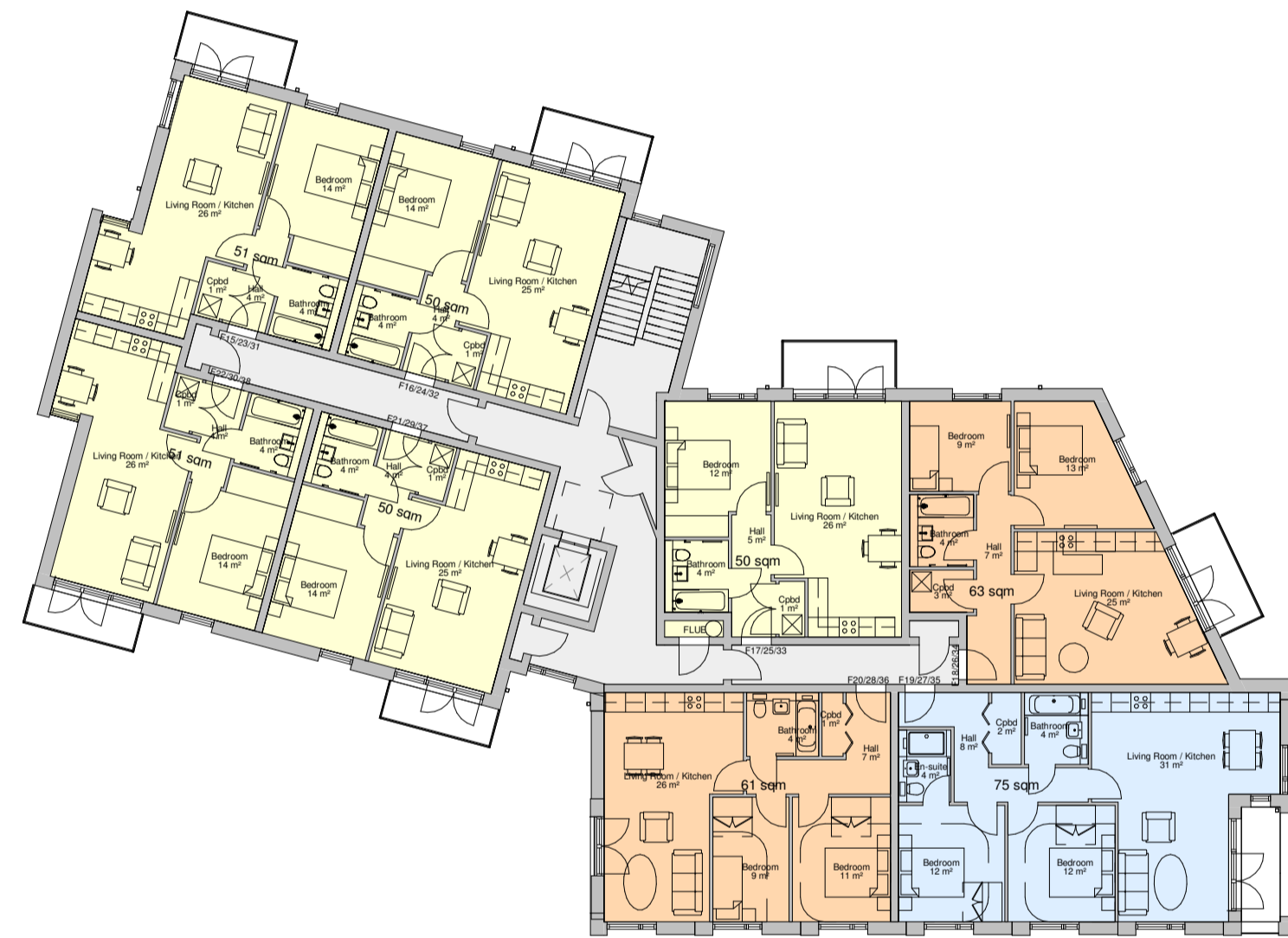
- 1 Bed_2p
- 2 Bed_3p
- 2 Bed_4p
- Circulation
- Plant
- Cycle Store
- Bins
- Terrace
- Community use



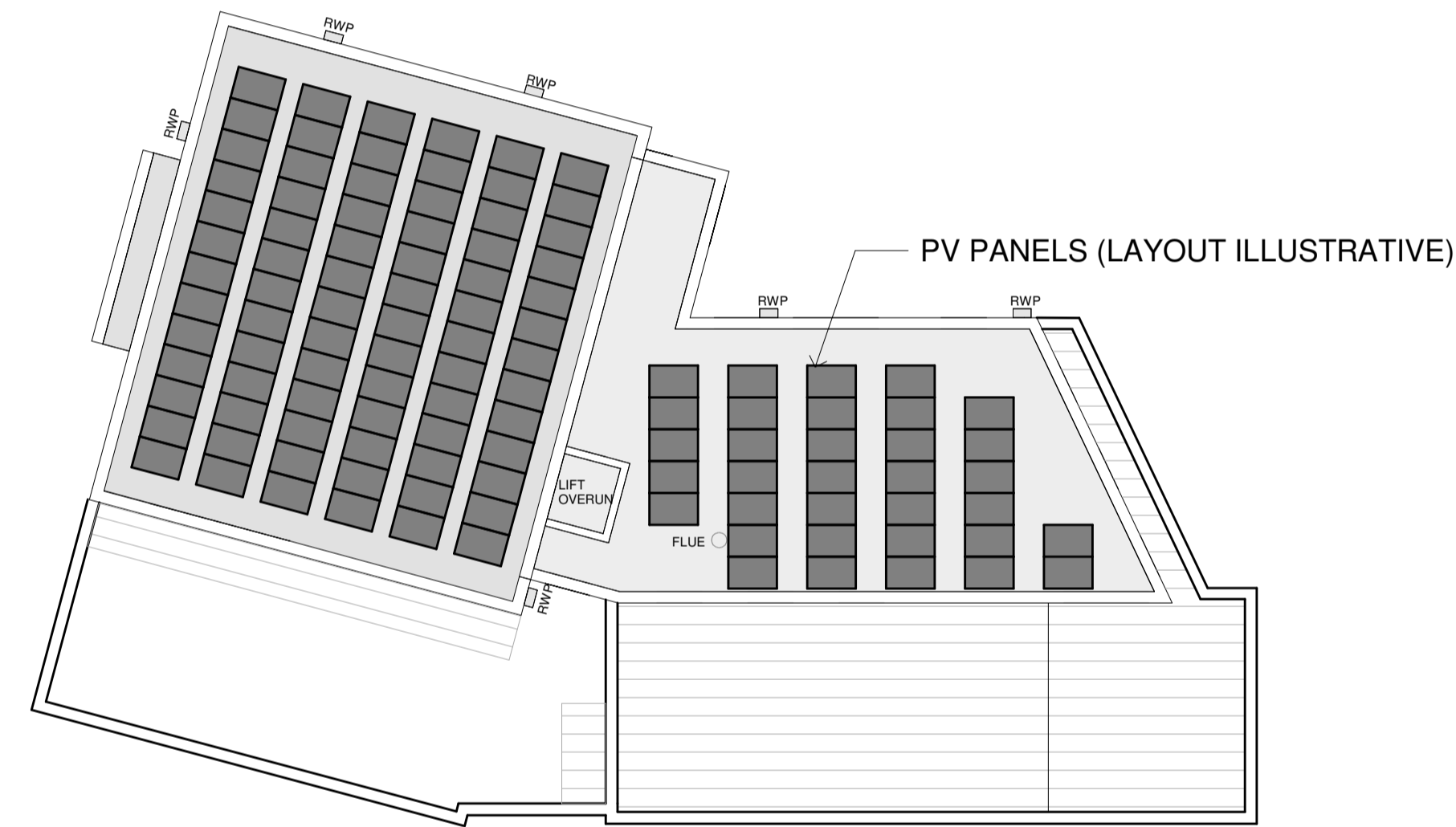
1 102 - Level 02
1:200



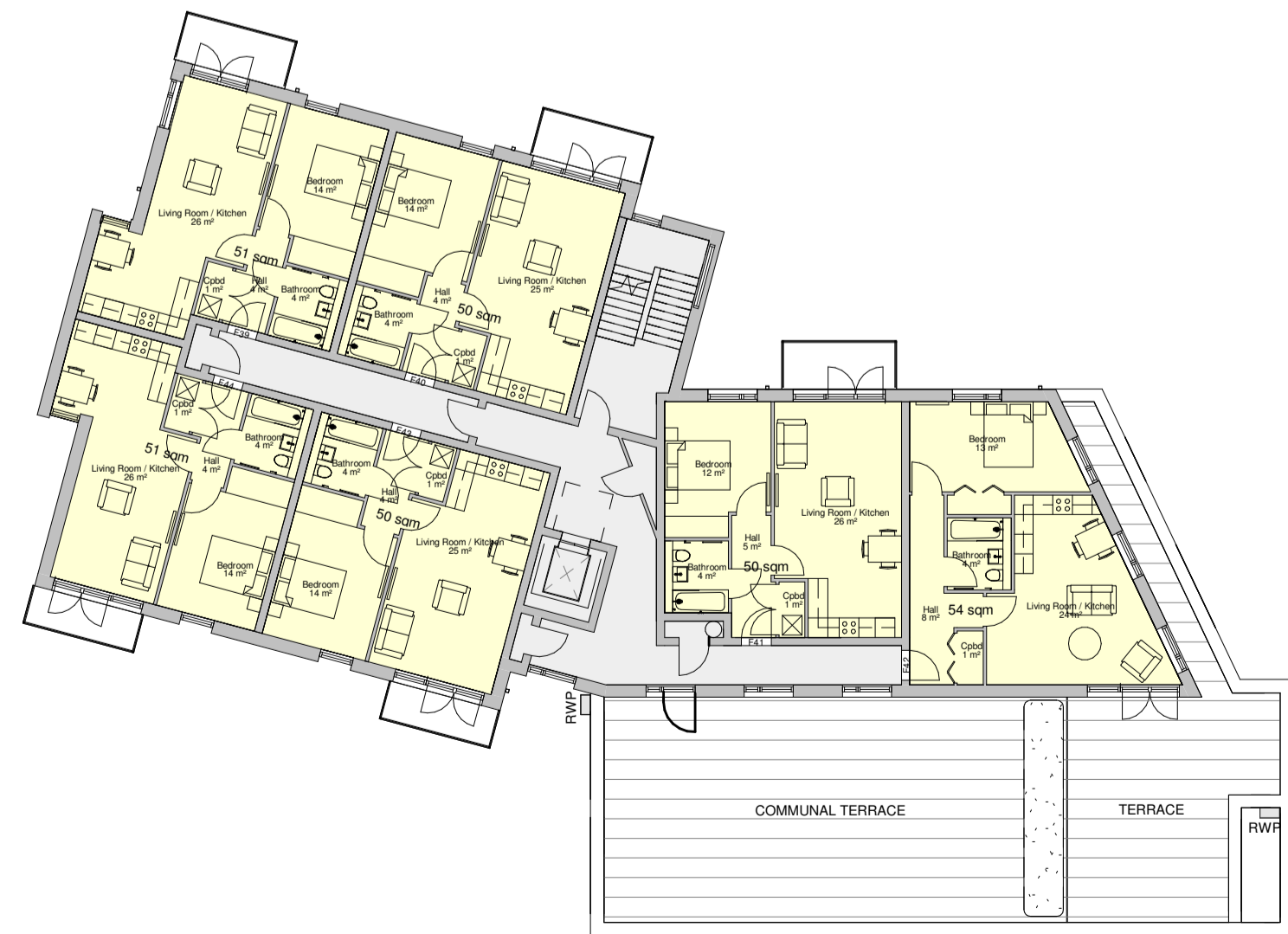
4 107 - Level 07
1:200



2 103 - Level 03-05
1:200



5 108 - Level 08 (Roof)
1:200



3 106 - Level 06
1:200

PLANNING ISSUE

1	22.11.2017	Windows Update	LC	MA
0	17.11.2017	Issued for Planning	LC	MA

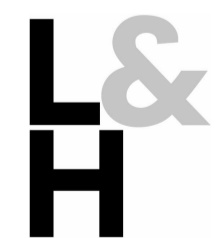
REV	DATE	DESCRIPTION	DRN	CHEK
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CLIENT

Solum

PROJECT
LAND ON MARKETFIELD WAY, REDHILL,
SURREY

DRAWING
Proposed Floor Plans Level 02 - 08



LEWIS & HICKEY

54a Linage Street
London
NW1 6HL
Tel: 0207 724 1611
Email: london@lewisandhickey.com

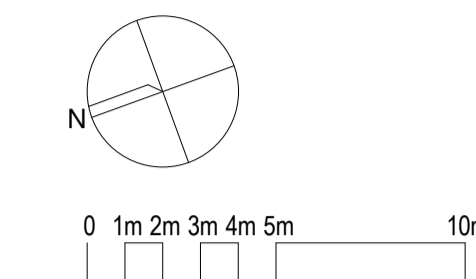
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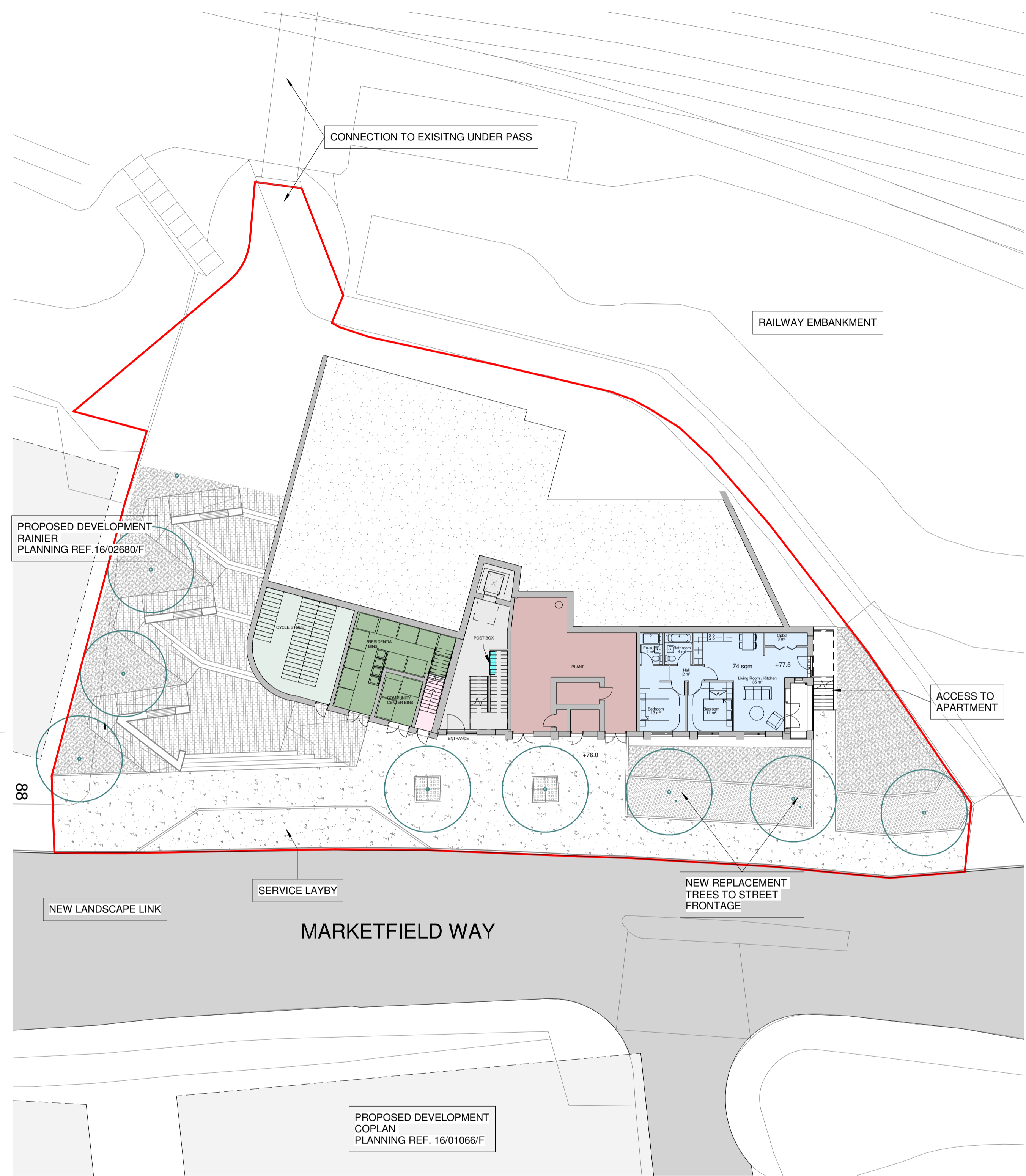
PROJECT No	DRAWING No	STATUS	REV
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L2860	A1-102	P	1
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- All boundaries, dimensions and levels are to be checked on site before construction and any discrepancies are to be reported to the Architect / Designer.
- Party Service: Any discrepancies with site or other information is to be raised to the Architect / Designer and direction or approval is to be sought before the implementation of the detail.
- Block and site plans are reproduced under license from the Ordnance Survey.
- Do not scale site drawings.
- For the purpose of coordination, all relevant parties must check this information prior to implementation and report any discrepancies to the Architect / Designer.



- 1 Bed_2p
- 2 Bed_3p
- 2 Bed_4p
- Circulation
- Plant
- Cycle Store
- Bins
- Terrace
- Community use



PLANNING ISSUE

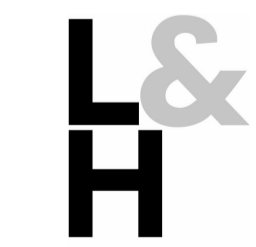
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2	17.11.2017	Issued for Planning	LC	MA

REV	DATE	DESCRIPTION	DRN	CHKD
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CLIENT
Solum

PROJECT
LAND ON MARKETFIELD WAY, REDHILL, SURREY

DRAWING
Proposed Floor Plans Level 00-01



54a Linage Street
London
W8J 6HL
Tel: 0207 724 1611
Email: london@lewisandhickey.com

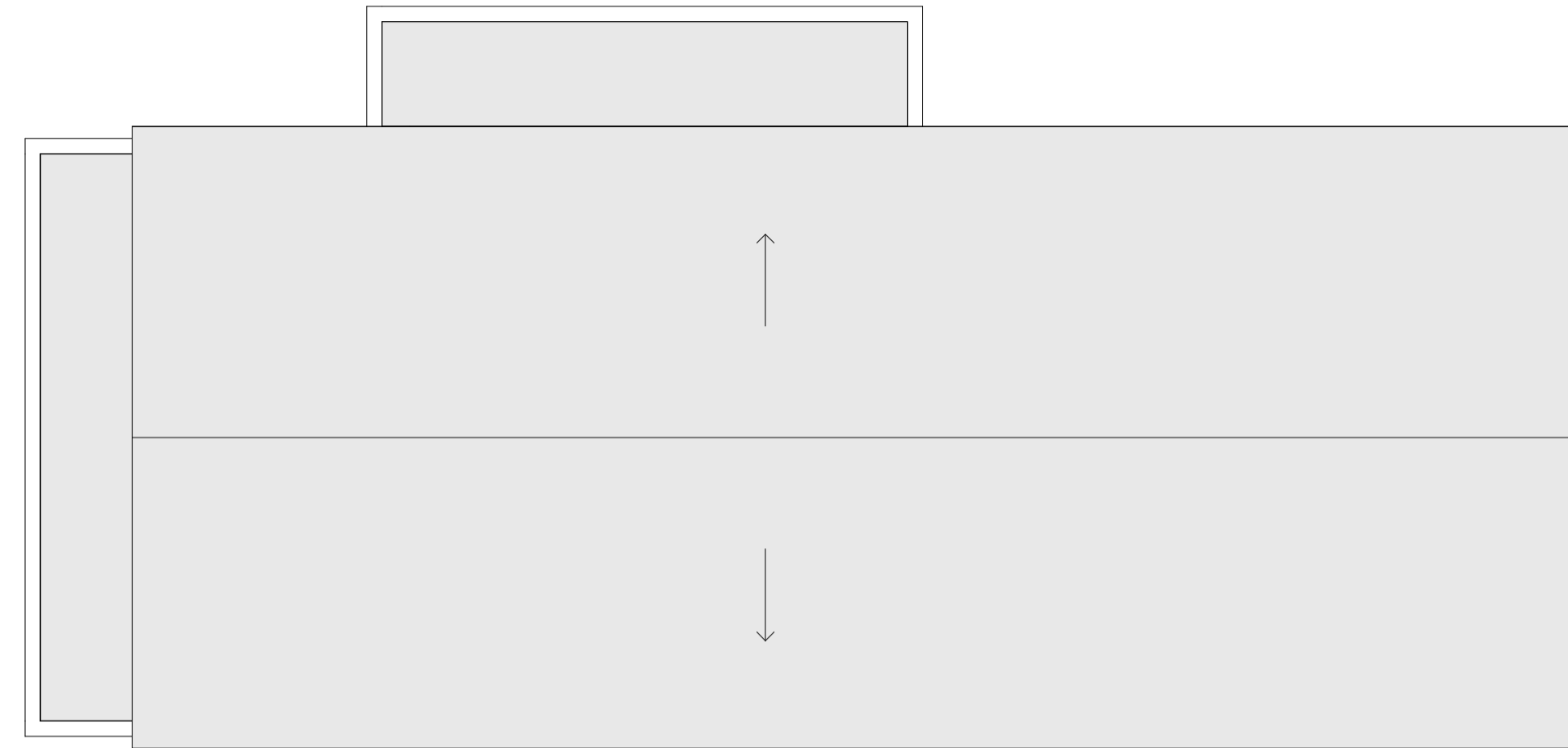
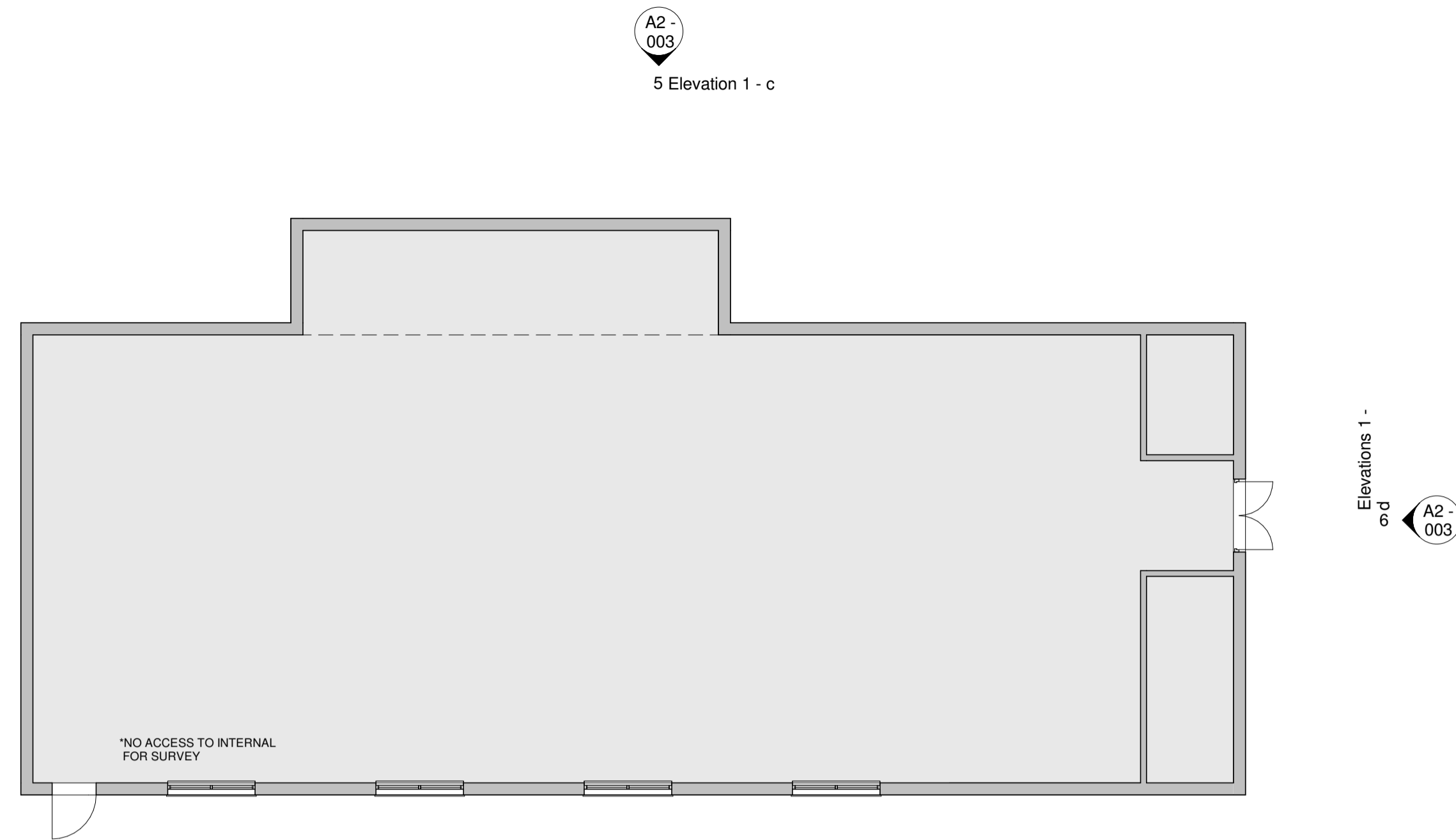
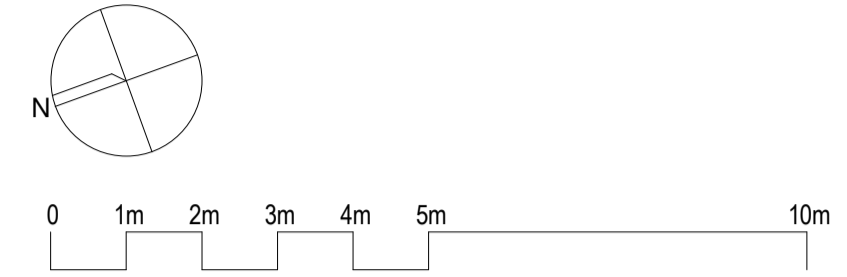
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PROJECT No	DRAWING No	STATUS	REV
L2860	A1-101	P	1

1 100 - Level 00
1 : 200

2 101 - Level 01
1 : 200

NOTES ORIGINAL A1

- 1. All boundaries, dimensions and levels are to be checked on site before construction and any discrepancies are to be reported to the Architect / Designer.
- 2. Parties Service: Any discrepancies with site or other information is to be advised to the Architect / Designer and direction or approval is to be sought before the implementation of the detail.
- 3. Block and site plans are reproduced under license from the Ordnance Survey.
- 4. ~~Do not scale this drawing.~~
- 5. For the purpose of coordination, all relevant parties must check this information prior to implementation and report any discrepancies to the Architect / Designer.



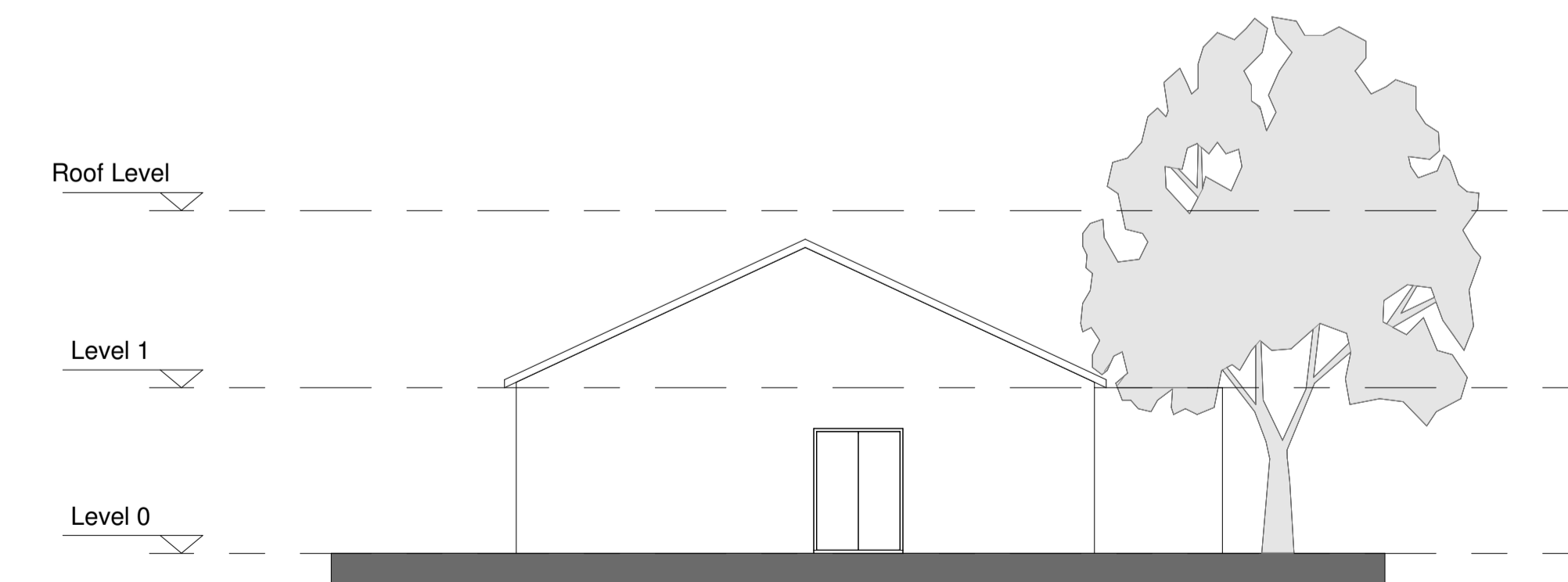
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1:100

2 Roof Level
1:100



3 Elevation 1 - a
1:100

4 Elevation 1 - b
1:100



5 Elevation 1 - c
1:100

6 Elevations 1 - d
1:100

PLANNING ISSUE

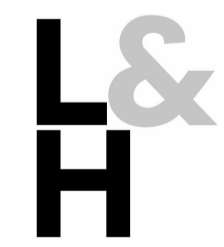
0 23/11/2017 Planning Issue LC MA

REV	DATE	DESCRIPTION	DRN	CHEK

CLIENT
Solum

PROJECT
LAND ON MARKETFIELD WAY, REDHILL, SURREY

DRAWING
Existing Building to be demolished




LEWIS & HICKEY

54a Linage Street
London
NW1 6HL
Tel: 0207 724 1611
Email: london@lewisandhickey.com

SCALE	DATE	DRN	CHEKED
1:100	22/11/2017	LC	MA
PROJECT No	DRAWING No	STATUS	REV
L2860	A2 - 003	P	0

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 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	21 March 2018
	REPORT OF:	HEAD OF PLACES & PLANNING
	AUTHOR:	John Ford
	TELEPHONE:	01737 276112
	EMAIL:	john.ford@reigate-banstead.gov.uk
AGENDA ITEM:	6	WARD: <i>Kingswood with Burgh Heath</i>

APPLICATION NUMBER:	17/02662/F	VALID:	15/11/2017
APPLICANT:	Kingsglade LLP	AGENT:	Brookes Architects Ltd
LOCATION:	FAIRLAWN, THE GLADE, KINGSWOOD, SURREY		
DESCRIPTION:	Demolition of an existing house and construction of a new building containing seven flats and a basement car park.		
All plans in this report have been reproduced, are not to scale, and are for illustrative purposes only. The original plans should be viewed/referenced for detail.			

This application is referred to Committee in accordance with the Constitution

SUMMARY

The application relates to a site on the south side of The Glade which is characterised by a residential neighbourhood of substantial detached properties of traditional styles standing in spacious grounds, within The Warren and The Glade Residential Area of Special Character (RASC). The existing house is a fine and attractive example although it is not locally listed and sits outside the adjacent Kingswood Conservation Area meaning, whilst lamentable; its retention cannot be required.

The proposal is for a building of traditional design accommodating 7 two bedroom flats, following the unsuccessful application for a block containing 10 flats (16/01797/F) and, commensurate with this lesser number of units, is lesser in scale more akin to existing properties in the neighbourhood. The proposed flat block sits more comfortably within its plot, well away from the site's boundaries and with first floor flank windows to be obscured glazed in the interests of preserving the privacy of adjoining dwellings. Car parking is largely furnished and spaciously provided at basement level. The site is well screened by trees, the more significant of which, as well as hedges, would be retained in the scheme. This vegetation would be enhanced by additional planting.

Despite the existing building not being listed and being outside the Conservation Area, efforts have been made with the replacement to replicate some of the more attractive features of the existing such as its proportions, splayed eaves and

materials palette including tile hanging and timber boarding. The proposal, by virtue of its scale, appearance and siting, would therefore be in harmony with the neighbourhood and would respect the setting of the nearby Kingswood Conservation Area, more-so than some other recent examples of new development in the locality.

There can be no in-principle objection to flats even within the Residential Area of Special Character. Instead the assessment under Policy Ho15 of the Borough Local Plan is primarily character-based and, as explained, the loss of the existing building cannot be resisted, the replacement is well-designed with undercroft parking so as to appear in keeping with the domestic residences in the locality with the added benefit of good boundary screening to help ensure the sylvan appearance is maintained.

The building would project beyond the main rear walls of the neighbouring properties to either side but any perceived adverse effect on amenity from this would be diluted because of separation distances and tree screening. The obscured glazed first floor flank windows would also mitigate the potential for overlooking. Hence the proposal would be acceptable in its neighbour impact.

RECOMMENDATION

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

Consultations:

Highway Authority: the site is served by a private road which is outside the Highway Authority's jurisdiction .

Kingswood Residents' Association: objects (both original and amended plans) on grounds of more intensive use of land, out of character with development in the locality.

RBBC Conservation Officer: *The proposal is situated in the RASC and close to the Conservation Area (within 2 properties distance) so impacts on its setting and approach. The area is characterised by landscape dominated plots.*

In terms of the Conservation Area setting, the preference would be retention of the existing house but as the house lies outside the Conservation Area and is not listed, this cannot be insisted on. The tenure of the property, as to whether it is flats or a house, also lie outside the design considerations in terms of the Conservation Area or local distinctiveness. Therefore my consideration are the appearance of the building in terms of impact on the approach to the Conservation Area and aesthetic appearance in terms of local distinctiveness.

The proposal has followed to a degree the design of the existing house, with subservient side wings and articulation to the side elevations. Whilst the ramp and side elevations are not ideal, there would appear to be sufficient landscape screen for the design to meet the criteria in terms of the setting of the Conservation Area and local distinctiveness. I consider that a curve in the drive would assist in reducing the view of the ramp entrance from the road. The shrubbery to the front boundary would need protection, in addition to the trees identified in the arboricultural assessment and I have suggested a condition in this regard. The depth of the footprint is greater than neighbouring building but this would be a RASC assessment.

If you are minded to approve this application I would recommend the following conditions (materials).

Representations:

Letters were sent to neighbouring properties on 27 November 2017 and a site notice was posted 30 November 2017, regarding the original proposal. Letters regarding the amended proposal were sent 15 February 2018.

66 responses (to the original proposal) and 76 (to the amended proposal) and a letter from a planning consultant on behalf of 9 properties (original and amended proposals) have been received raising the following issues:

Issue	Response
Inadequate parking	See paragraphs 6.8
No need for the development	Consideration on merits

Noise & disturbance	See paragraph 6.7
Inconvenience during construction	See paragraph 6.7
Overdevelopment	See paragraphs 6.3 & 6.4
Increase in traffic and congestion	See paragraph 6.9
Out of character with locality	See paragraphs 6.3 & 6.4
Hazard to highway safety	Hazard to highway safety
Conflict with covenant	Not a planning consideration
Crime Fears	Site capable of surveillance
Harm to wildlife habitat	No wildlife designation
Loss of/harm to trees	See paragraph 6.5
Overbearing effect	See paragraph 6.7
Harm to Conservation Area	Outside conservation area but setting assessed paras 6.3 – 6.5
Harm to Green Belt	Not in Green Belt
Overlooking and Loss of privacy	See paragraph 6.7
Property devaluation	Not a planning consideration
Drainage/sewage capacity	Not a planning consideration
Loss of buildings	Loss of building cannot be resisted if not listed or outside Conservation Area
Loss of private view	Not a planning consideration
Health fears	No likely health impacts
Poor design	See paragraph 6.3

1.0 Site and Character Appraisal

- 1.1 The application site, consists of a detached property Fairlawn, on the south side of The Glade, within The Warren and The Glade Residential Area of Special Character (RASC). The existing building is a fine and attractive example which contributes positively to the character of the area.
- 1.2 Both vehicular and pedestrian entry are via a drive off The Glade which is a private road. The site is regular in shape, measuring roughly 112m long by 48.1m wide at the road side and has an area of approximately 0.512 hectare (1.2 acre). It slopes slightly up towards the rear boundary.
- 1.3 Fairlawn is a large two and a half storey family house. The ground floor is red brick, whilst the first floor and gables are half timbered. The roof is finished with clay plain tiles and the windows have multiple glazing bars. The garden

is mature with a number of trees and includes a gravel drive and detached garage. The front boundary is heavily planted.

- 1.4 The rear part has been the subject of a number of applications that have been unsuccessful and is included in the present application site.
- 1.5 The street scene is characterised by substantial frontage detached houses standing on spacious plots adorned by a high level of mature landscaping.
- 1.6 Approximately 50m to the west of the site is Kingswood Conservation Area with a distinct group of "Arts and Crafts" buildings in an arcadian setting. Moving east along The Glade the frontages become more open with less forest trees. The houses are of mixed ages and more eclectic although some have an "arts and crafts" flavour. The Conservation Area was designated on 10 June 2009.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: given the existing building is already larger than the neighbours, from a scale and massing point of view the eaves would need to be lowered to the existing height and the gable reduced to the same size as the existing gable and lowered to the existing eaves height.
- 2.2 Improvements secured during the course of the application: changes to fenestration, dormer to front elevation; existing trees on the site have been highlighted on the site plan; drawing showing existing and proposed trees diagrammatically; dimensions added to the basement car park drawing and a diagram included showing standard car space setting out with proposed spaces longer, wider and with more space between than is standard; first floor windows on the side elevations have been decreased in size and shown as opaque up to 1.63m above floor level; dormers on the side elevations omitted and replaced with high level roof lights; rear context elevation added, showing existing and proposed trees on the site boundary.
- 2.3 Further improvements could be secured: by conditions relating to landscaping, materials and detailing.

3.0 Relevant Planning and Enforcement History

- | | | | |
|-----|--------------|---|---|
| 3.1 | 16/01797/F | Building containing 10 flats and basement car park | Refused
3 March 2017 |
| 3.2 | 12/02213/F | Retention of a 2.4m high hoarding across the front of the site. | Refused
21 March 2013 |
| 3.3 | 12/01025/OUT | The construction of a single family house | Refused
31 st August 2012
Appeal Dismissed |

- | | | | |
|-----|------------|--|---|
| 3.4 | 10/01967/F | Construction of a three bedroom single family house and access drive | Refused
30 th December 2010
Appeal Dismissed |
|-----|------------|--|---|

4.0 Proposal and Design Approach

- 4.1 This full application would involve re-joining the front and rear plots referred to above and seeks permission for redevelopment of Fairlawn consisting of a new two storey building of 7 flats arranged over ground, first and second floors with parking for 19 cars including 15 in the basement and two disabled spaces. The proposed building is of an "Arts and Crafts" style. External materials include unspecified brick to the ground floor and timber framing with render elements between and hanging tiles to the upper storey. The application follows the refusal of application no. 16/01797/F for erection of a block of ten flats and, in comparison with that, is reduced in number of flats, dimensions and scale and the applicant has attempted to overcome the shortcomings of the unsuccessful proposal expressed in the refusal reasons, namely "excessive bulk, scale, and massing...out of keeping with and harmful to the character and appearance of the locality" and "...relatively cramped form of development in the locality which is designated also as a Residential Area of Special Character."
- 4.2 The applicant explains that the building has been designed to look like a large single house typical of the locality, with overall height lower than the existing house and eaves at same level. The front elevation features a central projecting gabled bay and further smaller gables. The rear elevation also has a gabled bay. Both side elevations include a recessed central section with elements to the front and rear finished with hipped roofs.
- 4.3 The scheme incorporates retention and enhancement of existing mature planting to front, side and rear boundaries and communal gardens. The application is accompanied by an Arboricultural Impact Analysis and Method Statement which concludes that the development would not have impact on existing on-site trees of value.
- 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 character of the surrounding area is assessed as predominantly residential, within the Kingswood Warren Residential Area of Special character, Kingswood Conservation Area adjoining to the west. The Glade and The Chase are characterised by medium to large plots set back from the road, many behind tall hedges, walls or railings and of a variety of styles and ages with no distinctive or consistent design.
	No site features worthy of retention were identified.
Involvement	No community consultation took place.
Evaluation	The statement does not include any evidence of other development options being considered.
Design	The applicant's reasons for choosing the proposal from the available options was to seek approval of development on land in the applicant's ownership.

4.6 Further details of the development are as follows:

Site area	5.12ha
Proposed parking spaces	19
Parking standard	7+ (recommended maximum)
Net increase in dwellings	6
Existing site density	0.2dph
Proposed site density	1.4dph
Density of the surrounding area	2.7dph (extent of coverage of site location plan)

5.0 Policy Context

5.1 Designation

Urban area

The Warren and The Glade Residential Area of Special Character (RASC)

5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)
CS2 (Valued Landscapes and Natural Environment)
CS4 (Valued Townscapes and Historic Environment)

5.3 Reigate & Banstead Borough Local Plan 2005

Landscape & Nature Conservation Pc4
Housing Ho9, Ho13, Ho16

Movement

Mo5

5.4 Other Material Considerations

National Planning Policy Framework

National Planning Practice Guidance

Supplementary Planning Guidance

Surrey Design

Local Distinctiveness Design Guide

A Parking Strategy for Surrey

Parking Standards for Development

Planning Obligations and

Infrastructure SPD

Other

Human Rights Act 1998

6.0 **Assessment**

6.1 The site is within the urban area in a residential neighbourhood, where in principle there would be no objection to residential development, flat blocks included. However this must be tempered with how effectively the proposed development reflects the character of its surroundings and is sensitive to local amenities

6.2 The main issues to consider are:

- Design appraisal (including impact on trees)
- Neighbour amenity
- Access and parking
- CIL
- Affordable Housing

Design

6.3 The existing building is a fine and attractive example whose loss is lamentable but, not being listed and being outside the Conservation Area, cannot be resisted. However, its siting close to the Conservation Area does ensure that any replacement should be of sufficient high quality so as to preserve its setting. With this in mind it is considered that the scale, massing, traditional design and site coverage of the proposed flat block are compatible with existing development in the neighbourhood. In the Design Statement included with the application, the applicant points out that, in comparison to the previous application, the building's width has been reduced from 29.4m to 24m; depth from 22.5m to 19.6m; flat number from 10 to 7; basement car park reduced in size (but with generous proportioned spaces); all balconies removed; number of windows on the side elevations reduced; and number and size of dormers reduced.

The proposal has implications for the setting of the nearby Kingswood Conservation Area and the Council's Conservation Officer has proffered the following comments on the appearance of the building in terms of impact on the approach to the Conservation Area and aesthetic appearance in terms of local distinctiveness, as well as suggesting a detailed external materials/finishes condition.

The Conservation opines that "...The proposal has followed to a degree the design of the existing house, with subservient side wings and articulation to the side elevations. Whilst the ramp and side elevations are not ideal, there would appear to be sufficient landscape screen for the design to meet the criteria in terms of the setting of the Conservation Area and local distinctiveness. I consider that a curve in the drive would assist in reducing the view of the ramp entrance from the road. The shrubbery to the front boundary would need protection, in addition to the trees identified in the arboricultural assessment and I have suggested a condition in this regard. The depth of the footprint is greater than neighbouring building but this would be a RASC assessment..."

6.4 These observations are endorsed as regards the particular impact of the proposal on the Conservation Area's setting which on balance is acceptable. The incorporation of curvature to the access drive has been explored but is difficult to achieve without arboricultural impacts and is not considered to result in any significant harm. The proposal's scale, position and appearance accord with the rhythm of existing development and the building's comparatively greater depth would be somewhat masked and would not unduly detract from its positive qualities or the contribution it makes to the street scene. The building's greater depth than the houses to either side is temporised by separation distances and screening afforded by boundary vegetation, existing and proposed. The proposal is thereby considered to conform well to the character of the RASC and accord with Policy Ho15 of the Borough Local Plan. The RASC is characterised by large dwellings in spacious, landscaped plots and the proposal is considered to succeed in responding to this character, better in some ways than other developments built in the locality. There is no presumption against flatted developments within the RASC or relevant polices, which primarily focus on character and in this regard, with undercroft parking, the proposed development would largely appear as a grand single residence.

6.5 The application includes an Arboricultural Implications Assessment and Method Statement which states that the proposal requires the removal of nine individual trees and four small groups, all BS Category C (low quality and value). Existing planting to all boundaries and hedges would be retained. The Council's Tree Officer's views have been sought. Whilst he would expect the tree survey data, over a year old, to be more up to date the Tree Officer opines that the proposal would result in the loss of low grade trees along the eastern boundary only, with the only protected tree (RE1376) not affected nor the protected trees in the neighbouring property, Oakshadows. The arboricultural report also includes a detailed arboricultural method statement which provides sufficient information for the remaining trees to be protected

during the course of the development. Therefore the Tree Officer has no objection subject to conditions relating to landscaping and tree protection measures being attached to any permission.

Neighbour amenity

- 6.6 The properties most directly affected by the proposal are Oakshadows to the west and Stourton to the east. These are buildings of a substantial size but standing comfortably in their spacious plots and, like the existing dwelling Fairlawn, "informally" arranged thereon so as not be centrally placed. The proposed building would sit comfortably on its plot with space about it comparable to its neighbours and hence "at ease" with them. For instance the separation distances from the western and eastern boundaries, some 11m and approximately 10m respectively, would certainly be a factor along with comparable height, massing and positioning on the plot, contributing to this perception. The location of this application site is within a Residential Area of Special Character (RASC) where the high level of privacy and residential amenity associated with these areas is recognised and protected in Policy Ho15 (vi). The balconies featuring in the previous application have been removed and obscured glazing would be inserted in the first floor flank windows, respecting the privacy and amenity of both neighbouring properties. The living conditions of other dwellings in the vicinity would not be materially affected by the proposal because of the separation distances involved.
- 6.7 Local concerns have been expressed about noise, disturbance and inconvenience arising from building operations for this development. Comings and goings of construction vehicles and general construction activities, whilst giving potential for annoyance, are a temporary aberration only. Other matters, such as drain/sewer capacity, covenants, property devaluation are not planning considerations that can have any bearing on the assessment of the planning application.

Access and parking

- 6.8 There is a modified access to the site from a private road. The Highway Authority in these circumstances has no jurisdiction and hence has no comment to make. It is not considered that the traffic generated by the development would result in any significant impact on the free flow of traffic in the vicinity or exacerbate traffic hazards and the site visibility along the road is considered to be acceptable. Within the site 19 car parking spaces, 15 in the basement (the rest in the grounds to the north of the building), would be provided: the number of spaces is more than the Highway Authority's standard but that is a recommended maximum. This is considered acceptable given the more away from maximum standards within national and emerging policy and the specific circumstances of the application.

CIL

- 6.9 The Community Infrastructure Levy (CIL) is a fixed charge which the Council will be collecting from some new developments from 1 April 2016. It will raise

money to help pay for a wide range of infrastructure including schools, roads, public transport and community facilities which are needed to support new development. This development would be CIL liable although the exact amount would be determined and collected after the grant of planning permission.

Affordable Housing

- 6.10 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.
- 6.11 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.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Type	Reference	Version	Date Received
Site Location Plan	4796 3 110		16.11.2017
Exg GF Site Plan	4796 2 51		16.11.2017
Exg Floor Plans	4796 2 52		16.11.2017
Exg Elevations	4796 2 53		16.11.2017
Proposed Site Plan	4796 3 120	C	05.02.2018
Prop Bst/GF Plans	4796 3 121	B	05.02.2018
Prop 1/2FL/Roof Plans	4796 3 122	B	05.02.2018
Prop Elevations	4796 3 123	B	05.02.2018
Exg/Prop Street Elevns	4796 3 126	B	05.02.2018
Prop Street/Rear	4796 3 128	A	
Site Sections	4796 3 129	A	2018

Site Cross Section	4796 3 134	A	2018
Landscape Diagram	4796 3 135		05.02.2018

Reason:

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

3. Notwithstanding the drawings, the development hereby permitted shall be carried out using the external facing materials and details specified below and there shall be no variation thereof without the prior approval in writing of the Local Planning Authority.
- a) All tiles and tile hanging shall be of handmade sandfaced plain clay tiles with bonnet tiles to hips. The tile hanging shall be of a lighter colour than the roof tiles. The eaves shall be sprocketed to match existing. The dormer cheeks shall be tile hung.
 - b) All external joinery shall be of painted timber with architraved bargeboards.
 - c) All fascias shall be of no more than 15cm depth and dormers eaves shall be without gutter fascias.
 - d) All timber framing shall be of black stained oak with pegged joints.
 - e) All casement windows shall be of painted timber with casements in each opening and external glazing bars of traditional profile.
 - f) All brickwork shall be of handmade sandfaced multistock brick with gauged brick arches to all windows within brickwork.
 - g) All rainwater goods shall be of black painted cast metal or cast metal profile.
 - h) All footpaths and drives shall be of fixed gravel.
 - i) The existing shrubbery belt adjacent to the front highway boundary shall be retained (except for the front drive and footpath) on an ongoing basis and managed to maintain a minimum height of at least 3 metres and minimum width of at least 3 metres hereafter or as otherwise agreed in writing by the local planning authority. Any losses through death or disease shall be remedied by replacement planting, to current landscape standards, within 1 year to maintain this feature.
 - j) All rooflights shall be black painted metal conservation rooflights with a single vertical glazing bar of traditional profile.

Reason:

To ensure that a satisfactory external appearance is achieved with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9, Ho13 and Ho15.

4. No development shall take place until written details of the materials to be used in the construction of the bin store have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason:

To ensure that a satisfactory external appearance is achieved with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9, Ho13 and Ho15.

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

Reason:

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

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

Reason:

in order that the development should not prejudice highway safety nor cause inconvenience to other highway users to meet the objectives of the National Planning Policy Framework and having regard to policies Mo5 and Mo7 of the Reigate and Banstead Borough Local Plan 2005.

7. No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding behind any visibility zones
 - (f) HGV deliveries and hours of operation
 - (g) measures to prevent the deposit of materials on the highway
 - (h) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
 - (i) on-site turning for construction vehicles
- has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason:

in order that the development should not prejudice highway safety nor cause inconvenience to other highway users to meet the objectives of the National Planning Policy Framework and having regard to policies Mo5 and Mo7 of the Reigate and Banstead Borough Local Plan 2005.

8. No development shall commence including groundworks preparation and demolition until all related arboricultural matters, including arboricultural supervision, monitoring and tree protection measures are implemented in strict accordance with the approved details contained in the Tree Protection Plan and Arboricultural Method Statement compiled by Broad Oak Tree Consultancy, reference J53.25 dated 10th November 2017 October.

Reason:

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

9. No development shall commence on site until a scheme for the landscaping of the site including the retention of existing landscape features has been submitted to and approved in writing by the local planning authority (LPA). Landscaping schemes shall include details of hard and soft landscaping, including any tree removal/retention, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation and management programme.

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

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

Reason:

To ensure good arboricultural and landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies Pc4, Pc13, Ho9 and Ho15 of the Reigate and Banstead Borough Local Plan 2005.

10. The development shall not be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment, including the removal of the existing fencing sub-dividing the site, shall be completed before the occupation of the development hereby permitted.

Reason:

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

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;
 - (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
 - (e) There should be no burning on site;
 - (f) Only minimal security lighting should be used outside the hours stated above; and
 - (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

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

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

5. The applicant is advised that the essential requirements for an acceptable communication plan forming part of a Method of Construction Statement are viewed as: (i) how those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme; (ii) how neighbours will be notified prior to any noisy/disruptive work or of any significant changes to site activity that may affect them; (iii) the arrangements that will be in place to ensure a reasonable telephone

response during working hours; (iv) the name and contact details of the site manager who will be able to deal with complaints; and (v) how those who are interested in or affected will be routinely advised regarding the progress of the work. Registration and operation of the site to the standards set by the Considerate Constructors Scheme (<http://www.ccscheme.org.uk/>) would help fulfil these requirements.

6. The use of a suitably qualified arboricultural consultant is essential to provide acceptable supervision and monitoring in respect of the arboricultural issues in respect of the above condition. All works shall comply with the recommendations and guidelines contained within British Standard 5837.
7. The planting of trees and shrubs shall be in keeping with the character and appearance of the locality. There is an opportunity to incorporate substantial sized 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 Extra Heavy Standard size with initial planting heights of not less than 4m, with girth measurements at 1m above ground level in excess of 14/16cm.

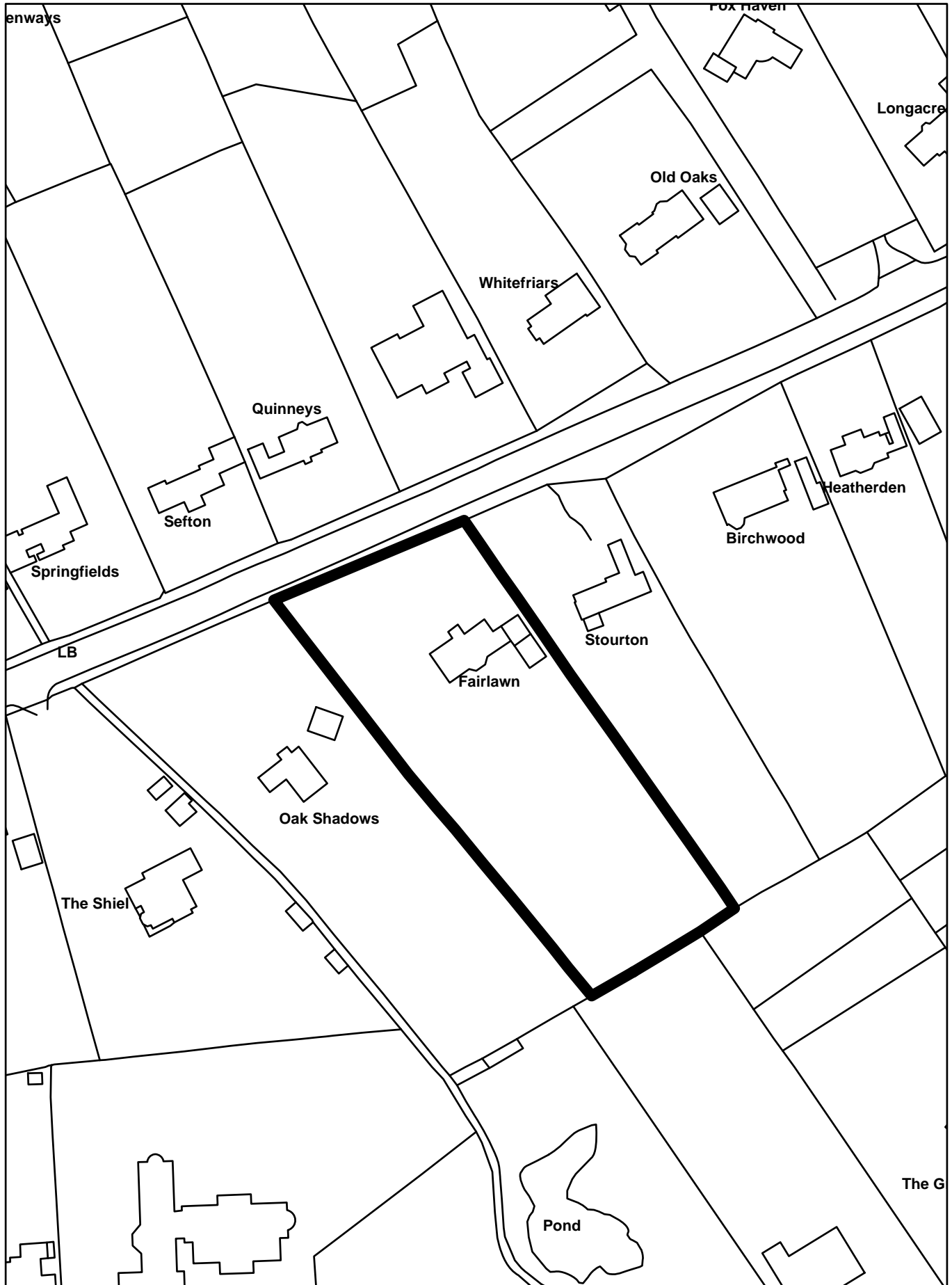
REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies CS1, CS2, CS4, CS10, CS11, CS12, CS14, CS15, Pc4, Ho9, Ho9A, Ho13, Ho15, Mo5 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 Statement

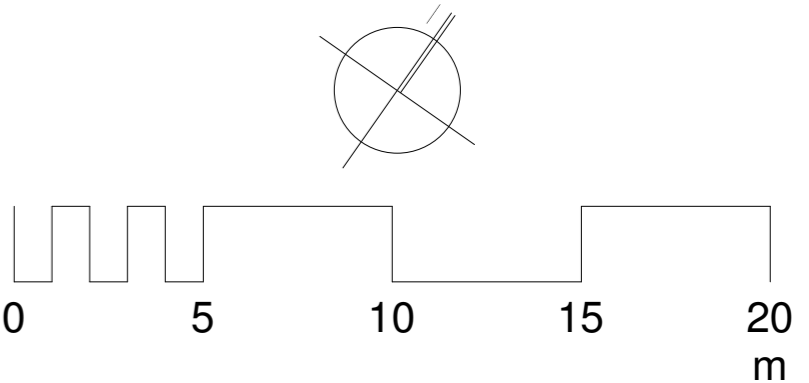
The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in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

17/02662/F - Fairlawn, The Glade, Kingswood





Note. Hornbeam trees to be in new planting
 - - - Existing trees to be retained
 - - - Existing House



PLANNING

Rev	Description	Issued	Dwn	Chk
C	Existing landscaping identified	22.01.18	RM	
B	Front gate location adjusted to tree consultant comments	25.10.17	RM	
A	Gable walls reduced and eaves lowered to be in line with existing house	10.10.17	RM	

Client
 Kingsglade LLP
 Project
 Fairlawn
 The Glade, Kingswood
 KT20 6LL

Drawing
 Proposed Site Plan

Scale	Date	Drawn	Checked
1 : 200@A1	Jul '17	RM	IF

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 Bank Lane, London SW15 5JT
 T 020 8497 1223
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1 Ground Floor Site Plan
 1 : 200

4796	3	120	Rev. No. C
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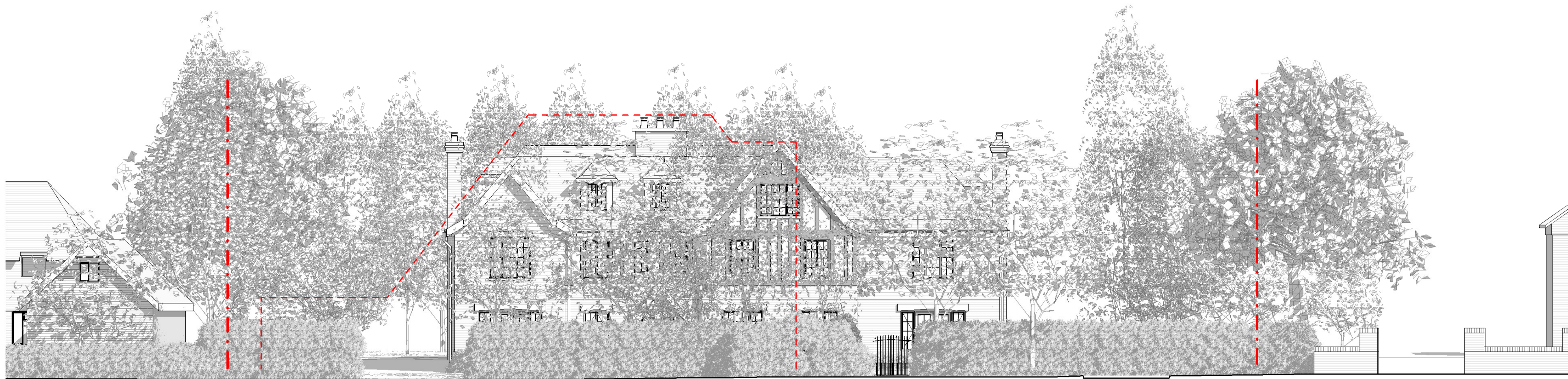
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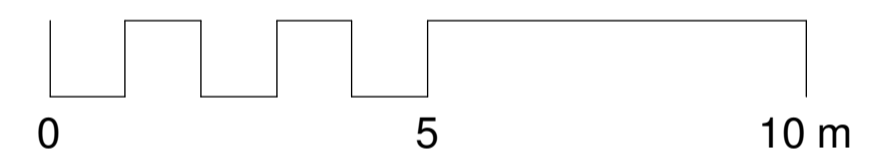
SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION
 Refer to the relevant Construction (Design and Management) documentation where applicable.

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1 Proposed Street Elevation (with boundary conditions)
 1 : 100

--- Site boundary
 - - - Existing house



PLANNING

Rev	Description	Issued	Dwn	Chk

Client
 Kingsglade LLP

Project
 Fairlawn
 The Glade, Kingswood
 KT20 6LL

Drawing
 Proposed Street Elevation

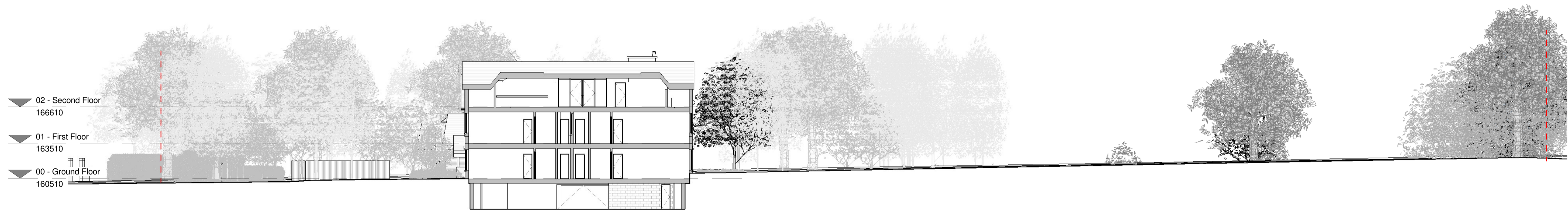
Scale	Date	Drawn	Checked
1 : 100@A1	Nov '17	RM	IF

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4796	3	128	Rev. No.
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1 Existing Long Site Section
1 : 200



2 Proposed Long Site Section
1 : 200

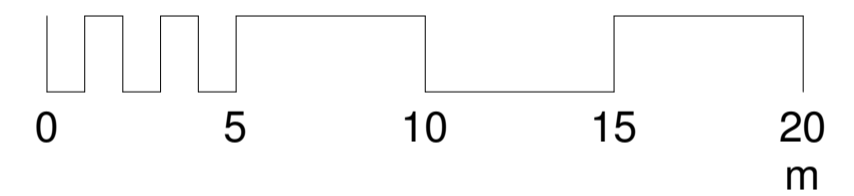


3 Existing Short Section
1 : 200



4 Proposed Short Section
1 : 200

110



PLANNING

Rev	Description	Issued	Dwn	Chk
A	Side facing dormers removed and roof lights added	22.01.18	RM	

Client
Kingsglade LLP

Project
Fairlawn
The Glade, Kingswood
KT20 6LL

Drawing
Site Sections

Scale	Date	Drawn	Checked
1 : 200@A1	May '17	RM	IF

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4796	3	129	A
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1 Existing Long Site Section
1 : 200



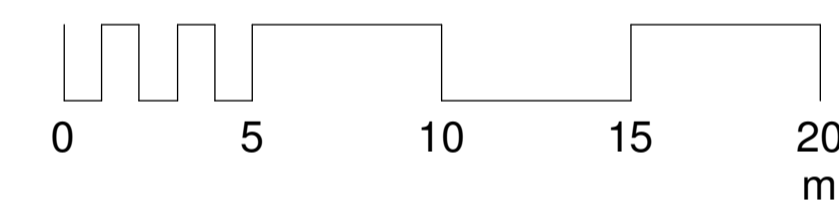
2 Proposed Long Site Section
1 : 200



3 Existing Short Section
1 : 200



4 Proposed Short Section
1 : 200



PLANNING

Rev	Description	Issued	Dwn	Chk

Client
Kingsglade LLP

Project
**Fairlawn
The Glade, Kingswood
KT20 6LL**

Drawing
Site Sections

Scale	Date	Drawn	Checked
1 : 200@A1	May '17	RM	IF

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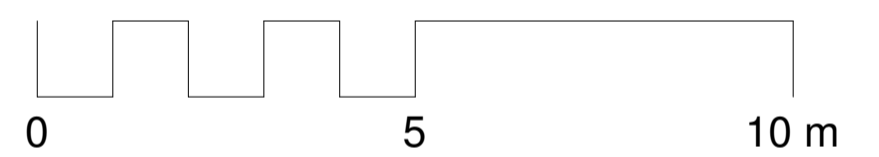
4796	3	129	Rev. No.
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3 Existing Street Elevation
1 : 100

112

--- Site boundary
- - - Existing house



PLANNING

Rev	Description	Issued	Dwn	Chk
B	Front facing dormer introduced	22.01.18	RM	
A	Gable walls reduced and eaves lowered to be in line with existing house	10.10.17	RM	

Client
Kingsglade LLP

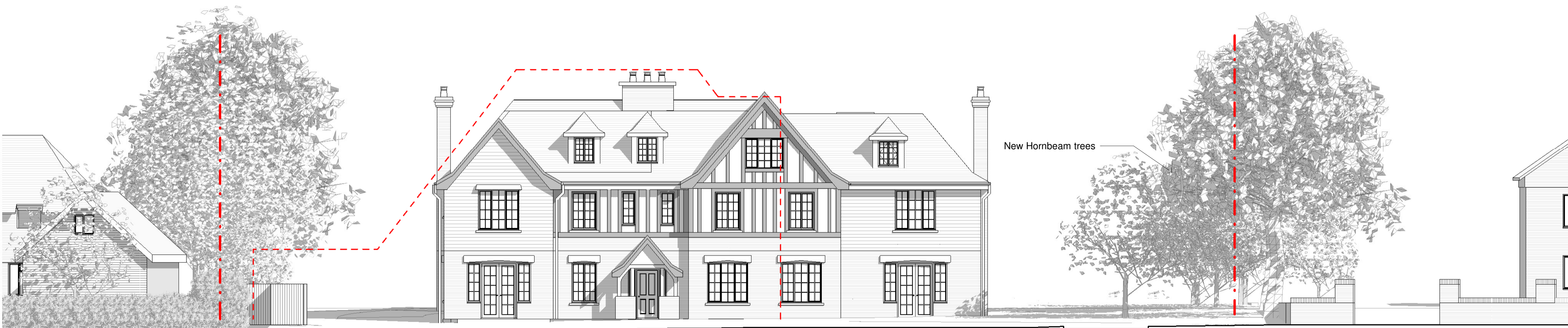
Project
Fairlawn
The Glade, Kingswood
KT20 6LL

Drawing
Existing and Proposed
Street Elevation

Scale	Date	Drawn	Checked
1 : 100@A1	Sept '17	RM	IF

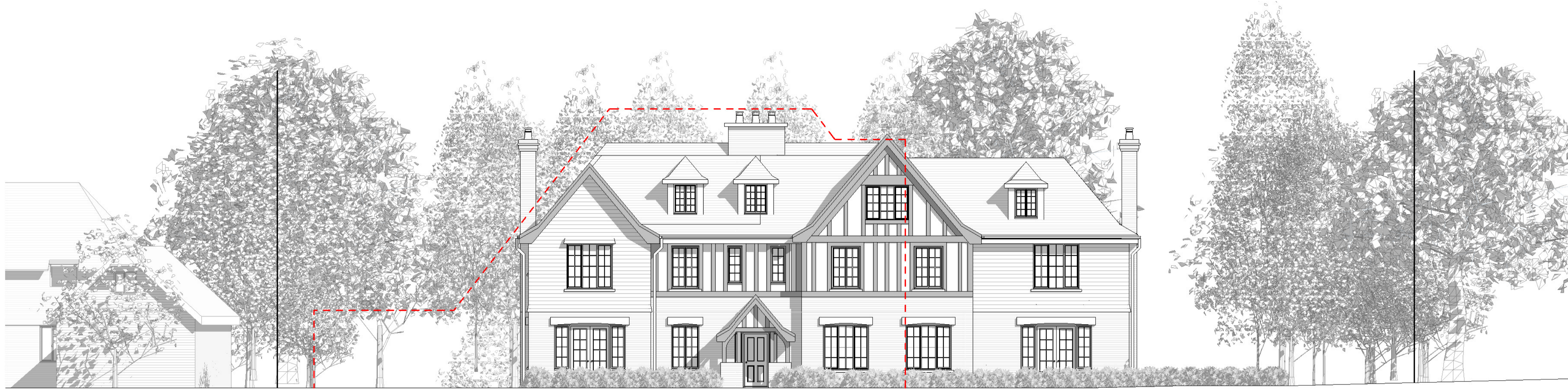
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1 Proposed Street Elevation
1 : 100

4796	3	126	B
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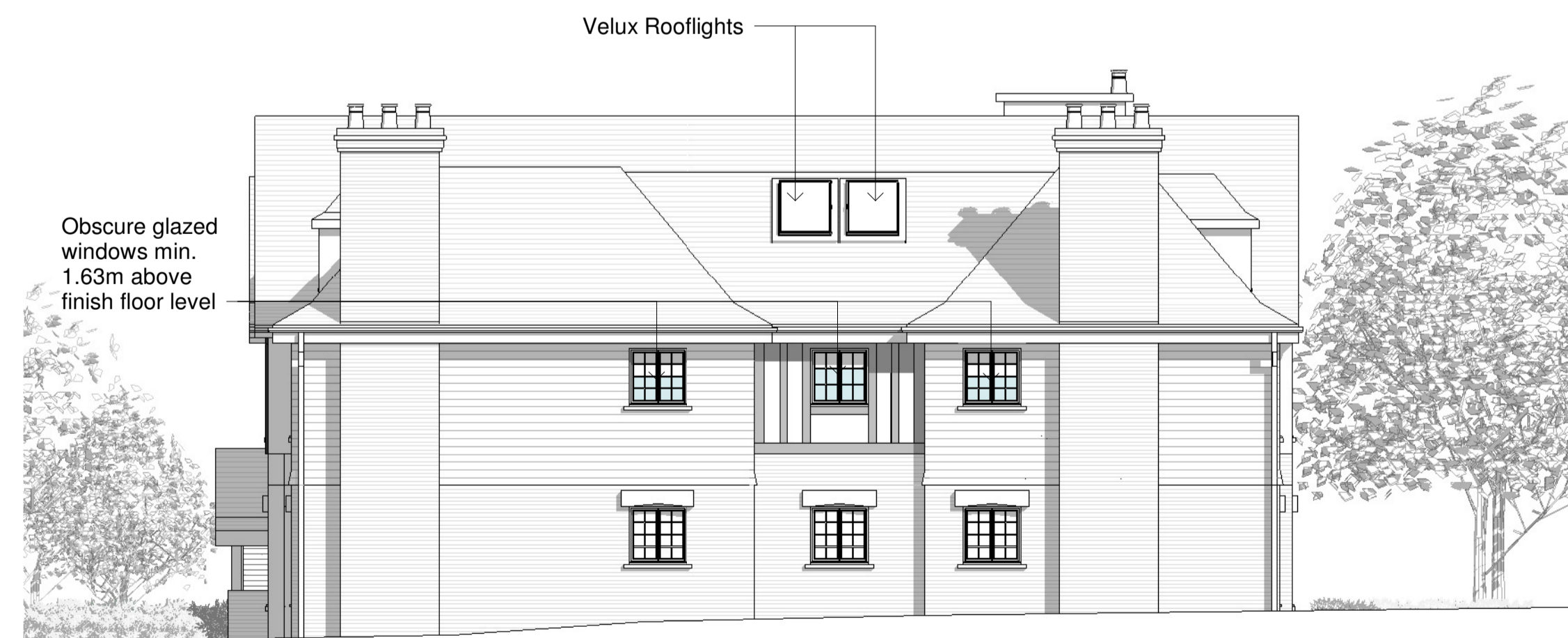
1 Front Elevation
1 : 100



2 Rear Elevation
1 : 100

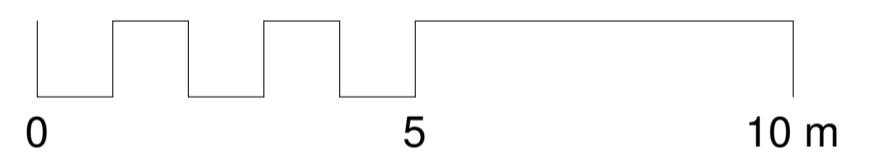


3 Flank Elevation 1
1 : 100



4 Flank Elevation 2
1 : 100

--- Existing House



PLANNING

Rev	Description	Issued	Dwn	Chk
B	Side facing dormers removed and roof lights added and first floor windows reduced in size	22.01.18	RM	
A	Gable walls reduced and eaves lowered to be in line with existing house	10.10.17	RM	

Client
Kingsglade LLP

Project
**Fairlawn
The Glade, Kingswood
KT20 6LL**

Proposed Elevations

Scale	Date	Drawn	Checked
1 : 100@A1	Jul '17	RM	IF

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4796	3	123	B
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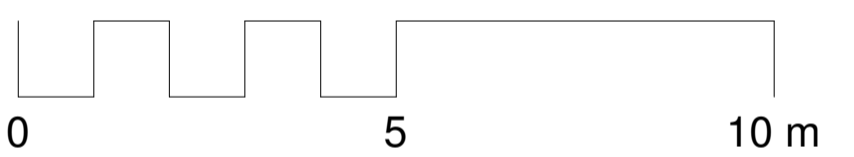
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1 Proposed Street Elevation (with boundary conditions)

1 : 100

- Existing landscaping
- Proposed landscaping
- - - Site boundary
- Existing house



PLANNING

Rev	Description	Date	Issued	Drawn	Checked
A	Front facing dormer introduced	22.01.18	RM		

Client
 Kingsglade LLP
 Project
 Fairlawn
 The Glade, Kingswood
 KT20 6LL

Drawing
 Proposed Street and Rear
 Context Elevations

Scale	Date	Drawn	Checked
1 : 100@A1	Nov '17	RM	IF

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4796	3	128	A
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114

2 Rear Context Elevation

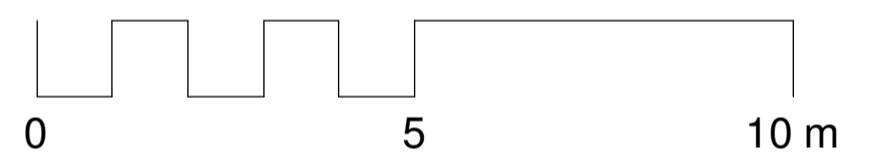
1 : 100





15
3 Existing Street Elevation
 1 : 100

--- Site boundary
 --- Existing house



PLANNING

Rev	Description	Issued	Dwn	Chk
A	Gable walls reduced and eaves lowered to be in line with existing house	10.10.17	RM	

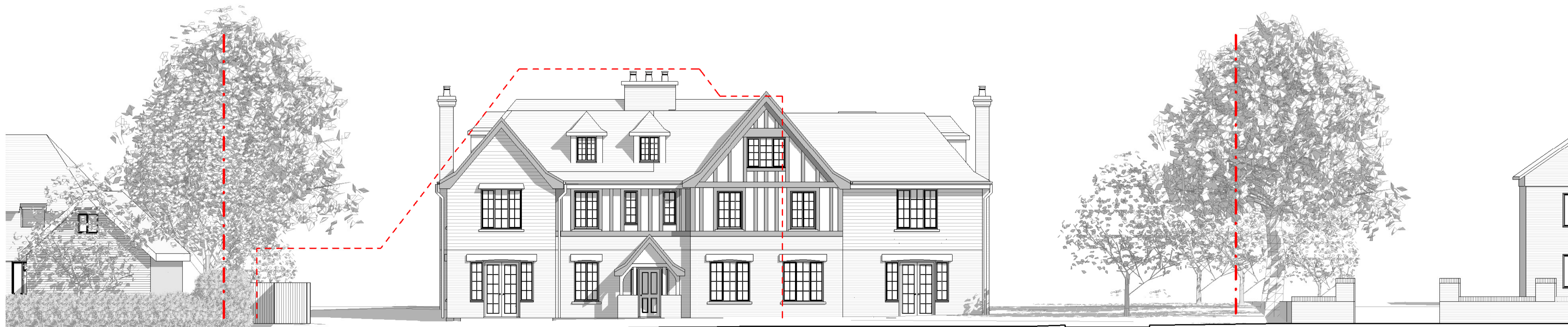
Client
Kingsglade LLP
 Project
Fairlawn
The Glade, Kingswood
KT20 6LL

Drawing
Existing and Proposed Street Elevation

Scale	Date	Drawn	Checked
1 : 100@A1	Sept '17	RM	IF

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1 Proposed Street Elevation
 1 : 100

4796	3	126	A
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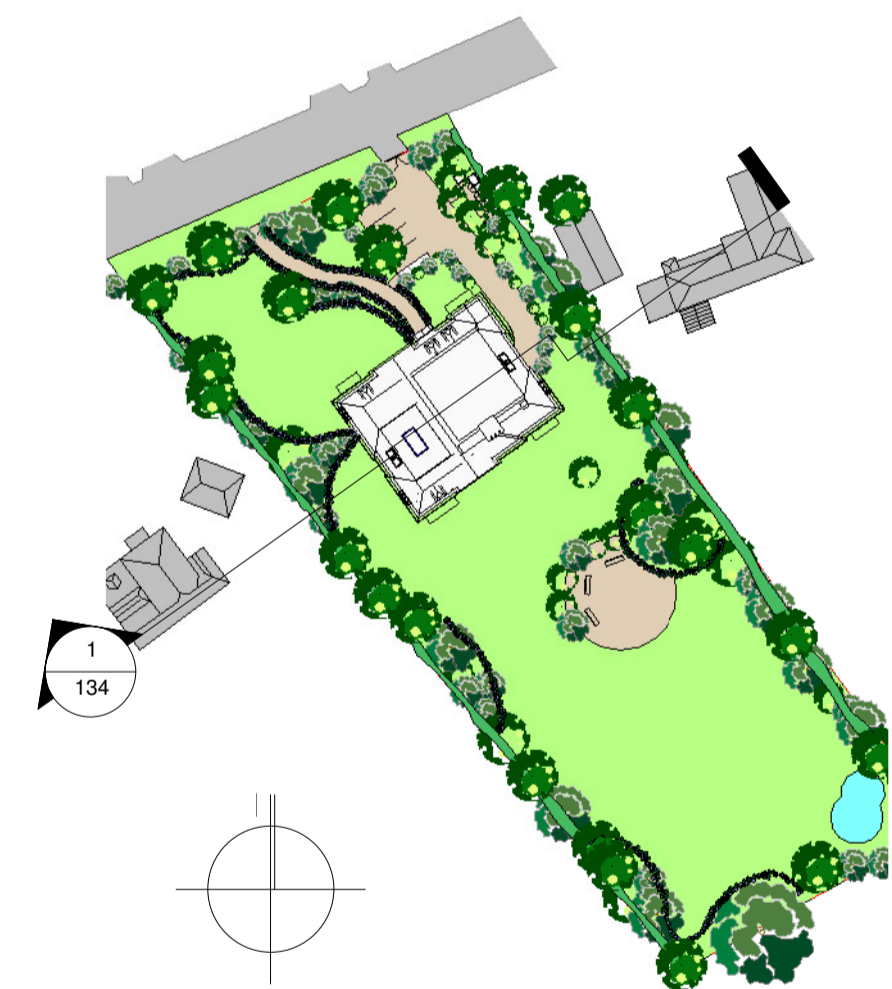
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1 Site Cross Section
1 : 100

- - - Site boundary
— Existing landscaping
— Proposed landscaping

116



2 Cross Section Key
1 : 1000

PLANNING

Rev	Description	Date	Issued	Drawn	Checked
A	Views from flat windows identified	22.01.18	RM		

Client
Kingsglade LLP

Project
Fairlawn
The Glade, Kingswood
KT20 6LL

Drawing
Site Cross Section

Scale	Date	Drawn	Checked
Various@A1	Jan '18	RM	IF

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4796	3	134	A
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Agenda Item 7

Planning Committee
21st March 2018

Agenda Item: 7
17/02942/F

 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE	
	DATE:	21 MARCH 2018	
	REPORT OF:	HEAD OF PLACES & PLANNING	
	AUTHOR:	HOLLIE MARSHALL	
	TELEPHONE:	01737 276010	
	EMAIL:	Hollie.marshall@reigate-banstead.gov.uk	
AGENDA ITEM:	7	WARD:	Reigate Central

APPLICATION NUMBER:	17/02942/F	VALID:	2 JANUARY 2018
APPLICANT:	Mr MD And VL Bound And Paterson	AGENT:	DPS
LOCATION:	31 BLACKBOROUGH ROAD REIGATE SURREY RH2 7BS		
DESCRIPTION:	Demolition of existing commercial buildings and the erection of 5 no. dwellings with associated external works.		
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 planning application seeking consent for the demolition of the existing commercial buildings and the erection of five new dwellings and associated external works. The application is similar to planning permission 16/02801/F, which was approved by the Planning Committee in March 2017. A comparable proposal was previously been granted consent in 2008 and renewed in 2010. The planning history sets the principle of this form of development.

The site is currently within commercial use. The change of use to residential was previously considered acceptable. Much of the application site lies behind housing on Blackborough Road and adjoins Urban Open Land (Reigate Cemetery), part of the Chart Lane Conservation Area. The proximity of residential properties and the incongruity of commercial activities within a residential neighbourhood mean that the site is not suitably located for employment purposes. It is therefore considered that the proposal is not contrary to policy Em1A and the change of use to residential is acceptable in principle. The relationship between the site and residential dwellings remains the same today, with an additional residential development built to the east of the site since the time of the previous application in 2010. It is therefore considered that the position regarding the change of use remains and is acceptable in principle.

The most recent application on the site (17/01351/F) sought consent for a total of 6 dwellings, the frontage dwellings remained the same as the earlier application however a terrace of four dwellings was proposed at the rear of the site. This application was refused due to the height and the depth of the rear building and the

resultant reduction in garden depth in relation to the previously approved scheme and its use as four dwellings resulting in a cramped form of development.

In this current application the design approach of the frontage dwellings again remains the same, and the terrace of three dwelling proposed is broadly similar to that previously approved under application 16/02810/F. The scale of the terrace of three dwellings towards the rear of the site has increased; however the number of units has reduced to three, the rear gardens remain of a similar size to those previously granted consent and the bulk and massing of the roof has been reduced from that as seen in the refused application ref: 17/01351/F. Therefore the increase in scale of the terrace is not considered to result in a harmful impact upon the character of the locality and is considered acceptable. The proposal is not considered to result in a harmful impact upon neighbour amenity.

RECOMMENDATION(S)

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

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.

Contaminated Land Officer – no objection subject to conditions

National Air Traffic Services – no safeguarding objection to the proposal

Neighbourhood Services – Have confirmed they would not drive into this proposed site, the developer will have to provide a presentation point adjacent to the highway for residents to place their bins out for collection

Representations:

Letters were sent to neighbouring properties on 4th January 2018, a site notice was posted on 6th February 2018.

4 responses have been received raising the following issues:

Issue	Response
Hazard to highway safety	See paragraph 6.14
Inadequate parking	See paragraph 6.14
Increase in traffic and congestion	See paragraph 6.14
Overdevelopment	See paragraph 6.1, 6.2
Harm to Conservation Area	See paragraph 6.7
Inconvenience during construction	See paragraph 6.12
Noise and disturbance	See paragraph 6.13
Out of character with surrounding area	See paragraph 6.7
Overlooking and loss of privacy	See paragraph 6.8 – 6.11
Overshadowing	See paragraph 6.8 – 6.11
Health fears	See paragraph 6.13
Loss of a private view	See paragraph 6.13
Overbearing relationship	See paragraph 6.8 – 6.11
Poor design	See paragraph 6.7
Loss of/harm to trees	See condition 5

1.0 Site and Character Appraisal

- 1.1 The application site is relatively long with a narrow frontage to Blackborough Road, widening at the rear to wrap behind the rear boundaries of 31A and 33 Blackborough Road. The site comprises a detached single-storey car sales office at the front with both open and covered parking and vehicle display spaces extending to the rear along the eastern and western boundaries. At the rear, where the site widens, are located single and two-storey workshop units with further parking space.
- 1.2 The plot is located within a built up residential area with mainly semi-detached houses located along Blackborough Road. To the rear of the site is the cemetery to St Mary's Church, forming part of the Chart Lane Conservation Area and designated Urban Open Land. The adjacent site to the east, a former depot, contains a two and a half storey block of 17 flats.

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

3.0 Relevant Planning and Enforcement History

- | | | | |
|-----|------------|---|--|
| 3.1 | 17/01351/F | Erection of 1no. 1 and 1no. 2 bedroom flats and 4no. 4 bedroom houses together with associated external works. | Refused
3 November
2017
Appeal in
progress |
| 3.2 | 16/02801/F | Demolition of existing commercial buildings and erection of 5 no. new dwellings and associated external works. | Approved with
conditions
20 March 2017 |
| 3.3 | 10/01940/F | Demolition of existing commercial buildings and erection of 5 new dwellings.
(Renewal of planning permission 07/01897/F) | Approved with
conditions
23 December 2010 |
| 3.4 | 07/01897/F | Demolition of existing commercial buildings and erection of 5 new dwellings. | Approved with
conditions
31 January 2008 |
| 3.5 | 07/00609/F | Demolition of existing commercial buildings and erection of 5 new dwellings | Refused
25 May 2007 |

- 3.6 06/00571/F Demolition of existing commercial buildings and erection of 3 no. 3 bedroom houses and two flats. Refused 18 May 2006
- 3.7 04/00547/OUT Demolition of existing workshop and erection of new workshops with ancillary offices on first floor. Approved with conditions 12 ay 2004
- 3.8 Application 17/01351/F was refused for the following reason:

The proposed development, by virtue of the increase in height and the depth of the rear building and the resultant reduction in garden depth in relation to the previously approved scheme and its use as four dwellings, would result in a cramped overdevelopment of the site, out of keeping with and harmful to the character of the surrounding area, contrary to Policies Ho9, Ho13 and Ho16 of the Reigate and Banstead Borough local Plan 2005.

4.0 Proposal and Design Approach

- 4.1 This is a full application for the erection of two flats and three houses. The two flats (one one-bedroom flat and one two-bedroom) would be in a two-storey building fronting Blackborough Road, with its own garden and two parking spaces to the front of the building with access from Blackborough Road. The three houses at the rear would be in a two-storey terrace and each would have a small back garden. The existing access road from Blackborough Road would remain to serve the development and parking spaces for seven cars would be constructed between the front flats and the rear houses.
- 4.2 The design of the dwellings would be traditional, with hipped roofs and front facing gable features. The building to the front of the site would have a gable style roof, with a single storey, flat roofed rear projection.
- 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 made up of a mix of varying size property, densities and
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	<p>varying vernacular styles ranging from flats, semidetached and detached houses and commercial building of varying sizes and uses.</p> <p>No site features worthy of retention were identified.</p>
Involvement	No community consultation took place.
Evaluation	The statement does not include any evidence of other development options being considered.
Design	The applicant's reasons for choosing the proposal from the available options were the scheme has been designed to fit the land that is available within the existing boundaries, respects the environment and appearance of the surrounding properties.

4.5 Further details of the development are as follows:

Site area	0.1 hectare
Existing use	Car sales and workshop (Sui Generis)]
Proposed use	Residential (C3)
Existing parking spaces	10
Proposed parking spaces	9
Parking standard	8.5 (maximum)
Net increase in dwellings	5

5.0 Policy Context

5.1 Designation

Urban area
Adjacent to Chart Lane Conservation Area
Adjacent to Urban Open Lane

5.2 Reigate and Banstead Core Strategy

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

5.3 Reigate & Banstead Borough Local Plan 2005

Conservation Areas Pc13
Housing Ho9, Ho9A, Ho13 , Ho16

Movement

Mo5, Mo7

5.4 Other Material Considerations

National Planning Policy Framework

National Planning Practice Guidance

Supplementary Planning Guidance

Surrey Design

Local Distinctiveness Design Guide

A Parking Strategy for Surrey

Parking Standards for Development

Householder Extensions and

Alterations

Affordable Housing

Other

Human Rights Act 1998

Community Infrastructure Levy

Regulations 2010

6.0 **Assessment**

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

6.2 The application follows two recent applications (16/02801/F 5 dwellings – approved with conditions and 17/01351/F 6 dwellings – refused). The frontage building containing 2 flats remains the same throughout all three applications. A comparison of the scale of the building proposed to the rear of the site is provided below:

Application ref:	Number of dwellings	Depth	Width	Height	Depth of rear garden	Space to side boundaries
17/0942/F (Current proposal)	3	9.5m	20.3m	8.2m	7.3 – 8m	1.5m
17/01351/F (Refused)	4	11.2m	20.5m	8.2m	6.8m	1.2m
16/02801/F (Approved with conditions)	3	8.6m	19.3m	7.4m	7.8 – 8.1m	1.2m

The main issues to be considered are:

- Principle of the change of use
- Design appraisal
- Neighbour amenity
- Access and parking

- Infrastructure contributions
- Affordable Housing

Change of use

- 6.3 The change of use to residential was previously considered acceptable on the site. Much of the application site lies behind housing on Blackborough Road and adjoins Urban Open Land (Reigate Cemetery), part of the Chart Lane Conservation Area. The proximity of residential properties and the incongruity of commercial activities within a residential neighbourhood mean that the site is not suitably located for employment purposes. It is therefore considered that the proposal is not contrary to policy Em1A of the Borough Local land, which seeks to protect suitably located employment land and the change of use to residential is acceptable in principle. The relationship between the site and residential dwellings remains the same today, with an additional residential development built to the east of the site since the time of the previous application in 2010 and the recent application approved in March 2017. It is therefore considered that the position regarding the change of use remains and is acceptable in principle.

Design Appraisal

- 6.4 The frontage building remains of the same design and scale of that previously approved on site under the recent application 16/02801/F. The Conservation Officer has raised concern over the design approach and recommends a condition requiring details to show lower cills to increase the verticality of the sashes to match the neighbouring properties, and this would be attached to a grant of permission were the application to be approved. The Conservation Officer raises no objection in regard to harm to the adjacent Conservation Area, subject to recommended conditions.
- 6.5 Turning to the terrace of three dwellings at the rear of the site, the design of the building remains comparable to that of the two recent applications detailed above. The proposed building has been reduced in depth from that of application 17/01351/F by 1.7m and in turn the rear gardens have returned to a similar depth to that granted consent in application 16/02801/F. The height of the building would be 8.2m, the same as that proposed under application 17/01351/F, however the reduced height of the front and rear gables results in a reduced bulk and massing to the roofspace. The front elevation would include three gable features creating a similar appearance to that of the approved scheme in application 16/02810/F. The rear elevation proposes three narrower gable features from that of application 16/02810/F, and a reduction from the four gables proposed in application 17/01351/F. This amendment significantly reduces the bulk and massing of the roofspace from that of the application 17/01351/F. Therefore, it is considered that whilst the roof would remain of the same height as recently proposed, the reduced bulk and mass of the roofspace would reduce the dominance of the roof form and is therefore considered acceptable.

- 6.6 The building at the rear would create three dwellings, as that approved in application 16/02801/F. This reduction from four dwellings as proposed in application 17/01351/F is considered to overcome the cramped appearance created and as such is considered acceptable in this regard.
- 6.7 The proposal was designed to reflect the character of the locality. The proposal would also remove existing buildings on the site that currently detract from its character. As a result, the proposal is considered to be acceptable in terms of the design and character, subject to conditions as recommended and overcomes the concerns of the recently refused proposal for 6 dwellings.

Neighbour amenity

- 6.8 At the time of the previous renewal of planning permission in 2010, the adjacent site to the east, a former depot, had permission for a flatted residential development. This has since been implemented and completed. A two and a half storey building of 17 flats has been erected. A boundary wall of approximately 3m in height provides screening between the two sites. The building is sited between approximately 1.4m and 2m from the shared side boundary and would have a separation distance of approximately 3.6m to the proposed dwellings at the rear of the application site. The proposed dwellings would be lesser in depth than the flats, with the flats extending beyond both the front and rear elevation of the dwellings. The building does have side facing windows that face the site, however these are obscure glazed, and are predominantly secondary windows serving kitchens/living/dining rooms, served by rear or front facing windows also. One second floor window serves a bedroom, however is also of obscure glazing.
- 6.9 Given the separation distances, obscure glazing, and secondary nature of the side facing windows, the proposed development is not considered to result in a harmful impact upon the amenity of these residential properties.
- 6.10 Turning to the residential property to the west of the application site, the terrace of three dwellings would create a similar relationship to that of the earlier applications that was found to be acceptable.
- 6.11 There have been no significant changes in circumstances to the neighbouring properties to the front of the site, fronting Blackborough Road that would materially alter the impact of the development on the amenities of these neighbouring properties that has previously been found acceptable.
- 6.12 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.

- 6.13 Loss of a private view is not a material planning considerations. The proposed development would be in residential use and is not considered to result in a harmful impact upon amenity in terms of noise and disturbance. Objection was raised on the ground of health fears; however there is no evidence provided which would suggest that the development would represent a health risk to residents.

Access and parking

- 6.14 A total of 9 parking spaces are proposed. 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.

Amenity for future occupants

- 6.15 The siting of the terrace of three dwellings to the rear of the site would be adjacent to the block of flats to the east. Given the separation distances between the buildings of between approximately 3.6m, the neighbouring property is not considered to result in a harmful impact upon the amenities of the proposal. The block of flats does have ground, first and second floor windows facing the site, however these are of obscure glazing and therefore would not result in a harmful impact in terms of overlooking and loss of privacy. The side facing windows have been observed as openable below a level of 1.7m above floor level, however open towards what would be the front of the dwellings, therefore not giving rise to an unacceptable level of overlooking to private amenity space. No side facing windows are proposed in the west elevation of the proposed dwelling that would give rise to mutual overlooking.

Other matters

- 6.16 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 points to ensure adequate waste facilities in the interests of the amenities of the area.

Infrastructure Contributions

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

permission. However, an informal assessment would indicate a contribution of around £91,420 being required.

Affordable Housing

- 6.18 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.
- 6.19 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.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Type	Reference	Version	Date Received
Site Layout Plan	76-17-01		14.12.2017
Floor Plan	40-17-02		14.12.2017
Elevation Plan	40-17-03		14.12.2017
Floor Plan	76-17-04		14.12.2017
Elevation Plan	76-17-05		14.12.2017
Section Plan	62-17-06	A	14.12.2017
Existing Plans	40-17-07		14.12.2017
Existing Plans	40-17-08		14.12.2017
Location Plan	UNNUMBERED		27.12.2017

Reason:

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

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

Reason:

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

4. Notwithstanding the drawings, the proposed external finishing materials and details shall be carried out using the external facing materials and details specified below and there shall be no variation without the prior approval in writing of the Local Planning Authority;

a) The roof shall be of the north block shall be of handmade or handcrafted clay plain tiles with clay ridge tiles and the roof of the house to Blackborough Road shall be of natural slate with clay ridge tiles unless otherwise agreed in writing by the LPA.

b) The walls shall be of handmade sandfaced multistock brick in flemish bond unless otherwise agreed in writing by the LPA.

c) The windows of the house to Blackborough Road shall be white painted timber vertically sliding sashes with external glazing bars of traditional profile set back behind the reveal at one brick depth, with gauged brick arches.

d) The windows to the northern block shall be white painted timber casements with casements in each opening to ensure equal sightlines or vertically sliding sashes, with external glazing bars of traditional profile, set back behind the reveal at one brick depth, with gauged brick arches.

e) The first floor elevations facing the cemetery shall be tile hung in handmade sandfaced plain clay tiles.

f) The rooflights shall be black painted metal conservation rooflights with single vertical glazing bars of traditional profile.

g) All bargeboards shall be of white painted timber with architrave mouldings and straight edges with box ends omitted.

h) All external joinery shall be of painted timber.

i) All dormers shall have an ogee cornice.

j) This permission does not purport to grant consent for the front elevation of the new house fronting Blackborough Road, revised details of which shall be submitted to and approved in writing by the LPA before works commence, showing lower cills to increase the verticality of the sashes to match the neighbouring properties.

k) This consent does not purport to grant consent for the use, siting or extent of the proposed photovoltaic and solar pane, details of which shall be submitted to and approved in writing by the LPA before works commence. If the extent and position of the panels is acceptable they shall be flat panels, fully flush with the plane of the roof, with black frames and no silvered elements and sited within the axial symmetry of the elevations. Where the siting of the panels is considered unacceptable details of alternative provision shall be submitted to and approved in writing before the works commence.

Reason:

To ensure that a satisfactory external appearance of the development is achieved and to maintain the character of the adjacent Conservation Area with regard to Reigate and Banstead Borough Local Plan 2005 policies Pc13, Ho9 and Pc13.

5. No development shall commence including demolition and or groundworks preparation until a detailed, scaled 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 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-start 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 Pc4, Pc12 and Ho9 of the Reigate and Banstead Borough Local Plan

6. No development shall commence on site until a scheme for the landscaping of the site including the retention of existing landscape features has been submitted to and approved in writing by the LPA. Landscaping schemes shall include details of hard and soft landscaping, including any tree removal/retention, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation and management programme.

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

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

Reason:

To ensure good arboricultural and landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies Pc4, Pc12, Ho9 of the Reigate and Banstead Borough Local Plan 2005.

7. The development hereby approved shall not be first occupied unless and until the existing section of dropped kerb in front of the proposed flats (plots 1 and

2) has been permanently closed and any kerbs, verge, footway, fully reinstated.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in order to meet the objectives of the NPPF (2012), and to satisfy policy Mo7 of the Reigate and Banstead Borough Local Plan (2005), and policy CS17 of the Core Strategy (2014).

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 / 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 in order to meet the objectives of the NPPF (2012), and to satisfy policy Mo7 of the Reigate and Banstead Borough Local Plan (2005), and policy CS17 of the Core Strategy (2014).

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) measures to prevent the deposit of materials on the highway
- has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in order to meet the objectives of the NPPF (2012), and to satisfy policy Mo7 of the Reigate and Banstead Borough Local Plan (2005), and policy CS17 of the Core Strategy (2014).

10. The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for:

- (a) The secure parking of bicycles within the development site, and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason:

In recognition of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2012 and to satisfy policy Mo7 of the Reigate and Banstead Borough Local Plan (2005), and policy CS17 of the Core Strategy (2014).

11. Prior to commencement of development a written comprehensive environmental desktop study report is required to identify and evaluate possible on and off site sources, pathways and receptors of contamination

and enable the presentation of all plausible pollutant linkages in a preliminary conceptual site model. The study shall include relevant regulatory consultations such as with the Contaminated Land Officer and be submitted to the Local Planning Authority and is subject to the approval in writing of the Local Planning Authority and any additional requirements that it may specify. The report shall be prepared in accordance with the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR 11) and British Standard BS 10175.

Reason:

To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Local Plan 2005 Policy Ho9 and the NPPF.

12. In follow-up to the environmental desktop study report and prior to the commencement of development, a contaminated land site investigation proposal, detailing the extent and methodologies of sampling, analyses and proposed assessment criteria required to enable the characterisation of the plausible pollutant linkages identified in the preliminary conceptual model, shall be submitted to the Local Planning Authority. This is subject to the written approval in writing of the Local Planning Authority, and any additional requirements that it may specify, prior to any site investigation being commenced on site. Following approval, the Local Planning Authority shall be given a minimum of two weeks written notice of the commencement of site investigation works.

Reason:

To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Local Plan 2005 Policy Ho9 and the NPPF.

13. Prior to commencement of the development, a contaminated land site investigation and risk assessment, undertaken in accordance with the site investigation proposal as approved that determines the extent and nature of contamination on site and is reported in accordance with the standards of DEFRA's and the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR 11) and British Standard BS 10175, shall be submitted to the Local Planning Authority and is subject to the approval in writing of the Local Planning Authority and any additional requirements that it may specify. If applicable, ground gas risk assessments should be completed inline with CIRIA C665 guidance.

Reason:

To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Local Plan 2005 Policy Ho9 and the NPPF.

14. (a) Prior to commencement of the development a detailed remediation method statement should be produced that details the extent and method(s) by which the site is to be remediated, to ensure that unacceptable risks are

not posed to identified receptors at the site and details of the information to be included in a validation report, has been submitted to and approved in writing by the Local Planning Authority, and any additional requirements that it may specify, prior to the remediation being commenced on site. The Local Planning Authority shall then be given a minimum of two weeks written notice of the commencement of remediation works.

(b) Prior to occupation, a remediation validation report for the site shall be submitted to the Local Planning Authority in writing. The report shall detail evidence of the remediation, the effectiveness of the remediation carried out and the results of post remediation works, in accordance with the approved remediation method statement and any addenda thereto, so as to enable future interested parties, including regulators, to have a single record of the remediation undertaken at the site. Should specific ground gas mitigation measures be required to be incorporated into a development the testing and verification of such systems should have regard to CIRIA C735 guidance document entitled 'Good practice on the testing and verification of protection systems for buildings against hazardous ground gases' and British Standard BS 8285 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings

Reason:

To demonstrate remedial works are appropriate and demonstrate the effectiveness of remediation works so that the proposed development will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Local Plan 2005 Policy Ho9 and the NPPF.

15. Unexpected ground contamination: Contamination not previously identified by the site investigation, but subsequently found to be present at the site shall be reported to the Local Planning Authority as soon as is practicable. If deemed necessary development shall cease on site until an addendum to the remediation method statement, detailing how the unsuspected contamination is to be dealt with, has been submitted in writing to the Local Planning Authority. The remediation method statement is subject to the written approval of the Local Planning Authority and any additional requirements that it may specify.

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

Reason:

To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Local Plan 2005 Policy Ho9 and the NPPF.

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

Reason:

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

17. Prior to the commencement of the development full details (and plans where appropriate) of the waste management collection points, (and pulling distances where applicable), throughout the development shall be submitted to and approved in writing by the Local Planning Authority.

All waste storage and collection points should be of an adequate size to accommodate the bins and containers required for the dwelling(s) 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 or flat 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 Reigate and Banstead Borough Local Plan (2005) policy Ho9.

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

Reason:

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

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

Reason:

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

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

Reason:

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

INFORMATIVES

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

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

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

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

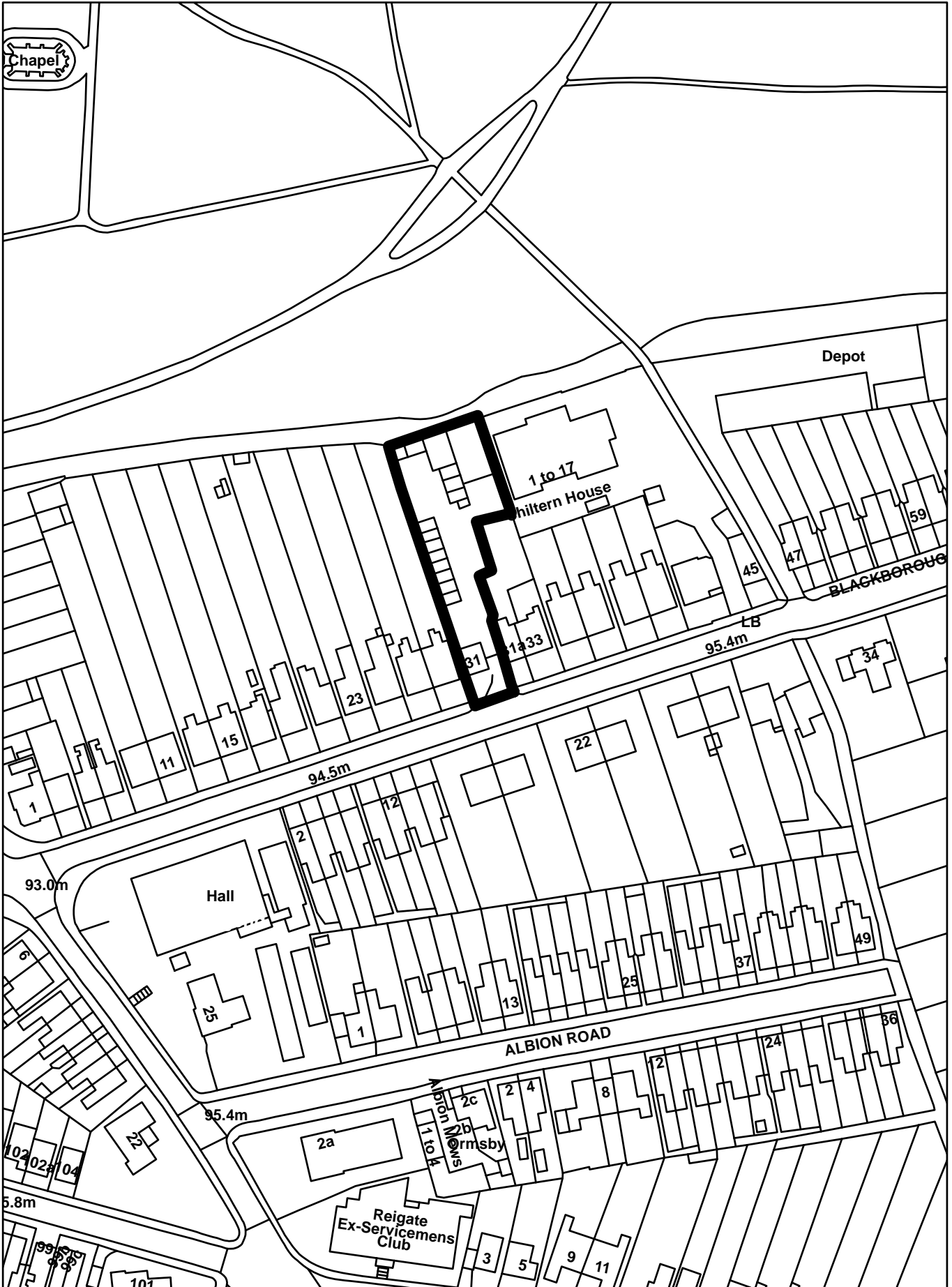
REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies Pc13, Ho9, Ho9A, Ho13, Ho16, Em1A, Mo5 and Mo7 and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

Proactive and Positive Statements

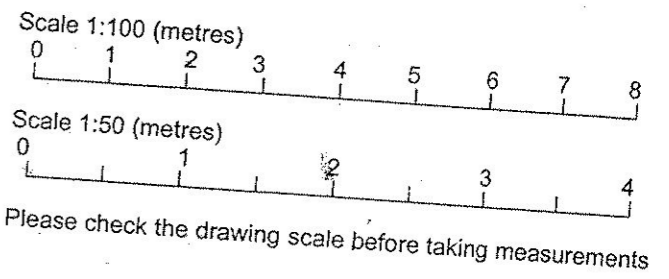
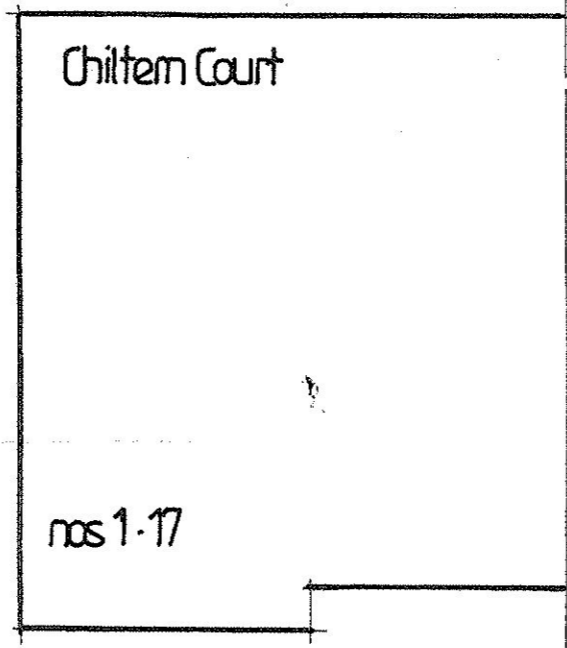
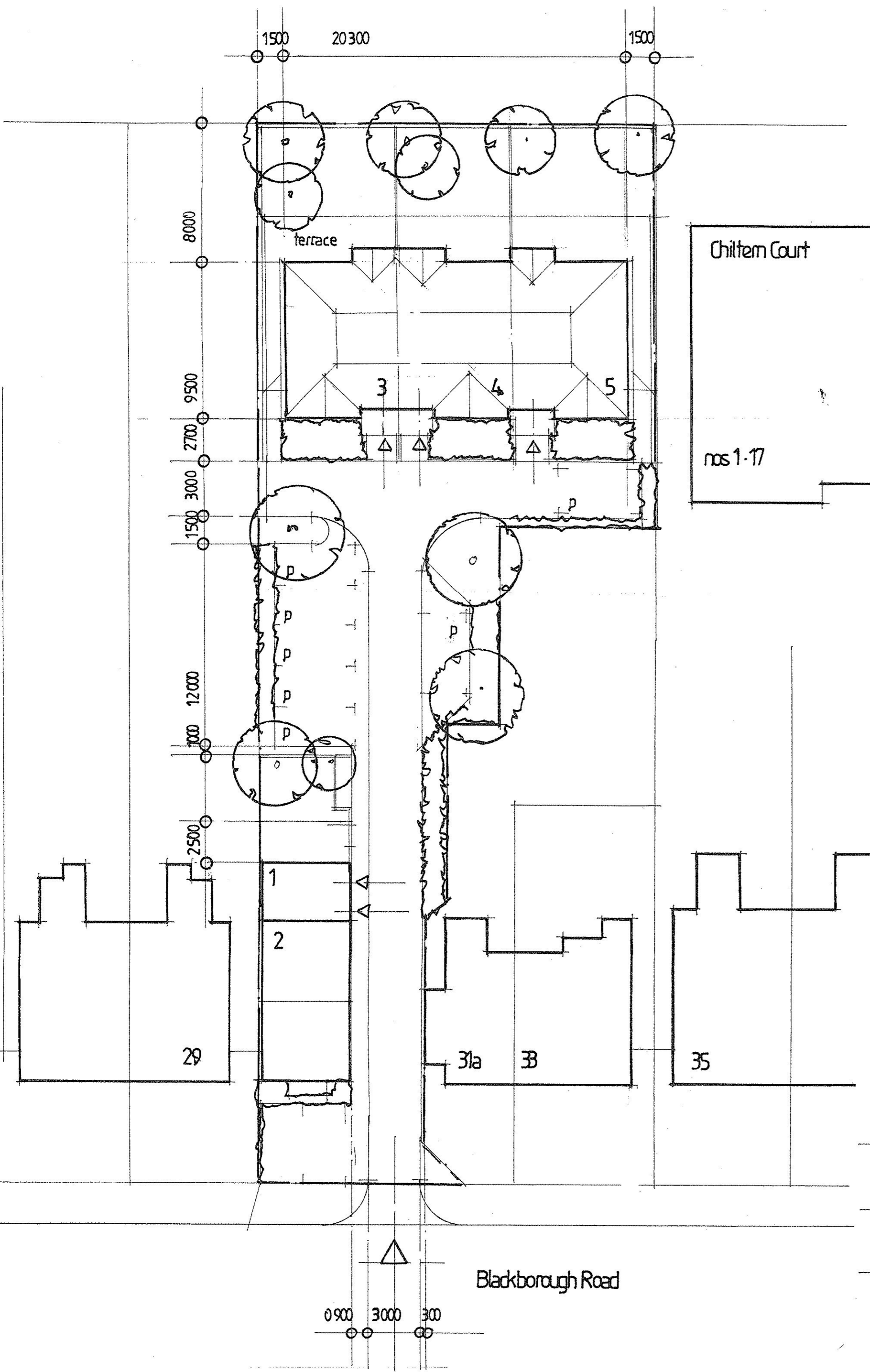
The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in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

17/02942/F - 31 Blackborough Road, Reigate

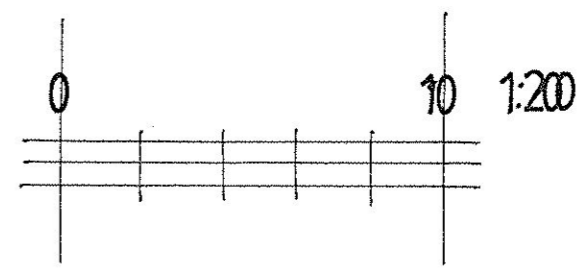


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Site layout

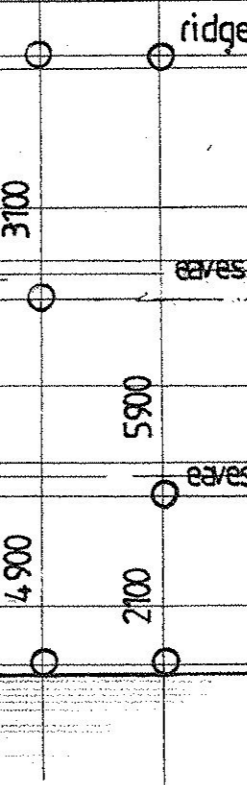
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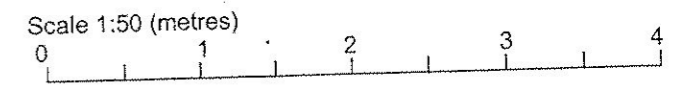
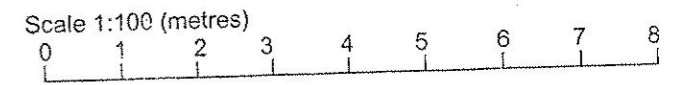
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files or slates

tiles or render

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4

5

roof

3100

first

5900

ground

4900

eaves

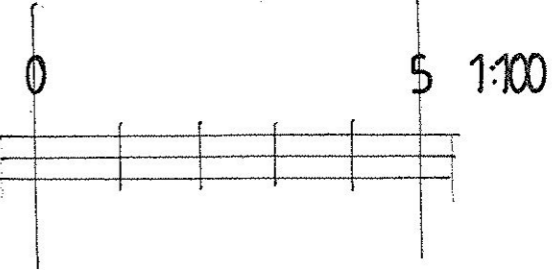
2100



side elevation no 3 :

side elevation no 5 :

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31 Blackborough Road, Reigate

Elevations : Plots 3-5

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5

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Scale 1:100 (metres)
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Scale 1:50 (metres)
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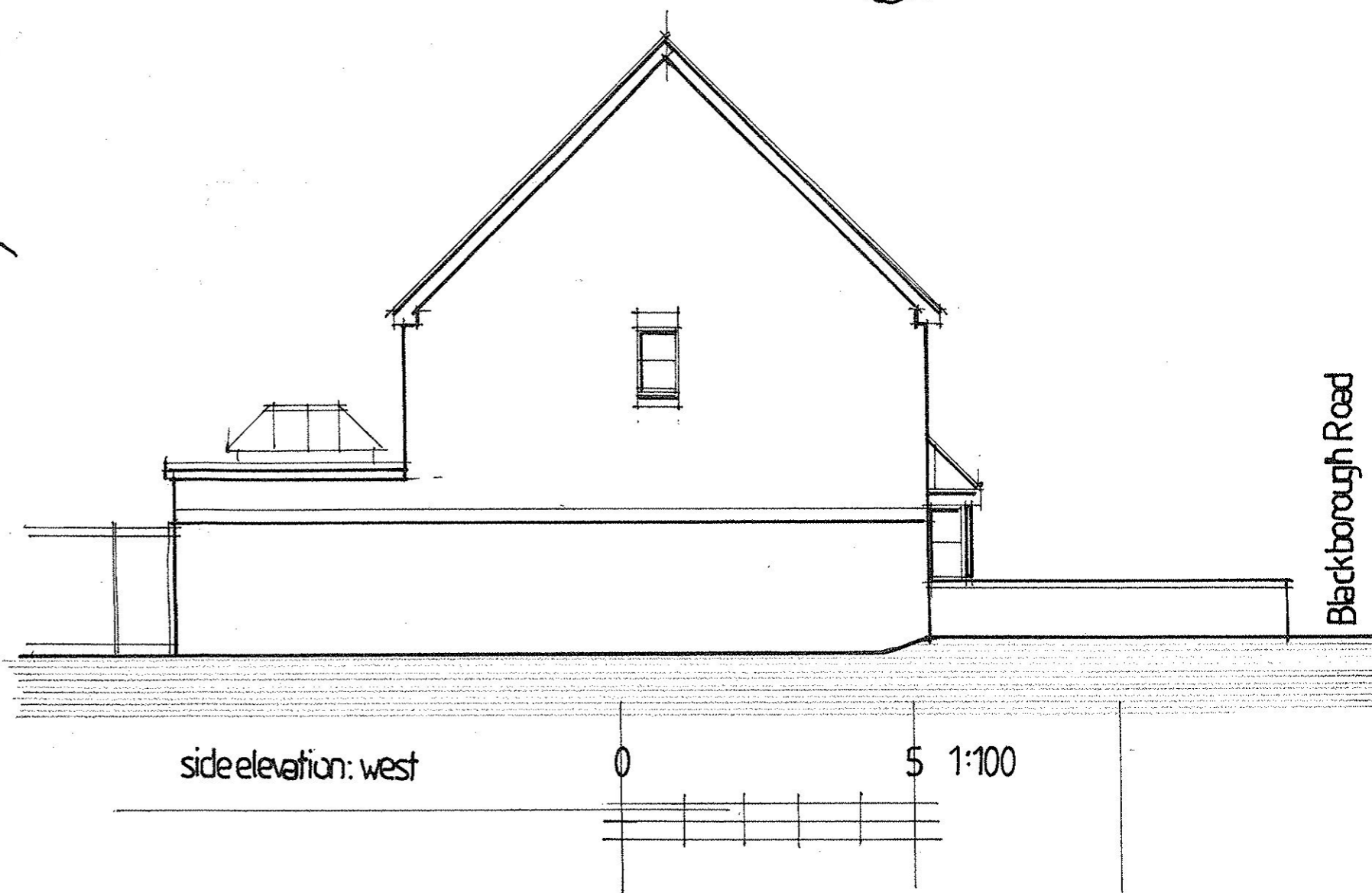
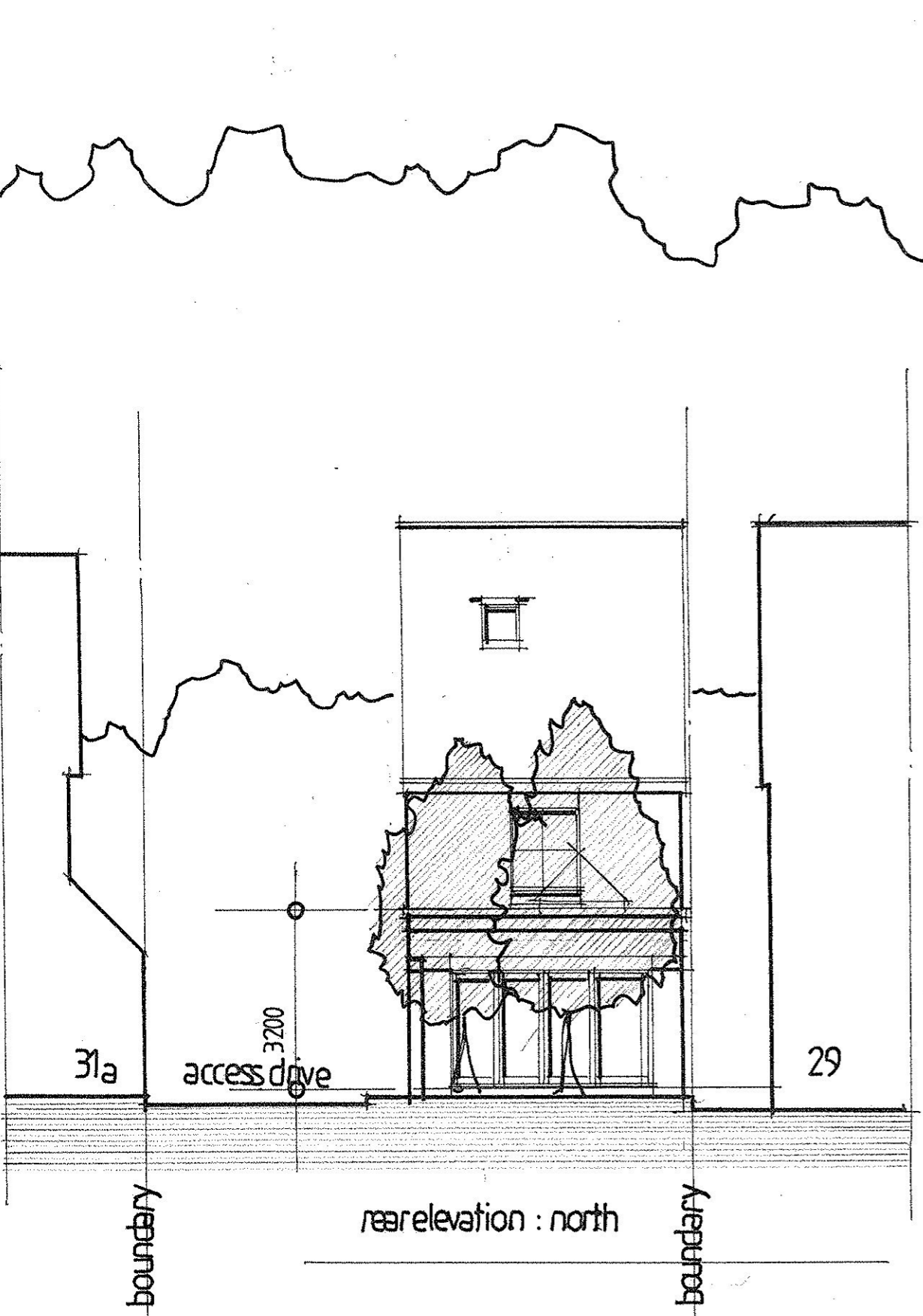
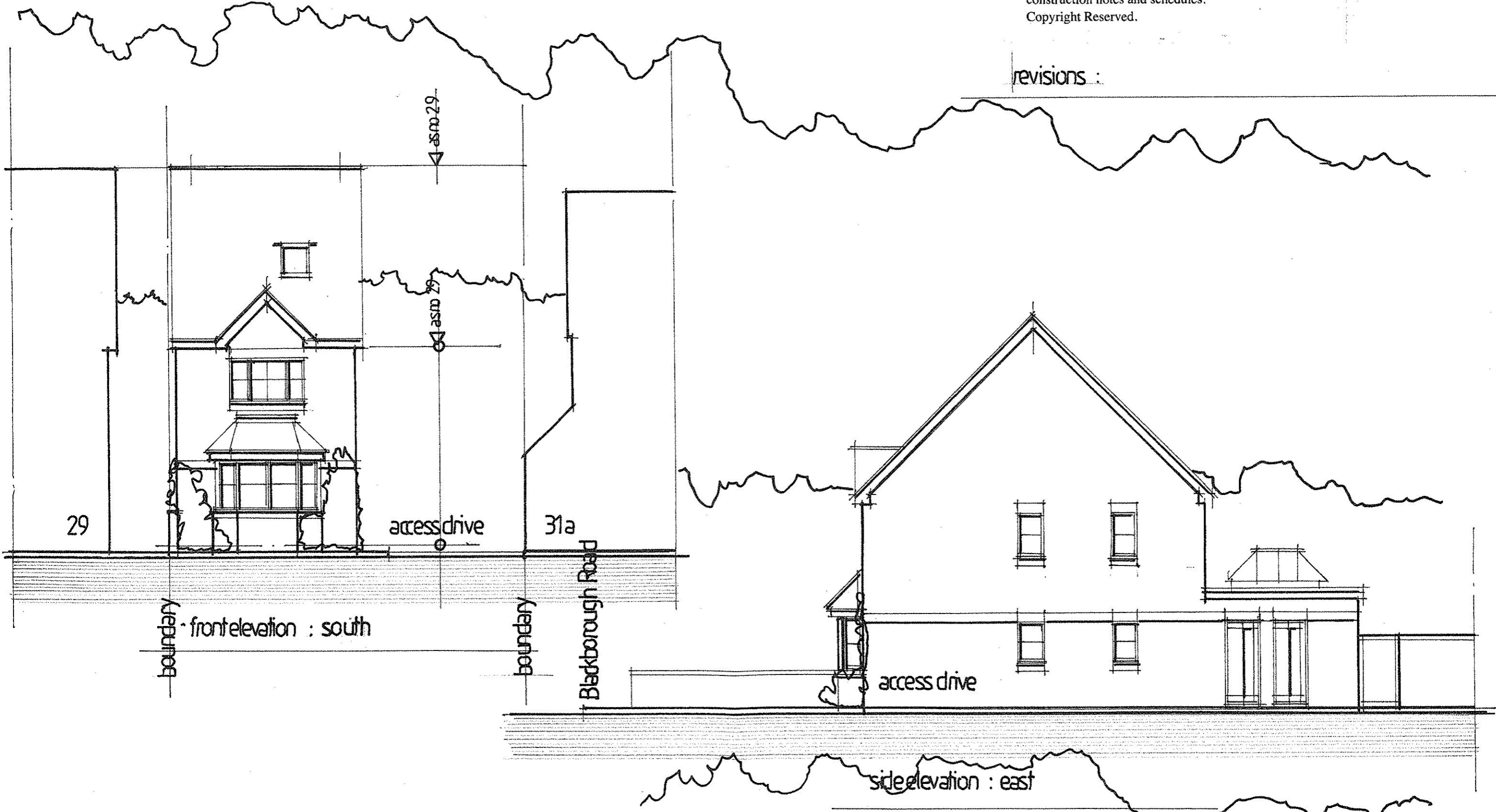
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31 Blackborough Road, Reigate

Elevations : Plots 1 and 2

no 40-17-03 scale 1:100 at A2 date 05-17

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Scale 1:100 (metres)
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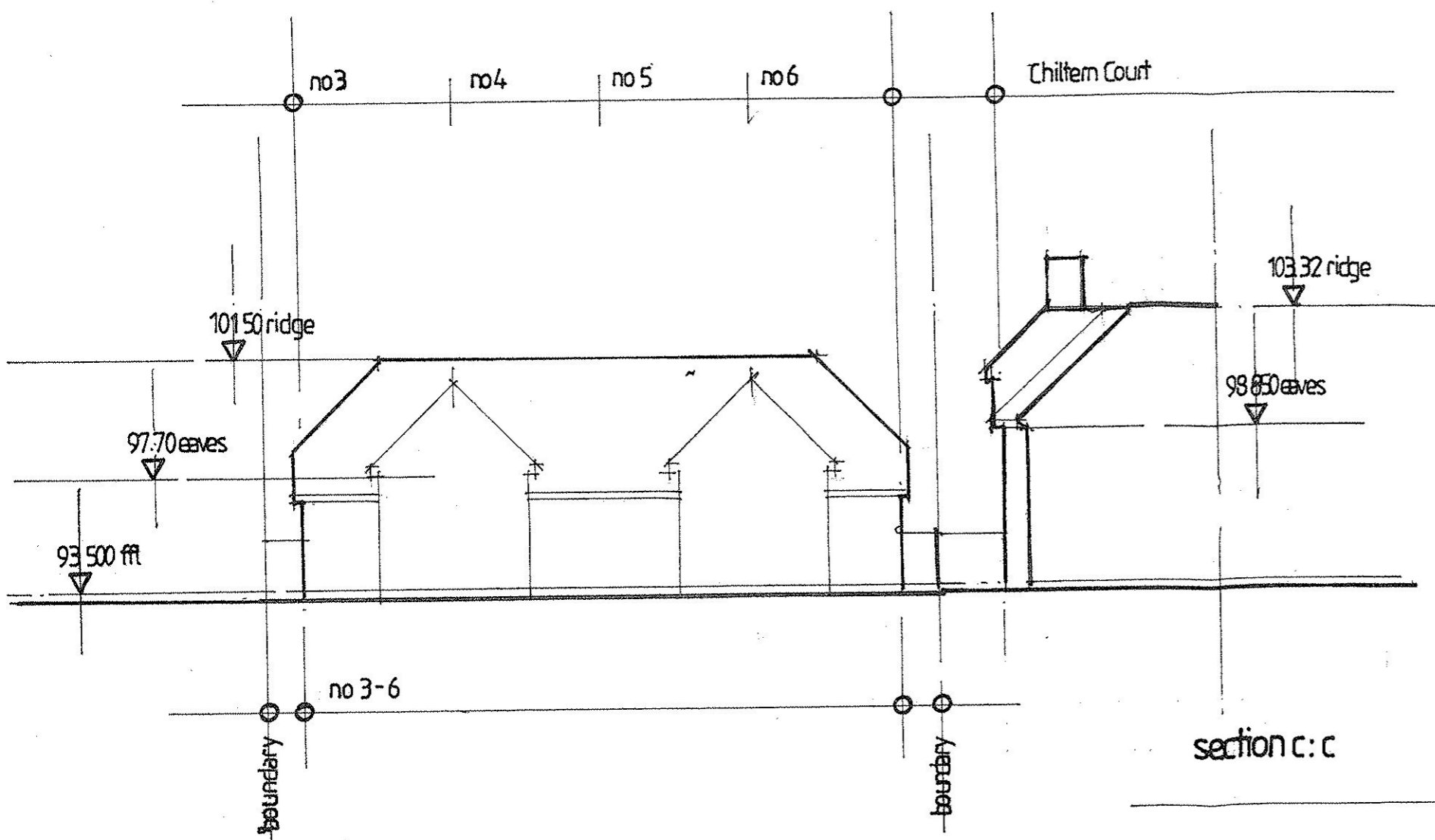
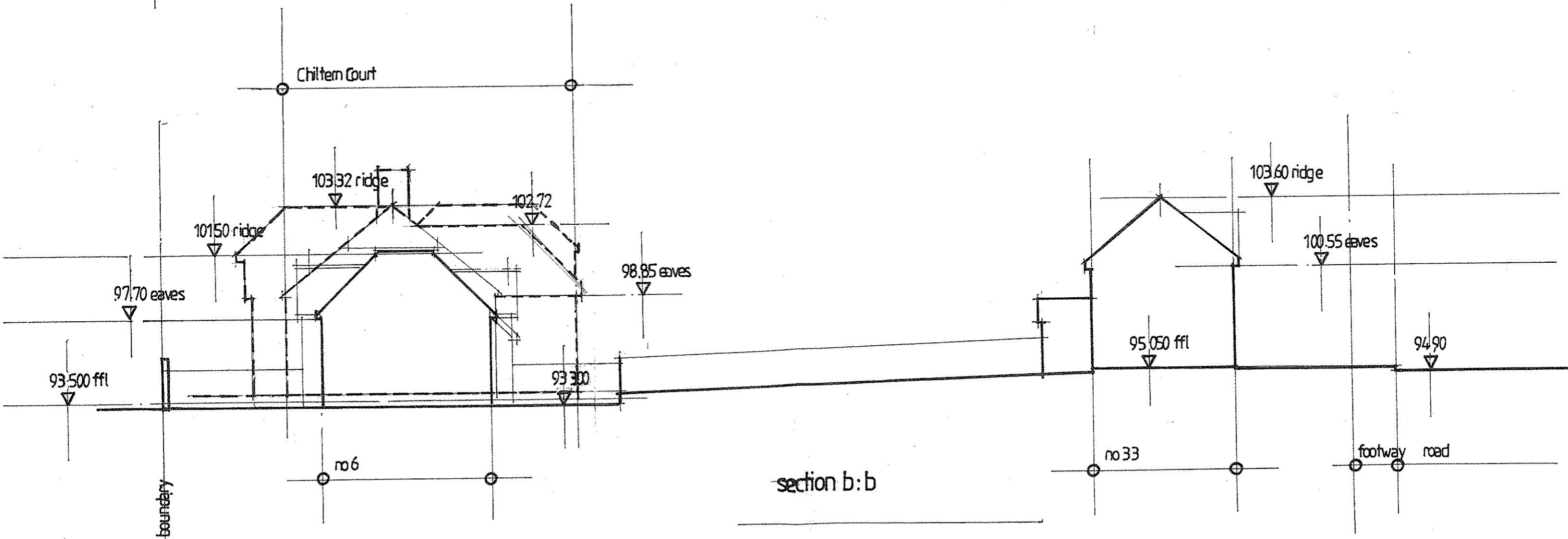
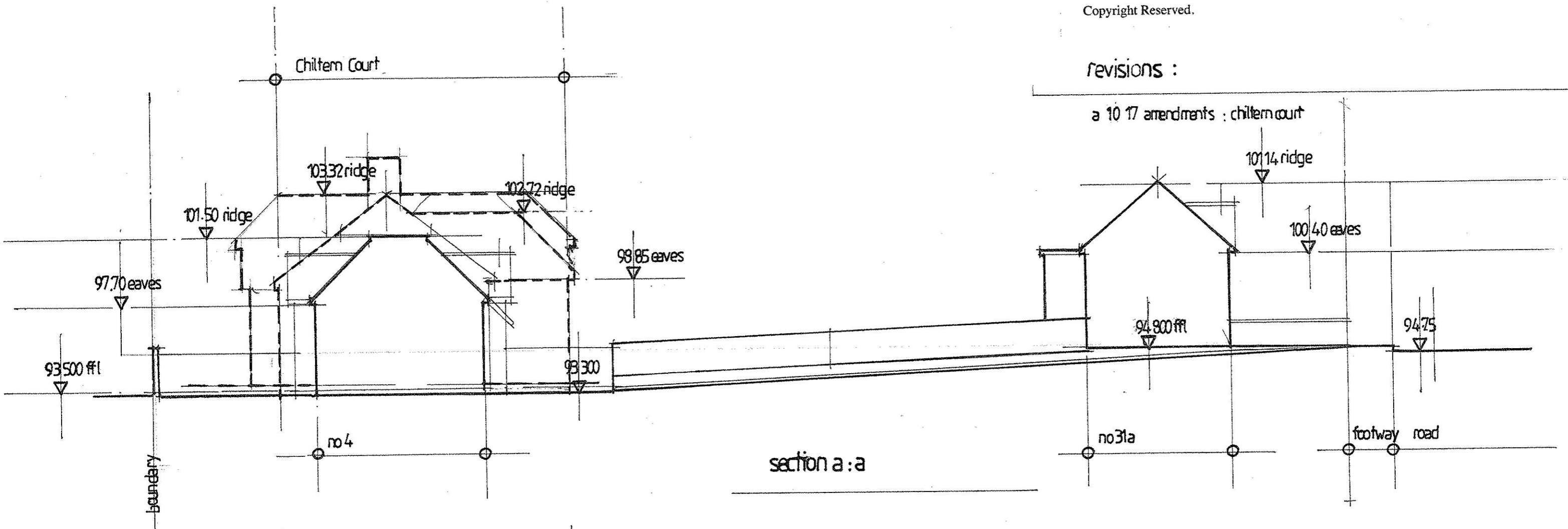
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Site Sections

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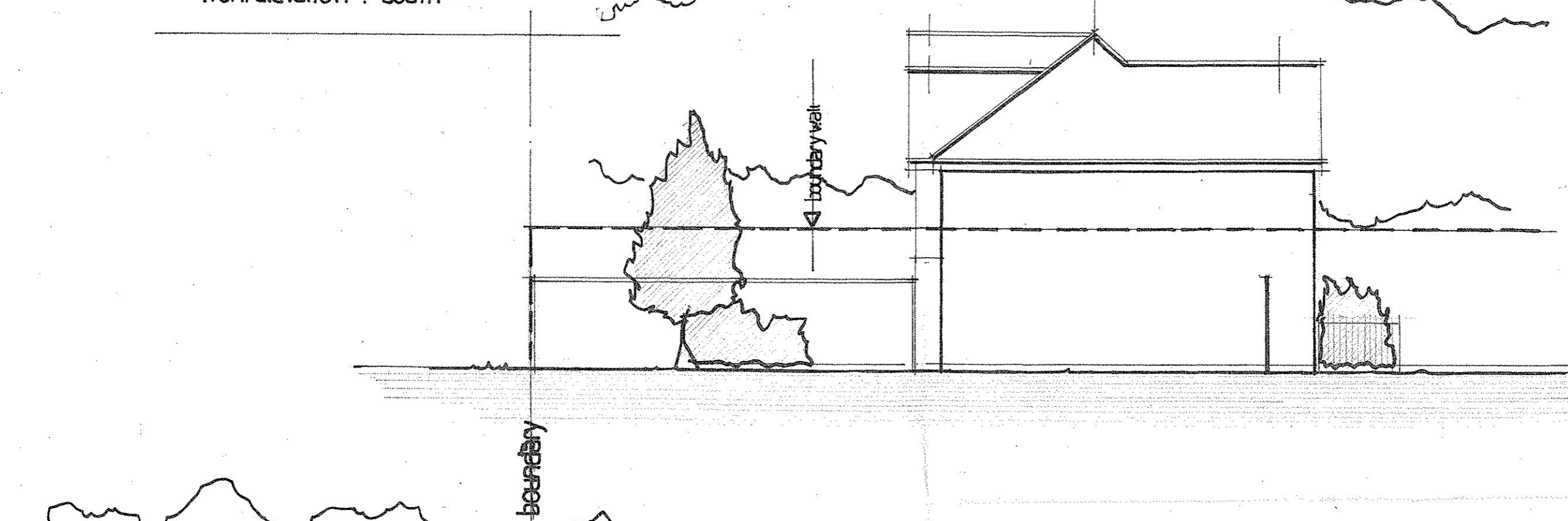


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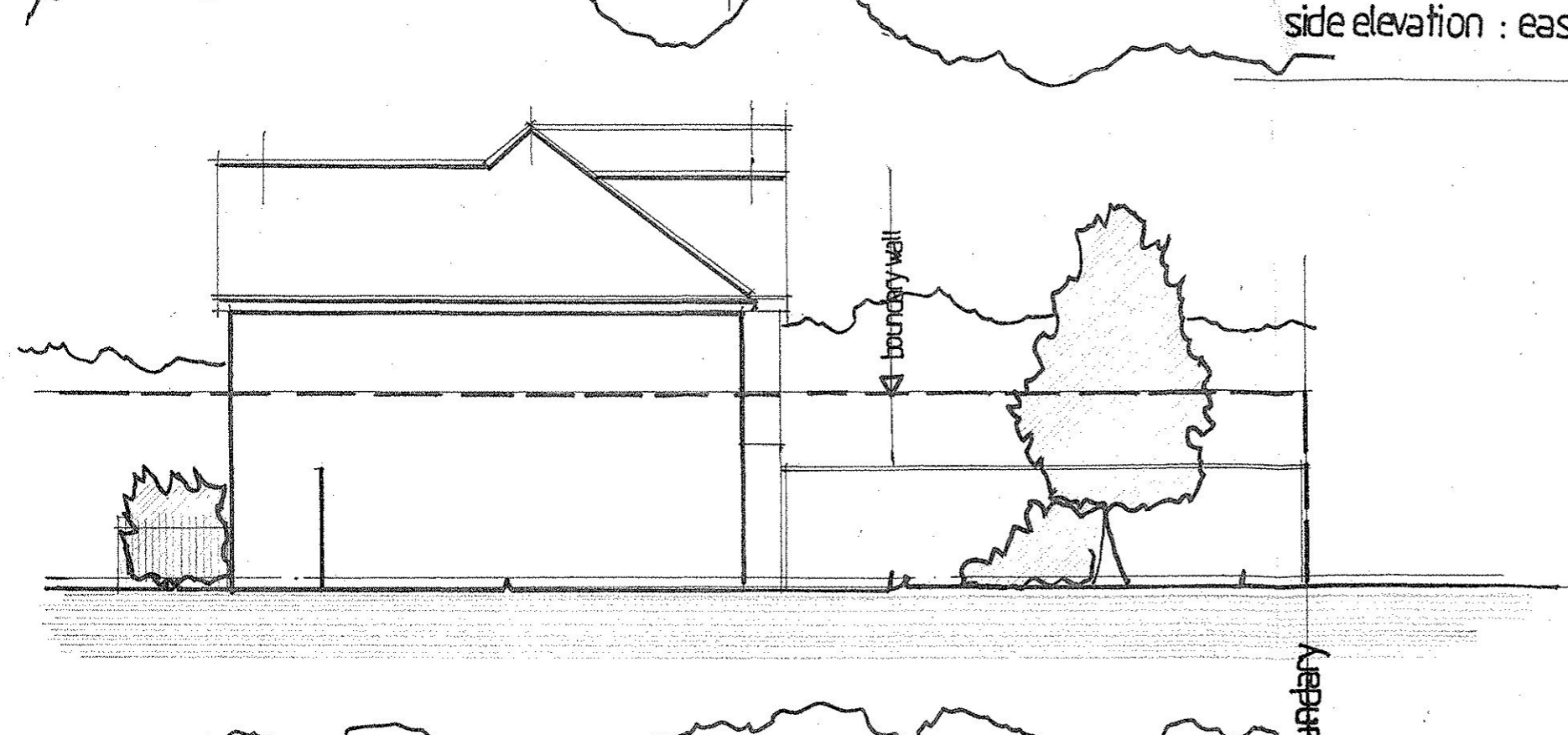
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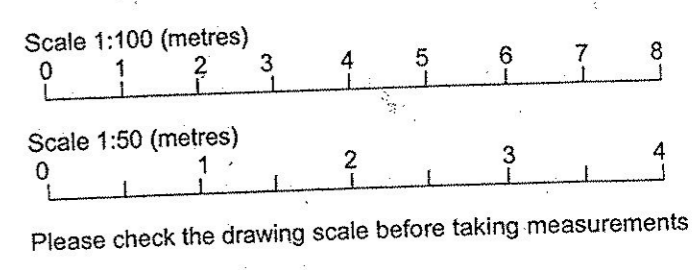
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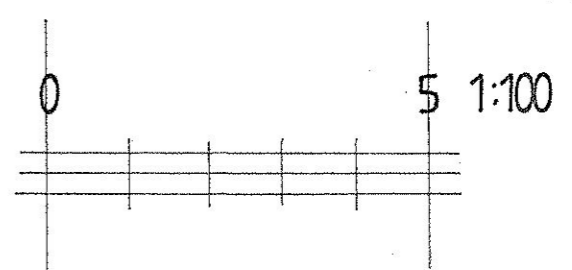
side elevation : west :



rear elevation : north :



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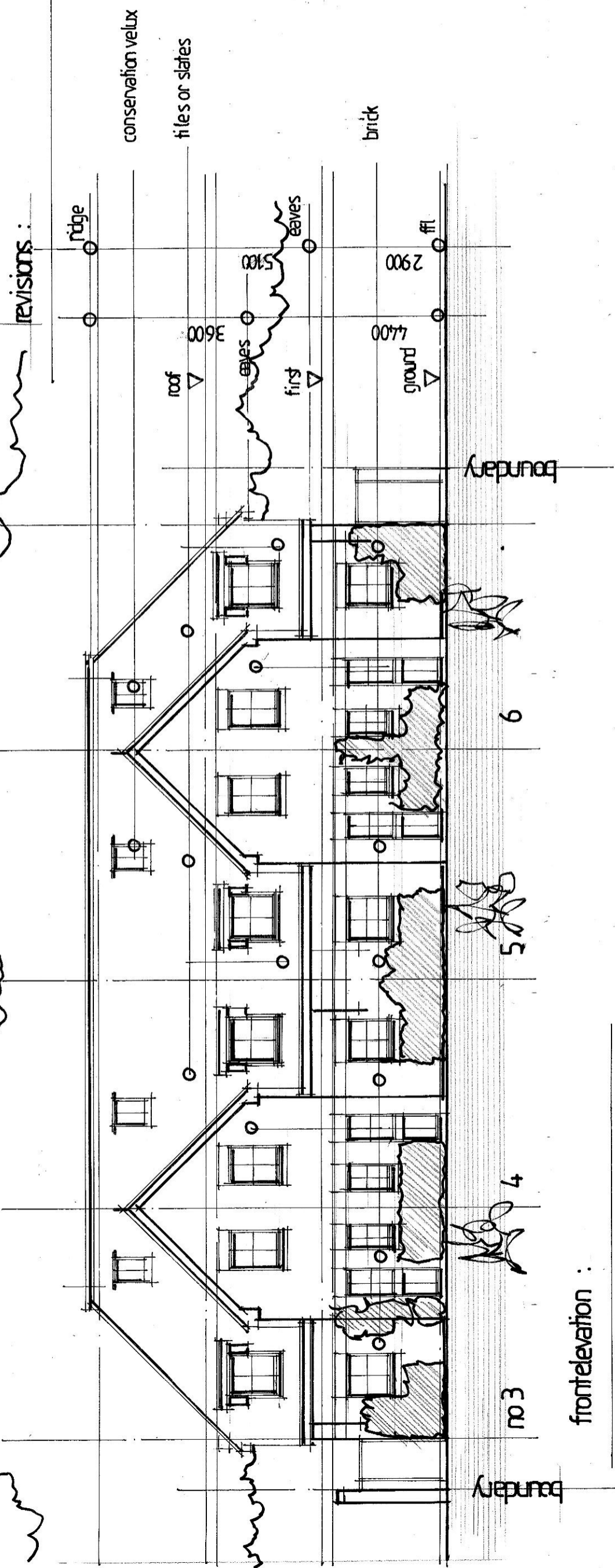
Elevations : Plots 3 4 and 5 : Sheet 1

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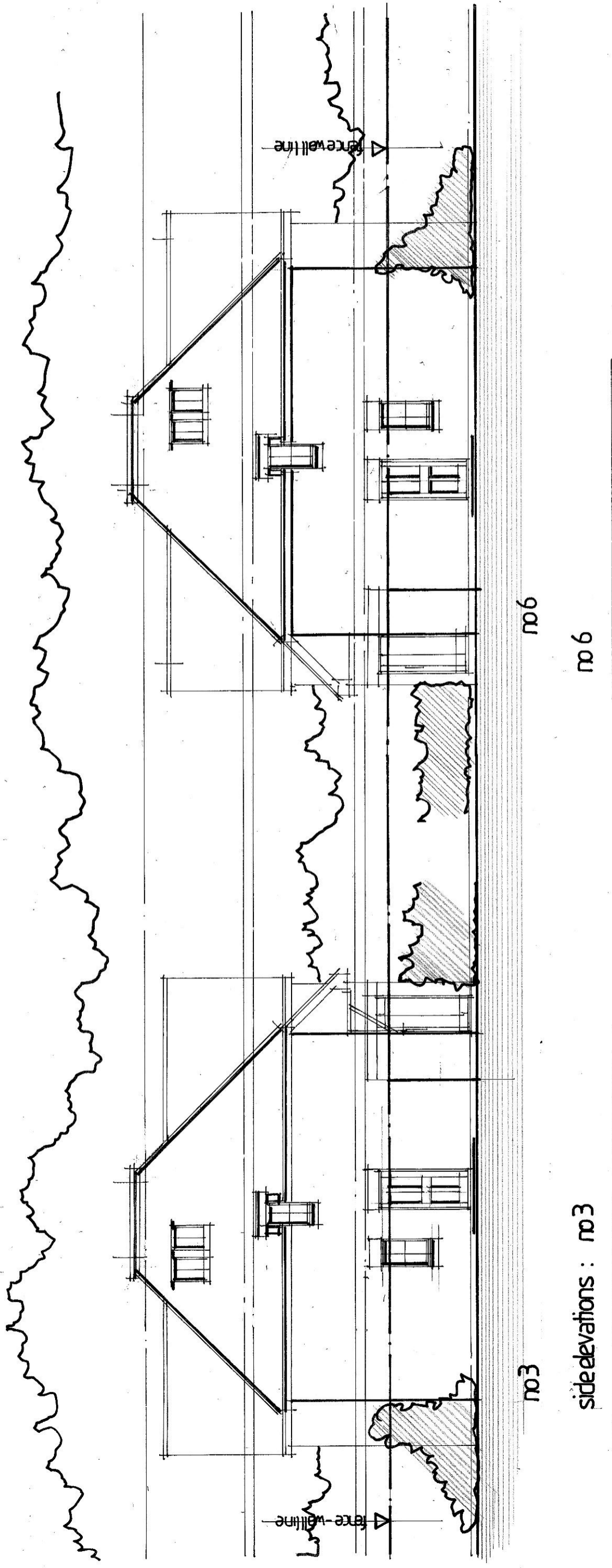
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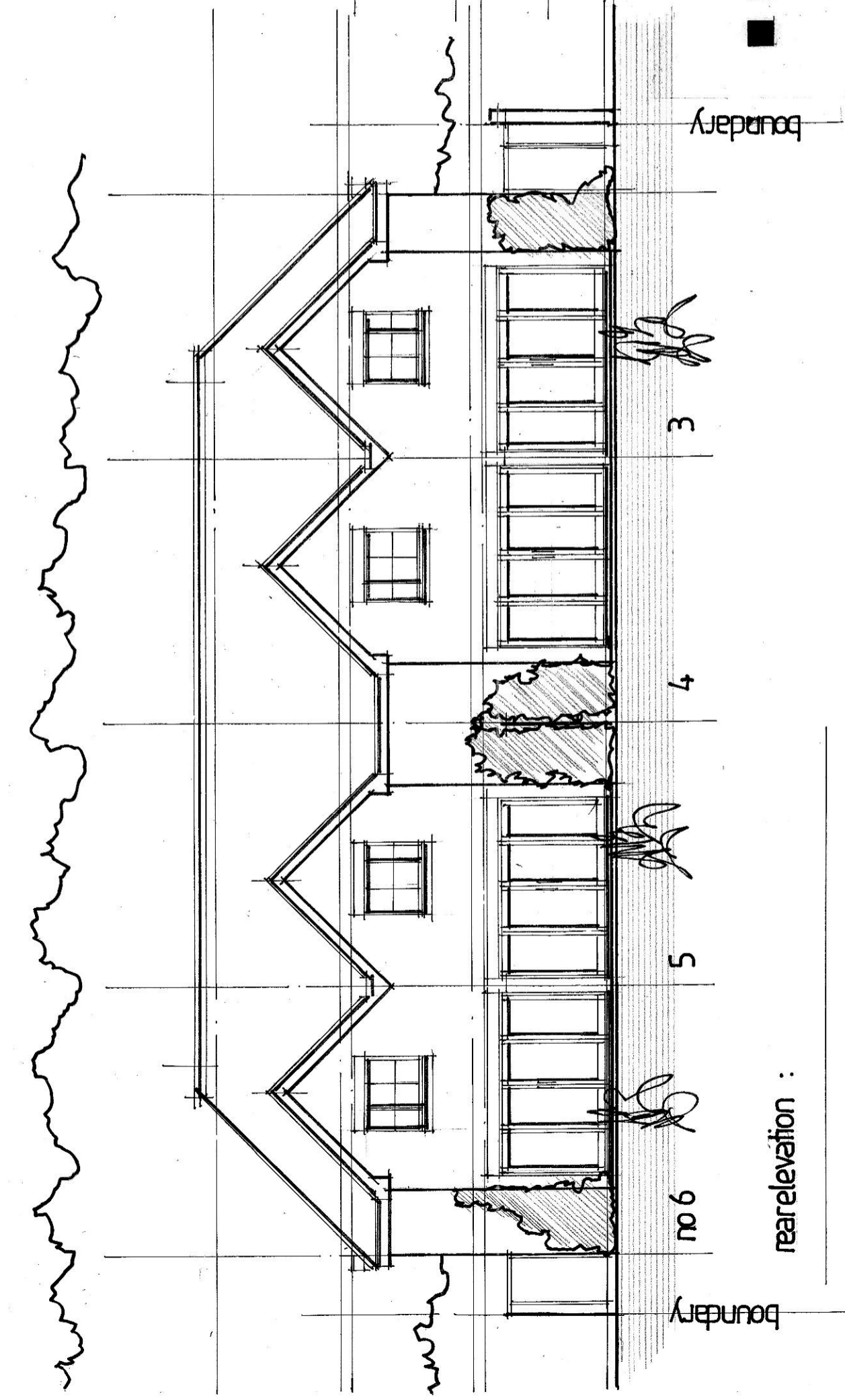
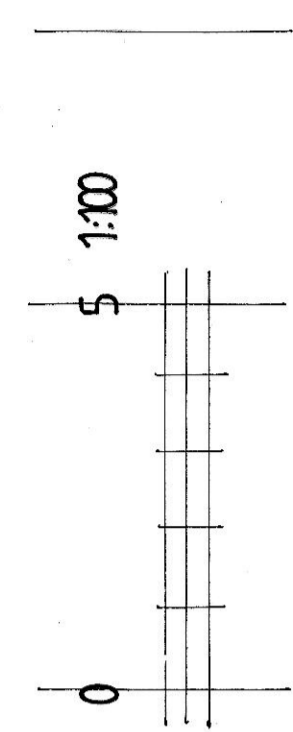
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front elevation :



side elevations : no 3



rear elevation :

31 Blackborough Road, Reigate

Elevations : Plots 3-6


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 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	21 March 2018
	REPORT OF:	HEAD OF PLACES AND PLANNING
	AUTHOR:	Matthew Holdsworth
	TELEPHONE:	01737 276752
	EMAIL:	Matthew.Holdsworth@reigate-banstead.gov.uk
AGENDA ITEM:	8	WARD: Chipstead, Hooley & Woodmansterne

APPLICATION NUMBER:	18/00036/F	VALID:	05 January 2018
APPLICANT:	Ms Debbie Waddell	AGENT:	Rymack Ltd
LOCATION:	LAND TO THE REAR OF 4A CROYDON LANE. BANSTEAD, SURREY		
DESCRIPTION:	Demolition of stable and storage barn to be replaced by 2 bungalows with associated 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.			

This application is referred to Committee in accordance with the Constitution as the application site is for net 2 dwellings

SUMMARY

The application is for the erection of two detached bungalows following the demolition of the existing barn on the site which is situated within the Metropolitan Green Belt. (MGB)

Taking account of the case as presented by the applicant and the known planning history, the site is considered to comprise 'previously developed land' (PDL) for the purposes of the National Planning Policy Framework (NPPF). The NPPF advises at paragraph 89 that the "partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development."

The residential redevelopment of the site is therefore considered to be appropriate in terms of the green belt principle subject to it not having a greater impact on the openness of the green belt and all other issues being acceptable.

The scheme follows on from a previous application that was refused for being inappropriate development within the MGB by virtue of its size, sprawl and scale harming the openness and appearing out of character. As now proposed the proposed replacement has been reduced in its size, scale and sprawl to be

contained within the confines of the existing building such that it is not considered that openness could be harmed.

The stables are small-scale and in private equestrian use rather than being for wider community use. In this regard they are not considered to meet the definition of community or recreational facilities for the purposes of Policies Cf1 and Re1 of the Borough Local Plan, which seek to resist the loss of such uses. In this regard the application site is distinctly different from the Orchard Cottage Stables site where that was concluded to be the case. Although the ambit of Policy Re1 is broad, if it were to be applicable to all, private recreational facilities, it would effectively rule out many forms of development in principle and thereby would be considered out of date for the purposes of the NPPF in any effect.

The impact on amenities of neighbouring properties is deemed acceptable. Similarly, the impact on the highway network would be similar or slightly less when comparing the movements associated with existing uses against the proposal. The proposed scheme is therefore considered to overcome the concerns with the previous application, and is acceptable in all regards.

RECOMMENDATION

Planning permission is **GRANTED** subject to conditions

Consultations:

Highway Authority: The proposed development has been considered by the county highway authority who having assessed the application on safety, capacity and policy grounds, recommends that a construction transport management plan condition be imposed on any condition granted.

SES Water: no comments received

Banstead Village Residents' Association: Inappropriate development in the green belt. Concerns regarding the rubbish collection.

Contaminated Land Officer: Recommends conditions

Neighbourhood Services: Advises that the refuse area must be no further than 9 metres from the highway.

Tree Officer: Recommends landscaping condition..

Representations:

Letters were sent to neighbouring properties on 15 January 2018. A site notice was posted on 24 January 2018. 58 letters of representation have been received from neighbouring properties with the following concerns.

Issue	Number	Response
Noise and disturbance	10	See paragraph 6.14
Overdevelopment	15	See paragraph 6.11
Out of character with surrounding area	16	See paragraph 6.11
Loss of buildings	8	See paragraph 6.11
Poor design	5	See paragraphs 6.11-6.13
Loss of / harm to trees	18	See paragraph 6.15
Harm to green belt / countryside	57	See paragraphs 6.2 – 6.9
Harm to conservation area	11	Site is not within a conservation area
Harm to listed building	1	Site is not listed; not within the curtilage of a listed building.
No need for the development	32	Each application is assessed on its merits
Inconvenience during construction	14	This is not a material planning consideration
Loss of private view	2	This is not a material planning

		consideration
Increase in traffic and congestion	30	See paragraphs 6.17-6.19
Inadequate parking	7	See paragraphs 6.17-6.19
Hazard to highway safety	23	See paragraphs 6.17-6.19

1.0 Site and Character Appraisal

- 1.1 The application site is located within the Metropolitan Green Belt (MGB) on the northern side of Croydon Lane (A2022). The area has rural characteristics and is one of a collection of smallholdings formerly owned by Surrey County Council, some of these with an associated dwelling and others have been separated. In this case the dwelling has been separated.
- 1.2 The application site extends to pony paddocks and a collection of barns to the north of 4 Croydon Lane, accessed via a track from Croydon Lane. The barns include a large steel sheeted barn measuring approx. 40.8m x 8.6m that is proposed for demolition. The barn is currently used as stabling for horses kept in the surrounding paddocks, and storage of equestrian items including feed. Adjoining are two further barns, one of breeze block construction, the other in metal cladding part open sided, both used for storage. There is an area of hardstanding between the barns and immediately to the south, with horse paddocks beyond. A public footpath runs adjacent to Freedown Lane at the boundary of the site to the north.
- 1.3 The surrounding area is characterised by undeveloped countryside where buildings generally form a small group. There are no significant trees likely to be affected by the proposed development and the site is relatively flat throughout.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: Advice was given in terms of the scale of the buildings and their curtilage.
- 2.2 Further improvements could be secured: Conditions will be placed on the grant of permission in regard to the materials used, design of bin storage, contaminated land, removal of permitted development rights, method of construction statement, landscaping condition, boundary treatments condition.

3.0 Relevant Planning and Enforcement History

- 3.1 There are a number of applications relating to the erection agricultural polyhouses on the site that date from the 1980s. These polyhouses are no longer present.
- 3.2 87/15250/F - Erection of agricultural shed for storage of agricultural materials and products. concrete framed structure, (08.01.1988) GRANTED

- 3.3 88/10340/F - Erection of agricultural shed for storage of agricultural materials and products - concrete framed building structure, (19.08.1988) GRANTED
- 3.4 91/09480/F - Proposed new vehicular crossover to the Croydon Lane (A2022) pavement allowing separation of residential parking/access from agricultural access to property to rear , (12.11.1991) GRANTED
- 3.5 E01/468 - Enforcement notice for tipping and storage of materials (29.07.2003) SERVED, (10.02.2004) Appeal dismissed 04/01631/DET
- 3.6 10/01526/F - Mixed use of the land for market gardening (agricultural/horticultural) with storage and distribution for imported crops of Asian origin within the existing storage buildings and erection of 4 No polytunnels. Refused
- 3.7 17/00309/F- Substantive demolition of agricultural building including removal of the roof and cladding to elevations, and creation of 1 no 5 bedroom house and 1 no4 bedroom house and part stable with increased eaves and ridge height – refused

4.0 Proposal and Design Approach

- 4.1 This is a full application for the demolition of the existing metal framed barn on the site and the erection of two detached bungalows and associated curtilage including bin storage.
- 4.2 The bungalows would be of a traditional design with traditional materials and would fit within the existing footprint and volume of the existing barn. Amenity space would be provided to the rear of the properties.
- 4.3 Plans have been provided showing the location of a bin store adjacent to the entrance of the site. Access would be provided using the current access to Croydon Lane to the south. Plans have shown parking spaces for two cars for each property.
- 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 statement states that the site is within the MGB.
	The applicant states that the application is within previously developed land (PDL) in the MGB and that the

	proposal would not affect the openness of the green belt.
Involvement	No community consultation took place.
Evaluation	The statement does not include any evidence of other development options being considered.
Design	The applicant states: “Special attention has been taken in the design to ensure that the existing ridge height of the building to be demolished will not be exceeded at any point. Furthermore the footprint of the building will be reduced, which will improve openness.”

5.0 Policy Context

5.1 Designation

Metropolitan Green Belt

5.2 Reigate and Banstead Core Strategy

CS1 (Sustainable Development)
CS2 (Valued landscapes and the natural environment)
CS3 (Green Belt)
CS10 (Sustainable Development))
CS11 (Sustainable Construction
CS15 (Affordable Housing)

5.2 Reigate & Banstead Borough Local Plan 2005

Protection of existing character	Pc4
Housing	Ho9, Ho24
Movement	Mo5, Mo7
Countryside	Co1

5.3 Other Material Considerations

National Planning Policy Framework	
National Planning Practice Guidance	
Supplementary Planning Guidance	Surrey Design Local Distinctiveness Design Guide Householder Extensions and Alterations
Other	Human Rights Act 1998

6.0 Assessment

6.1 The main issues to consider are:

- Green belt assessment
- Loss of recreational facility
- Design appraisal
- Neighbour amenity
- Landscaping
- Highway and parking matters
- Contaminated Land
- CIL
- Affordable housing

Green Belt assessment

- 6.2 The principle of residential development is dependent on establishing that the site constitutes previously developed land (PDL), which the NPPF considers appropriate for redevelopment.
- 6.3 The definition of PDL contained in the NPPF is: "Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time".
- 6.4 If a site is agreed to be PDL, the relevant criteria for redevelopment as defined by paragraph 89 of the NPPF is: "limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development." In undertaking this assessment, consideration should be given to the footprint of buildings as well as their volume, together with the intensity of use of the site and any other characteristics that may impact openness.
- 6.5 From the known history of the site as well as observations during site inspections, it is agreed that the site comprises previously Developed Land (PDL) for the purposes of paragraph 89 of the National Planning Policy Framework. Evidence has been provided that the previous use until 2011 was as a groundworks depot and since then has been used for equestrian use, neither of which falls under the agricultural or forestry definitions for PDL. On this basis its redevelopment is considered acceptable in principle subject to their being no greater impact on openness to the MGB.
- 6.6 The applicant has provided details of the proposed bungalows which show that the bungalows would not have a greater height, depth or volume

increase when compared to the existing barn. There would be a slight reduction in built form which is welcomed within the MGB.

- 6.7 Whilst the reduction in floor-space and volume is an important consideration, policy Co1 of the adopted Local Plan and National Green Belt policy directs that other factors can determine openness and is not solely based on a crude volumetric or floor space calculation. In this regard the proposal is considered to be similar in form to that which exists currently. Whilst the residential gardens spread outside the area of built form on the site, following negotiation during the course of the application, the gardens have been reduced in depth to limit their potential for adverse impact on openness and a condition would be imposed restricting any further extensions or garden outbuildings.
- 6.8 Therefore it is considered that the site is previously developed land (PDL) and considering the neutral impact to the openness of the Green Belt that would result, the proposal is deemed to be appropriate development within the Green Belt under para 89 of the NPPF and is therefore acceptable in principle. As such very special circumstances need not be demonstrated.

Recreational use

- 6.9 Policy Re1 of the Borough Local Plan states: "The Borough Council will normally resist the loss of land, water and buildings used or proposed to be used for recreation and leisure. Exceptionally where such a loss does occur then alternative facilities should normally be provided nearby. The Borough Council will encourage the maintenance and enhancement of existing recreation and leisure facilities, where these are appropriately located and will give priority to those which meet identified shortfalls." The supporting text to the policy states that the Council will normally expect any proposal which would result in the loss or partial loss of an existing recreational facility to be supported by evidence of reasonable attempts to dispose of the land and or buildings for an alternative recreational or community use.
- 6.10 The Glossary of Terms in the Local Plan clarifies the interpretation of the term recreation and leisure that are important as to whether this policy is a material consideration, it states: "*Recreation and Leisure - The term "leisure" refers to the time available to the individual when sleep and other basic needs have been met. "Recreation" refers to any activity engaged upon during leisure time.*" Although Policy Re1 and the glossary of terms are extremely broad in defining recreational and leisure buildings to be retained, it is not considered that it was intended for the policy be applicable to small-scale, private facilities such as this. To do so would effectively rule out vast forms of development which would be contrary to the objectives of the Framework's presumption in favour of sustainable development. Whilst it is acknowledged that this stance differs from that taken at Orchard Cottage Stables recently, it is considered that the characteristics of that were very different to this, in the facilities and teaching offered, to the benefit of the wider community.

Design appraisal

- 6.11 The two bungalows are proposed to be of traditional design with a gabled pitched roof. The bungalows differ in size but would be of similar design with a gable to the front and a storm porch. The north side of Croydon Lane is typified by bungalows of a similar scale and design. In terms of materials, a traditional palette is proposed and a condition would be added to the permission requiring details of the materials to be used before construction of the building begins as well as preventing any first floor accommodation from being installed or extensions or outbuildings
- 6.12 There is already a partially tarmacked driveway to the site from Croydon Lane and this would be retained. A bin store is proposed close to the entrance with Croydon Lane and details of this will be required and this will be secured by condition.
- 6.13 In terms of amenity for the properties, two small gardens have been provided to the rear. It is considered that these are appropriate in scale for the size of the bungalows and a condition will be sought for boundary treatments appropriate to the rural nature of this site. Overall the design of the building, its scale and use of materials is considered such that there would be a net positive impact on the character of the area when compared to the existing building on the site.

Neighbour amenity

- 6.14 The application site is situated approximately 40m from the nearest property, 4 Croydon Lane, which is situated to the south. The property borders open countryside to the west, north and east and is situated within the middle of paddocks. Due to the mature landscaping already present along the boundary, it is not considered that there would be any material or significant harm from the proposal in terms of overlooking, overshadowing or loss of amenity.

Landscaping

- 6.15 Whilst there are no trees or hedges of significance which will be affected by this development, it is considered that the proposal allows for a good opportunity for a landscape to be implemented which will enhance the canopy cover for this part of the borough
- 6.16 In addition, it is considered appropriate to add a condition for boundary treatments due to the rural nature of the surrounding area to ensure that the boundary treatment is in keeping.

Highway matters

- 6.17 The proposed development has been considered by the county highway authority (CHA) who having assessed the application on safety, capacity and policy grounds, recommends that a construction transport management plan

condition be imposed on any condition granted. It is considered this will overcome any substantive issues during construction in terms of traffic generation.

- 6.18 In terms of highways safety, the CHA considers that there is adequate visibility in both directions of the existing access.
- 6.19 The County Highway Authority notes the objections received from local residents, and wishes to address the concerns about increase in traffic and congestion during the construction phase. It is noted that there is an existing problem of congestion in Croydon Lane; however the proposed development is unlikely to significantly worsen the situation.

Contaminated Land

- 6.20 The existing barn has been assessed as having potential for asbestos within its construction. The contaminated land officer has therefore recommended two conditions to be added to the decision.

CIL

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

Affordable Housing

- 6.22 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
- 6.23 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.

CONDITIONS

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

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

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

Plan Type	Reference	Version	Date Received
Survey Plan	UNNUMBERED		05.01.2018
Block Plan	UNNUMBERED		05.01.2018
Block Plan	UNNUMBERED	A	02.03.2018
Combined Plan	UNNUMBERED	A	02.03.2018
Site Layout Plan	UNNUMBERED	A	02.03.2018
Location Plan	UNNUMBERED	A	02.03.2018
Elevation Plan	UNNUMBERED	A	02.03.2018

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

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

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

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

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

If any of the new or existing tree/s or hedge/s, detailed and approved under this condition, are removed, die, or become significantly damaged or diseased within 5 years of completion, it/they shall be replaced before the expiry of one calendar year, to a planting specification agreed in writing by

the Local Planning Authority. The hedges detailed shall be retained at a minimum height of 1 metre, or if new, once grown to this height thereafter.

Reason: To ensure good landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies Pc4, Ho9, and Ho13 of the Reigate and Banstead Borough Local Plan 2005.

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

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

6. No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) measures to prevent the deposit of materials on the highway
- (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 above condition is required in order the development should not prejudice highway safety nor cause inconvenience to other highway users and to meet the objectives of the NPPF (2012) and to satisfy policy Mo7 of the Reigate and Banstead Borough Local Plan (2005).

7. The development hereby approved shall not be first occupied unless and until facilities for the storage of bins have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved bin store shall be retained and maintained for their designated purpose.

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

8. 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, C, D or E of Part 1 of the Second Schedule of the 2015 Order shall be constructed (other than those expressly authorised by this permission).

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

enlargement of dwellings in this rural area with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho24, and Co1.

9. The developer must either submit evidence that the building was built post 2000 or provide an intrusive pre-demolition and refurbishment asbestos survey in accordance with HSG264 supported by an appropriate mitigation scheme to control risks to future occupiers. The scheme must be written by a suitably qualified person and shall be submitted to the LPA and must be approved prior to commencement to the development. The scheme as submitted shall demonstrably identify potential sources of asbestos contamination and detail removal or mitigation appropriate for the proposed end use. Detailed working methods are not required but the scheme of mitigation shall be independently verified to the satisfaction of the LPA prior to occupation.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land before development commences and to make the land suitable for the development without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment with regard to the NPPF

10. Prior to occupation, the Local Planning Authority shall require the applicant to demonstrate that areas of private gardens and public open space are suitable for its new intended use. The applicant shall provide in writing to the Local Planning Authority a brief methodology of how they shall demonstrate this. This could comprise a simple soil sampling exercise in garden/landscaped areas that shall also incorporate chemical analysis of any soils brought onto site. Once agreed in writing by the Local Planning Authority the applicant shall submit the results in writing, and said results shall require written sign off prior to occupation of the site.

Reason: To comply with paragraph 122 of the NPPF to demonstrate that the site is suitable for its new use as residential accommodation.

11. There shall be no first floor or mezzanine accommodation provided within the dwellings hereby permitted.

Reason: In order that the size, scale and intensity of the dwellings be controlled to ensure that there is no harm to the openness of the Metropolitan Green Belt with regard to Policy Co1 of the Reigate and Banstead Borough Local Plan 2005.

INFORMATIVES

1. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
- (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
 - (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
 - (c) Deliveries should only be received within the hours detailed in (a) above;

- (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
 - (e) There should be no burning on site;
 - (f) Only minimal security lighting should be used outside the hours stated above; and
 - (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.
- Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit.

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

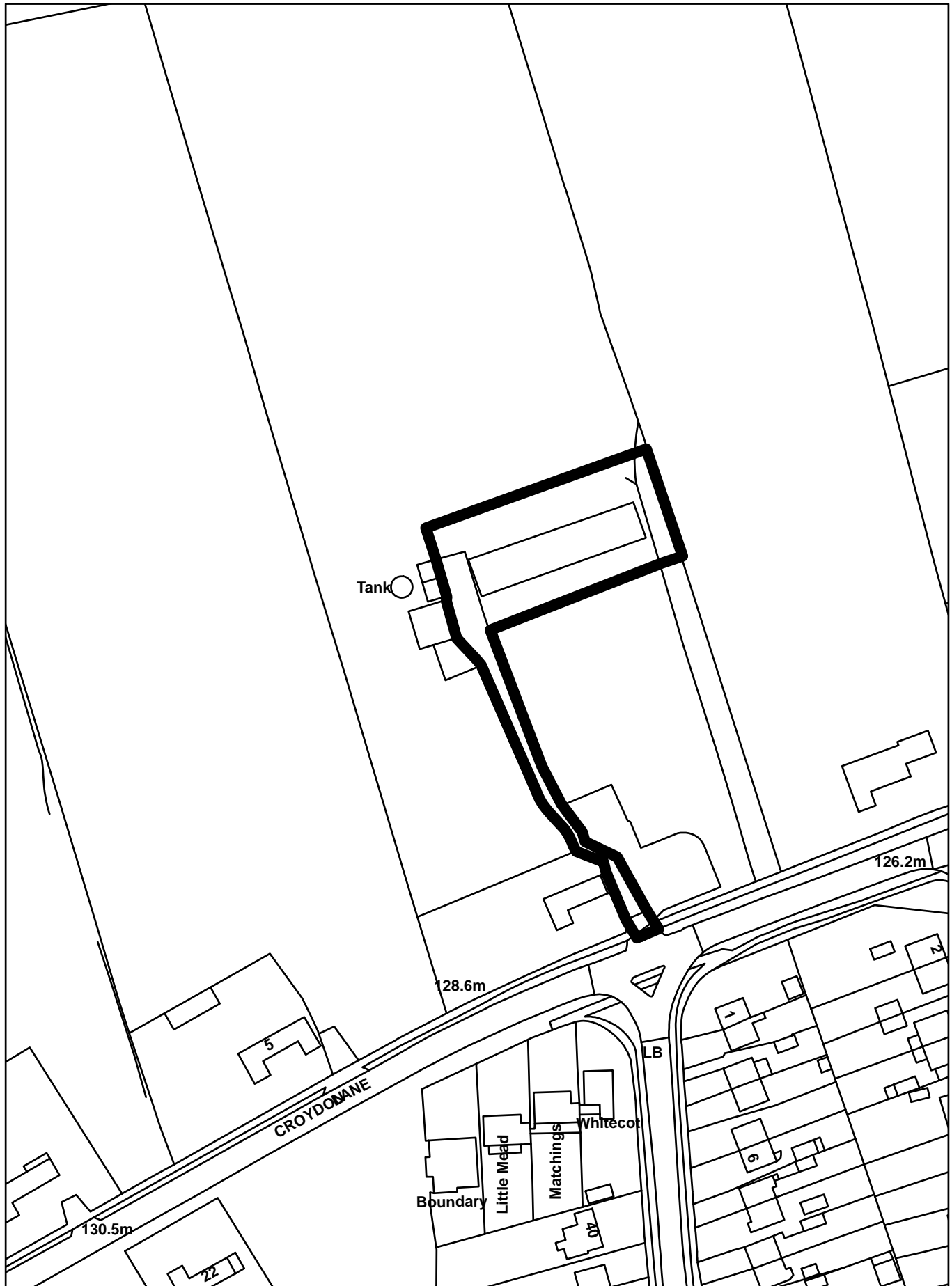
2. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at www.firesprinklers.info.
3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or 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).
4. The use of suitably experienced landscape architects is recommended to satisfactorily address both the design and implementation of the landscape details of the above condition although such landscaping is often straightforward and small scale in proportion to the approved development.

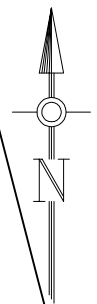
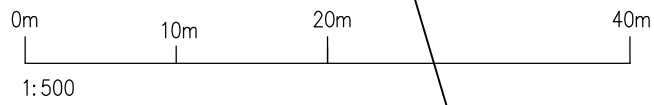
REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies CS1, CS2, CS3, CS10, CS15, Ho9, Ho24, Co1, Pc4, Mo5, and Mo7, and material considerations, including third party representations. It has been concluded that, although situated within the Green Belt, the development would constitute development of previously developed land without harming green belt openness and is therefore in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

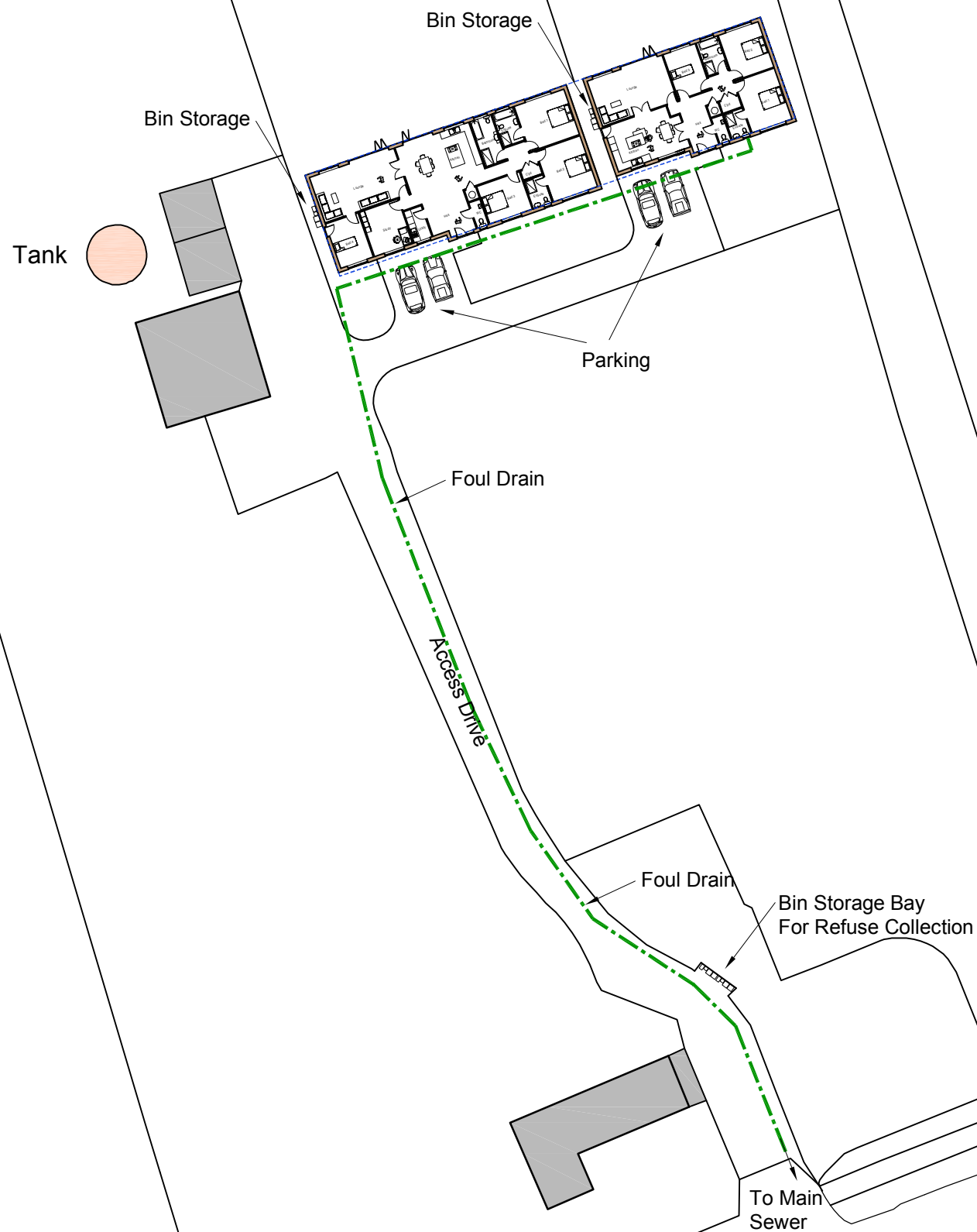
The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in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

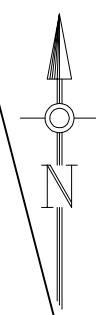
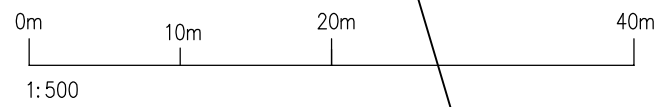
18/00036/F - Land To The Rear Of 4A Croydon Lane, Banstead



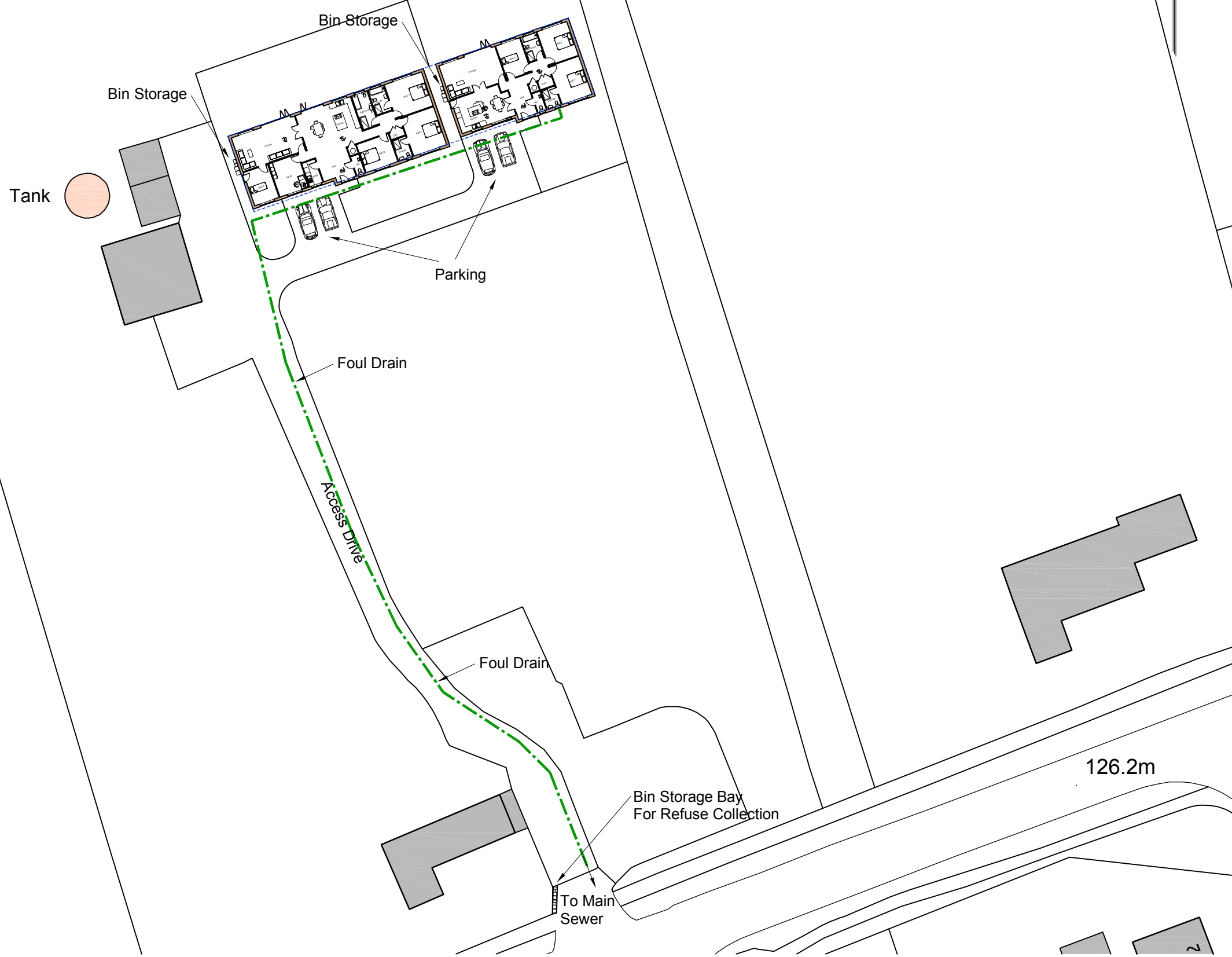


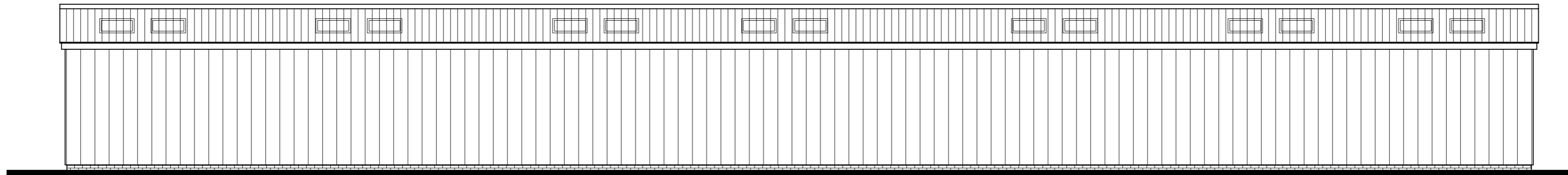
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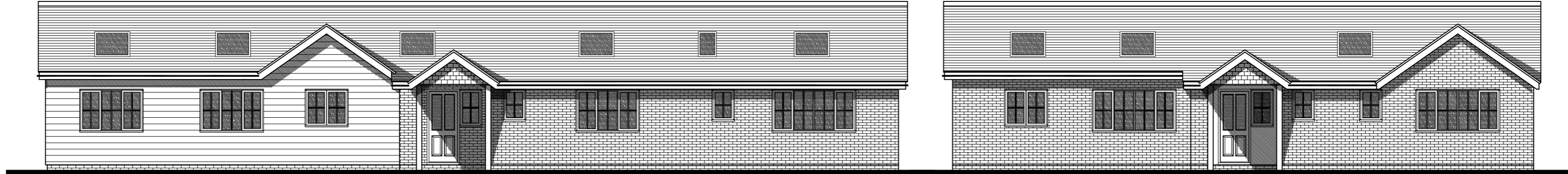


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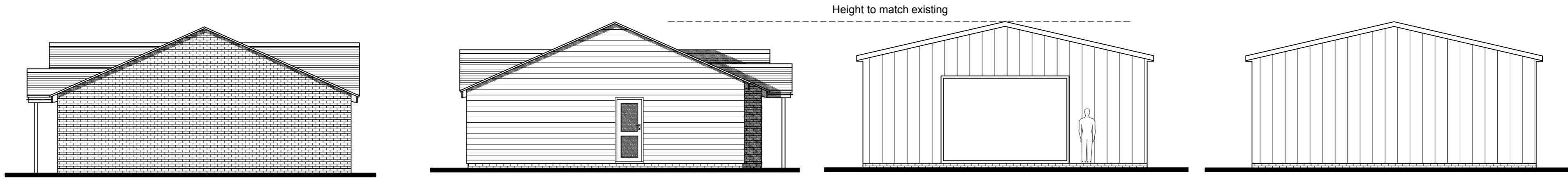




Existing Front Elevation (South)



Proposed Front Elevation (South)



Proposed Side Elevation (East)

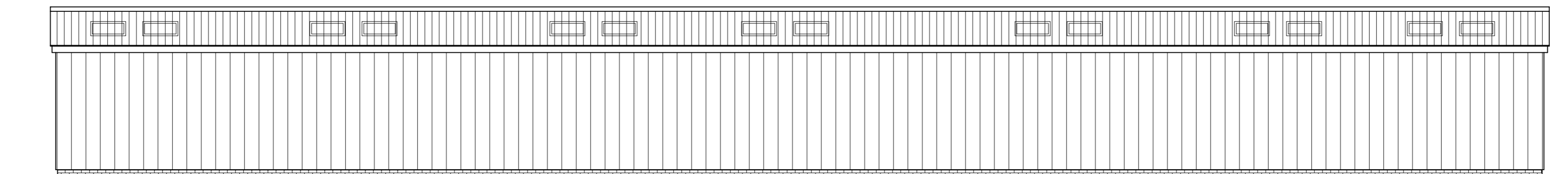
Proposed Side Elevation (West)

Existing Side Elevation (West)

Existing Side Elevation (East)



Proposed Rear Elevation (North)

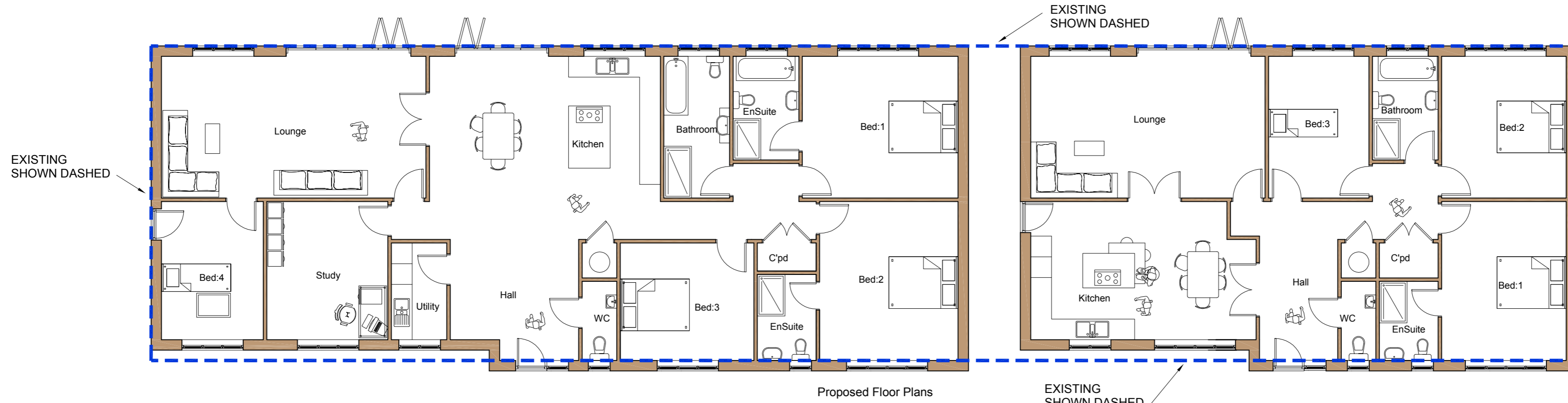


Proposed Rear Elevation (North)

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EXISTING FLOOR PLAN



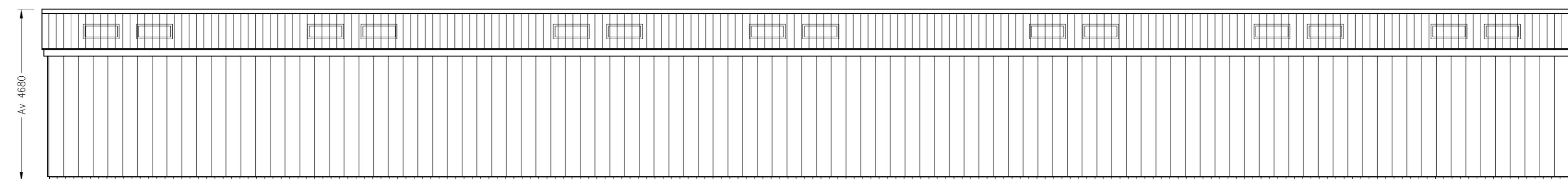
Proposed Floor Plans



Proposed Front Elevation (South)




Existing Elevation (South)



Av. 4680

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 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	21 st MARCH 2018
	REPORT OF:	HEAD OF PLACES & PLANNING
	AUTHOR:	HOLLIE MARSHALL
	TELEPHONE:	01737 276010
	EMAIL:	Hollie.Marshall@reigate-banstead.gov.uk
AGENDA ITEM:	9	WARD: REIGATE HILL

APPLICATION NUMBER:	17/02491/F	VALID:	14 November 2017
APPLICANT:	Galaxy Ltd	AGENT:	WS Planning & Architecture
LOCATION:	8 PILGRIMS WAY REIGATE SURREY RH2 9LG		
DESCRIPTION:	Erection of two dwellings, garaging, parking, gates and associated access on land to the rear of 8 Pilgrims Way, with access from Brokes Road.		
All plans in this report have been reproduced, are not to scale, and are for illustrative purposes only. The original plans should be viewed/referenced for detail.			

SUMMARY

This is a full application for the erection of two dwellings, garaging, parking, gates and associated access on land to the rear of 8 Pilgrims Way, with access from Brokes Road. The area is within the Pilgrims Way and Beech Road Residential Area of Special Character (RASC) and is characterised by substantial dwellings set well within large, well-landscaped plots. Proposed House A and House B would be of a similar design and would be of a mock-Georgian style. The proposed dwellings would be two storeys with accommodation in the roof space that would necessitate dormers to the front and rear. House A would be of a lesser depth than House B following improvements negotiated during the application to lessen the impact on the RASC.

There is extensive planning history for this site and the principle of the subdivision of the plot and the creation of two dwellings on the site has been accepted by the Planning Inspectorate. The design of the dwellings, in a mock-Georgian style, would sit comfortably within the various designs that are encountered within the locality. The site area is reduced from that which was previously considered acceptable for the development of two dwellings however given the context of the planning history, the reduced depth of House A and the revised site layout to allow for greater rear gardens creating a more spacious appearance, the proposal is considered commensurate with the spacious character of the RASC and would safeguard the important trees and sylvan setting. The proposal is therefore considered to retain a spacious character.

The proposal is considered to cause no material harm to the character and amenities of the locality, or the amenity of neighbouring properties by reason of the scale of the proposals and generous separation distances and distance to the site boundaries.

Accordingly, the proposal is considered to accord with policy and to be acceptable.

RECOMMENDATION

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

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.

The Reigate Society: - no comment

Representations:

Letters were sent to neighbouring properties on 30th November 2017 and 12th February 2018.

8 responses have been received from 5 neighbours raising the following issues:

Issue	Response
Hazard to highway safety	See paragraph 6.15 – 6.16
Overbearing relationship	See paragraph 6.7 – 6.11
Overdevelopment	See paragraph 6.1 – 6.2
Inadequate parking	See paragraph 6.17
Inconvenience during construction	See paragraph 6.12
Increase in traffic and congestion	See paragraph 6.15 – 6.16
Loss of a private view	See paragraph 6.14
Noise and disturbance	See paragraph 6.12
Out of character with surrounding area	See paragraph 6.3 – 6.6
Overlooking and loss of privacy	See paragraph 6.8 – 6.11
Property devaluation	See paragraph 6.14
Harm to Conservation Area	See paragraph 6.4
Loss of/harm to trees	See condition 5
No need for the development	See paragraph 6.1
Overshadowing	See paragraph 6.8 – 6.11
Poor design	See paragraph 6.4
Loss of light	See paragraph 6.8 – 6.11

1.0 Site and Character Appraisal

1.1 The proposed development relates to land to the rear of 8 Pilgrims Way. The site bounds the rear garden areas of dwellings in Pilgrims Way to the west, Beech Road to the east and Brokes Road to the south, with an access strip to Brokes Road. It is roughly equidistant from all three roads.

1.2 The land slopes upwards from south to north and is mostly cleared with a few trees about the boundaries. At present it is open to the dwelling and rear garden of 8 Pilgrims Way.

1.3 The area is within the Pilgrims Way and Beech Road Residential Area of Special Character (RASC) and is characterised by substantial dwellings set well within large, well-landscaped plots. The north and west edges of Pilgrims Way give way to open countryside of high visual quality. The roads are privately owned and experience relatively little traffic.

2.0 Added Value

2.1 Improvements secured at the pre-application stage: The applicant did not approach the Council for pre-application advice therefore the opportunity to secure improvements did not arise

2.3 Further improvements could be secured: During the course of the application revisions have been sought to the scale of House A and the siting of both House A and B

3.0 Relevant Planning and Enforcement History

3.1	16/01560/F	Erection of two detached dwellings, garaging, parking and associated access	Refused 3 October 2016 Appeal Allowed 3 March 2017
3.2	15/00595/F	Erection of 2 detached dwellings, garaging, parking, gates and associated access via Brokes Road. As amended on 09/05/2016	Approved with conditions 8 June 2016
3.3	15/00566/F	Erection of dwelling	Refused 20 May 2016
3.4	15/00391/F	Erection of a detached dwelling, garage, gates and associated access	Approved with conditions 31 March 2015
3.5	11/01131/F	Erection of a detached dwelling, garage and associated access	Approved with conditions 17 October 2010
3.6	10/02196/VS106	Variation of S106 dated 20 October 1993 to allow vehicular access as shown on the submitted "S106 location plan" Approved with conditions	Approved with conditions 27 May 2011

- | | | | |
|------|--|---|---|
| 3.7 | 10/02100/F | Erection of a detached dwelling with associated works and access | Approved with conditions
26 January 2010 |
| 3.8 | 09/01055/F | Demolition of existing dwelling and erection of a detached apartment block containing 6 units | Refused
15 September 2009
Appeal Dismissed
19 April 2010 |
| 3.9 | 09/00905/F | Erection of a detached dwelling and a detached double garage | Non Determination
Appeal Allowed
19 April 2010 |
| 3.10 | 09/00904/F | Erection of a detached dwelling and attached double garage | Refused
17 August 2009
Appeal Allowed
19 April 2010 |
| 3.11 | 08/01257/F | Demolition of existing dwelling and erection of a detached apartment block containing six units | Refused
23 December 2008
Appeal Dismissed
15 June 2009 |
| 3.12 | 08/00829/F | Two detached dwellings and a detached double garage | Refused
20 August 2008
Appeal Dismissed
17 March 2009 |
| 3.13 | 07/02152/F | Two detached dwellings and a detached double garage | Refused
19 August 2007
Appeal Dismissed
17 March 2009 |
| 3.14 | Application 17/00297/F – Land to the rear of 7 Beech Road - Erection of detached dwelling. – Approved with conditions 17 May 2017 | | |
| 3.15 | Application 17/01226/VS106 - Variation of S106 of permission ref 17/00297/F - to remove requirements of S106 agreement. Erection of detached dwelling. – Pending consideration | | |

4.0 Proposal and Design Approach

- 4.1 This is a full application for the erection of two dwellings, garaging, parking, gates and associated access on land to the rear of 8 Pilgrims Way, with access from Brokes Road.

- 4.2 The dwellings are proposed to the rear of 8 Pilgrims Way. Proposed House A and House B would be the similar in design. The houses would be of a mock-Georgian style and would be two storeys with accommodation in the roof space that would necessitate dormers to the front and rear. The dwellings would feature sash windows, chimneys to both side elevations and a large bay window to the rear. The dwellings would have a symmetrical design to both the front and rear elevations.
- 4.3 House A would be of the same width as House B, however would be shallower in depth. The front elevations of the dwellings would be of the same design, however the flank elevations of House A would be of shorter depth, and this dwelling would feature a two storey projection centred to the rear elevation.
- 4.4 Both dwellings would be orientated north/south. House A and House B would be sited largely side by side. The dwellings would have a separation distance between them of 7.5m. Both dwellings would share an access from Beech Road. The access would branch off to the east and west and both dwellings would have a detached double garage.
- 4.5 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a four-stage design process comprising:
Assessment;
Involvement;
Evaluation; and
Design.
- 4.6 Evidence of the applicant's design approach is set out below:

Assessment	The character of the surrounding area is assessed as, especially the RASC, comprises mainly large two storey detached dwellings, some of which have accommodation within their roofspace and are set within spacious plots with generous separations between most dwellings.
	The most significant trees on the site would be retained where possible in order to maintain the leafy appearance and character of the RASC.
Involvement	No community consultation took place.
Evaluation	A comparison with previously approved layouts has been included in the Design Statement
Design	The applicant's reasons for choosing the proposal from the available options were the revised site layout and designs submitted with this application have been prepared in line with a detailed assessment of the surrounding area; indeed the proposal seeks a scale of development in harmony with neighbouring properties on

	the edge of Reigate, within a Residential Area of Special Character designation.
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4.7 Further details of the development are as follows:

Site area	0.2 hectares
Proposed parking spaces	8
Parking standard	4 (maximum)
Net increase in dwellings	2

5.0 Policy Context

5.1 Designation

Urban area
Pilgrims Way and Beech Road Residential area of special character (RASC)

5.2 Reigate and Banstead Core Strategy

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

5.3 Reigate & Banstead Borough Local Plan 2005

Landscape & Nature Conservation	Pc4
Housing	Ho9, Ho13, Ho14, Ho15, Ho16,
Movement	Mo5, Mo7

5.4 Other Material Considerations

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

6.0 Assessment

6.1 The development proposes the sub division of the site and the erection of two detached dwellings with access gained via Brokes Road. There is extensive planning history for this site. The most pertinent to this application are considered to be the following included in the table below. The principle of the subdivision of the plot and the creation of two dwellings on the site has been accepted by the Planning Inspectorate. An analysis of the site area is included below. The proposed site area of this application is 2,079m².

Application ref.	Description	Site Area	Footprint House A	Footprint House B
17/02491/F	Erection of two dwellings, garaging, parking, gates and associated access	2,079m ²	149 m ²	176 m ²
16/01560/F	Erection of two detached dwellings, garaging, parking and associated access	3,075 m ²	176 m ²	176 m ²
15/00595/F	Erection of 2 detached dwellings, garaging, parking, gates and associated access via Brokes Road. As amended on 09/05/2016	3,075 m ²	176 m ²	176 m ²
Application ref.	Description	Site Area	Footprint House A	Footprint House B
15/00391/F	Erection of a detached dwelling, garage, gates and associated access	1,958m m ²	278 m ²	
09/00905/F	Erection of a detached dwelling and a detached double garage	1385 m ² (approx.)	173 m ²	
09/00904/F	Erection of a detached dwelling and a detached double garage	1131 m ² (approx)		219 m ²

6.2 The main issues to consider are:

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

Design appraisal

6.3 The overall application site has been reduced from that of the most recent application, and now excludes the area of land to the rear of 7 Beech Road and a smaller area of land on the western side boundary. The most significant impact is therefore felt by Plot B as the depth of the plot has been reduced. However, the principle of a dwelling of this scale has been accepted in a similar sized plot to that now proposed, by virtue of the appeal decision and approval of the application 16/01560/F, although it is acknowledged this was in the context of an overall greater site area. House A would be reduced in depth from that of the most application 16/01560/F therefore reducing the cumulative built form, which is considered to be sufficient to overcome the reduction in the overall site area and retain a spacious character.

6.4 During the course of the application an amendment was sought to site both dwellings further southwards to allow for deeper rear gardens whilst still retaining a spacious frontage of approximately 11m in depth. Being located to the rear of three streets, the location does not play a strong role in the Pilgrims' Way or Beech Road street scenes, but has a slightly more prominent role in the Brokes Road street scene, by virtue of the access strip providing limited views onto the site. With such restricted views the dwellings, the proposal would make very little difference to any street scene. The design of the dwellings, in a mock-Georgian style, would sit comfortably within the various designs that are encountered within the locality. The site is not within nor adjacent to a Conservation Area and is not considered to result in harm in this regard.

6.5 The depth of the rear gardens would be approximately 15.6m in the case of House A and 14.5m in the case of House B. Previous appeal decisions have established rear gardens of this size are not without precedent within the RASC, with examples at Washington Close and at Albany Close. The earlier application proposed a garden depth of 14.5m in the case of House A and this was approved by the Planning Inspectorate.

6.6 Given the context of the planning history, the reduced depth of House A and the revised site layout to allow for greater rear gardens creating a more spacious appearance, the proposal is considered commensurate with the spacious character of the RASC and would safeguard the important trees and sylvan setting. The proposal is therefore considered to retain a

spacious character. This view also takes into consideration the approval of a detached dwelling on land to the rear of 7 Beech Road.

Neighbour amenity

- 6.7 By virtue of its backland positioning, the proposed development would introduce a degree of change to the rear garden areas of a number of nearby houses. The effect would be strongest for 9 Beech Road and 6A Brokes Road. These properties lie outside the RASC designation however the majority of the site would be within the RASC. The characteristic of properties within the RASC is one of spaciousness and privacy, more so than in the general urban area, and the policy affords added protection to such character.
- 6.8 6A Brokes Road is located to the south of the application site, and is orientated west/east. Proposed House B would be sited approximately 18.7m away from no. 6A's northern side boundary and therefore it is considered the proposal would not have an unacceptable impact upon neighbour amenity.
- 6.9 9 Beech Road lies to the west of the application site. It is orientated east/west, with its rear garden bounding the eastern border of the application site. House B is proposed to be sited between 6.9 and 7.5m from this boundary. The flank elevation proposed would have an expanse of 11.6 metres, with an eaves height of 5.7m and ridge height of 9m.
- 6.10 The proposed dwelling would have a greater separation distance to the side boundary to that which was found unacceptable by the Council and Planning Inspectorate in the 2008 application, with a reduced depth and height. Given the increased separation distance and reduction in scale of the dwelling, the proposal is considered to overcome the previous concerns and would not result in a harmful impact upon the amenities of No. 9 Beech Road.
- 6.11 Consent has been granted for a detached dwelling on land to the rear of 7 Beech Road. This dwelling has not yet been constructed and is subject to an application to remove the requirements of a S106 Agreement in relation to access to the site (17/00297/F and 17/01226/VS106). House B would have a separation distance of 15.6m to the north side elevation of this dwelling, and given this separation distance is not considered to result in a harmful impact upon the amenities of this dwelling. The front elevation of House B would face the front garden area and side elevation of this dwelling, however given the level of separation, mature vegetation providing screening and the juxtaposition of the properties, the proposal is not considered to result in a harmful impact in terms of overlooking and loss of privacy.
- 6.12 Objection was received on the grounds of noise and disturbance and inconvenience during the construction period. The site would remain in residential use and is thus not considered to result in an unacceptable

impact in terms of noise and disturbance. Whilst it is acknowledged there may be a degree of disruption during the construction period, 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.

- 6.13 Objection was received on the grounds of overlooking and loss of privacy. The dwellings would have first floor side facing windows, however these would be conditioned to be of obscure glazing to avoid these issues and the proposal would not therefore warrant refusal on this basis.
- 6.14 Property devaluation and loss of a private view are not material planning considerations.

Access and parking

- 6.15 The access to the site would be from a long, narrow driveway leading up from Brokes Road opposite the junction with St Alban's Road. The roads in the immediate vicinity are not public highways. The development affects Brokes Road over which the Highway Authority has no jurisdiction. The Highway Authority have assessed the proposals and consider they will not have an impact at the point where this private road meets the high network and/or on the surrounding highway network and this is reflected in their advice.
- 6.16 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
- 6.17 The application proposes a detached double garage for each house and two parking spaces would be proposed to the front of each garage. This is within the maximum allowed under the Council's maximum parking standards and is therefore acceptable.

CIL

- 6.18 The Community Infrastructure Levy (CIL) is a fixed charge which the Council will be collecting from some new developments from 1 April 2016. It will raise money to help pay for a wide range of infrastructure including schools, roads, public transport and community facilities which are needed to support new development. This development would be CIL liable although, the exact amount would be determined and collected after a grant of planning permission. However, an informal assessment would indicate a contribution of around £100,240 being required.

Affordable Housing

- 6.19 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
- 6.20 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.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Type	Reference	Version	Date Received
Survey Plan	8PW P1		08.11.2017
Elevation Plan	8PW P4	A	08.02.2018
Arb / Tree Protection Plan	TPP02		27.02.2018
Elevation Plan	8PW P8		08.02.2018
Floor Plan	8PW P7	A	08.02.2018
Site Layout Plan	8PW P6	E	08.02.2018
Other Plan	8PW P5	I	08.02.2018
Floor Plan	8PW P3	A	08.02.2018

Reason:

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

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

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

Reason:

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

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

Reason:

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

5. No development shall commence including demolition and or groundworks preparation until a detailed, scaled 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 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 Pc4, Ho15 and Ho9 of the Reigate and Banstead Borough Local Plan.

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 Pc4, Pc12, Ho9 of the Reigate and Banstead Borough Local Plan 2005 and the recommendations within British Standard 5837.

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

Reason:

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

8. 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 Reigate and Banstead Borough Local Plan 2005 policy Ho9.

INFORMATIVES

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at www.firesprinklers.info.
2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions.
3. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, a 140 litre wheeled bin conforming to British Standard BSEN840 and a 60 litre recycling box should be provided for the exclusive use of the occupants of that dwelling. Prior to the initial occupation of any communal dwellings or flats, wheeled refuse bins conforming to British Standard BSEN840, separate recycling bins for paper/card and mixed cans,

and storage facilities for the bins should be installed by the developer prior to the initial occupation of any dwelling hereby permitted. Further details on the required number and specification of wheeled bins and recycling boxes is available from the Council's Neighbourhood Services on 01737 276501 or 01737 276097, or on the Council's website at www.reigate-banstead.gov.uk. Bins and boxes meeting the specification may be purchased from any appropriate source, including the Council's Neighbourhood Services Unit on 01737 276775.

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

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

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

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

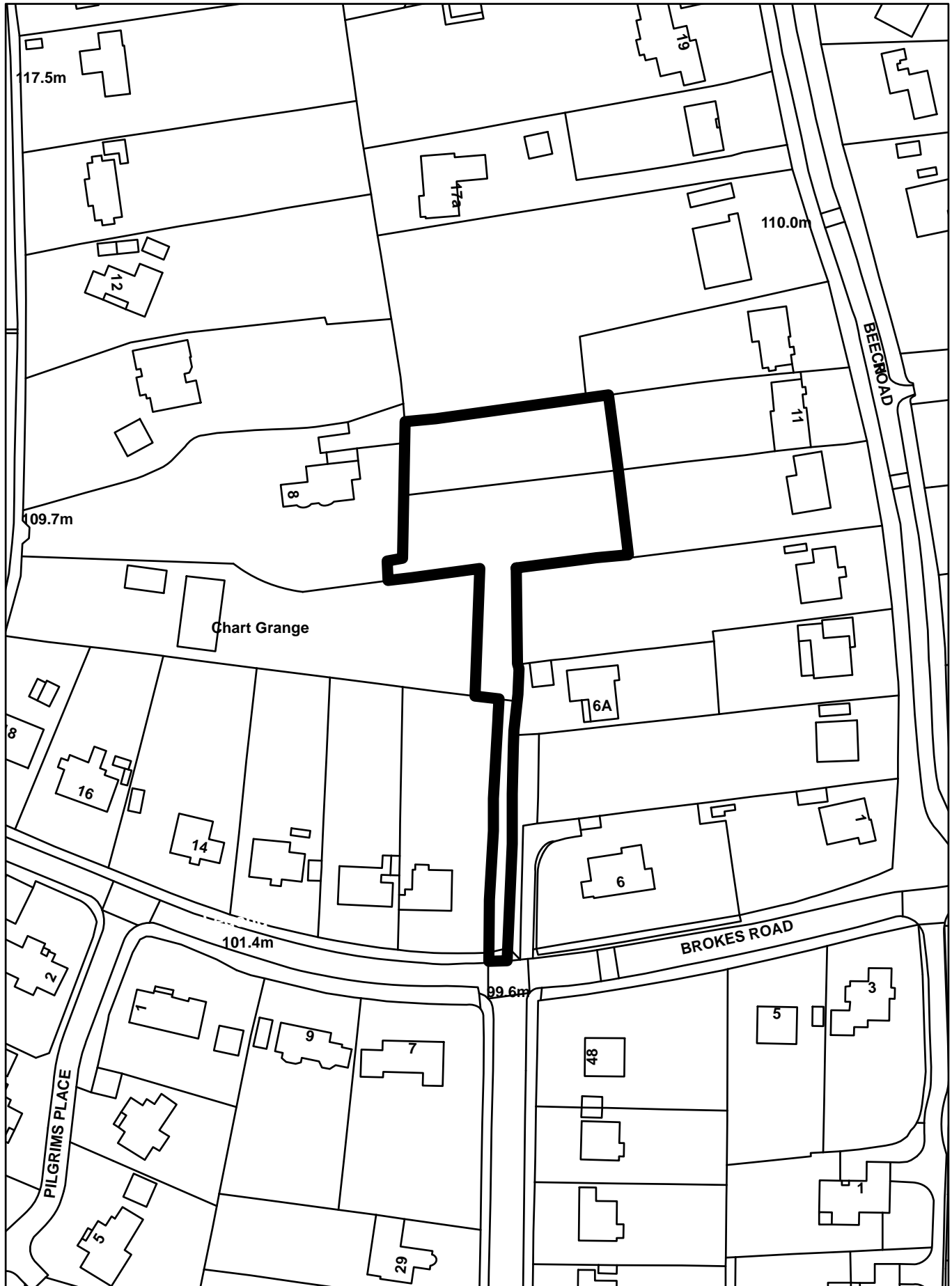
REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies Pc4, Ho9, Ho13, Ho14, Ho15, Ho16, Mo5 and Mo7 and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

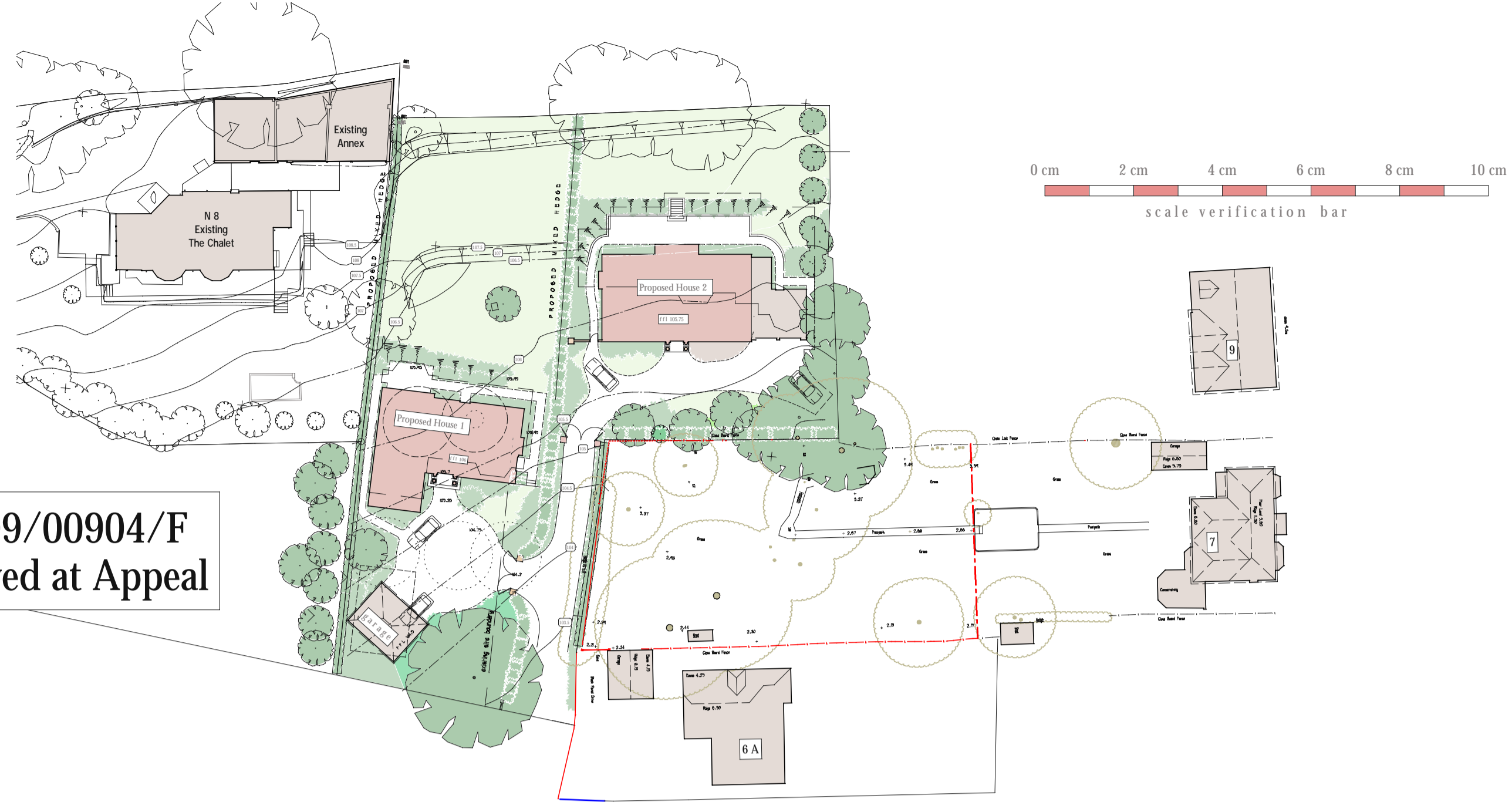
Proactive and Positive Statements

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

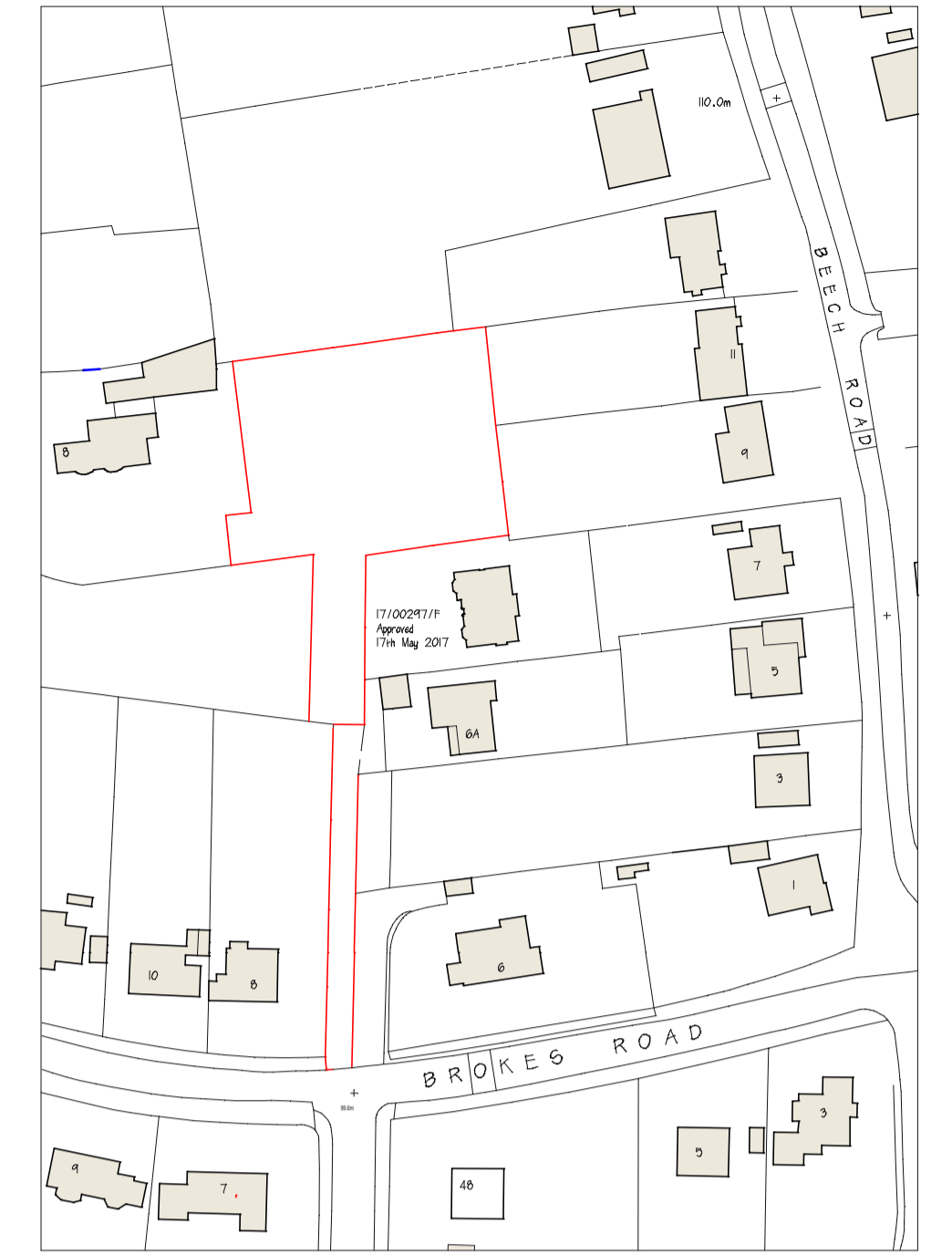
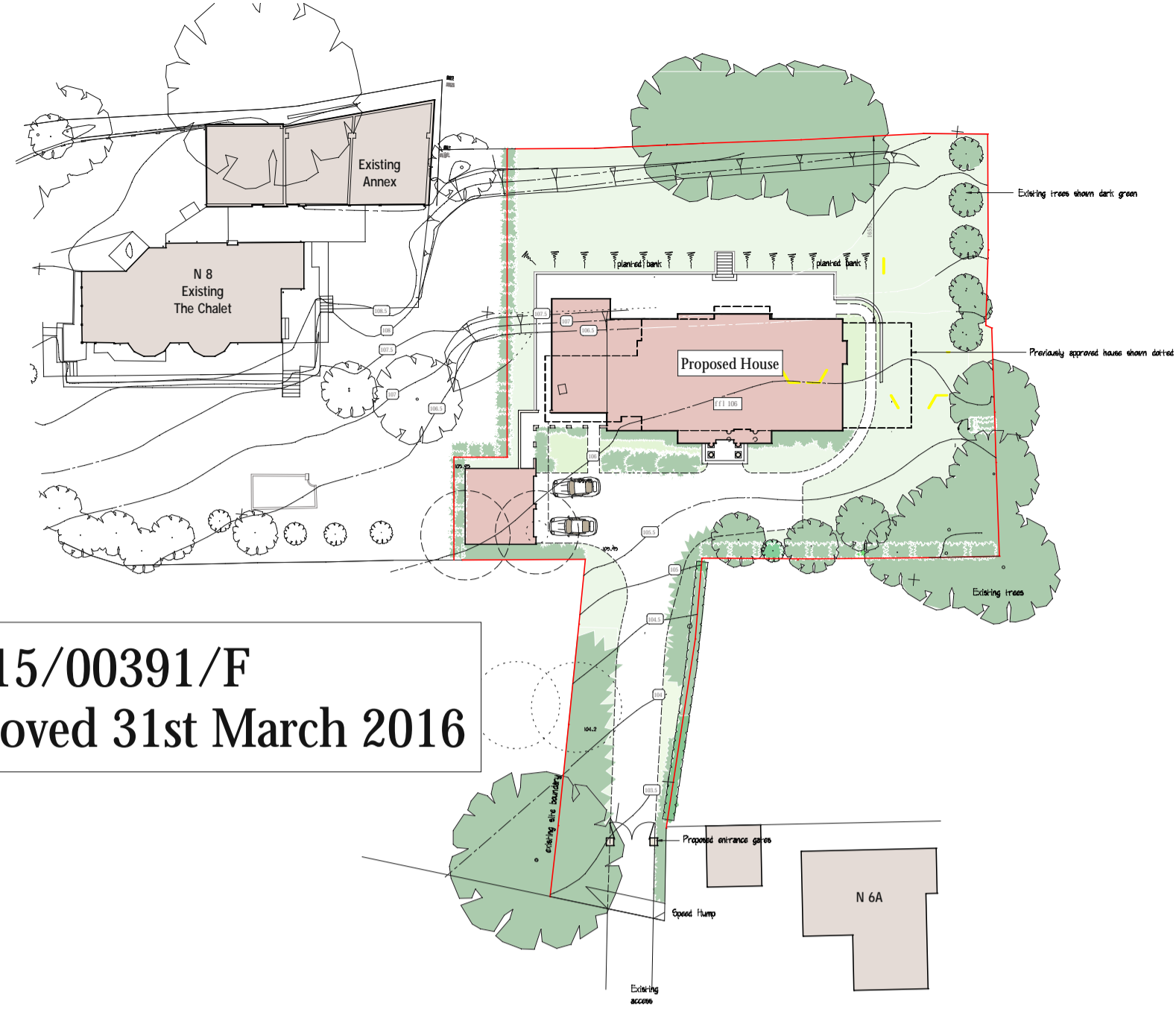
17/02491/F - Rear Of 8 Pilgrims Way, Reigate



(1) 09/00904/F
Allowed at Appeal



(4) 15/00391/F
Approved 31st March 2016



SCALE 1:1250

LOCATION PLAN



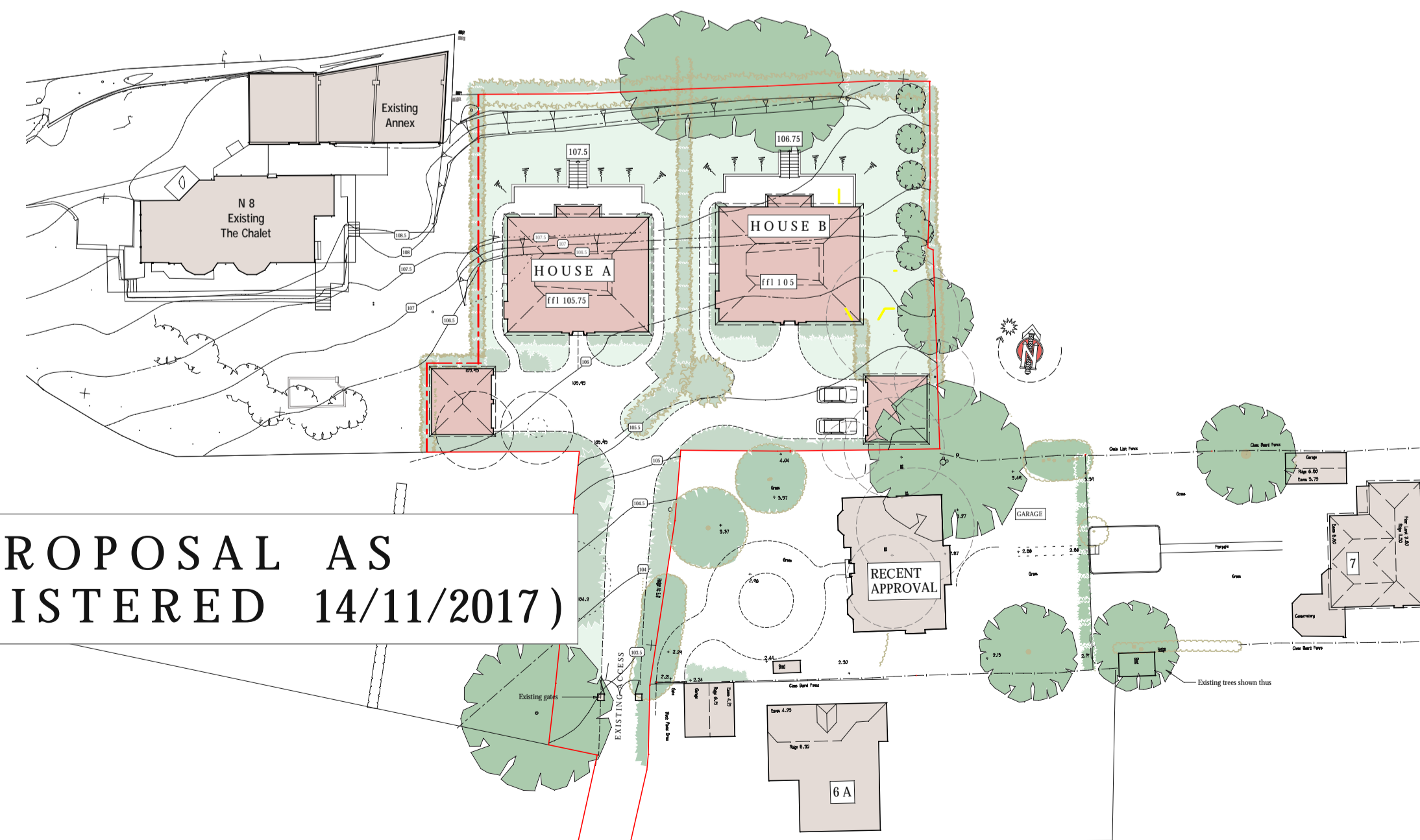
(2) 15/00595/F
Approved 9th May 2015



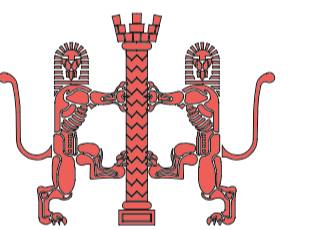
(3) 16/01560/F
Allowed at appeal



(5) PROPOSAL AS
REGISTERED 14/11/2017



(6)
CURRENT
PROPOSAL



GRAHAM RIX R I B A
CHARTERED ARCHITECT
13 Furze Lane, Purley
Surrey CR8 3EJ

tel: 020 8660 2571

web site: www.grahamrix.co.uk
email: graham@grahamrix.co.uk

Proposed Development
to rear of
8 PILGRIM'S WAY
REIGATE RH2 9LG
for
Galaxy Ltd

PREVIOUS
APPROVALS

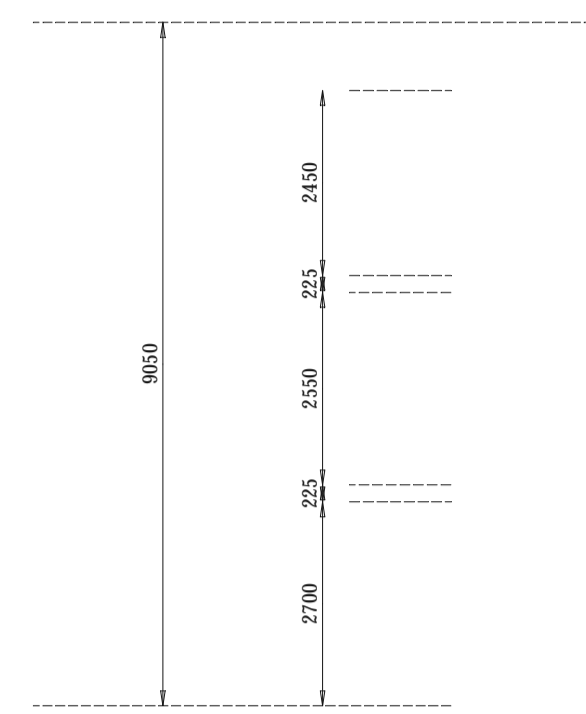
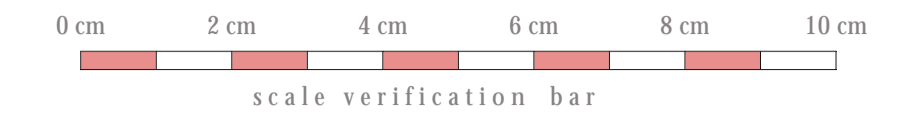
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13/09/2017

Rev I 22/01/2018
Rev II 22/01/2018
Rev G 05/01/2018
Rev F 04/01/2018
Rev E 04/01/2018
Rev D 02/01/2018
Rev C 02/01/2018 Revised current proposal
Rev B 30/12/2017 Revised current proposal

8PW

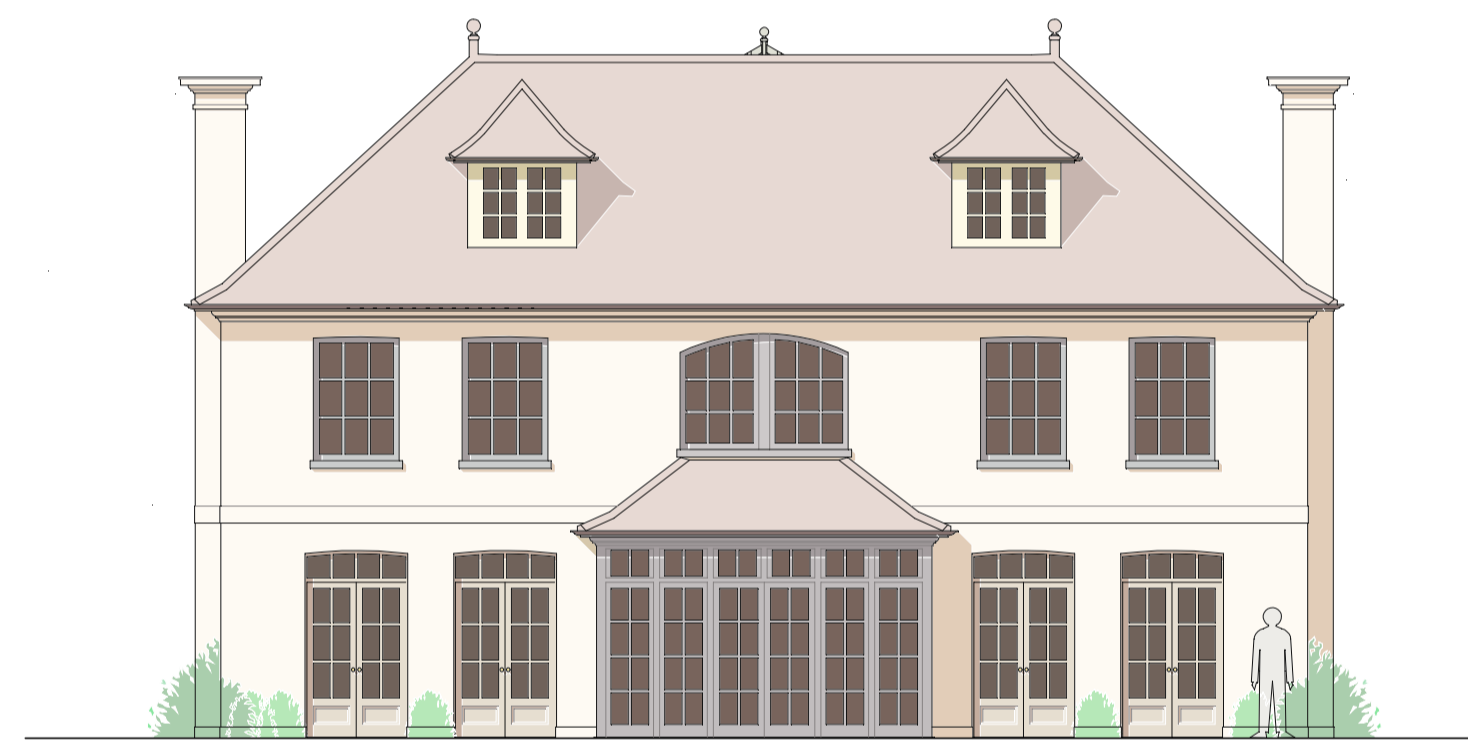
P5₀



FRONT ELEVATION



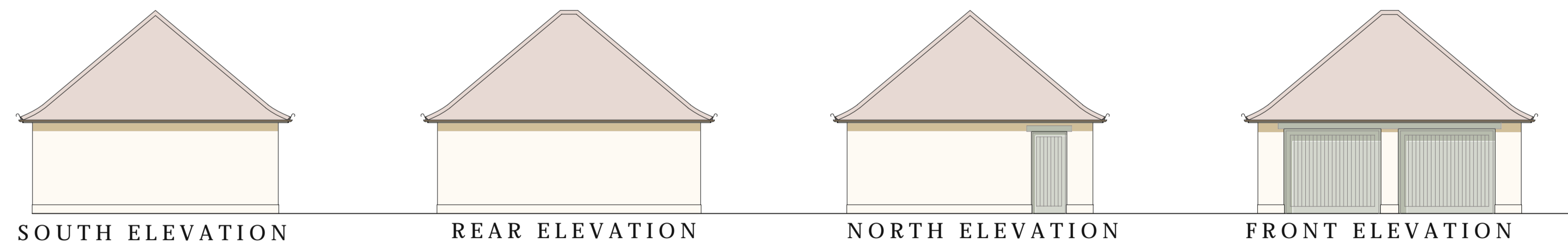
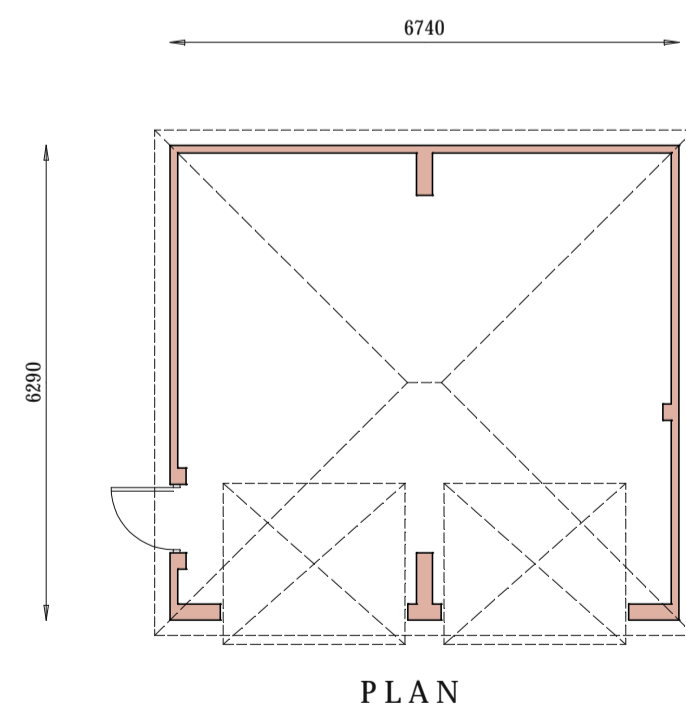
FLANK (EAST) ELEVATION



REAR ELEVATION



FLANK (WEST) ELEVATION



SOUTH ELEVATION

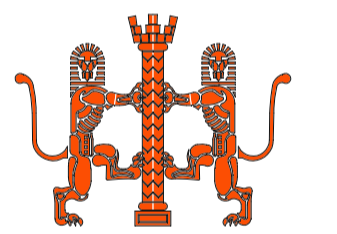
REAR ELEVATION

NORTH ELEVATION

FRONT ELEVATION

PROPOSED GARAGES

scale 1:100



GRAHAM RIX R I B A
CHARTERED ARCHITECT
13 Furze Lane, Purley
Surrey CR8 3EJ

tel: 020 8660 2571

web site: www.grahamrix.co.uk
email: graham@grahamrix.co.uk
fax 0870 0511514

Proposed Houses
to rear of
8 PILGRIMS WAY
REIGATE RH2 9LG
for GALAXY Ltd

HOUSE B
ELEVATIONS

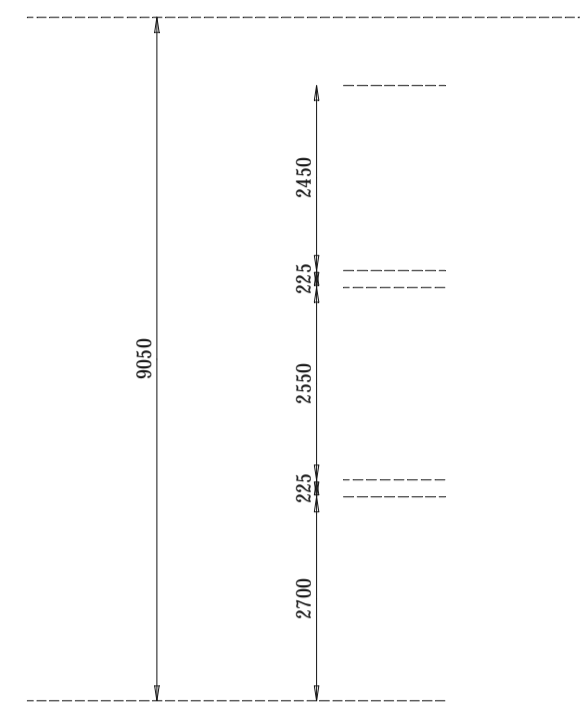
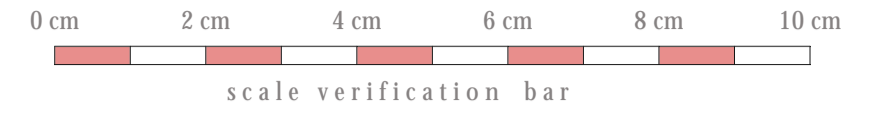
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13/09/2017

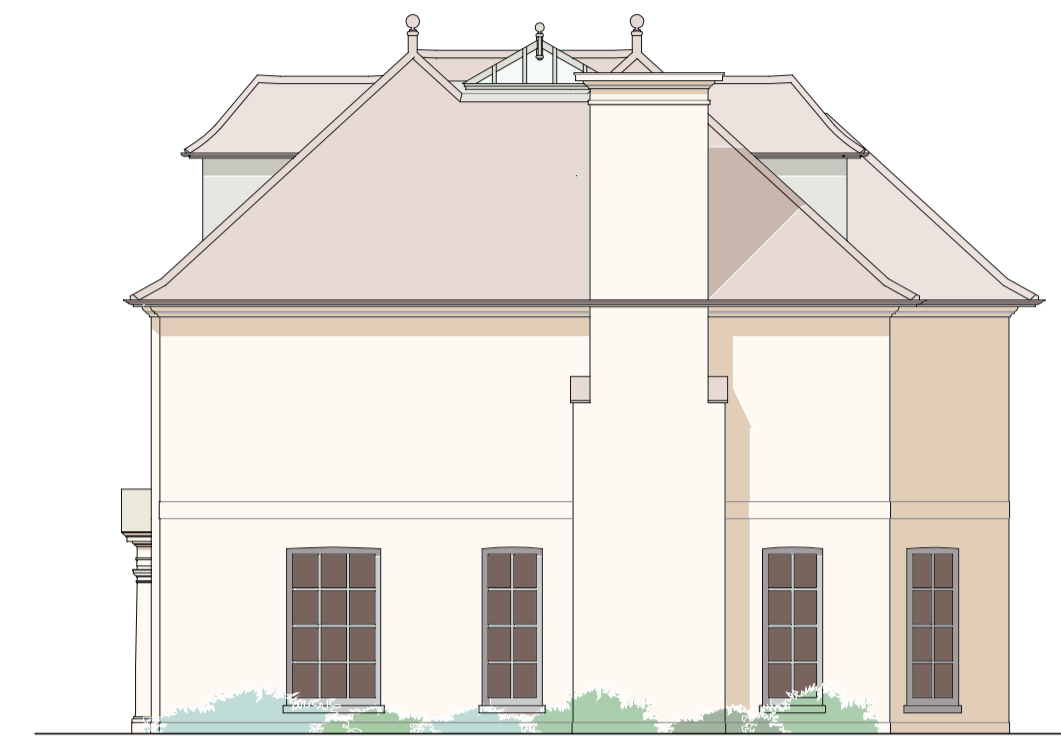
Rev A 22/01/2017 Drawing relates to House B only

8PW

P4 (A)



FRONT ELEVATION



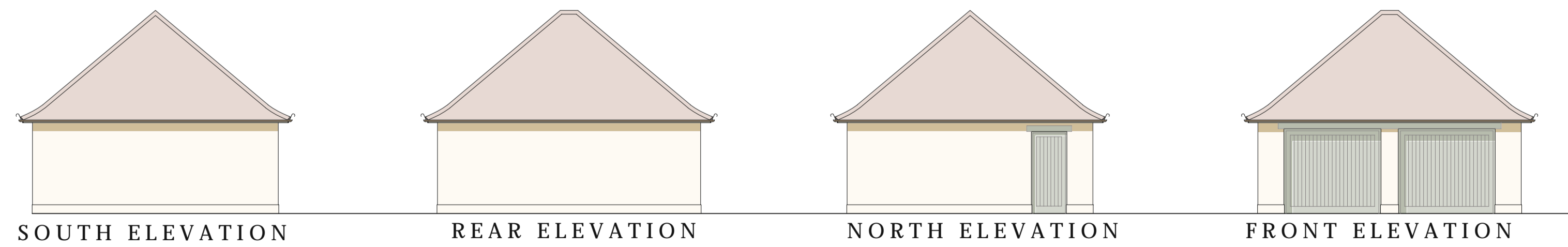
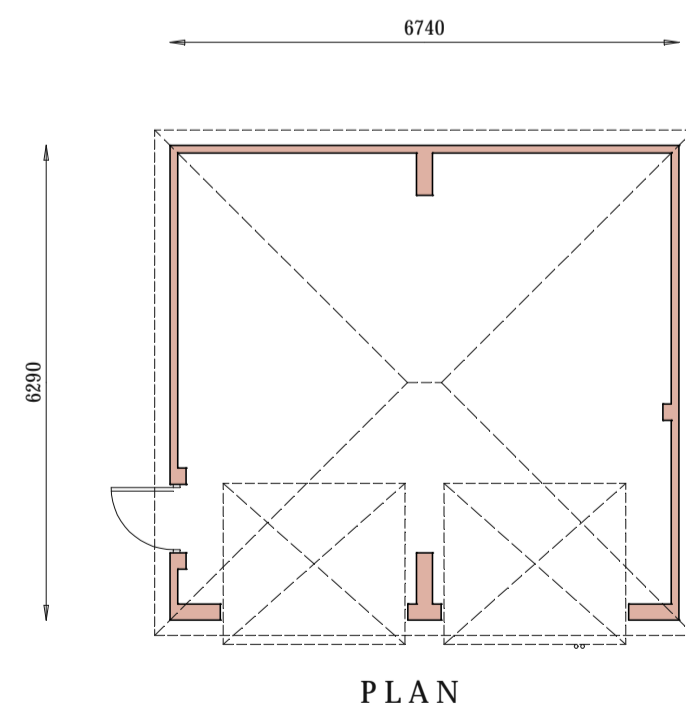
FLANK (EAST) ELEVATION



REAR ELEVATION



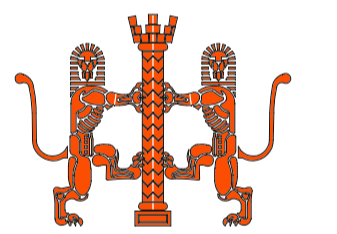
FLANK (WEST) ELEVATION



SOUTH ELEVATION REAR ELEVATION NORTH ELEVATION FRONT ELEVATION

PROPOSED GARAGES

scale 1:100



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Proposed Houses
to rear of
8 PILGRIMS WAY
REIGATE RH2 9LG
for GALAXY Ltd

HOUSE A
ELEVATIONS

scale 1:100 22/01/2018

8PW P8

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 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	21 March 2018
	REPORT OF:	HEAD OF PLACES AND PLANNING
	AUTHOR:	Andrew Benson
	TELEPHONE	01737 276175
	EMAIL:	Andrew.benson@reigate-banstead.gov.uk
AGENDA ITEM:	10	WARD: All

PURPOSE OF THE REPORT:	To consider and adopt the Local Enforcement Plan
RECOMMENDATIONS:	<ol style="list-style-type: none"> Note the content of the Local Enforcement Plan and approve its adoption
Planning Committee has authority to determine the recommendations.	

1.0 BACKGROUND

The Local Enforcement Plan was circulated to Members in draft towards the end of 2017 for comment following endorsement by the Development Management Advisory Group (DMAG). All comments received have been considered and, where appropriate, incorporated into the attached version. The Local Enforcement Plan will be an advisory document, capable of being a material consideration although it is not official policy and so does not require formal consultation or Executive approval.

2.0 STATUTORY PROVISION

There is no statutory provision although Local Enforcement Plans are encouraged by the National Planning Policy Framework 2012 which states at para 207: "Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so."

The purpose of this Local Enforcement Plan is therefore to manage planning enforcement in a way that is appropriate to the Borough of Reigate and Banstead. It

includes the target for investigations, priorities of different types of planning breaches, the measures that may be appropriate when it is necessary to take formal enforcement action and examples of where formal enforcement action is not considered expedient.

Whilst Local Enforcement Plans are able to set timescales for initial investigations, they are not appropriate for imposing timescales on the conclusion of breaches due to the different circumstances of each case and the various options open, such as seeking a regularisation or retrospective planning application. However other processes are in place to undertake this on a case-by-case basis.

3.0 CONSIDERATION

Response to the draft version circulated has been positive with the following updated to reflect responses received:

- Confidentiality of complainants clarified (Para 6.5)
- Suggestion for potential self-certification incorporated (Para 9.3)
- Various amendments to clarify information or explain in 'plain English'
- Incorporation of page numbers within Annexe 1 for cross-referencing purposes

Once adopted the Local Enforcement Plan will supersede the previous document setting out the strategy to enforcement within the Borough "A Review of the Strategy for Planning Enforcement 2007-2008".

Although not requiring formal consultation, the Plan states how comments can be made in order to inform its subsequent review which will occur as and when it is deemed appropriate.

4.0 RESOURCE IMPLICATIONS

The Plan helps set priorities and timescales to help deliver an effective enforcement service against current, finite, resources. It does not have any additional resourcing implications.

5.0 LEGAL IMPLICATIONS

There is no statutory requirement for the plan and would not form adopted policy for the purposes of decision making although it would be a material consideration. As such there are not considered to be any legal implications.

6.0 CONCLUSIONS

The Local Enforcement Plan will help the management of the planning enforcement service in a way appropriate to the Borough. It will assist in giving everyone involved in the planning process a better understanding of the processes, priorities and timescales involved and it is therefore recommended it be approved by the Planning Committee.

Background Papers: None



Reigate & Banstead Borough Council

Local Planning Enforcement Plan

2018

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Prosecution Options	
<ul style="list-style-type: none">• Injunctive Action• Formal Caution• Planning Enforcement Order• Direct Action• Proceeds of Crime (POCA)	
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1.0 INTRODUCTION

1.1 The National Planning Policy Framework states that:

“Effective enforcement is important as a means of maintaining public confidence in the planning system”.

1.2 In Reigate and Banstead we place great importance on protecting our built and natural environment from the harmful effects of unauthorised development to ensure the Borough remains a great place to live and work.

1.3 Planning is about regulating the use and development of land, having regard to the policies of the development plan whilst taking into account other material considerations. The Council has a duty to investigate allegations of breaches of planning control and it takes this responsibility seriously. We expect developers to carry out their development in accordance with the planning permission and comply with the conditions imposed upon the consent. Where unauthorised development occurs, we will aim to regularise this wherever possible; and to tackle harmful breaches of planning by formal enforcement action.

1.4 We recognise that the use of enforcement powers is discretionary and cannot be used just to punish people who fail to comply with planning regulations. However we also believe that the integrity of the whole planning system depends on the Council being prepared to take effective enforcement where that action is justified. The public will lose confidence in the planning system if unauthorised development is allowed to proceed without the Council taking any action.

1.5 In our approach to planning enforcement we are mindful of the advice within the National Planning Practice Guidance which explains the options for Local Planning Authorities in considering breaches of planning control. This includes the guidance contained within the National Planning Policy Framework which suggests that local planning authorities should act proportionately in responding to suspected breaches of planning control, including the expediency of action.

1.6 The purpose of this Local Enforcement Plan is to manage planning enforcement in a way that is appropriate to the area and set out how the Council will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so. This includes the target for investigations, priorities of different types of planning breaches, the measures that may be appropriate

when it is necessary to take formal enforcement action and examples of where formal enforcement action is not considered expedient.

2.0 PRINCIPLES OF PLANNING ENFORCEMENT

- 2.1 We will consider what the most appropriate response is when we investigate reports of suspected planning breaches. It may be that matters can be resolved by the submission of a retrospective planning application or by negotiating the ending of a use in a reasonable timescale. Where there is significant harm being caused we will consider taking immediate enforcement action. A willingness of the party being investigated to cooperate may direct the choice of response to a breach.
- 2.2 We will liaise with our Legal team and seek to prosecute parties who ignore the Council when formal notices are not complied with voluntarily and we will take direct action if this is the appropriate action.
- 2.3 Our objective is to act fairly, consistently and transparently when investigating cases.
- 2.4 We are happy to discuss cases with all parties with an interest in a case although there may be instances where matters of privacy prevent disclosure.
- 2.5 We will work with parties with a view to securing a satisfactory conclusion, including considering the options open to both sides.
- 2.6 The Council has a duty of care to all its employees and it will not accept that its officers should be subject to abusive language, threats or unacceptable behaviour.

3.0 WHAT CONSTITUTES A BREACH OF PLANNING CONTROL?

- 3.1 Section 55 of the Town and Country Planning Act 1990 defines development as 'the carrying out of building, mining, engineering or other operation in, on, under or over land, or the making of any material change in the use of any buildings or other land'.
- 3.2 Section 171A of the Act establishes that the carrying out of development without the required planning permission and the failure to comply with any condition or limitation, subject to which planning permission has been granted, constitutes a breach of planning control.

- 3.3 The only exception to this is development 'permitted' under the General Permitted Development Order which sets out (subject to conditions and restrictions) what development can be carried out without the need to submit a planning application.
- 3.4 It is not a criminal offence to carry out development without first obtaining planning permission for it, but it may be a breach of planning control.
- 3.5 However there are exceptions to this, which are criminal offences which includes:
- Non compliance with an enforcement notice:
 - Illegal works to listed building or protected trees; and
 - Illegal display of advertisements.
- These offences can lead to prosecution from the outset.
- 3.6 Section 73A of the Act specifically provides that a grant of planning permission may relate to development carried out before the date of application. This is known as a retrospective planning application and these are dealt with in the same way as any other planning application.
- 3.7 The Act also establishes time limits on the ability of the Council to take enforcement action over a particular breach as follows:
- built development - the Council can take no action after 4 years from the date on which operations were substantially completed;
 - change of use to a single dwelling house – the Council can take no action 4 years from date of change;
 - all other changes of use – the Council can take no action 10 years after the date of change;
 - failure to comply with planning conditions – the Council can take no action 10 years from the date that the condition is breached or not complied with.
- 3.8 In all of the above cases the time limits mean that a development would be immune from enforcement action provided that the Council has not taken any action within the prescribed period. However, section 171BA allows Councils to seek a 'Planning Enforcement Order' if deliberately concealed breaches of planning control have occurred. Planning enforcement orders can be applied for at the Magistrates Court whether or not the time limits stated above have expired.
- 3.9 In considering any enforcement action, the decisive issue for the Council is whether the breach of control has an unacceptable impact in planning terms 'the expediency test'.

- 3.10 Enforcement action should always be commensurate with the breach of planning control to which it relates (for example, it is usually inappropriate to take formal enforcement action against a trivial or technical breach of control which causes no harm to amenity in the locality of the site). Enforcement action should usually only be taken where the development is contrary to both local and national planning policies.
- 3.11 Where the Council's initial attempt to persuade the owner or occupier of the site voluntarily to remedy the harmful effects of unauthorised development fails, negotiations should not be allowed to hamper or delay whatever formal enforcement action may be required.

4.0 TYPES OF ENFORCEMENT COMPLAINT TO THE COUNCIL

- 4.1 It is important to define what is viewed as an enforcement complaint. In this context, a complaint is considered to be a notification to the Council of a possible breach of planning control. Reflecting the diverse nature of planning enforcement within the authority, breaches are likely to consist of the following:
- the carrying out of development where no planning permission exists;
 - the carrying out of development which deviates from that which has been granted planning permission;
 - the breach of a condition imposed under an extant planning permission;
 - the unauthorised display of advertisements;
 - unauthorised works to a listed building;
 - unauthorised works to a protected tree; and,
 - untidy land issues.
- 4.2 It is also important to stress that, at the outset, all complaints relate to alleged breaches of control and it is for the investigating officer to determine whether the breach exists in reality.
- 4.3 Some complaints which are received by the Planning Enforcement Team are not matters covered by planning and/or there may be more effective measures to resolve the complaint using other legislation. Examples include works on the highway, or dangerous structures or problems of noise and smells. The Team will try to pass such complaints on to the most appropriate body to deal with the problems and may carry out joint visits where a matter crosses various authorities. The objective is to achieve the most speedy and effective resolution to the problems at hand.

5.0 HOW DO WE PRIORITISE OUR RESPONSE?

5.1 In order to act effectively the Planning Enforcement Team prioritises enforcement complaints based on the likely extent of harm and permanence. Standard response times for investigating alleged breaches of control are set out below within Table 1.

TABLE 1: Prioritisation and target response times for investigation of potential breaches of planning control

NATURE OF BREACH	TARGET RESPONSE TIME	PRIORITY
<ul style="list-style-type: none"> • Activities that have the potential to cause irreparable harm to the environment, especially sensitive sites such as Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty etc. • Unauthorised works to a listed building. • Unauthorised works to protected trees. (Trees subject to Protection Orders and Trees in Conservation Area) 	<p>As soon as possible (and at least within 1 working day)</p>	<p>1</p>
<ul style="list-style-type: none"> • Activities resulting in some disturbance and loss of amenity to third parties. • Activities that are likely to be adversely affecting the environment, but not irreparably. • Breach of planning condition • Change of use • Unauthorised works to listed buildings or protected trees where those works have ceased. 	<p>Within 5 working days</p>	<p>2</p>
<ul style="list-style-type: none"> • Minor breaches of condition. • Activities causing minimal disturbance to third parties, if any. • Unauthorised advertisements. • Untidy land issues. • Business from home 	<p>Within 10 working days</p>	<p>3</p>

- 5.2 Whilst the above table indicates the priority response time for investigating reported planning breaches, it should be noted that the time for resolution will vary depending on the nature of any action undertaken. Where resolution involves an appeal to the planning inspectorate or prosecution through the courts, breaches can take months or even years to resolve.

6.0 HOW WE DEAL WITH REPORTED BREACHES

Reporting a suspected breach

- 6.1 Breaches of planning control can be made by e-mail, post, or via the Council's website:

Website: http://www.reigate-banstead.gov.uk/homepage/76/report_it

E-Mail: planning.enforcement@reigate-banstead.gov.uk

By Post:

**Planning Enforcement
Reigate & Banstead Borough Council
Town Hall
Castlefield Road
Reigate
Surrey
RH2 0SH**

- 6.2 The following list includes some of the things we do not investigate (but that people may think we do): The carrying out general maintenance and improvement works which only affect the interior of a building (unless it is a Listed Building); Works which do not materially alter the appearance of a building (unless it is a Listed Building); Boundary disputes between neighbours; Property and land ownership issues which are not planning related; Persistent complaints which have previously been investigated and resolved; Vexatious or malicious complaints; Breaches of covenants between landowners; Loss of views; Competition between businesses; or Trespass. It may be possible to address issues such as these by way of civil action although this is a matter for the individual to pursue and is not an area where the Council would be involved.
- 6.3 See 6.5 below. It is Council policy to treat anonymous calls or letters as the lowest priority and may not be investigated. We ask that all enforcement service requests are made in writing. This helps us monitor the number and type of cases received and may be useful later on if formal action is pursued. During an enforcement investigation, the identity of a complainant is kept confidential, so you may write to the Council with confidence. If however the enforcement investigation proceeds to prosecution it may be necessary to

reveal the Court the complainants details. However, where a telephone message is initially received relating to a potentially urgent and serious transgression that is likely to result in irredeemable harm (for example, works to a listed building or works to protected trees), it is at the officer's discretion whether or not to waive the need for a complaint to be made in writing.

Keeping customers informed

- 6.4 Procedurally, every reported breach received by the Council is logged so that a permanent record is kept. The logging of complaints enables officers to ensure that all complaints are followed up and action is taken as appropriate. It also enables officers to ensure that all complainants are kept informed of the outcome of their complaint, where this is deemed appropriate.
- 6.5 Anonymous complaints will not normally be investigated but all complaints shall be treated on a confidential basis, unless the complainant gives express authorisation for his/her identity to be revealed. This is subject to compliance with the requirements of The Freedom of Information Act and The Data Protection Act.
- 6.6 When complaints are received the following targets apply:
- a) Within 3 working days - acknowledgement to complainant.
 - b) Within 10 working days of the first site inspection - The complainant will be notified of initial findings.
 - c) When an enforcement notice or other formal action has been authorised, we will let the complainant know within 10 working days.
 - d) When the case is closed - we will inform the complainant of the outcome within 10 working days.

What happens next?

- 6.7 Once a complaint has been received an investigating officer will be allocated to the case, who will, establish the planning history, and then make a site visit as required in accordance with the timescales set out above.
- 6.8 If it is found that a breach of control has occurred a decision on how to pursue the case will be taken. Please see the flowchart in Appendix 1 for information.

No breach has occurred

- 6.9 Many of the complaints we receive reveal that there is in fact no breach of planning regulations taking place. The suspicions may be unfounded, or the works that are taking place do not need planning permission. Works may

constitute permitted development, or planning permission may already have been granted.

- 6.10 The complainant will be notified of the outcome of the investigation and either the case will be closed, or what further action will be taken / is proposed

Expediency of action

- 6.11 If a breach is found to have occurred a decision will need to be made regarding the expediency of taking formal enforcement action. Enforcement action will only be taken where it is in the public interest to do so and the serving of an enforcement notice will usually be a last resort.

- 6.12 In addition to cases where a use or development is lawful through the passage of time (see paragraph 3.7), Government guidance advises that enforcement action not normally be in the public interest where:

- there is a trivial or technical breach of control which causes no material harm or adverse impact on the amenity of the site or the surrounding area;
- development is acceptable on its planning merits and formal enforcement action would solely be to regularise the development;
- in their assessment, the local planning authority consider that an application is the appropriate way forward to regularise the situation, for example, where planning conditions may need to be imposed.

- 6.13 In such cases the person responsible for the breach may be invited to submit a retrospective application to regularise the development. The timeframe given for this will vary depending on the complexity of the issue given this will dictate the level of information required to accompany an application. However, it is not an offence to carry out development without first obtaining planning permission and there are cases where negotiation does not work and an application to regularise is not forthcoming. In such cases the full circumstances of the case will be considered but it is seldom practical to serve an enforcement notice purely because an application to regularise the unauthorised development has not been forthcoming. This is because the National Planning Practice Guidance cites the issue of an enforcement notice being issued purely on the ground that an application has not been submitted to regularise a proposal as an example of unreasonable behaviour when costs may be awarded against a Council.

- 6.14 If an application to regularise has not been forthcoming within the prescribed period but enforcement action is not deemed expedient then full written justification for this approach will be captured on the enforcement case file (and reported to the Chairman and Ward Members).

Cases needing further investigation

- 6.15 Sometimes an initial site visit is not conclusive, for example, where it is necessary to establish the exact way that a use is operating and what the impact is. Often the question of whether a change of use has occurred is a matter of fact and degree where judgements as to intensity of usage have to be assessed. This may involve monitoring activity levels over a period of time or liaising with other agencies and departments to see if they are able to take action to resolve a problem. It is not always possible for officers to keep a regular check on sites. Where breaches are intermittent, we will on occasions, ask residents to keep a diary or log of activity levels in order to build a picture of how a use is operating and what its effects are. This is to ascertain whether the activity amounts to a breach of planning control.
- 6.16 One of the tools available to gather information regarding a suspected breach is for the Council to serve a Planning Contravention Notice which requires the recipient to provide information, such as when a use commenced (and what that use entails) or when the building was completed. This investigatory stage can take a number of weeks/months as we establish whether there is a breach, and if there is, what the appropriate action the Council should pursue.

Retrospective Planning permission

- 6.17 The Town and Country Planning Act states that it is not an offence to carry our work without first obtaining planning permission and explicitly allows planning applications to be submitted retrospectively.
- 6.18 We will not invite the submission of a retrospective application if it is considered that planning permission is unlikely to be granted, for example if the proposal is clearly contrary to planning policy. However, it is the applicant's right to submit an application if they wish. The only time where this option may be closed is where an enforcement notice has already been served against the development to which the application relates. In such cases the Council has discretion to decline to determine such applications, especially if it is used as a means of delay to resolve such matters. However, each case would be judged on its individual merits.

Negotiating an Acceptable Outcome

- 6.19 Where a breach has occurred and it is considered that the development is unacceptable the enforcement team will normally try to resolve the matter without recourse straight to enforcement action, unless it is clear that irreparable or significant harm is being done to amenity. We will seek to persuade the person responsible for the breach to either reduce or stop the

development that is causing a problem or to modify the development in a manner that would make it acceptable.

- 6.20 We will conduct negotiations in a positive manner and will seek to achieve a resolution within a realistic timescale, based on the works involved to make the breach acceptable. However, where negotiations fail to reach a satisfactory conclusion or become unduly protracted, then the Council will not hesitate to take formal planning enforcement action, using all the powers open to it, including the use of Temporary Stop Notices to stop breaches escalating.

7.0 FORMAL ENFORCEMENT POWERS

- 7.1 There are a number of different notices and/or actions that are able to be taken by the Local Planning Authority. These can be summarised as follows:

- Enforcement Notice
- Breach of Condition Notice
- Stop Notice
- Temporary Stop Notice
- Section 215 Notice

Prosecution options

- Injunctive Action
- Fines
- Formal Cautions

Enforcement Notice

- 7.2 An Enforcement Notice is issued in the majority of cases where formal enforcement action is taken. It specifies the breach and sets out prescriptive steps, with specific timescales, for remedying the breach. A notice can be served in respect of:

- operational development
- material change in use of land,
- breach of a condition attached to an extant planning permission.

- 7.3 Such a notice must be served on the owners, occupiers and all other parties with an interest in the land that is materially affected by the service of the notice. In order to ascertain the parties against whom the Enforcement Notice should be served, a Planning Contravention Notice (PCN) is often issued. A person who is served with a PCN has 21 days to reply and faces a fine of £1,000 for failing to complete and return the Notice and a fine of up to £5,000 for knowingly providing false information. This notice is also entered onto the

local land charges, and is disclosed in the event that the land is sold or changes ownership, as the notice remains in place

- 7.4 It is important that the wording of the enforcement is clearly and carefully drafted in order to justify the taking of enforcement action. Officers will produce a report to justify, in planning terms, the taking of enforcement action, having due regard to all material planning considerations, weighing such matters as the human rights of those being enforced against, against the harm being caused by the breach. The actions proposed within this report need to be authorised by delegated Senior Officers before being sent to the Council's Legal team to consider and draft the notice(s) ready to be served by the Planning Enforcement Team.
- 7.5 An Enforcement Notice must come into effect not less than 28 days after its date of issue. There is a right of appeal to the Planning Inspectorate, as set out under Section 174 of the Town and Country Planning Act 1990 (as amended) and such an appeal must be lodged before the notice comes into effect. Where an appeal is submitted, the requirements of the notice are held in abeyance until the appeal has been decided.
- 7.6 There are 7 grounds on which an Enforcement Notice can be appealed:
- a) That, planning permission ought to be granted for the works enforced against or if it relates to a breach of a condition that condition should be discharged
 - b) That the breach claimed has not occurred
 - c) That the matters being enforced against do not constitute a breach of planning control
 - d) That when the notice was served no enforcement action could be taken
 - e) That the enforcement notice was not served on all parties with an interest in the land
 - f) The steps required exceed what is required to remedy the breach or to remedy any injury caused by the unauthorised development
 - g) The period for compliance falls short of what is reasonably required to be allowed.
- 7.7 Failure to comply with the requirements of an Enforcement Notice is a criminal offence which is liable, on summary conviction, to a fine not exceeding £20,000 per offence, or on conviction on indictment to an unlimited fine.
- 7.8 Section 173A of the Town and Country Planning Act 1990 gives Local Planning Authorities the power to withdraw an Enforcement Notice issued by them. Equally, the Planning Authority may relax or waive any of the requirements of the notice or extend the time for compliance. This can be done both before and after the notice has taken effect and all parties to the Notice will be informed.

Listed Building Enforcement Notice

- 7.9 This is very similar to the Planning Enforcement Notice in that it specifies the unauthorised works to the relevant listed building, specifying requirements to take to remedy the harm within a set timescale. It can be served on its own – for example, where unauthorised works to a listed building only required listed building consent and did not require planning permission – or it can be served in conjunction with a Planning Enforcement Notice. As with the planning notice, there is a right of appeal against the Listed Building Enforcement Notice, with the appeal having to be made before the notice takes effect.
- 7.10 Works to a listed building without the appropriate consents is a criminal offence. A local planning authority has also been given an express power to apply to the court for an injunction where it considers it necessary or expedient to restrain any actual or apprehended breach of planning control. The power is available whether or not the authority has exercised or is proposing to exercise any of its powers to serve an Enforcement Notice.

Stop Notice

- 7.11 A Stop Notice can only be served with an Enforcement Notice, although the latter can be served on its own. The service of a Stop Notice is essential where the local planning authority considers it expedient to stop an activity before the associated Enforcement Notice comes into effect. It is used as a means of stopping development that is likely to result in irreparable harm to the environment or where ongoing activities are causing a major adverse impact on the amenity of adjoining landowners.
- 7.12 There is no right of appeal against a Stop Notice. An appeal against an Enforcement Notice will hold the requirements of that notice in abeyance, but the requirements of the Stop Notice to cease a particular activity remain effective. However, because a Stop Notice is preventing an activity from continuing, there is a risk that a claim for compensation could be made against the local planning authority.
- 7.13 Non-compliance with the requirements of a Stop Notice is an offence, punishable by a maximum fine on summary conviction of £20,000 and, on conviction on indictment, to an unlimited fine.

Temporary Stop Notice (TSN)

- 7.14 This notice can be served where an activity or any part of it must be stopped immediately. The Temporary Stop Notice can only stop the activities for a limited time, while the Council decide whether or not to take further

enforcement action. A TSN only lasts for 28 days. The notice has takes effect immediately from the date a copy is displayed on site and is usually used as an emergency measure to cease development that poses immediate harm to its local amenities.

- 7.15 It is an offence to contravene a TSN after a site notice has been displayed or the temporary stop notice has been served. (Section 171E(4) of the 1990 Act), failure to comply with the TSN is an offence and can result in immediate prosecution in the Magistrates' Court, for which the maximum penalty is £20,000 on summary conviction for a first offence and for any subsequent offence. The fine on conviction or indictment is unlimited.

Breach of Condition Notice

- 7.16 A Breach of Condition Notice (BCN) may be served where there has been a breach of a condition that is attached to an extant and implemented planning permission. There is no right of appeal against the service of such a notice, although it can be challenged by way of applying to the High Court for judicial review. The BCN will set out the necessary remedial action to ensure compliance with the condition being breached, it takes effect immediately with a minimum period of 28 days for compliance.
- 7.17 There are advantages and disadvantages to serving a BCN over an Enforcement Notice, and these are set out in detail within 'Enforcing Planning Control: Good Practice Guide for Local Planning Authorities'. However, where there is concern about the validity of a condition, the local planning authority is best advised to issue an enforcement notice that cites a breach of condition, therefore allowing the transgressor a right of appeal. This would prevent the need for a judicial review and likely costs arising from it.
- 7.18 The penalty for breaching the requirements of a BCN is a maximum fine on conviction of £2,500.

Section 215 Notice

- 7.19 Where the Local Planning Authority is concerned about the condition of land or buildings, and where that condition is considered to be adversely affecting amenity, the Council is able to issue a notice under Section 215 of the Town and Country Planning Act 1990. This is sometimes known as an 'untidy land' notice. Not only can it require land or buildings to be tidied, it can also require the demolition of derelict buildings. It should be noted that the land in question should be visible from public vantage points and have an adverse impact on the amenity of the area for a Section 215 Notice to be served. There is a right of appeal against such a notice, but this is made to the Magistrates' Court.

PROSECUTION OPTIONS

7.20 The Council recognises the use of the criminal process to institute a prosecution as an important part of enforcement once other options have been explored without success. Before embarking upon prosecutions we need to be satisfied that there is a realistic chance of securing a conviction and also that the prosecution is in the public interest.

7.21 Failure to comply with Enforcement Notices constitutes a criminal offence. In addition, the carrying out of unauthorised works to listed buildings and demolition of unlisted buildings in a conservation area are also criminal offences in their own right. Unauthorised works to protected trees whether they are covered by Tree Preservation Orders, or non protected trees in conservation areas, are also a criminal offence. There are powers to prosecute persons who illegally display advertisements although we will normally offer the opportunity to remove any illegal advertisements. It is also open to the Council to remove/obliterate illegally displayed advertisements.

Injunctive Action

7.22 Where the local planning authority deems it expedient to restrain any actual or apprehended breach of planning control it may apply to the High Court or the County Court for an injunction. Such an application can be made whether or not the local planning authority has exercised, or proposes to exercise, any of its powers to enforce planning control. The taking of such action is not to be taken lightly, but is critical where ordinary enforcement powers are unlikely to stop unauthorised activities.

7.23 Failure to comply with the terms of an injunction is in contempt of court. The court has discretion to imprison anyone found to be in contempt, or to administer an unlimited fine.

Formal Caution

7.24 The Local Planning Authority will consider Formal Cautions as an alternative to prosecution. Examples of where they may be appropriate are:

- to deal quickly and simply with less serious offences;
- to divert less serious cases away from the court process;
- to deter repeat offences.

7.25 Before a caution is administered the officer will ensure:

- there is evidence of the offender's guilt sufficient to sustain a prosecution;
- the offender admits the offence;
- the offender understands the nature of the formal caution and agrees to be cautioned for the offence.

7.26 Formal cautions are administered in accordance with Home Office guidelines.

Planning Enforcement Order

7.27 Section 171BA of the Town and Country Planning Act 1990 allows a local planning authority that discovers an apparent breach of planning control to apply to a magistrate's court for a planning enforcement order, within six months of discovery. That order allows the authority an 'enforcement year' in which to take enforcement action, even after the time limits in section.171B of the *Town and County Planning Act 1990* have expired.

7.28 Planning enforcement orders can only be made by a magistrate. In assessing the local authorities application for a planning enforcement order the magistrate's court may make a planning enforcement order only if it is satisfied, on the balance of probabilities, that the "actions of a person or persons have resulted in, or contributed to, full or partial concealment of the apparent breach or any of the matters constituting the apparent breach. The court must also consider the application just to make the order.

Direct Action

7.29 Where the requirements of an enforcement notice or a Section 215 Notice has not been complied with, it is open to the Council to enter the land and take the steps to remedy the harm and recover from the owner of the land any expenses incurred.

Proceeds of Crime Act (POCA)

7.30 Where an operator has benefited financially from unlawful development/uses and has sufficient realisable assets the Council may seek an application under the POCA legislation to allow for the confiscation of assets equivalent to the value achieved through the unlawful development.

8.0 PROCESS AND TIMESCALES

8.1 Any reported breaches will be investigated in accordance with the timescales contained within Table 1. If a breach is found to have taken place then,

consideration will be made as to the most effective enforcement options available, depending on the nature of the breach.

- 8.2 The original complainant will be kept informed as per the timescales set out in paragraph 6.6
- 8.3 Where a retrospective application is invited, 28 days will normally be allowed for submission of the application although a longer period may be accepted if the application will require more complex plans or reports to be prepared/undertaken.
- 8.4 On expiration of the agreed period for application submission, if no application is received, a decision will be made on the expediency of taking action (please see flow chart in Appendix 1).
- 8.5 If formal enforcement action is required, following initial investigations, the time period for issuing a notice will depend on a number of factors such as: the priority of the breach, the degree of harm and risk of immunity, the time required to collect all necessary information and undertake the legal processes to serve.
- 8.6 There are strict time limits for service of copies of the enforcement notice. The legislation states that the service of a notice shall take place:
- (a) not more than 28 days after its date of issue; and
 - (b) not less than 28 days before the date specified in it as the date on which it is to take effect
- The enforcement notice must specify the date on which it comes into effect; after which date no appeal can be submitted. The enforcement team will then serve Notice on the offender either by recorded delivery post, by the erection of the notice in a prominent position on site, or in person or hand delivery to the address where the breach is occurring, or a variation of all these methods whichever is deemed to be appropriate. Once the notice takes effect the owner of the site will have a specified time limit (usually between 28 days and 12 months) to carry out the required works
- 8.6 An appeal can be made by the offender to the Secretary of State (via the Planning Inspectorate). The Inspectorate appoint an independent Inspector to deal with the matter in much the same way as a planning appeal against the refusal of planning permission is dealt with. If an appeal is lodged then the Notice is suspended while the appeal is being determined. The timescale is then dependent on the Planning Inspectorate but more complex enforcement appeals can take over a year to be heard/concluded.

- 8.7 If an appeal has been lodged and is dismissed by the Inspector or if the offender has not chosen to appeal, then the Council will monitor the breach during the compliance period. If full compliance is achieved then no further action will be taken. However, if the offender does not comply with the Notice by the expiry of the compliance period then work will commence on preparing evidence to support prosecution, direct action or an injunction as deemed appropriate.

9.0 MONITORING IMPLEMENTATION OF PLANNING PERMISSIONS

- 9.1 Once planning permission is granted, it may be necessary to get formal approval of any details required by conditions. It is therefore imperative that land owners carefully read their permission once it is received ensuring that works do not commence on site in breach of planning conditions.
- 9.2 The onus is on the land owner or developer to make sure that all the necessary consents are in place before work starts, and to make sure that all the conditions are complied with. The Development Management department do not write to developers reminding them of their responsibility to discharge conditions.
- 9.3 There is currently no requirement to inform the Development Management Team when work will start on site, however, developers will have to notify the Council's Building Control Service (Southern Building Control) that they are going to start building works. There may be occasions where land-owners are asked to self-certify the development or uses for which they have consent and we will actively seek to adapt our procedures whenever necessary when new reoccurring breach trends occur
- 9.4 If conditions have not been discharged or contributions not paid, a new investigation is opened and conducted in accordance with the process set out above.

10.0 REVIEW OF THE LOCAL ENFORCEMENT PLAN

- 10.1 The Council will review this plan from time to time and at least every five years, in response to changes in legislation, relevant enforcement guidance and the Council's procedures.
- 10.2 This document is not subject to formal public consultation. However, comments on this document will be welcomed and will be considered as part of the review

process, (please email comments to planning.enforcement@reigate-banstead.gov.uk).

11.0 COMPLAINTS

11.1 If you have any queries or concerns regarding the procedures undertaken as part of a planning enforcement investigation, these should be discussed initially with the Enforcement Case Officer who can advise the reasons for the steps taken and discuss whether other options are available.

11.2 We do however recognise that there will be instances where customers remain dissatisfied with the process undertaken. To deal with such circumstances the Council does operate a formal complaints process, details of which can be viewed at <http://www.reigate-banstead.gov.uk/info/20314/complaints>

12.0 USEFUL CONTACT DETAILS

Contact Us:

Planning Enforcement Team
Development Management
Reigate and Banstead Borough Council
Town Hall
Castlefield Road
Reigate
Surrey
RH2 0SH

Web: www.reigate-banstead.gov.uk/info/20043/planning/99/planning_enforcement

Email: Planning.enforcement@reigate-banstead.gov.uk

Useful Web Links

The National Planning Practice Guidance gives a useful overview of planning enforcement:

<https://www.gov.uk/guidance/ensuring-effective-enforcement>

The Planning Portal provides basic information on Permitted Development rights & the ability to submit a planning application online:

www.planningportal.gov.uk

APPENDIX 1: FLOWCHART OF ENFORCEMENT PROCESS

