

# Agenda

## Planning Committee

Wednesday, 9 February 2022 at 7.30 pm

New Council Chamber, Town Hall, Reigate



This meeting will take place in accordance with Government guidance. The Committee will assemble at the Town Hall, Reigate. Members of the public, Officers and Visiting Members should attend remotely.

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### Members:

#### S. Parnall (Chairman)

M. S. Blacker  
G. Adamson  
J. Baker  
Z. Cooper  
R. Harper  
A. King  
F. Kelly

J. P. King  
S. A. Kulka  
S. McKenna  
R. Michalowski  
R. Ritter  
C. Stevens  
S. T. Walsh

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Published 09 February 2022

## Substitutes:

<b>Conservatives:</b>	R. Absalom, A. C. J. Horwood, J. Hudson, M. Tary and R. S. Turner
<b>Residents Group:</b>	R. J. Feeney, P. Harp, N. D. Harrison and C. T. H. Whinney
<b>Green Party:</b>	J. Booton, P. Chandler, J. C. S. Essex, S. Sinden and D. Torra
<b>Liberal Democrats</b>	M. Elbourne

**Mari Roberts-Wood**  
Head of Paid Service

**1. Minutes** (Pages 7 - 8)

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

**2. Apologies for absence**

To receive any apologies for absence.

**3. Declarations of interest**

To receive any declarations of interest.

**4. Addendum to the agenda** (To Be Tabled)

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

**PLANNING APPLICATIONS:**

**NOTES:**

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

To consider the following applications :

**5. 21/02485/OUT - Collingwood Batchelor, 46-48 Victoria Road, Horley** (Pages 9 - 42)

Additional floors to accommodate up to 34 residential dwellings, as amended 10/1/21 and 12.11.21.

**6. 21/00429/CU - Land and City Families Trust, Old Pheasantry, Merrywood Grove, Lower Kingswood** (Pages 43 - 72)

Change of use of part of the building to a school. As amended on 28/04/2021 and on 24/05/2021.

**7. 21/02009/F - Eversfield, 56 Reigate Road, Reigate** (Pages 73 - 96)

Extension of Care Home to increase the number of bedrooms by 16 with associated internal and external works.

8. **A) 21/00468/F and B) 21/00469/LBC - The Omnibus Building, Lesbourne Road, Reigate** (Pages 97 - 118)
- External alterations comprising 9no. dormer windows at second floor level. As amended on 12/08/2021.
9. **21/02420/F - Marketfield Court, 15 Marketfield Way, Redhill** (Pages 119 - 132)
- Application for planning permission to provide a roof extension containing three 2 bedroom apartments.
10. **21/02357/F - Garage block to the rear of 25 Albury Road, Merstham** (Pages 133 - 158)
- Demolition of garages and erection of two detached dwellings.
11. **21/03038/HHOLD - 17 Vogan Close, Reigate** (Pages 159 - 166)
- Proposed first floor rear extension and side extension, and the addition of a first floor side facing window to existing dwelling.
12. **21/03016/F - HMP High Down, Highdown Lane, Banstead** (Pages 167 - 186)
- Please Note: Access to the details of the scheme is restricted, and plans cannot be viewed without authorisation due to potential security threat of publication.
- New single storey workshop facility and relocation of existing dog kennels. As amended on 20/12/2021.
13. **Development Management Quarter 3 - 2021-22 Performance** (Pages 187 - 190)
- To inform members of the 2021/22 Q3 Development Management performance against a range of indicators.
14. **Exempt Business - relating to item 12**
- RECOMMENDED** that members of the Press and public be excluded from the meeting for part of item 12 under Section 100A(4) of the Local Government Act 1972 on the grounds that:
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
15. **Any other urgent business**
- To consider any item(s) which, in the opinion of the Chairman, should be considered as a matter of urgency.



### **Our meetings**

As we would all appreciate, our meetings will be conducted in a spirit of mutual respect and trust, working together for the benefit of our Community and the Council, and in accordance with our Member Code of Conduct. Courtesy will be shown to all those taking part.



### **Streaming of meetings**

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**Notice is given** of the intention to hold any part of this meeting in private for consideration of any reports containing "exempt" information, which will be marked accordingly.

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## BOROUGH OF REIGATE AND BANSTEAD

### PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held at the New Council Chamber - Town Hall, Reigate on 15 December 2021 at 7.30 pm.

Present: Councillors S. Parnall (Chairman), M. S. Blacker (Vice-Chair), G. Adamson, J. Baker, Z. Cooper, A. King, J. P. King, S. A. Kulka, S. McKenna, R. Michalowski, R. Ritter, C. Stevens, S. T. Walsh and R. Absalom (Substitute).

Also present: Councillors R. Harper and Booton.

#### 63. MINUTES

It was **RESOLVED** that the minutes of the meeting held on 24 November 2021 be approved as a correct record.

#### 64. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Kelly, Councillor Absalom attended as his substitute.

Councillor Harper attended the meeting virtually and was therefore unable to vote.

#### 65. DECLARATIONS OF INTEREST

There were none.

#### 66. ADDENDUM TO THE AGENDA

**RESOLVED** that the addendum be noted.

#### 67. 21/01458/F - HOCKLEY INDUSTRIAL CENTRE, HOOLEY LANE, REDHILL

The Committee considered an application at Hockley Industrial Centre, Hooley Lane, Redhill for the partial demolition of existing buildings and erection of four apartment blocks comprising 68 dwellings with associated parking and landscaping.

A site visit took place on Saturday 11 December 2021 and the attending Officer, Michael Parker, was thanked for his time.

**RESOLVED** that planning permission be **GRANTED** subject to S106 plus addendum changes and:

- I. Informative to specify the boundary treatment details shall include re-use of bricks from the frontage wall;
- II. Informative to encourage preservation of railway heritage assets across the site including the steps to the railway cottages,
- III. Amendment to the construction method statement condition requiring details of how the frontage wall will be stabilised.

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Planning Committee  
15 December 2021

Minutes

**68. 21/00495/OUT - R & C CAPSTICK LTD, BRITTLEWARE FARM BUILDING, NORWOODHILL ROAD, CHARLWOOD**

The Committee considered an application at R & C Capstick Ltd, Brittleware Farm Building, Norwoodhill Road, Charlwood for an Outline application for the demolition of existing buildings and the erection of 8 no. Dwellings with associated parking and amenity space, with all matters reserved except for access. (Revised application further to 20/00472/out (r and b) and mo/2020/0412 (mvdc). As amended 12/08/2021, on 21/10/2021 and on 22/11/2021.

**RESOLVED** that planning permission be **GRANTED** subject to conditions as per the recommendation and addendum and to the discharge of the existing Section 106 agreement.

**69. 21/02591/F - 61 ALBERT ROAD NORTH, REIGATE**

The Committee considered an application at 61 Albert Road North, Reigate for the replacement of existing corrugated asbestos roof to industrial unit with insulated roof with integral roof lights.

**RESOLVED** that planning permission be **GRANTED** subject to conditions as per the recommendation.

**70. 21/02842/HHOLD - THE GLADE, 5A ALDERS ROAD, REIGATE**

The Committee considered an application at The Glade, 5A Alders Road, Reigate for the provision of photovoltaic panels on roof of garage.

**RESOLVED** that planning permission be **GRANTED** subject to conditions as per the recommendation.


**71. ANY OTHER URGENT BUSINESS**

There was none.

The Meeting closed at 8.42 pm



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 <p><b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate</p>	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	09 February 2022
	<b>REPORT OF:</b>	HEAD OF PLANNING
	<b>AUTHOR:</b>	Lesley Westphal
	<b>TELEPHONE:</b>	01737 276769
	<b>EMAIL:</b>	Lesley.westphal@reigate-banstead.gov.uk
<b>AGENDA ITEM:</b>	5	<b>WARD:</b> Horley Central and South

<b>APPLICATION NUMBER:</b>	21/02485/OUT	<b>VALID:</b>	29 September 2021
<b>APPLICANT:</b>	Collingwood Batchelor	<b>AGENT:</b>	SAACT Ltd
<b>LOCATION:</b>	<b>COLLINGWOOD BATCHELOR, 46-48 VICTORIA ROAD HORLEY, SURREY</b>		
<b>DESCRIPTION:</b>	<b>Additional floors to accommodate up to 34 residential dwellings, as amended 10/1/21 and 12.11.21</b>		
<b>DRAWING NUMBERS:</b>	All plans in this report have been reproduced, are not to scale, and are for illustrative purposes only. The original plans should be viewed/referenced for detail.		

## SUMMARY

This is an outline application, with all matters reserved, for the demolition of part of the existing and construction of an extended retail area and three floors of residential accommodation on the existing building at 46-48 Victoria Road comprising of 34 flats in a mix of sizes (11 x 1, 8 x 2 and 5 x 3 bedroom units) and including both private and affordable housing. This is a part two storey and part three storey building. The ground, first and second floors of the existing building are in retail use and the scheme proposes that the retail use would be retained on the ground and first floors with three floors of residential above.

The building is one of the finest within the town with attractive Victorian detailing and has been the flagship store of Collingwood Batchelor since opening there in 1968.

The re-configured ground floor of the building would include predominantly retail space with access, cycle parking and refuse storage for the proposed flats with a service entrance for the retail space. No car parking is proposed.

The first floor would be retail with the second floor predominantly residential and a small area being offices and staff facilities. The third and fourth floors would be entirely residential.

Having regard to the scale of development the indicative drawings suggest a tiered approach to the additional floors, with additional floors that broadly reflect the existing building in their design, with a flat roof. However this is an outline application where matters of design are reserved and to achieve a similar quantum of development it would be possible to achieve a different design approach with the upper floors set within a partly or fully pitched roof form.

The proposed development would have a significant scale on a prominent corner site in the town centre. Whilst its scale would not be out of character with the scale of development within nearby parts of Victoria Road, it would have a very different impact when viewed from the rear of the site and in the context of the more domestic scale buildings that lie on the opposite corner and side of Consort Way East. Given that the rear of the site is largely undeveloped by

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buildings and with the two storey former engine shed being the nearest building in proximity to the rear of the site, the scale of the proposal would be evident.

However this is an outline proposal and whilst the applicants have shown an illustrative scheme that retains the existing unique design of this site within the town centre, the scheme would undergo a significant change as a result of the additional development and the general mass of the scheme on the upper floors could be softened if they were included within a pitched tiled roof. Further consideration of the most appropriate design approach may demonstrate that a different treatment of the upper floors could reduce the apparent bulk and mass of the scheme. This is an outline application and such clarity is therefore unclear at present.

The submitted drawings illustrate that the proposed flats would be of an appropriate size and that each unit could be provided with adequate natural sunlight and daylight and with adequate outdoor amenity space for a town centre location.

The proposed development would be located a sufficient distance away from the neighbouring residential properties around the site so that the amenities of neighbouring residents would not be adversely impacted in terms of overshadowing, overlooking or a loss of privacy.

The proposals do not include any parking for residents. DMP Policy TAP1 requires development to provide appropriate levels of parking as set out in the parking standards in Annex 4 of the DMP unless satisfactory evidence is provided to demonstrate that non-compliance would not result in unacceptable harm. Such evidence could include on-street parking surveys, evidence of parking demand, and/ or further information on accessibility. Development should not result in unacceptable levels of on-street parking demand in existing or new streets. Annex 4 also states that a lower amount of parking may be appropriate within or adjacent to town centres

In this case, the applicants have provided evidence to show that the site benefits from good access to public transport facilities, and to a good range of shops and services. The application has been reviewed by the County Highway Authority who do not believe that the proposals would lead to unacceptable harm or unacceptable levels of demand for on-street parking due to the parking restrictions in the surrounding area and there is capacity within the nearby town centre car parks should it be required. For this reason and given the acceptance within Annex 4 of the DMP that a lower amount of parking may be appropriate within or adjacent to town centres, no objections are raised with regards to the lack of parking on the site.

The application would also provide 12 units of affordable housing which accords with the requirements of DMP Policy DES6. The mix and tenure of the affordable housing is considered acceptable. In the event that planning permission was to be granted, any permission would be subject to a legal agreement which would bring forward the affordable housing units.

The main starting point for the consideration of this scheme is that the proposal is within the urban area and a redevelopment of the site to provide a more effective and efficient use of the site and provide a residential development would be acceptable in principle.

Significant weight is given to the fact that a development of the scale proposed could demonstrate a significant contribution towards housing delivery, provide a type of housing within demand in the Borough and opportunity for economic growth. The applicants cite the scheme being critical to the continued operation of the store. Whilst it is agreed that the store is a great asset to the town, and we are advised that these works would aid the ongoing operation of the store in what are difficult trading circumstances, no evidence has been provided to demonstrate that the refusal of permission would lead to the closure of the store

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or that the grant of permission would lead to its ongoing retention. Furthermore, it is difficult to ensure this through any planning mechanism and so this argument is only given limited weight.

Concern has been expressed about the impacts of the bulk and mass of the scheme when viewed from some perspectives around the site. Whilst this is so, there are other examples of larger developments within the town and there is likely to be a process of gradual change and densification leading to taller buildings as with most centres such that this would not be harmful. The scheme would provide benefits in providing additional housing including affordable housing in a very sustainable location. On balance therefore it is considered that the benefits attached to additional housing are such that the scheme is considered acceptable and in accordance with the development plan.

## **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) A minimum of 30% of the dwellings be provided as affordable housing
- (ii) 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 1 August 2022 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 towards affordable housing provision within the Borough of Reigate & Banstead and is therefore contrary to policy DES6 of the Reigate and Banstead Development Management Plan 2019.

### **Consultations:**

#### Highway Authority:

The County Highway Authority has assessed the application on safety, capacity and policy grounds, and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway with respect of access, net additional traffic generation and parking. The County Highway Authority therefore has no highway requirements subject to conditions relating to the provision of bicycle parking, refuse storage arrangements, the provision of a construction transport management plan and the provision of a travel statement to include a travel information pack for future residents".

It is advised that the site is well within acceptable walking distance of a supermarket and other retail outlets and Horley Train Station which has links to central London and East Croydon and their range of education, employment, retail and leisure land uses.

#### SCC Lead Local Flood Authority:

Are satisfied that the proposed drainage scheme meets the requirements set out in the relevant technical standards, subject to conditions requiring details of the design of a surface water drainage scheme, and submission of a verification report.

#### Reigate and Banstead Planning Policy Team:

The application refers to a loss of retail floorspace although it is noted that Policy RET2, which was prepared before the new Class E, seeks to protect the retail frontage in town centres, which this scheme would maintain.

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It appears that the scheme would provide 12 affordable homes which would comply with the 30% requirement identified in the DMP Policy DES6 para 2b.

The Policy advises that the latest evidence of affordable housing needs in the borough identifies a need for 60% rented and 40% other affordable housing tenures and for 1,2 and 3 bedroom flats and houses. It would appear that the scheme would meet this requirement.

The scheme is in the heart of the town centre and in a highly accessible location. Policy TAP1 requires off street parking and provision of cycle parking. There is no parking included in the application and no evidence to indicate the applicant buying or leasing space elsewhere for future residents. A reduction in car parking in accessible town centres is permitted under this policy.

At the time of submission, the Council had just adopted a new Climate Change and Sustainable Development SPD providing a useful steer on the integration of different low carbon technologies for different developments. The application focusses on carbon reduction through the building fabric and use of electric heating systems rather than introducing additional renewable energy technologies. The Building Regulations are being updated which is likely to impact on future build outs as more stringent carbon reduction and ventilation standards would be applied. It may be prudent to plan for the changes as they could impact on the appearance of the proposal.

With reference to the concerns on climate change, this is in an outline scheme with matters of design reserved for future applications and this is not therefore considered of concern at this stage.

## Surrey Police:

To support the Building Regulations 2010, compliance with the Secured By Design scheme would satisfy all requirements providing the developer and future residents with a police preferred minimum level of security.

## Horley Town Council:

No objections

## **Representations:**

Letters were sent to neighbouring properties on 1.10.21, a site notice was posted 6.10.21 and an advertisement placed in the local press on 14.10.21. Three responses have been received raising the following issues:

<b>Issue</b>	<b>Number</b>	<b>Response</b>
Over development	3	See paragraph 6.5-6.13
Overbearing building added to an iconic Victorian building in the town centre: harmful to the character of the town	2	See paragraph 6.5-6.13
Overlooking/Loss of privacy and overshadowing	1	See paragraph 6.18-6.23
Inadequate parking	2	See paragraphs 6.24-6.30
Increased traffic and congestion	2	See paragraphs 6.24-6.30
Lack of infrastructure	1	See paragraph 6.35

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## 1.0 Site and Character Appraisal

- 1.1 The site comprises the Collingwood Batchelor department store, which varies between two and four storeys in height. The frontage on Victoria Road and the return on Consort Way East are of traditional design with a glazed ground floor shop front, rendered upper floors, pitched roof and parapet walls. A modern glazed element turns the corner from Consort Way onto a slip road that separates the site from Consort Way car park. The rear of the building to Consort Way East rises to three storeys and has been re-developed to mimic the front elevation.
- 1.2 The site is located within the Horley town centre primary shopping area and is situated on the corner of Consort Way East and Victoria Road. Opposite to the south west there is Russell Square a relatively new mixed use development including a library at ground floor and flats to the upper floors in a part 4/5/6 storey building. That scheme steps down from 6 stories on the Russell Road/Victoria Road corner to 4 stories opposite the site. Alongside that and opposite the site lies Sovereign Walk, a three storey scheme. Adjacent to the north west is a three storey building with a food store (Iceland) on the ground floor. Opposite to the south east there are a number of food and drink uses (single and 2 storey) and the entrance to the Waitrose car park. To the rear of the site lies the Consort Way East surface car park and the Locally listed Factory Shop adjacent to the railway line.
- 1.3 Existing buildings in the town centre are of a mixed design and character, but of predominantly 2 – 3 storeys in height, but with a few 4 storey buildings and the development of the 3-6 storey scheme on the corner of Victoria Road and Russells Crescent. The 4 storey element of that scheme lies opposite the site. On the opposite side of Consort Way East lie single and two storey buildings of a domestic scale, whilst the adjoining storey on Victoria Road is 3 storeys in height.

## 2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: A reduction in storey height resulting from discussions following the determination of the previous application.
- 2.2 Improvements secured during the course of the application: None the scheme being considered unacceptable
- 2.3 Further improvements could be secured: None the scheme being considered unacceptable

## 3.0 Relevant Planning and Enforcement History

- 3.1 21/00205/OUT Additional floors to accommodate 42 residential dwellings

Refused for the following reasons:

1 The proposal would, by virtue of the additional height, bulk and mass of the proposed additional storeys result in an unacceptable form of development, which would appear unduly prominent, out of keeping with and harmful to the character and appearance of the host building and of the surrounding area, contrary to, policies RET1, DES1 and NHE9 of the Reigate and Banstead Development Management Plan 2019 and the provisions of the Council's Local Distinctiveness Design Guide SPD.

2 In the absence of a legal agreement under Section 106 to secure 13 units of affordable housing, the proposed development would be contrary to Policy CS14 of

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the Core Strategy 2014 (reviewed 2019); Policy DES6 of the Development Management Plan 2019 and the provisions of the Council's Affordable Housing SPD.

- 3.2 01/02275/F Erection of second floor extension (amendment to applications 98/02680/F and 98/11860/F  
Granted 27 February 2002
- 3.3 05/01410/F Demolition of part of existing and construction of extended retail area  
Granted 11 August 2005
- 3.4 06/00239/F Amendment to phase two of 05/01410/F for alterations and second floor extension  
Granted 7 April 2006
- 3.5 10/02028/F Extension to existing department store to provide additional retail space  
Granted January 2011

## 4.0 Proposal and Design Approach

- 4.1 This is an outline application with all matters reserved for the demolition of parts of the existing building at second storey level and the erection of 3 additional floors of accommodation over the existing retained ground and first floors to provide up to 34 new residential flats in a mix of sizes and providing both market and affordable housing. The submitted illustrative plans show a partially tiered development approach, with a 'wedding cake' approach, ie with each floor generally being smaller than the one below. This tiered approach would be particularly evident from the flank elevation (Consort Way and from Victoria Road to the south from where the step back of the front elevation would be most noticeable and to a lesser extent from Consort Way to the rear of the site.
- 4.2 The scheme would retain both ground and first floors for retail use with access and facilities such as bins and cycle storage for the flats to the rear of the site. No car parking is proposed and servicing of the retail floors would, we are advised, take place mostly from the rear of the site.
- 4.3 The application is made in outline with all matters reserved. The application seeks to establish the principle of the volume of development shown with indications of scale and layout and illustrative drawings which show a possible external appearance. In the event that outline permission is granted, further details of the scale, external appearance, layout, landscaping and means of access would need to be submitted as reserved matters.
- 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 being a town centre location where there is a mix of commercial and
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	residential uses. Ground floor locations are generally in retail or commercial use whilst upper storeys accommodate both commercial and residential uses.  The town is characterised by a variety of differing building styles and sizes.
Involvement	No community consultation took place.
Evaluation	The statement does not include any evidence of other development options being considered, albeit it is acknowledged that the design has gone through several variations including changes to layout and overall size..
Design	The applicant's reasons for choosing the proposal are based on the need to make more efficient use of the site and provide additional income streams to facilitate improvements to the department store and ensure its retention in the town centre.

4.6 Further details of the development are as follows:

Site area	0.165ha
Existing use	Retail
Proposed use	Retail and residential
Existing parking spaces	0
Proposed parking spaces	0
Parking standard	0
Number of affordable units	12
Net increase in dwellings	34
Infrastructure contribution	0
Existing site density	0
Proposed site density	206dph

## 5.0 Policy Context

### 5.1 Designation

Urban Area  
Horley Town Centre  
Primary Shopping Centre

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## 5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)  
CS5 (Valued People/Economic Development),  
CS7 (Town/Local Centres),  
CS10 (Sustainable Development),  
CS11 (Sustainable Construction),  
CS14 (Housing Needs)  
CS15 (Affordable Housing)  
CS17 (Travel Options and accessibility)

## 5.3 Reigate and Banstead Development Management Plan 2019

RET1 Development within identified retail frontages and local centre  
DES1 (Design of new development)  
DES4 (Housing mix)  
DES5 (Delivering high quality homes )  
DES6 (Affordable Housing)  
DES8 (Construction Management)  
TAP1 (Access, Parking and Servicing)  
CCF1 (Climate Change Mitigation)  
EMP5 (Local Skills and Training Opportunities)  
INF3 (Electronic communication networks)

## 5.4 Other Material Considerations

National Planning Policy Framework  
National Planning Practice Guidance

Supplementary Planning Guidance

Surrey Design  
Local Distinctiveness Design Guide  
Vehicle and Cycle Parking Guidance 2018  
Affordable Housing  
Climate Change and Sustainable  
Development

Other

Human Rights Act 1998  
Community Infrastructure Levy Regulations  
2010

## 6.0 **Assessment**

6.1 The application site is within the urban area, where there is a presumption in favour of sustainable development and where the principle of residential development is acceptable.

6.2 Policy RET1 relates specifically to development within identified retail frontages and local centres. Part 2 of the policy offers encouragement to the provision of a range of uses, including residential flats to upper floors.

6.3 There is no objection in principle to a potential redevelopment of the site and such a redevelopment would help the Council meet some of the Borough's identified housing need and furthermore would be welcomed as a contribution to housing supply. However, the principle of acceptability in ~~the~~ <sup>16</sup> case rests upon considering the impact



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of the proposal and resultant harm and the need to provide additional housing, and its resultant benefit. The following report sets out the key considerations.

6.4 The main issues to consider are:

- Design appraisal
- Housing Mix and Standard of Accommodation
- Neighbour amenity
- Highway matters
- Trees and Landscaping
- Affordable Housing
- Energy, Sustainability and Broadband
- Community Infrastructure Levy

## Design Appraisal

- 6.5 DMP Policy DES1 relates to the Design of New Development and requires new development to be of a high quality design that makes a positive contribution to the character and appearance of its surroundings. New development should promote and reinforce local distinctiveness and should respect the character of the surrounding area. The policy states that new development will be expected to use high quality materials, landscaping and building detailing and have due regard to the layout, density, plot sizes, building siting, scale, massing, height, and roofscapes of the surrounding area, the relationship to neighbouring buildings, and important views into and out of the site.
- 6.6 This is an outline planning application with all matters reserved and the application provides illustrative design parameters in terms of the volume and scale of development. In terms of local distinctiveness and urban design, the proposal steps down to Victoria Road, but has a large number of storeys behind. The proposed scheme has been reduced in scale following a previous refusal, now proposing eight fewer dwellings (one less floor) than previously. The illustrative general design approach has been maintained seeking to match the existing style with an illustrative tiered approach. This building has a highly individual design within the town centre and the applicants plans maintain that design approach. The illustrative plans show the elevations of the extensions to blend with those of the existing building in terms of materials, window style, design and layout, the extension of an existing central gable on the rear elevation upto the top floor and matching decorative banding, window details and decorative finials on the proposed rear gable.
- 6.7 The scheme, although it proposes 5 stories, would be level in height with the 4 storey element of the Russell Square development. This is reflected in the storey heights with the top two floors having shorter storey heights (2.9m's) than the bottom three floors (3.290m's). When compared to the existing scheme opposite therefore the height of the building would not be out of character. However, when compared to the scale of development immediately to the south the scheme it would appear of a larger scale on this corner and compared to the more domestic scale buildings on the opposite side of Consort Way East.
- 6.8 The illustrative plans submitted with the application show a building that raises an urban design issue in terms of the design of the upper floors. The proposed design illustrates a form of building which due to the reduced storey heights on the two upper floors would fail to follow the traditional rules of proportion and compositions for a classically based building with the piling of forms on top of one another, with the repercussions of over squeezing storeys into the silhouette, resulting in a cramped and disjointed appearance. Whilst indicative, they do illustrate the difficult that exists in designing extensions that

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have due regard to the important architectural features of the existing building and harmonise with its scale and that of its surroundings. The concerns about the cramped nature of the upper floors in design terms would possibly not be noticeable from much of Victoria Road, being viewed either at close proximity or such an angle as to disguise the precise proportions of the building. This site lies within one of the main views into this part of the town centre when viewed from the south. When viewed from the south and the rear of the site in Consort Way East (and stretching to the north east along this road) the scale, design and full impact of the scheme would be more evident.

- 6.9 The submitted drawings show that the façade of the existing Victorian Collingwood Batchelor store would cease to exist as it would be extended forward in the elevations with the gable removed and the elevation lowered, so effectively demolished. However, the floor plan seems to show a set back to the original footprint, which is confusing but not critical given the outline nature of the proposal.
- 6.10 The Council's conservation officer has reviewed the submitted plans and considers that the existing Victorian building could be considered as an undesignated heritage asset. It is an important townscape building, a furniture repository of the 1870's and is valued locally. The Horley Town Centre Regeneration SPD does identify the Collingwood and Batchelor department store as a key building which contributes to the urban form of the town centre.
- 6.11 However whilst the applicants have pursued their illustrative design with an approach that replicates the existing building design, it would also be possible to pursue an approach that includes a pitched roof, incorporating much of the additional accommodation in the roofspace, but minimising the impression of bulk and mass within the roofspace. Such an approach would undoubtedly change the character of the existing building, but there are other buildings within the town centre that have a deep roof plan or where the roof forms are quite prominent (buildings around the crossroads of Massetts Road and Victoria Road and the post office building to the north). Such an approach would not be without precedent therefore.
- 6.12 It would be possible to extend this building in a manner that would minimise the impacts upon all views of the site by reducing the scale of the scheme but the applicants have not agreed to reduce the volume of development sufficiently to achieve that aim. The Council therefore has to determine the scheme in front of us.
- 6.13 It is recognised that the scheme could cause some harm to the character and appearance of the town centre due to its bulk and mass but that a more appropriate design may be possible that would reduce that impact. On balance, taking account of the scale of more recent development adjacent to the site and the potential to mitigate the impacts of the scale of development sought through an appropriate design, it is considered that the scheme would not cause such significant impact and harm as to warrant a refusal of permission. It is clear that significant work would be needed at the reserved matters stage to analyse the impacts upon the surrounding area of a scheme of this magnitude, to ensure the most appropriate design is achieved to minimise the appearance of the scale and mass of the building and seek a design that preserves the character of the existing building without damaging its surroundings.

## Housing Mix and Standard of Accommodation

- 6.14 Policy DES4 requires that on sites of 20 homes or more that at least 30% of the market housing should be provided as smaller (1 and 2) bed homes and that at least 10% must have three or more bedrooms.

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- 6.15 The submitted plans shows a total of 22 flats would be used for market housing in a mix of 8 x 1 beds, 11 x 2 beds and 5 x 3 beds. This accords with the requirements of DMP Policy DES4. The affordable housing mix is discussed below.
- 6.16 Policy DES5 requires that all new residential development must provide high quality adaptable accommodation and provide good living conditions for future occupants. New accommodation must meet the relevant nationally described internal space standard for each individual unit unless the council considers that an exception should be made. Sufficient space must be included for storage, clothes drying and the provision of waste and recycling bins in the home. Adequate outdoor amenity space including balconies and terraces and /or communal outdoor space should be provided.
- 6.17 The drawings submitted illustrate that each flat proposed would accord with the appropriate space standard and would be provided with outdoor amenity space in the form of terraces/small balconies with further access to a communal terrace. Although some flats would be single aspect only, in most cases, the flats would also overlook a central glazed atrium providing further natural light to the rear of the units. In this regard the proposals would comply with the requirements of DMP Policy DES5.

### Neighbour Amenity:

- 6.18 DMP Policy DES1 requires new development to provide an appropriate environment for future occupants whilst not adversely impacting upon the amenity of occupants of existing nearby buildings, including by way of overbearing, obtrusiveness, overshadowing, overlooking and loss of privacy.
- 6.19 The closest residential properties to the site would be located on the south-western side of Victoria Road in the Russell Square development :the closest flats being in the 4 storey element of the Russell Square Development. The proposed flats in this case would be located over 25m away from the north-east facing elevation of Russell Square. The applicants have provided a drawing which shows that the proposed development in this case would not break a line drawn at a 25 degree angle from the ground floor windows (2m above ground level) towards the proposed development. This demonstrates that the proposed development would not result in overshadowing of the block of apartments Russell Square.
- 6.20 The drawings also demonstrate that there would be a gap of over 25m between the facing elevations of the proposed development and Russell Square. In normal circumstances, this distance is considered acceptable to mitigate the impact of the development on privacy and overlooking to neighbouring properties.
- 6.21 The submitted plans show that the upper storeys of the proposed development would be set back from the lower ground and first floor storeys leading to a form of development would not be overbearing on its surroundings.
- 6.22 Objections have been received due to the loss of private views, but this is not a material planning consideration. Noise and disturbance resulting from the development when completed would be acceptable and accord with normal town centre environments whilst any resulting from construction would be temporary and could be mitigated by condition: a construction method statement would be secured by planning condition if planning permission was to be granted.
- 6.23 As a result, it is not considered that the proposals would have an acceptable impact on the amenities of neighbouring properties and would accord with the provisions of DMP Policy DES1 in this regard.

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## Highway matters

- 6.24 Policy TAP1 of the Development Management Plan 2019 requires new development to demonstrate that it would not adversely affect highways safety or the free flow of traffic, that it would provide sufficient off-street parking in accordance with published standards and that it would constitute development in a sustainable location.
- 6.25 No off street parking is proposed for this scheme whereas the parking standards suggest that 34 spaces should be provided. The standards do though accept that a lower provision may be acceptable within or adjacent tot town centres. It is noted that the proposed development would be located within acceptable walking distance of a supermarket, and other retail outlets. The site is also well within acceptable walking distance of Horley Train Station which has links to Central London and East Croydon and their range of education, employment, retail and leisure land uses. The site is also well within walking distance of bus services to destinations further afield. The site is in a location with no parking at any times restrictions and where parking is permitted it is between 1800 and 0600 hours Monday to Saturday and all day Sunday. The site is therefore likely to be attractive to people who do not own a car. It is considered that any car users using the site would be able to use the Central Horley Car Park, and the on street parking restrictions would prevent inappropriate parking.
- 6.26 Policy TAP1 states that all types of development should include car parking and cycle storage for residential and non-residential development in accordance with adopted local standards (see Annex 4) unless satisfactory evidence is provided to demonstrate that non-compliance would not result in unacceptable harm. Such evidence could include on-street parking surveys, evidence of parking demand, and/ or further information on accessibility. Development should not result in unacceptable levels of on-street parking demand in existing or new streets.
- 6.27 In support of the application the following transport characteristics of the area have been identified:
- Horley train station is a 7 minute walk from the site. Horley train station provides cross-country services to a variety of destinations including direct rail links to central London, as well as local services.
  - There is a Town centre bus stop opposite site with six services:
  - Route Fastway 20: Frequent service operating between Broad field and Langshott, every 20 minutes in each direction at peak time.
  - Route 424: Service operating between Redhill and Crawley, 1 bus per hour in each direction.
  - Route 422: Less frequent service operating between Reigate and Crawley, 1 bus per 2 hours in each direction.
  - Route 324 and 524: School buses to / from St Bede's School and Imberhorne Schools.
  - Route 26: Horley Town Bus, 1 bus per hour in a single direction the morning on Monday, Wednesday and Friday only.
  - The site is in very close proximity to Gatwick Airport located approximately 1.8 miles away (5 minute drive, 33 minute walk).
  - The site is accessible on foot using existing foot-ways. It is a couple of minutes' walk from the High Street.
  - The Reigate and Barnstead Cycling Plan sets out the local implementation of the Surrey Cycling Strategy. They have proposed that Victoria Road, which Horley Library is situated on, should have cycle friendly traffic management. This connects to existing signed advisory routes and greenways.
  - There are public footways located along the southern, western and eastern boundaries.

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- Vehicular access to the site is constrained by the highways issues on Victoria Road and its junction with Consort Way East, particularly restrictions relating to the impact on the signalized junction at this location and that at the junction of Victoria Road with Consort Way East.
- Retention of the existing vehicular access location from Consort Way East has been the only option because of the need to also comply with the restrictions of the access easement to the adjoining land north of the site.
- Service access to the Victoria Road frontage will be constrained by the requirements of Surrey County Council to ensure the safety of road users and pedestrians is maintained. Servicing to shops will generally be from the rear of the site.

- 6.28 No evidence has been provided in the form of on-street parking surveys, or evidence of parking demand. However, the information on the accessibility of the site is compelling and demonstrates that the site benefits from good access to public transport facilities, and to a good range of shops and services. Given the proximity to the train station and Gatwick Airport the majority of streets locally are subject to parking restrictions in any case, further limiting any harm in this regard.
- 6.29 The County highways Officer raised no objection to these matters subject to conditions as detailed above.
- 6.30 Accordingly it is concluded that the proposals would not lead to unacceptable harm or unacceptable levels of demand for on-street parking due to the parking restrictions in the surrounding area. On this basis, no objections are raised with regards to the lack of parking on the site and other matters such as details of cycle parking, refuse storage, construction management could be addressed by appropriate conditions.

## Affordable Housing

- 6.31 Policy DES6 requires that on developments such as this providing 11 or more homes, that 30% of the homes on site should be affordable housing. It advises that vacant building credit will be applied with a methodology in the Affordable Housing SPD.
- 6.32 Of the 34 units proposed in the development, 12 are indicated as being provided as affordable housing, providing a mix of 1,2 and 3 bedroom units, all to be provided on the second floor of the proposed development. This equates to just over 30% provision and accords with the requirements of DMP Policy DES6.
- 6.33 The mix of the proposed units to be allocated for affordable housing is similar to that previously agreed, providing a mix of unit type and the final details would be secured by means of a S106 Obligation. In this regard the scheme would comply with the requirements for the provision of affordable housing set out in the Council's adopted SPG on Affordable housing. A S106 Obligation would be required to procure these units.

## Energy, Sustainability and Broadband

- 6.34 In accordance with adopted policy, if permission was to be granted, conditions would be imposed to seek the installation of carbon reduction measures within the development to secure energy savings through the use of renewable technologies where appropriate and the provision of fast broadband services for future residents to ensure that the dwellings are future proofed.
- Community Infrastructure Levy

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

## Conclusion

- 6.36 When considering the balance between the benefits and the harm identified, the Local Planning Authority has sought to act proactively and positively in determining the planning application. In addition, encouragement and recognition of the contribution of sustainable development, including the 3 main strands of economic, social and environmental have been fully considered. In this case the LPA has raised and resolved issues where possible and where the time constraints of a live application allow.
- 6.37 The main starting point for the consideration is that the proposal is within the urban area and a redevelopment of the site to provide a more effective and efficient use of the site and provide a residential development would be acceptable in principle. However, the illustrative design of the proposal is poor.
- 6.38 Significant weight should be given to the fact that a development upon the scale of the proposal could demonstrate a contribution towards housing delivery, provide a type of housing within demand in the Borough and opportunity for economic growth. Arguments regarding the benefit of the proposal in securing the store's future are not based in any evidence submitted in support of the application, nor has any evidence been provided that a scheme of reduced scale could not also achieve the same benefits.
- 6.39 Weighing against the scheme are the impact upon the character and appearance of the building and surrounding area that the proposed quantum of accommodation would have. However, it is considered, on balance, that a scheme could be achieved that would minimise the adverse impacts of such a quantum of development, to a point where the benefits achieved as a result of the scheme would outweigh the harms identified. Accordingly considered against all the relevant policies of the Development Plan the scheme would be acceptable.

## **CONDITIONS**

1. Approval of details of the layout, scale, appearance, access and the landscaping of the site (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced and carried out as approved.

Plans and particulars of the reserved matters referred to above, shall be submitted in writing to the Local Planning Authority before the expiration of three years from the date of this permission.

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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Reason: To comply with Article 5 of the Town and Country Planning (General Development Procedure) (England) Order 2015 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51(2) of the Planning and Compulsory Purchase Act 2004.

2. 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.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Floor Plan	P04	Rev A	10.11.2021
Floor Plan	P01	Rev A	10.11.2021
Floor Plan	E02	Rev A	10.11.2021
Floor Plan	E01	Rev A	10.11.2021
Floor Plan	E03	Rev A	10.11.2021
Floor Plan	P02	Rev A	10.11.2021
Floor Plan	P03	Rev A	10.11.2021
Location Plan	SLP01		17.09.2021
Block Plan	BP01		17.09.2021
Floor Plan	P05		17.09.2021
Roof Plan	P07		17.09.2021
Elevation Plan	P08(A)		17.09.2021
Elevation Plan	P08(B)		17.09.2021
Street Scene	P10		17.09.2021
Elevation Plan	P11		17.09.2021
Roof Plan	E04		17.09.2021
Elevation Plan	E05		17.09.2021
Elevation Plan	E01		17.09.2021

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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 any boundary hoarding behind any visibility zones
  - f. HGV deliveries and hours of operation
  - g. vehicle routing
  - h. Measures to prevent the deposit of materials on the highway
  - i. before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused.
  - j. No HGV movements to or from the site shall take place between the hours of 0800 and 0900am and 1700 and 1800 pm nor shall the contractor permit any HGV's associated with the development at the site to be laid up, waiting, in/ on the highways surrounding the site during these times.

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

Reason: In order that the development should not prejudice highways safety nor cause inconvenience to other highway users and to satisfy Policy TAP1 of the Reigate and Banstead Development Management Plan 2019 and the objectives of the National Planning Policy Framework.

4. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plan reference PO1 Rev A for refuse collection or an alternative as may be approved at the reserved matters stage. Thereafter the refuse storage area shall be retained and maintained for its designated purpose.

Reason: In order that the development should not prejudice highways safety nor cause inconvenience to other highway users and to satisfy Policy TAP1 of the Reigate and Banstead Development Management Plan 2019 and the objectives of the National Planning Policy Framework.

5. Prior to the occupation of the development, a Travel Statement shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the NPPF, Surrey County Council's "Travel; Plans Good Practice Guide" to include a travel information pack containing information on education, employment, retail and leisure land uses within 2km walking distance and 5km cycling distance of the site and further afield by public transport.

The approved Travel Statement shall be implemented upon first occupation and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Statement to the satisfaction of



the LPA. The approved Travel Plan shall be implemented for each and every subsequent occupation of the development, and thereafter shall be maintained and developed to the satisfaction of the Local Planning Authority

Reason: In order that the development should not prejudice highways safety nor cause inconvenience to other highway users and to accord with the objectives of the National Planning Policy Framework and Policy CS17 of the Reigate and Banstead Core Strategy 2014.

6. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with approved plan numbered PO1 Rev A for 60 cycles to be stored. Thereafter the bike storage area shall be retained and maintained for its designated purpose.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highways users and to accord with the NPPF 2021 and Policies TAP1 and TAP2 of the Reigate and Banstead Development Management Plan 2019.

7. The development hereby permitted shall not commence until details of the design of surface water drainage scheme has been submitted to and approved in writing by the LPA. The design must satisfy the SuDS Hierarchy and be compliant with the national Non Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
- a) Evidence that the proposed final solution will effectively manage the 1:30 and 1:100 (+40% allowance for climate change) storm events, during all stages of the development, . the final solution should follow the principles set out in the approved drainage strategy/Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 3 l/s.
  - b) Detailed drainage design drawings and calculations to include a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels and long and cross sections of each element including details of any flow restrictions and maintenance/ risk reducing features (silt traps, inspection chambers, etc).
  - c) A plan showing exceedance flows (ie during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
  - d) details of drainage management responsibility and maintenance regimes for the drainage system
  - e) details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational

Reason: To ensure that the design meets the national Non Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off the site.

8. 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

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LPA. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls) and confirm any defects have been rectified.

Reason: To ensure the Drainage system is constructed to the National Non Statutory Technical Standards for SuDS.

9. The Victorian building to Victoria Road shall be retained in terms of its structural walls and roof.

Reason: The existing building makes a significant contribution to the character of this part of the Town Centre and this is to ensure that the existing building is retained. In accordance with the provisions of policies DES1 and NHE9 of the Reigate and Banstead Development Management Plan 2019.

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

Reason: To ensure the Local Planning Authority are satisfied with the details of the proposal and its relationship with adjoining development and to safeguard the visual amenities of the locality with regard to Reigate and Banstead Development Management Plan 2019 policy DES1

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

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

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

- b) Achieve not less than a 19% improvement in the Dwelling Emission Rate (DER) over the Target Emission Rate (TER) as defined in Part L1A of the 2013 Building Regulations

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

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

13. Within three months of the commencement of development details setting out how the applicant will ensure that at least 20%, unless otherwise agreed in writing, of the homes meet the Building Regulations requirements for 'accessible and adaptable dwellings' have been submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

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

14. Notwithstanding the drawings this permission does not purport to grant consent for the elevation details shown and revised details of which shall be submitted and approved in writing by the LPA before works commence, showing a roof form to the second floor of the Victoria Road frontage and upper two floors, following the pitches and spans of the Victorian pitched roof to Victoria Road. A measured drawing of the existing building shall also be provided and form the basis for the proportions and hierarchy of the window openings. The roof shall be of natural slate with Staffordshire blue clay ridge tiles and the windows (except for the current walling) shall be vertically sliding sashes with external glazing bars and set back behind the reveal at one brick depth, with cornices and architrave to match the original Victorian profile and detailing.

Reason: To ensure a satisfactory appearance upon completion in accordance with the provision of Policy DES1 and NHE9 of the Reigate and Banstead Development Management Plan 2019.

## INFORMATIVES

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at [www.firesprinklers.org.uk](http://www.firesprinklers.org.uk).
2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions. Further information can be found on the Council website at : [Climate Change Information](#).

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3. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, to contact the Council's Neighbourhood Services team to confirm the number and specification of recycling and refuse bins that are required to be supplied by the developer. The Council's Neighbourhood Services team can be contacted on 01737 276292 or via the Council's website at [http://www.reigatebanstead.gov.uk/info/20085/planning\\_applications/147/recycling\\_and\\_waste\\_developers\\_guidance](http://www.reigatebanstead.gov.uk/info/20085/planning_applications/147/recycling_and_waste_developers_guidance)
4. The applicant is advised that the Borough Council is the street naming and numbering authority and you will need to apply for addresses. This can be done by contacting the Address and Gazetteer Officer prior to construction commencing. You will need to complete the relevant application form and upload supporting documents such as site and floor layout plans in order that official street naming and numbering can be allocated as appropriate. If no application is received the Council has the authority to allocate an address. This also applies to replacement dwellings. If you are building a scheme of more than 5 units please also supply a CAD file (back saved to 2010) of the development based on OS Grid References. Full details of how to apply for addresses can be found [http://www.reigatebanstead.gov.uk/info/20277/street\\_naming\\_and\\_numbering](http://www.reigatebanstead.gov.uk/info/20277/street_naming_and_numbering)
5. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or to 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).
6. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from the site. The Highway Authority will pass on the costs of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
7. The development shall achieve standards contained within the Secure by Design award scheme to be successfully granted the award.

## REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies CS1, CS4, CS5, CS7, CS10, CS11, CS14, CS17 and EMP4, RET3, DES1, DES4, DES5, DES6, DES8, DES9, TAP1, CCF1, CCF2, INF3, NHE2, NHE3 and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

## Proactive and Positive Statements

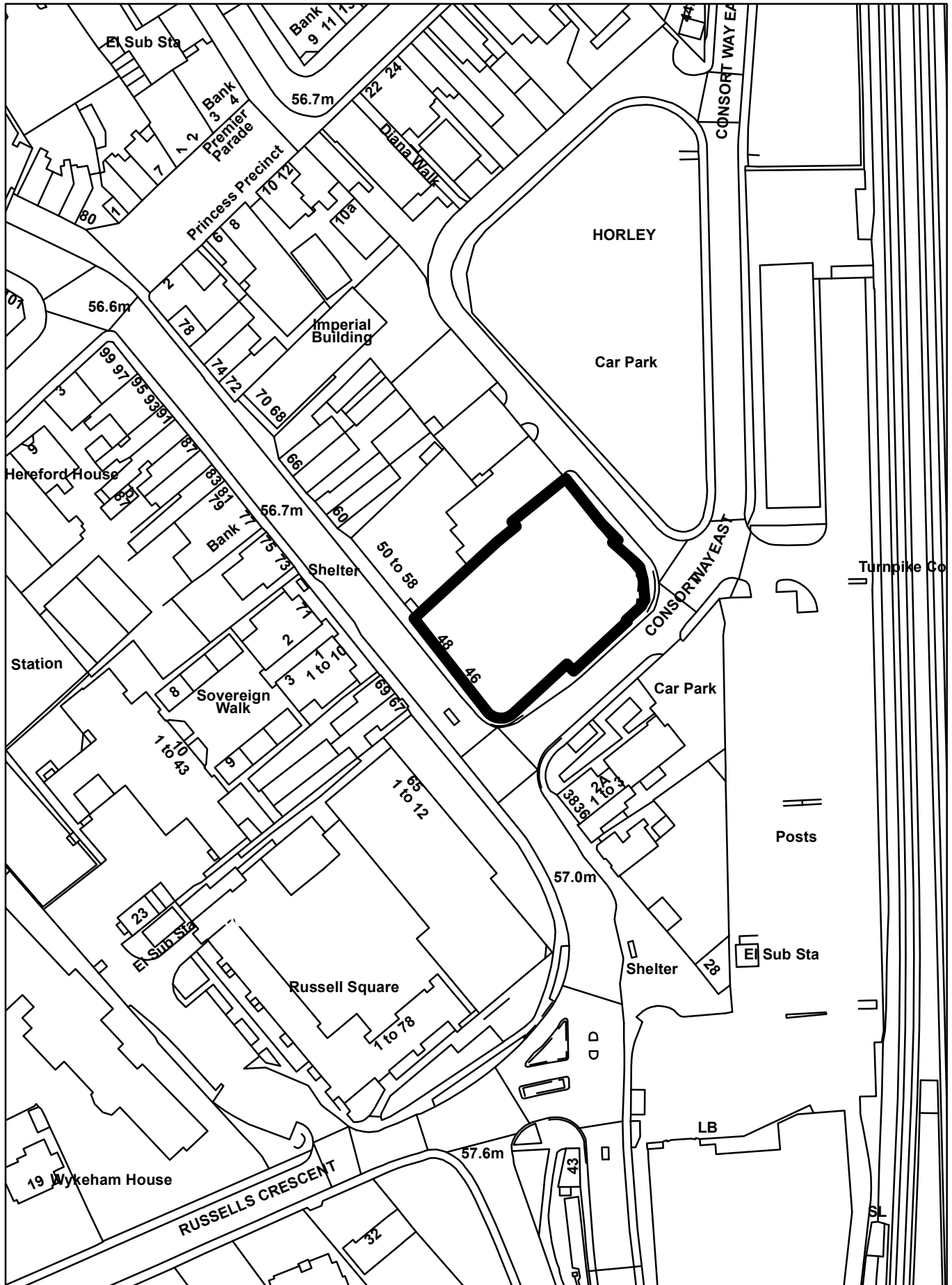
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The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently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

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21/02485/OUT - Collingwood Batchellor, 46 - 48 Victoria Road,  
Horley



Studio1, The Hub  
 3 Drove Road  
 Newhaven  
 East sussex  
 BN9 0AD

free phone number 0808 1699964  
 e: support@staac.co.uk

**NOTES:**

This drawing is to be read in conjunction with all relevant Architects and Engineers drawings  
 Only figured dimensions are to be used for construction  
 All dimensions are to be verified on site prior to work commencing

No.	Description	Date

Client:

Address: Collingwood  
 Batchellor 46-48  
 Victoria Road,  
 Horley, Surrey  
 RH6 7QE

Project: Proposed  
 Extension

Drawing title: Block Plan

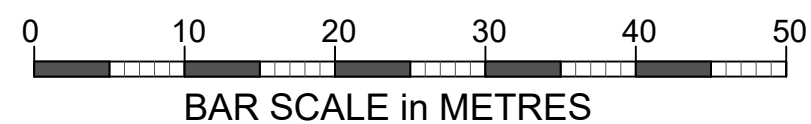
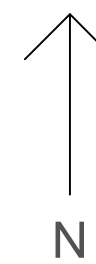
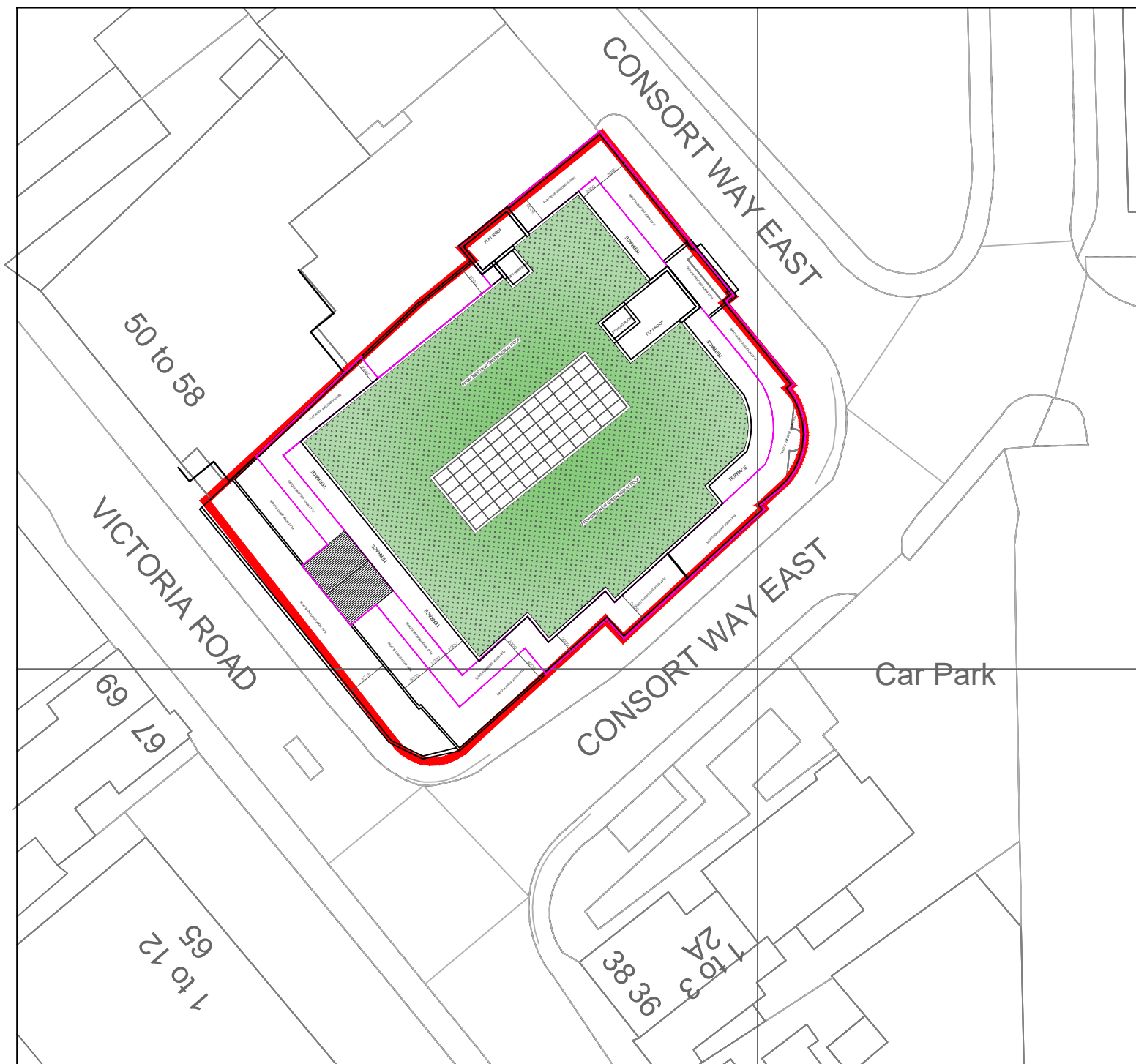
Project No 19113

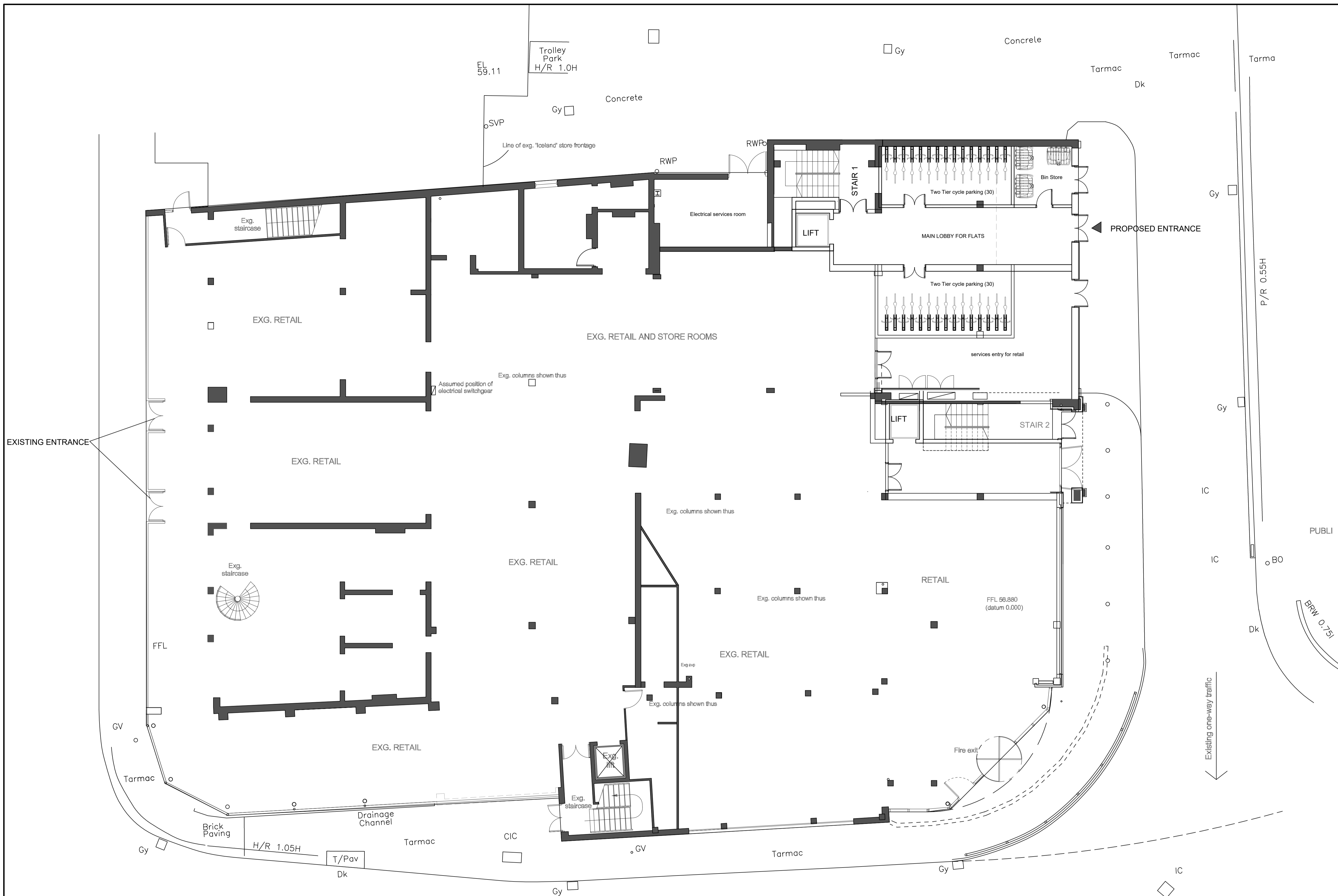
Date 15-09-21

Drawn by IA

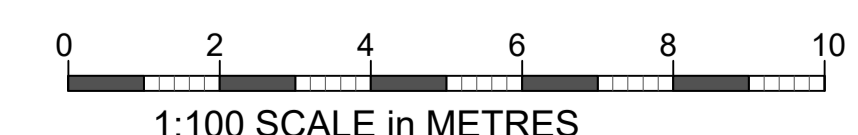
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GROUND FLOOR PLAN



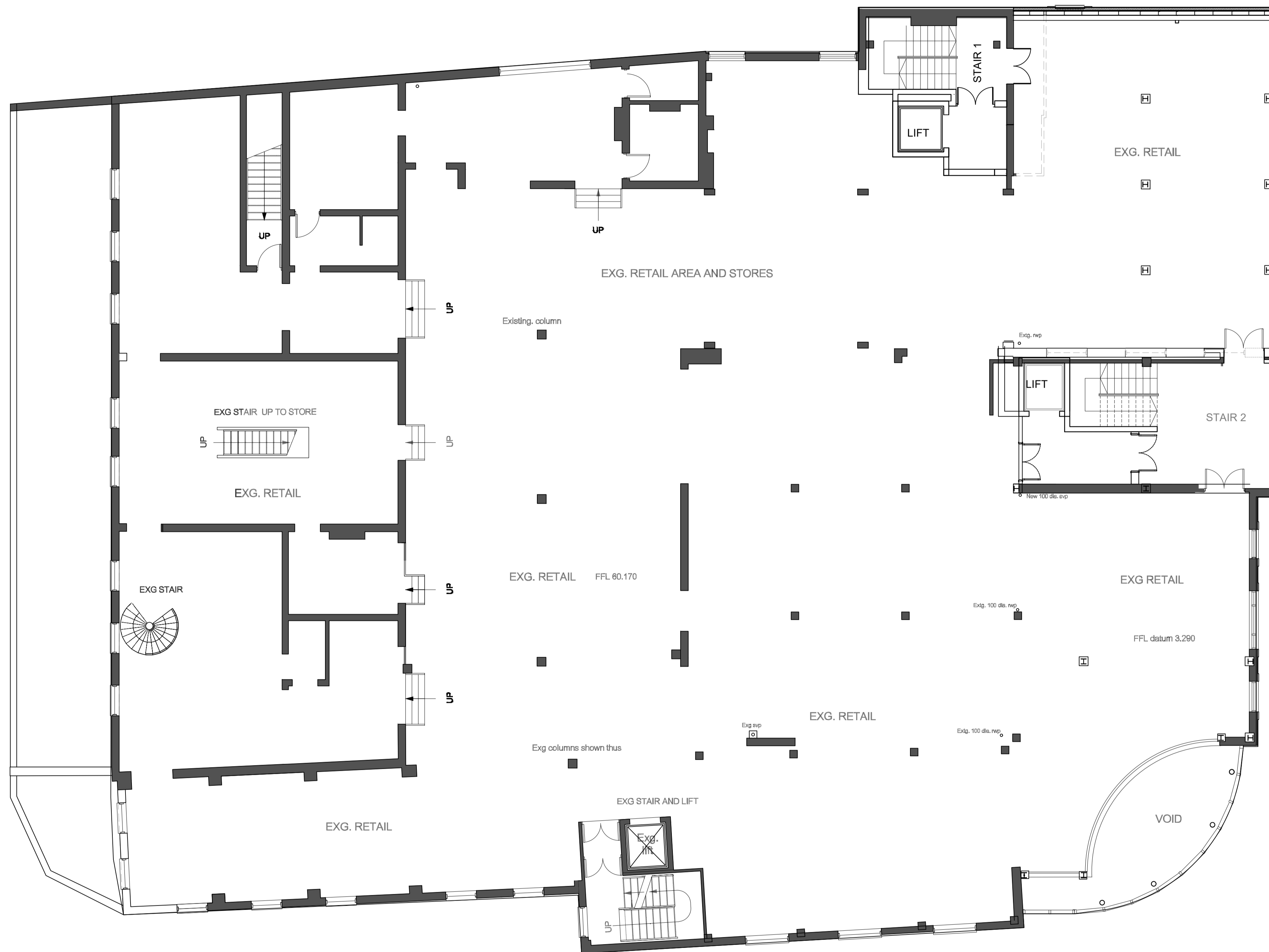
Studio1, The Hub  
3 Drove Road  
Newhaven  
East Sussex  
BN9 0AD

t: 01323 325354  
t: 01932 506111  
t: 0808 1699964 /free/  
e: support@staac.co.uk

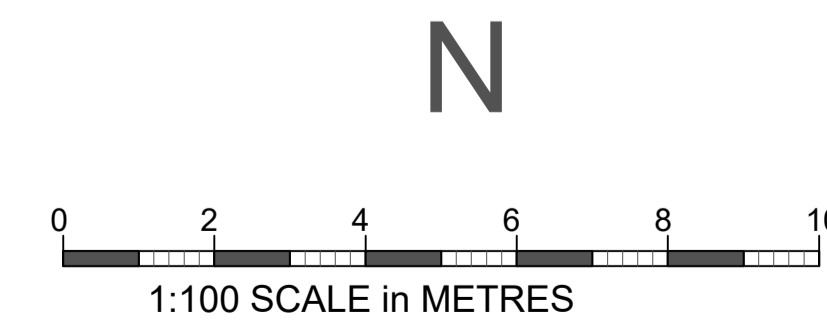
**NOTES:**  
This drawing is to be read in conjunction with all relevant Architects and Engineers drawings. Only figured dimensions are to be used for construction. All dimensions are to be verified on site prior to work commencing.

Description	Date
Client:	
Address: Collingwood Batchellor 46-48 Victoria Road, Horley, Surrey RH6 7QE	
Project: Proposed Extension	
Drawing title: Proposed Plans	
Project No	19113
Date	04-01-20
Drawn by	IA
Drawing No	P01
Scale	1:100@A1





FIRST FLOOR PLAN



Studio1, The Hub  
 3 Drove Road  
 Newhaven  
 East sussex  
 BN9 0AD

t: 01323 325354  
 t: 01932 506111  
 t: 0808 1699964 /free/  
 e: support@staac.co.uk

**NOTES:**

This drawing is to be read in conjunction with all relevant Architects and Engineers drawings. Only figured dimensions are to be used for construction. All dimensions are to be verified on site prior to work commencing.

Description	Date
Client:	
Address: Collingwood Batchellor 46-48 Victoria Road, Horley, Surrey RH6 7QE	
Project: Proposed Extension	
Drawing title: Proposed Plans	
Project No	19113
Date	29-08-21
Drawn by	IA
Drawing No	P02
Scale: 1:100@A1	



SECOND FLOOR PLAN



	1 BED	2 BED	3 BED	
AFFORDABLE	[Green bar]			
PRIVATE	[Red bar]			

	1 BED	2 BED	3 BED	
Second	3	7	2	<b>12</b>
Third	4	7	1	<b>12</b>
Fourth	4	4	2	<b>10</b>
<b>Total</b>	<b>11</b>	<b>18</b>	<b>5</b>	<b>34</b>

(10 affordable required @ of 30%)

	Gross Internal Area	Type
Ground	1649.4sqm (as existing)	Retail
First	1549.0sqm (as existing)	Retail
Second	1387.5 sqm	Flats
Third	1104.1sqm	Flats
Fourth	906.8 sqm	Flats

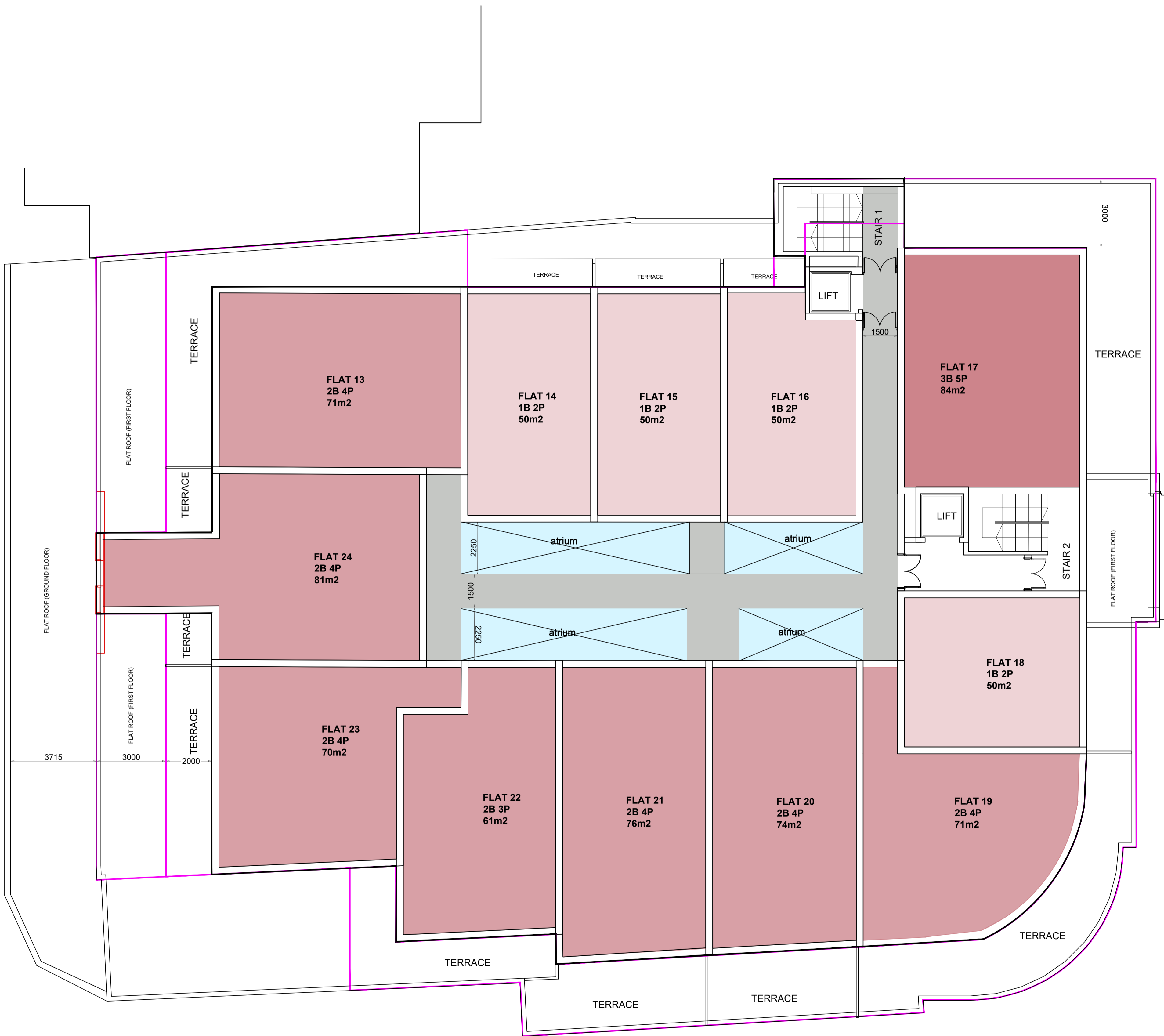


Studio1, The Hub  
 3 Drove Road  
 Newhaven  
 East sussex  
 BN9 0AD

t: 01323 325354  
 t: 01932 506111  
 t: 0808 1699964 /free/  
 e: support@staac.co.uk

**NOTES:**  
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Description	Date
Client:	
Address: Collingwood Batchellor 46-48 Victoria Road, Horley, Surrey RH6 7QE	
Project: Proposed Extension	
Drawing title: Proposed Plans	
Project No	19113
Date	29-08-21
Drawn by	IA
Drawing No	P03
Scale:1:100@A1	



THIRD FLOOR PLAN

	1 BED	2 BED	3 BED	
AFFORDABLE	[Color swatches]			
PRIVATE	[Color swatches]			
	1 BED	2 BED	3 BED	
Second	3	7	2	<b>12</b>
Third	4	7	1	<b>12</b>
Fourth	4	4	2	<b>10</b>
<b>Total</b>	<b>11</b>	<b>18</b>	<b>5</b>	<b>34</b>
				(10 affordable required @ of 30)
	Gross Internal Area		Type	
Ground	1649.4sqm	(as existing)	Retail	
First	1549.0sqm	(as existing)	Retail	
Second	1387.5 sqm		Flats	
Third	1104.1sqm		Flats	
Fourth	906.8 sqm		Flats	

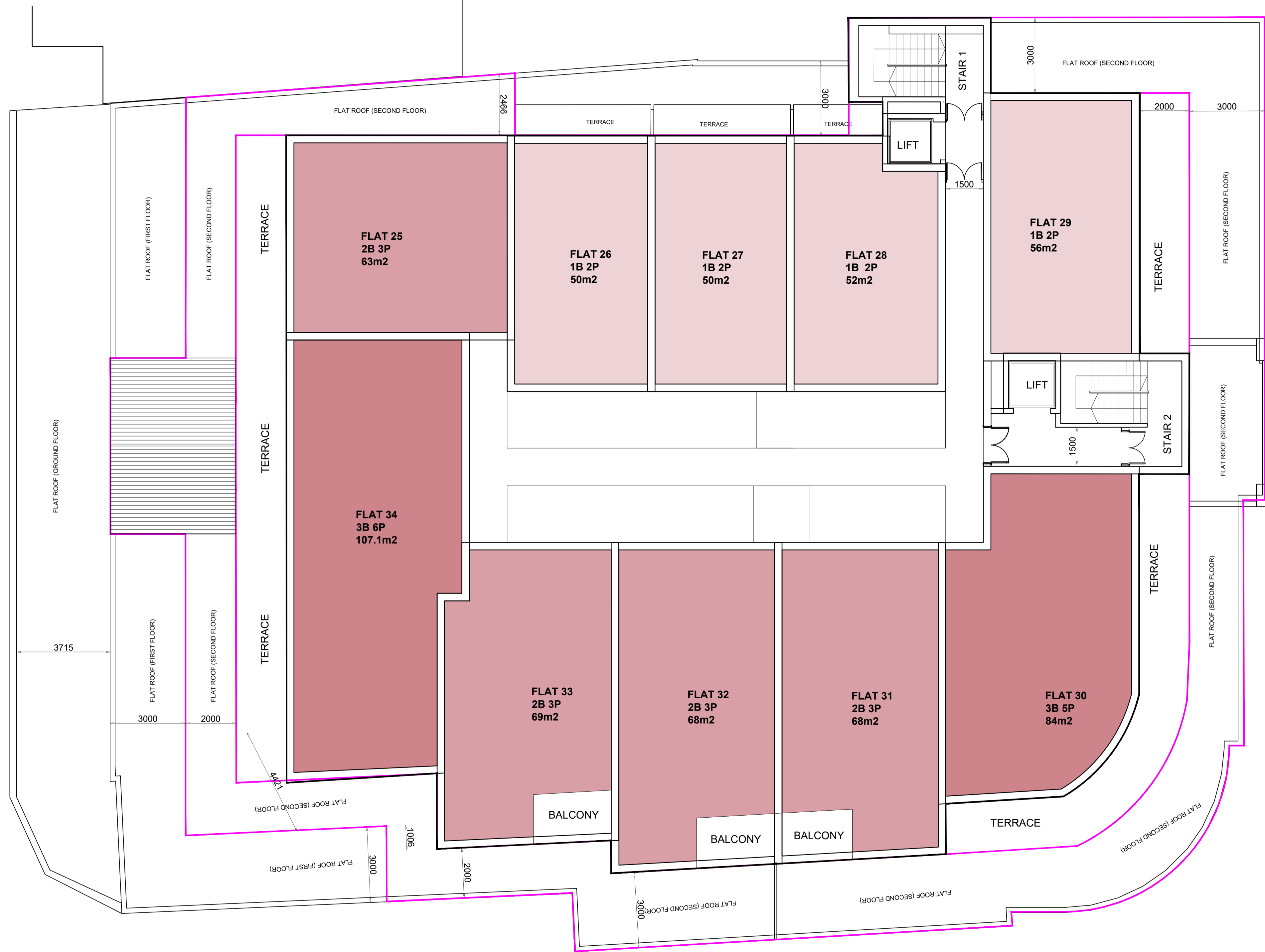


Studio1, The Hub  
 3 Drove Road  
 Newhaven  
 East Sussex  
 BN9 0AD  
 t: 01323 325354  
 t: 01932 506111  
 t: 0808 1699964 /free/  
 e: support@staac.co.uk

**NOTES:**  
 This drawing is to be read in conjunction with all relevant Architects and Engineers drawings. Only figured dimensions are to be used for construction. All dimensions are to be verified on site prior to work commencing.

Description	Date
Client:	
Address: Collingwood Batchellor 46-48 Victoria Road, Horley, Surrey RH6 7QE	
Project: Proposed Extension	
Drawing title: Proposed Plans	
Project No	19113
Date	29-08-21
Drawn by	IA
Drawing No	P04
Scale:1:100@A1	





FOURTH FLOOR PLAN



	1 BED	2 BED	3 BED	
AFFORDABLE	[Color swatches]			
PRIVATE	[Color swatches]			

	1 BED	2 BED	3 BED	
Second	3	7	2	<b>12</b>
Third	4	7	1	<b>12</b>
Fourth	4	4	2	<b>10</b>
<b>Total</b>	<b>11</b>	<b>18</b>	<b>5</b>	<b>34</b>
	26%	56%	16%	(10 affordable required @ of

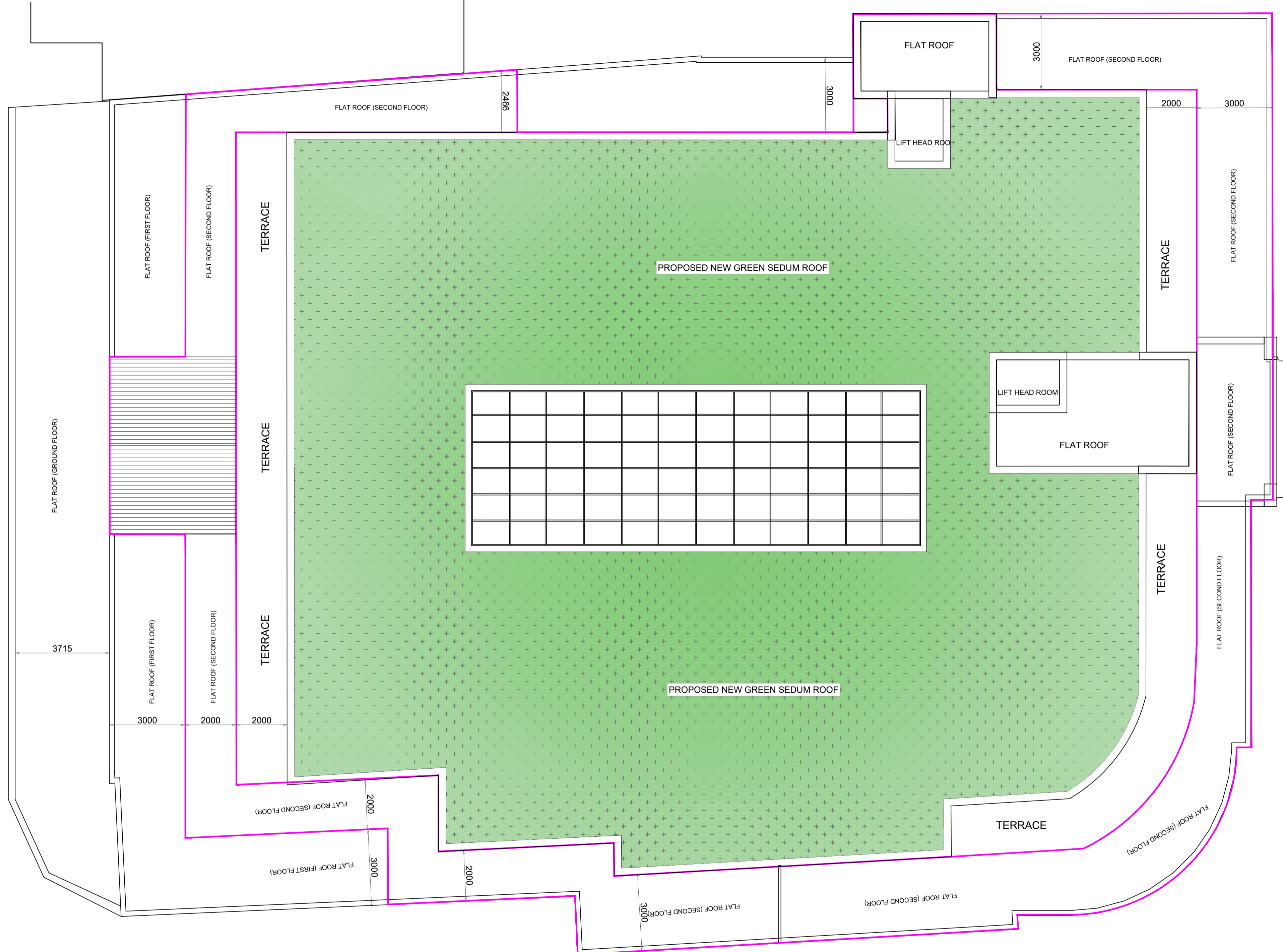
	Gross Internal Area	Type
Ground	1649.4sqm (as existing)	Retail
First	1549.0sqm (as existing)	Retail
Second	1242.8sqm	Flats
Third	1014.1sqm	Flats
Fourth	809.3 sqm	Flats



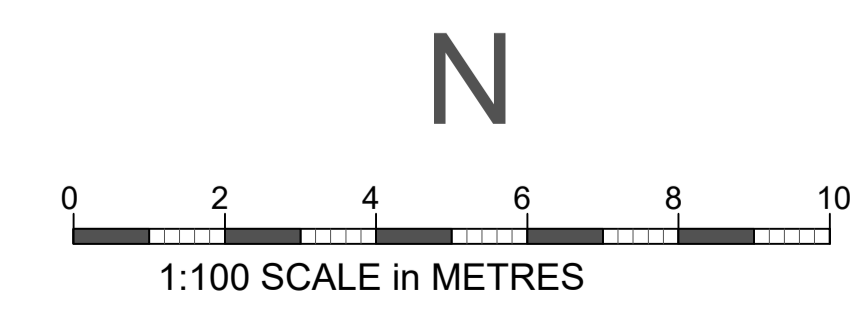
Studio1, The Hub  
 3 Drove Road  
 Newhaven  
 East Sussex  
 BN9 0AD  
 t: 01323 325354  
 t: 01932 506111  
 t: 0808 1699964 /free/  
 e: support@staac.co.uk

**NOTES:**  
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Description	Date
Client:	
Address: Collingwood Batchellor 46-48 Victoria Road, Horley, Surrey RH6 7QE	
Project: Proposed Extension	
Drawing title: Proposed Plans	
Project No	19113
Date	29-08-21
Drawn by	IA
Drawing No	P05
Scale: 1:100@A1	



ROOF PLAN



Studio1, The Hub  
3 Drove Road  
Newhaven  
East sussex  
BN9 0AD

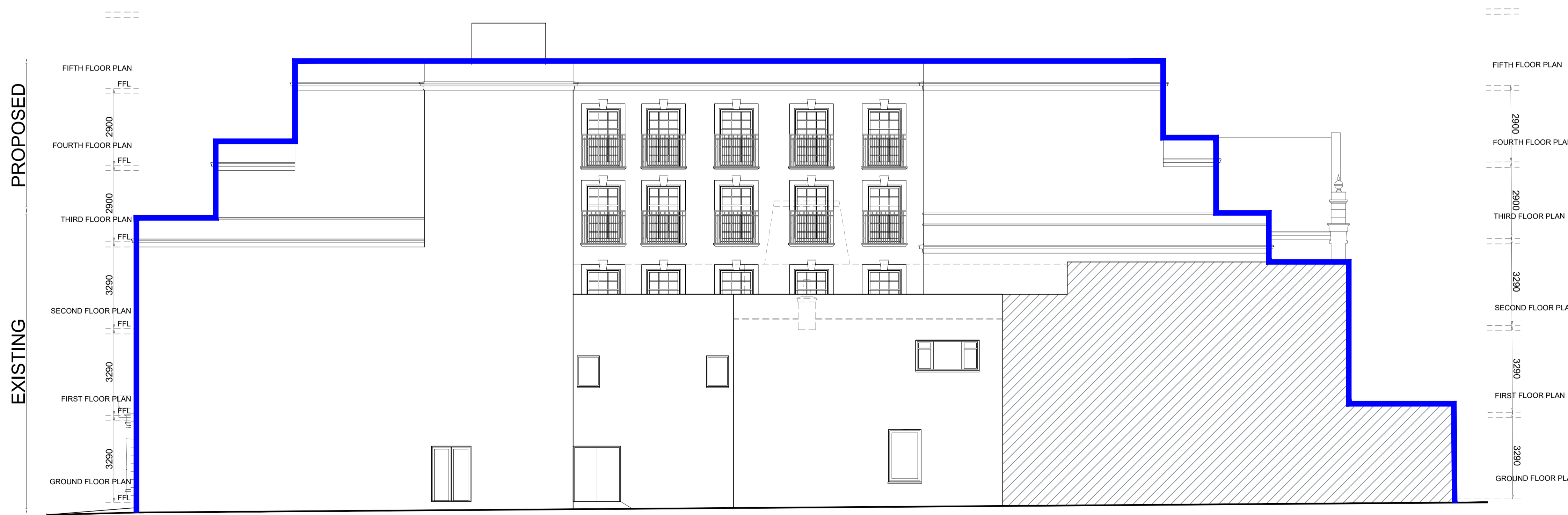
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e: support@staac.co.uk

**NOTES:**  
This drawing is to be read in conjunction with all relevant Architects and Engineers drawings. Only figured dimensions are to be used for construction. All dimensions are to be verified on site prior to work commencing.

Description	Date
Client:	
Address: Collingwood Batchellor 46-48 Victoria Road, Horley, Surrey RH6 7QE	
Project: Proposed Extension	
Drawing title: Proposed Plans	
Project No	19113
Date	29-08-28
Drawn by	IA
Drawing No	P07
Scale	1:100@A1



NORTH EAST ELEVATION  
(facade on Consort Way E)



NORTH WEST ELEVATION



Studio1, The Hub  
3 Drove Road  
Newhaven  
East Sussex  
BN9 0AD

t: 01323 325354  
t: 01932 506111  
t: 0808 1699964 /free/  
e: support@staac.co.uk

**NOTES:**

This drawing is to be read in conjunction with all relevant Architects and Engineers drawings. Only figured dimensions are to be used for construction. All dimensions are to be verified on site prior to work commencing.

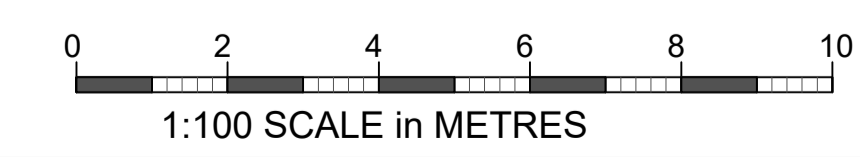
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Client:	
Address: Collingwood Batchellor 46-48 Victoria Road, Horley, Surrey RH6 7QE	
Project: Proposed Extension	
Drawing title: Proposed Elevations	
Project No	19113
Date	04-01-20
Drawn by	IA
Drawing No	P08 (A)
Scale	1:100@A1



SOUTH WEST ELEVATION  
(facade on Victoria Road)



SOUTH EAST ELEVATION  
(facade on Consort Way E)



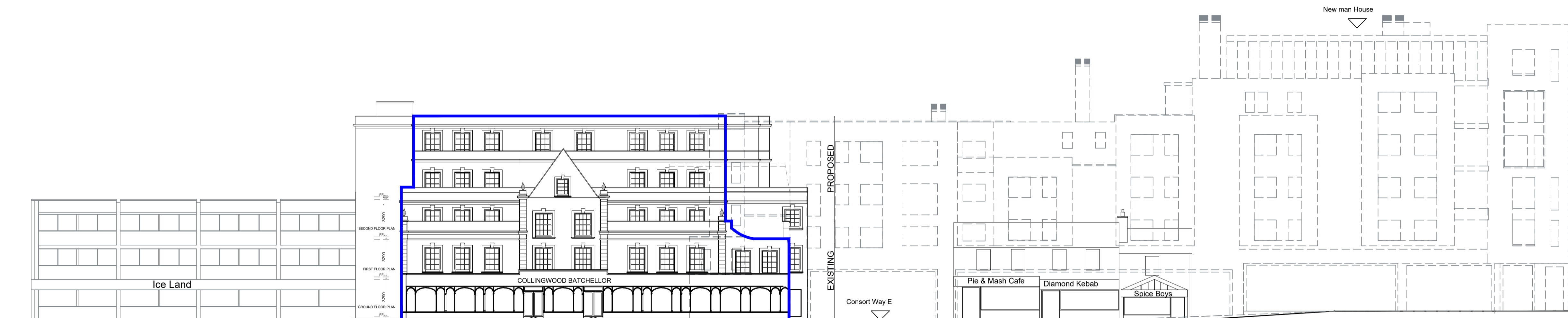
**STAAC**

Studio1, The Hub  
3 Drove Road  
Newhaven  
East sussex  
BN9 0AD

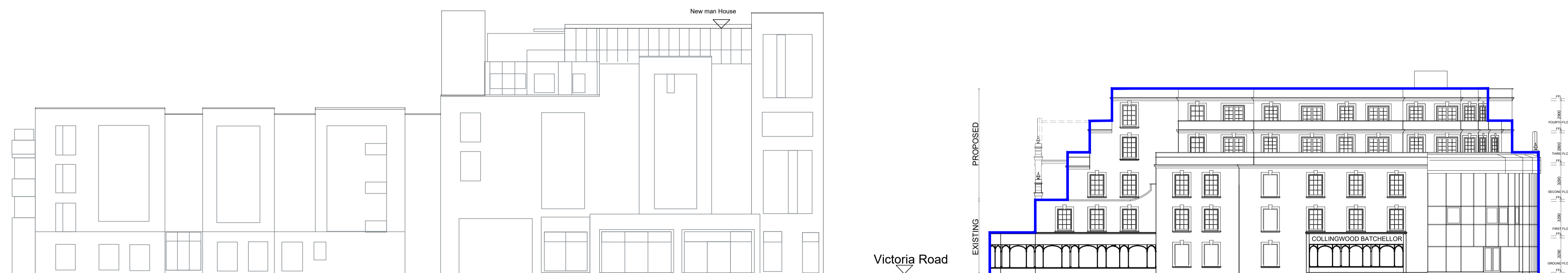
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e: support@staac.co.uk

**NOTES:**  
This drawing is to be read in conjunction with all relevant Architects and Engineers drawings  
Only figured dimensions are to be used for construction  
All dimensions are to be verified on site prior to work commencing

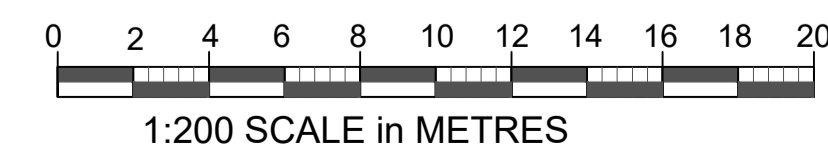
Description	Date
Client:	
Address: Collingwood Batchellor 46-48 Victoria Road, Horley, Surrey RH6 7QE	
Project: Proposed Extension	
Drawing title: Proposed Elevations Sun Light Angle	
Project No 19113	
Date 04-01-20	
Drawn by IA	
Drawing No P08 (B)	
Scale 1:100@A1	



**SOUTH WEST STREET SCENE**  
(facade on Victoria Road)



**SOUTH EAST STREET SCENE**  
(facade on Consort Way E)



Studio1, The Hub  
3 Drove Road  
Newhaven  
East Sussex  
BN9 0AD

t: 01323 325354  
t: 01932 506111  
t: 0808 1699964 /free/  
e: support@staac.co.uk

**NOTES:**  
This drawing is to be read in conjunction with all relevant Architects and Engineers drawings  
Only figured dimensions are to be used for construction  
All dimensions are to be verified on site prior to work commencing

Description	Date
Client:	
Address: Collingwood Batchelor 46-48 Victoria Road, Horley, Surrey RH6 7QE	
Project: Proposed Extension	
Drawing title: Proposed Street Scene	
Project No	19113
Date	04-01-20
Drawn by	IA
Drawing No	P10
Scale	1:200@A1





flat windows opposite

25° Angle Indication - SOUTH EAST ELEVATION  
(facade on Consort Way E)



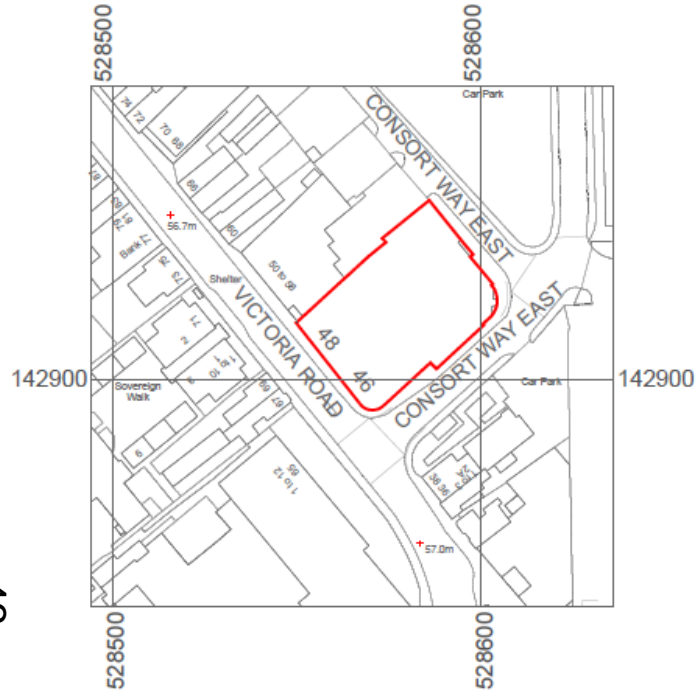
Studio1, The Hub  
3 Drove Road  
Newhaven  
East sussex  
BN9 0AD

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t: 01932 506111  
t: 0808 1699964 /free/  
e: support@staac.co.uk

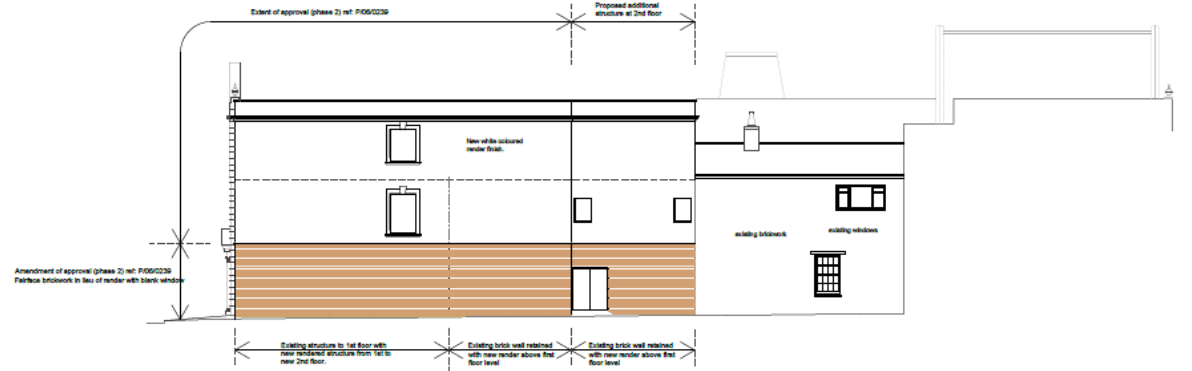
**NOTES:**  
This drawing is to be read in conjunction with all relevant Architects and Engineers drawings  
Only figured dimensions are to be used for construction  
All dimensions are to be verified on site prior to work commencing

Description	Date
Client:	
Address: Collingwood Batchellor 46-48 Victoria Road, Horley, Surrey RH6 7QE	
Project: Proposed Extension	
Drawing title: Proposed Elevations Sun Light Angle	
Project No	19113
Date	04-01-20
Drawn by	IA
Drawing No	P11
Scale	1:100@A1

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NORTH EAST ELEVATION



NORTH WEST ELEVATION



SOUTH EAST ELEVATION  
(facade on Consort Way E)



SOUTH WEST ELEVATION  
(facade on Victoria Road)

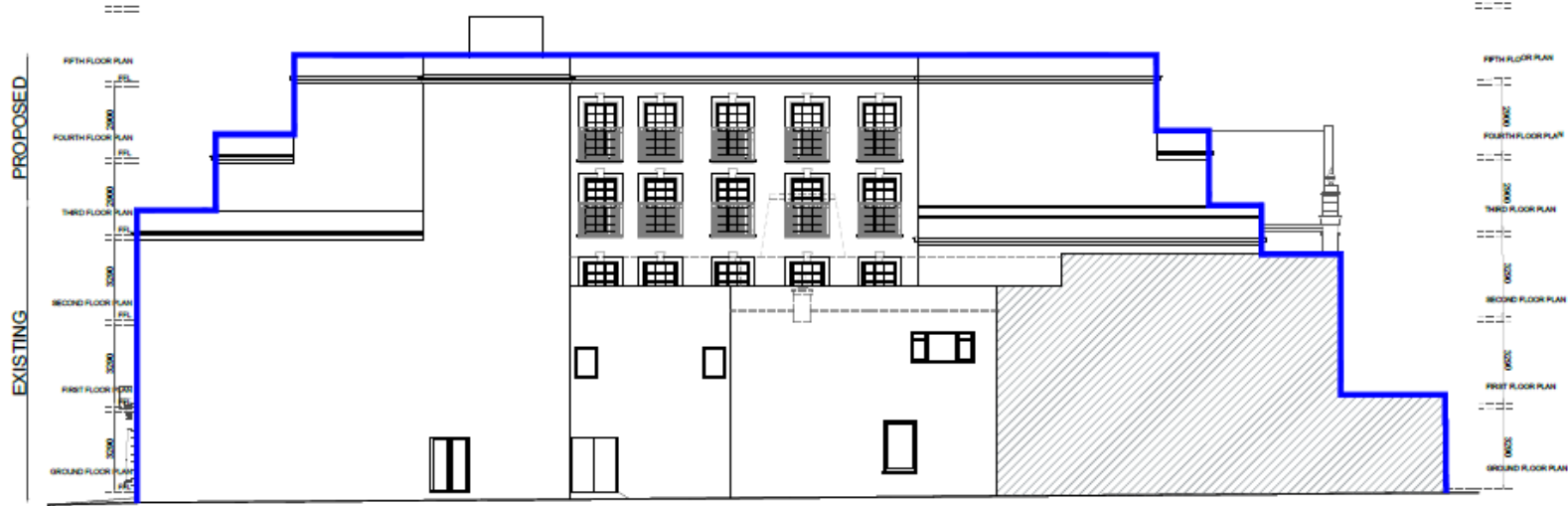








NORTH EAST ELEVATION  
(facade on Consort Way E)



NORTH WEST ELEVATION



SOUTH WEST ELEVATION  
(facade on Victoria Road)



SOUTH EAST ELEVATION  
(facade on Consort Way E)

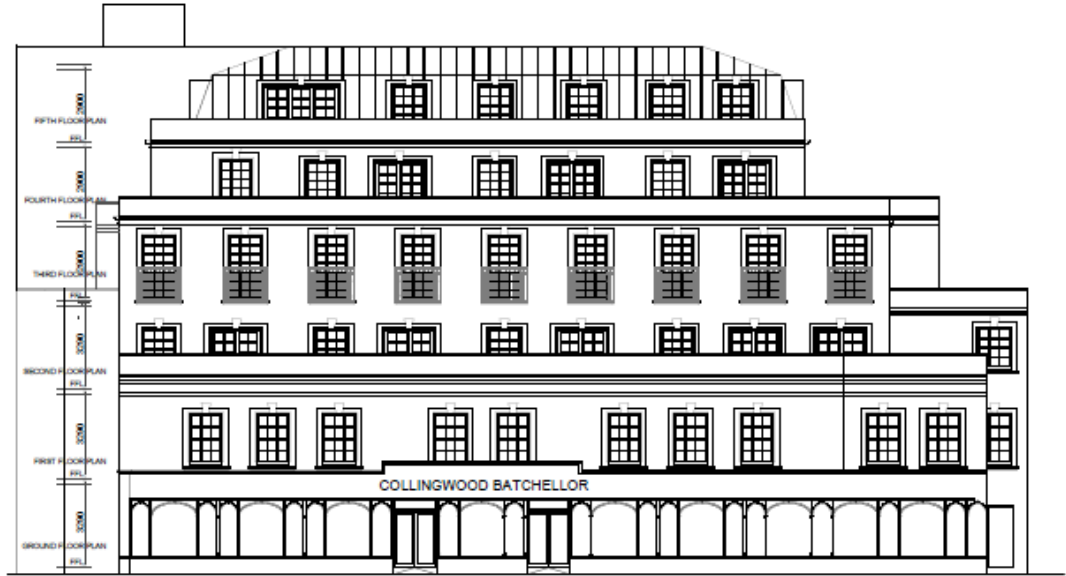




NORTH EAST ELEVATION  
(facade on Consort Way E)



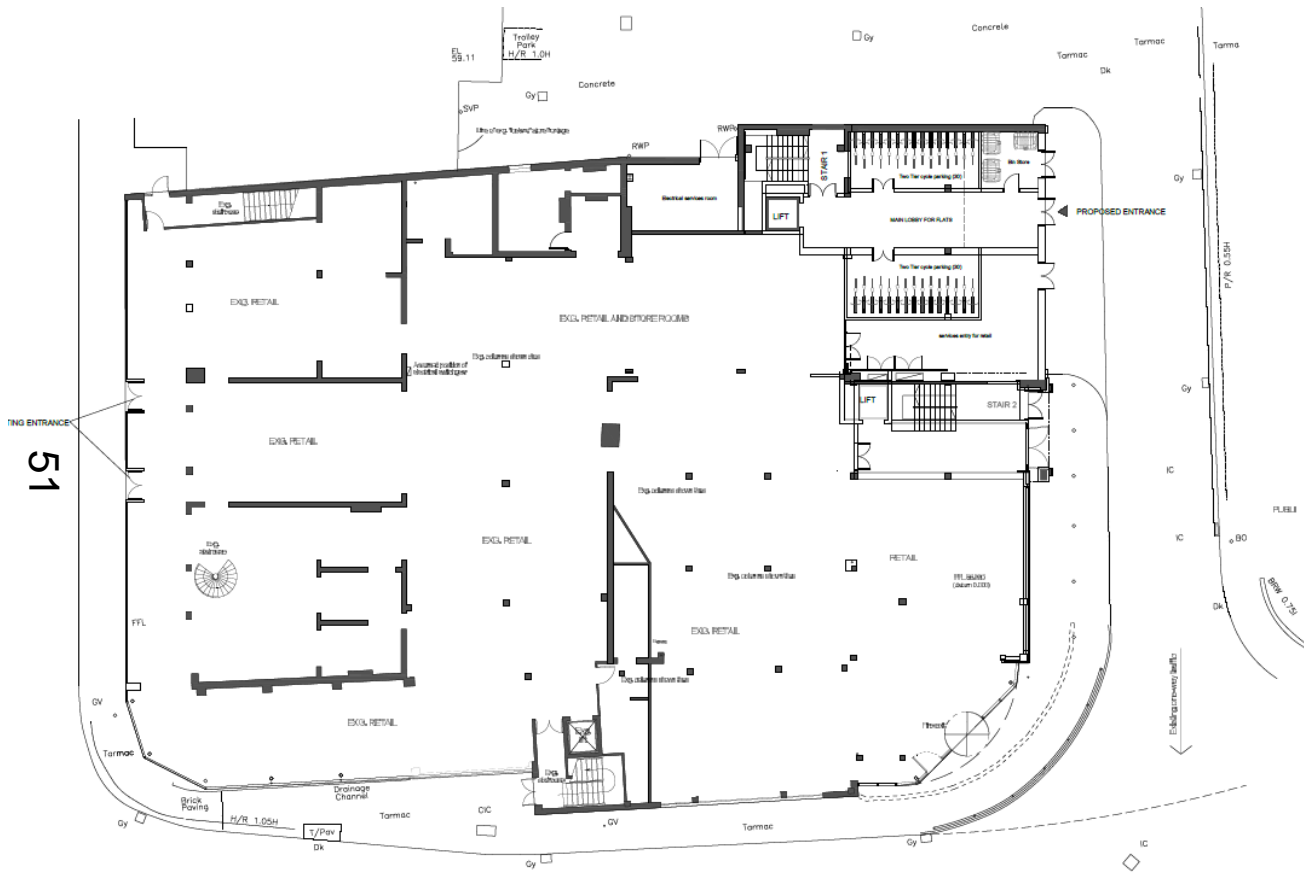
NORTH WEST ELEVATION



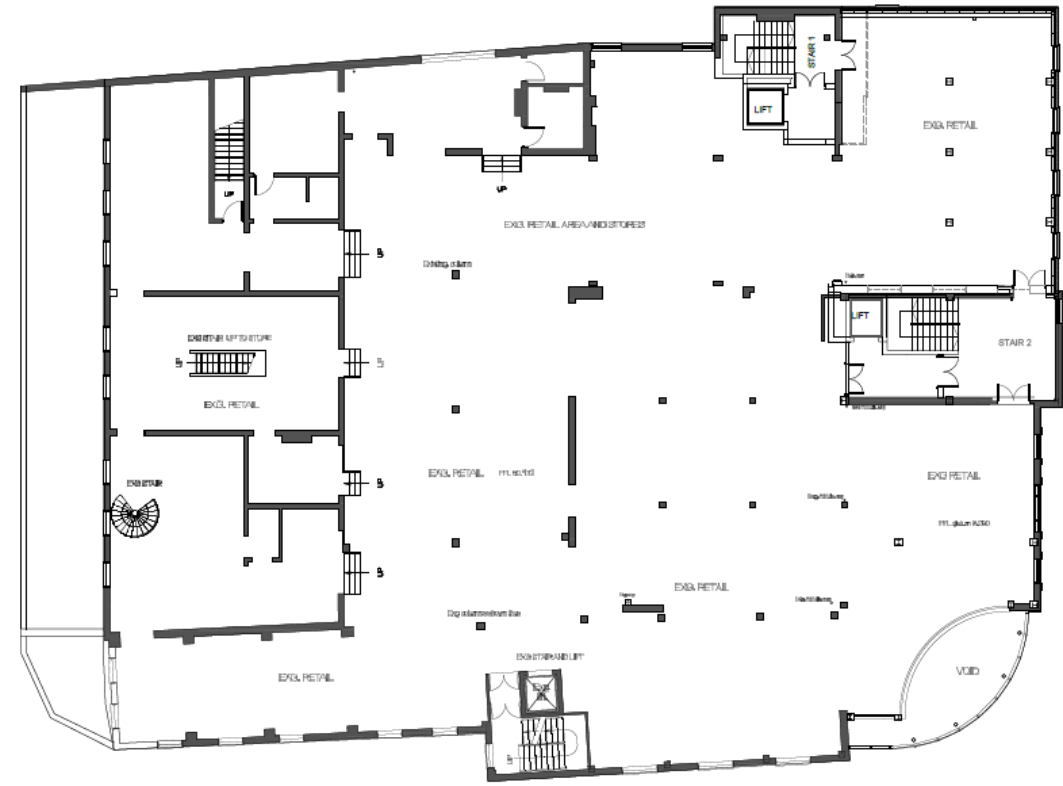
SOUTH WEST ELEVATION  
(facade on Victoria Road)



SOUTH EAST ELEVATION  
(facade on Consort Way E)



GROUND FLOOR PLAN



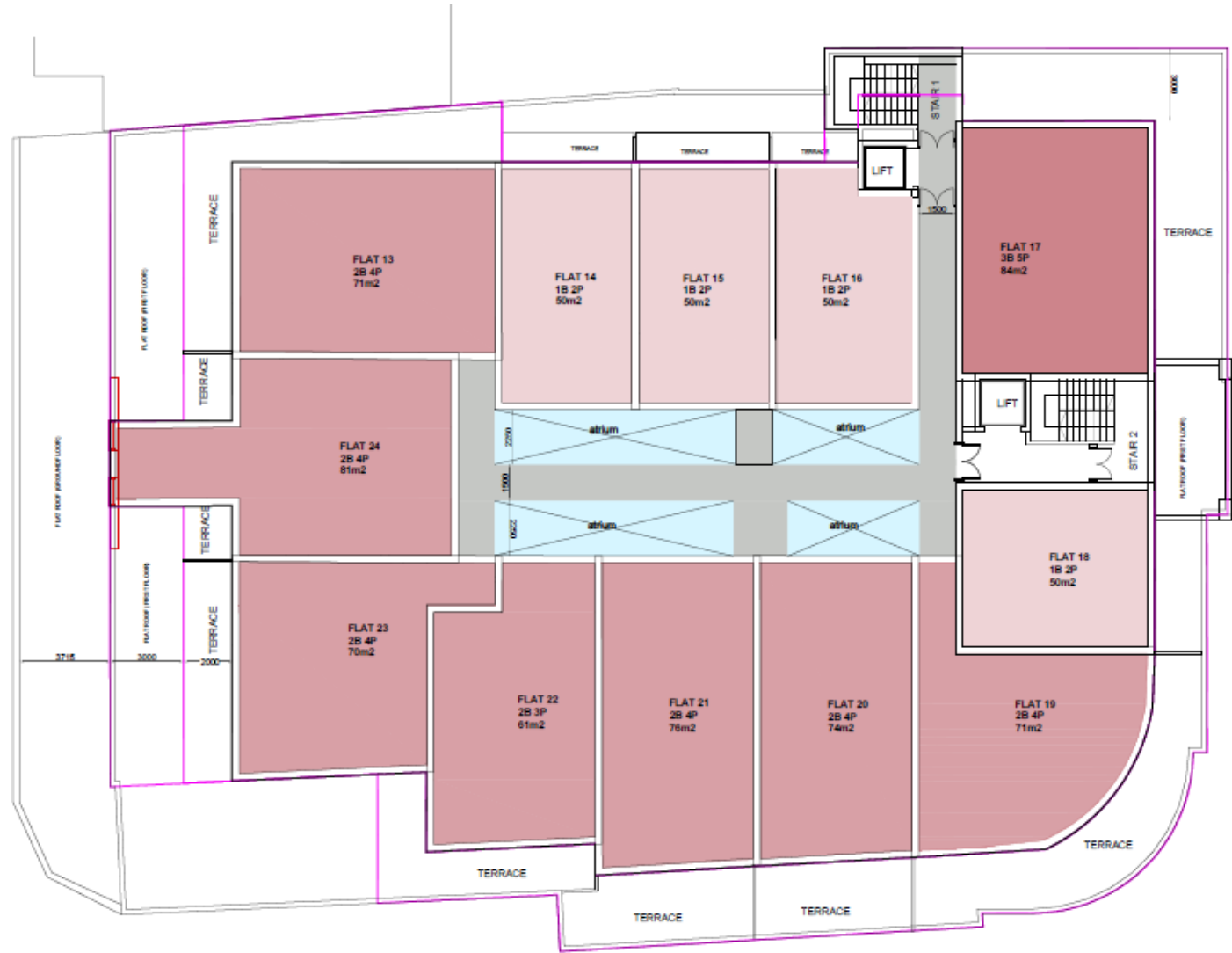
FIRST FLOOR PLAN

N



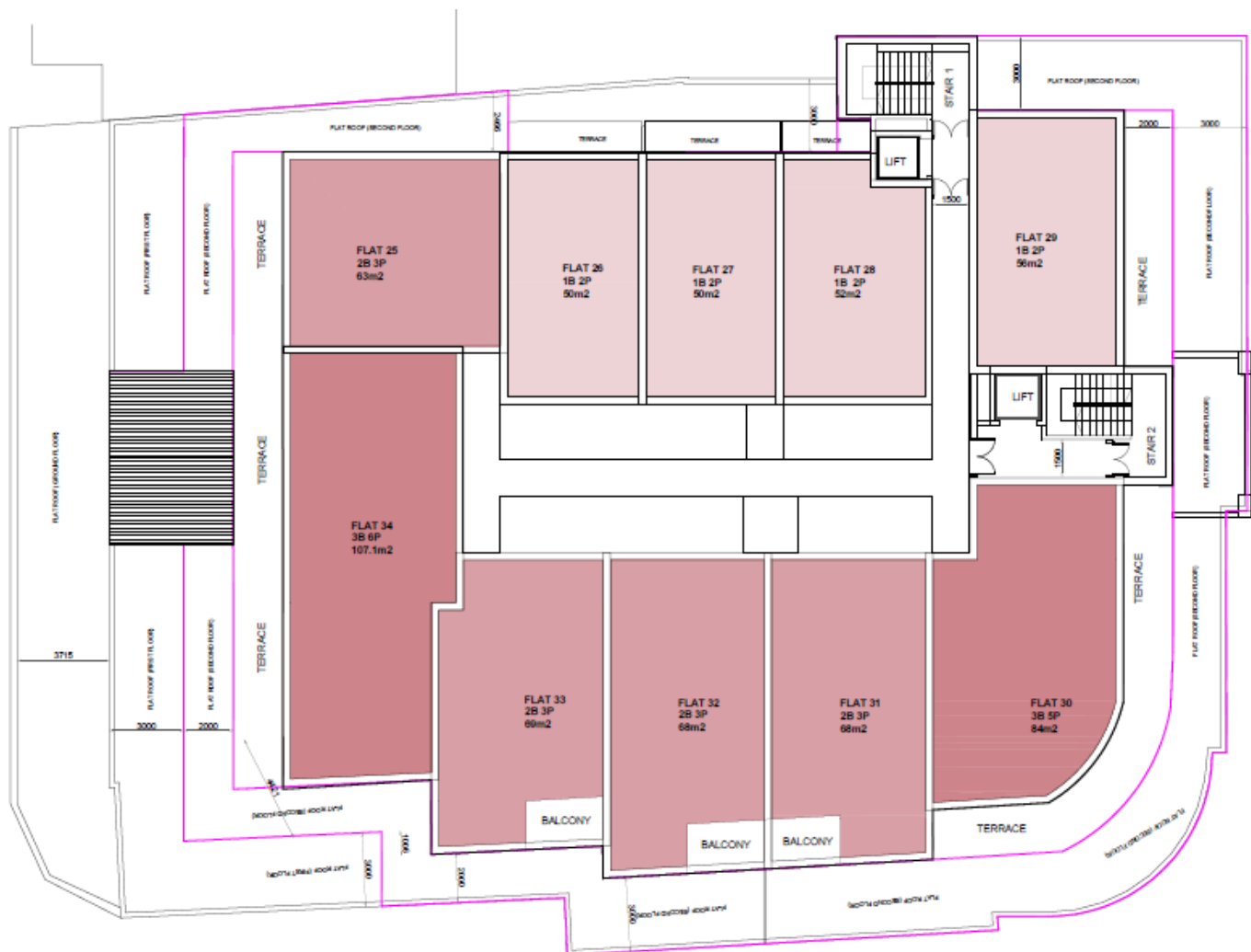
SECOND FLOOR PLAN

	1 BED	2 BED	3 BED	
AFFORDABLE	[Color swatches]			
PRIVATE	[Color swatches]			
	1 BED	2 BED	3 BED	
Second	3	7	2	12
Third	4	7	1	12
Fourth	4	4	2	10
<b>Total</b>	<b>11</b>	<b>18</b>	<b>5</b>	<b>34</b>
				(10 affordable required @ of 30%)
	Gross Internal Area		Type	
Ground	1649.4sqm	(as existing)	Retail	
First	1540.0sqm	(as existing)	Retail	
Second	1387.5 sqm		Flats	
Third	1104.1sqm		Flats	
Fourth	906.8 sqm		Flats	





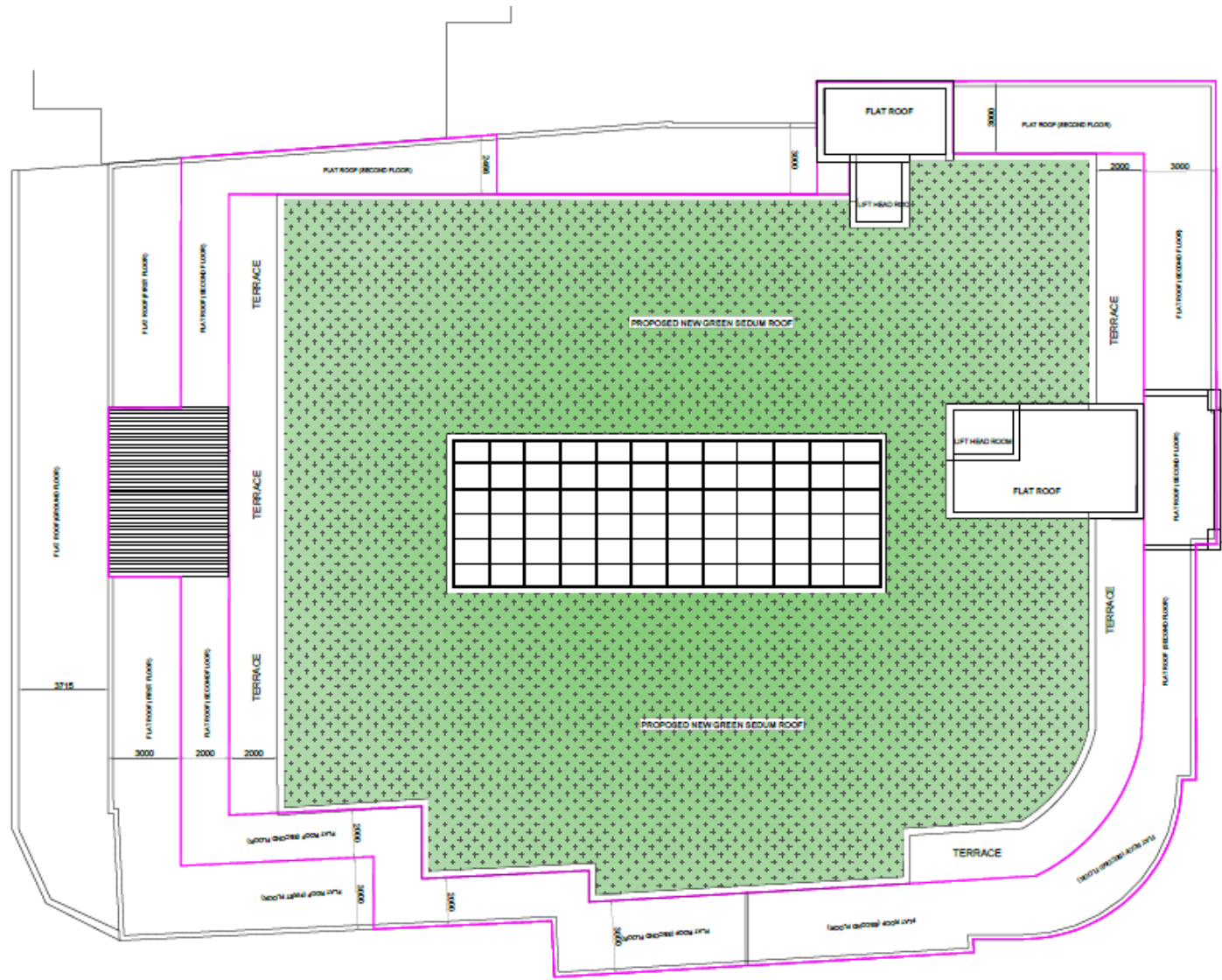
THIRD FLOOR PLAN

	1 BED	2 BED	3 BED	
	1 BED	2 BED	3 BED	
<b>AFFORDABLE</b>	[Color swatches]			
<b>PRIVATE</b>	[Color swatches]			
	1 BED	2 BED	3 BED	
Second	3	7	2	<b>12</b>
Third	4	7	1	<b>12</b>
Fourth	4	4	2	<b>10</b>
<b>Total</b>	<b>11</b>	<b>18</b>	<b>5</b>	<b>34</b> <small>(10 affordable required @ 2 of 20)</small>
	Gross Internal Area			Type
Ground	1649.4sqm (as existing)			Retail
First	1549.0sqm (as existing)			Retail
Second	1387.5 sqm			Flats
Third	1104.1sqm			Flats
Fourth	906.8 sqm			Flats



FOURTH FLOOR PLAN

	1 BED	2 BED	3 BED	
<b>AFFORDABLE</b>				
<b>PRIVATE</b>				
	1 BED	2 BED	3 BED	
Second	3	7	2	<b>12</b>
Third	4	7	1	<b>12</b>
Fourth	4	4	2	<b>10</b>
<b>Total</b>	<b>11</b>	<b>18</b>	<b>5</b>	<b>34</b>
	29%	56%	15%	(10 affordable required @ of
	Gross Internal Area		Type	
Ground	1649.4sqm (as existing)		Retail	
First	1549.0sqm (as existing)		Retail	
Second	1242.8sqm		Flats	
Third	1014.1sqm		Flats	
Fourth	809.3 sqm		Flats	



ROOF PLAN



SOUTH WEST STREET SCENE  
(facade on Victoria Road)



SOUTH EAST STREET SCENE  
(facade on Consort Way E)





SOUTH WEST ELEVATION  
(facade on Victoria Road)

SOUTH WEST STREET SCENE  
(facade on Victoria Road)



SOUTH EAST STREET SCENE  
(facade on Consort Way E)

SOUTH EAST ELEVATION  
(facade on Consort Way E)





flat windows opposite

Victoria Road

EXISTING  
PROPOSED

25° Angle Indication - SOUTH EAST ELEVATION  
(facade on Consort Way E)


COLLINGWOOD BACHELLOR

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# Agenda Item 6

Planning Committee  
9th February 2022

Agenda Item: 6  
21/00429/CU

 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	9th February 2022
	<b>REPORT OF:</b>	HEAD OF PLANNING
	<b>AUTHOR:</b>	Lesley Westphal
	<b>TELEPHONE:</b>	01737 276188
	<b>EMAIL:</b>	Lesley.westphal@reigate-banstead.gov.uk
<b>AGENDA ITEM:</b>	6	<b>WARD:</b> <i>Lower Kingswood and Tadworth</i>

<b>APPLICATION NUMBER:</b>	21/00429/CU	<b>VALID:</b>	16/03/2021
<b>APPLICANT:</b>	Land and City Families Trust	<b>AGENT:</b>	WS Planning
<b>LOCATION:</b>	<b>LAND AND CITY FAMILIES TRUST, OLD PHEASANTRY, MERRYWOOD GROVE, LOWER KINGSWOOD, SURREY</b>		
<b>DESCRIPTION:</b>	<b>Change of use of part of the building to a school. As amended on 28/04/2021 and on 24/05/2021.</b>		
<b>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.</b>			

**This application is referred by Cllr Ashford due to the public interest**

## SUMMARY

The application seeks permission for the change of use of a small part of an existing building in use for educational/rural activities retreat for disadvantaged children. The use of the main part of this building would remain as a retreat/activities centre for disadvantaged children. The site lies in a rural location within the Green Belt and an Area of Great Landscape Value where the character is one of detached housing set in spacious plots and set within significant levels of mature planting where the natural planted landscape is the dominant character.

The property was granted planning permission in 198 under reference 85/0601/S.32 for: 'Continued Use as a residential centre for disadvantaged children and adults'. This was granted conditionally, with condition 1 stating "The premises shall be used as a rural centre for a maximum of 20 disadvantaged children and adults and for no other purpose without the prior approval of the Local Planning Authority."

The use has already commenced bringing children to the site in a mini-bus whilst teachers and other staff drive to the site: any car sharing is on an informal basis only. Parking has been created amongst the trees of the north/east corner of the site adjacent to the public footpath 631. Access is via a private road which runs along the public footpath. The site is not in a sustainable location being too far removed from any public transport to allow such use by the applicants or by nearby residents so the school would rely on the use of the private motor vehicle for all of its journeys.

# Agenda Item 6

Planning Committee  
9<sup>th</sup> February 2022

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21/00429/CU

The scheme does and would continue to provide a school facility that would assist in the provision of sufficient school places to meet the needs of existing and new communities in accordance with the provisions of the NPPF.

The creation of the car park amongst trees within the site has resulted in visual change to this part of the site with the car park being visible from outside the site from the adjacent public footpath. The original and retained use of the site would use the grass verge adjacent to public footpath 631 for the parking of 10 cars. This parking lies outside the site and does not form part of this application. Nevertheless, this should be considered as part of the overall assessment of the use of the building upon its surroundings. Whilst there is evidence that some parking for the original use took place on the grass verge previously, the use of the site for school parking effectively prevents its use for parking for the activities centre. The visual impacts of parking in and around this site would be significantly greater than previously experienced, leading to a less rural character as a result and changing the otherwise previously low key, well screened parking that accompanies surrounding houses. Not only would this change the character of the site but it would also cause harm to the Green Belt: resulting in harm to the openness of the surrounding Green Belt. Although a transitory feature, it would nevertheless cause a harmful change.

The site lies within the Area of Great Landscape Value and the parking in and around the site would cause harm to the character of the site and its immediate surroundings, contrary to the provisions of Policy CS2 of the Reigate and Banstead Core Strategy, Policy NHE1 of the Reigate and Banstead Development Management Plan and the provisions of the National Planning Policy Framework.

The level of traffic drawn to the site would be significantly different to that previously experienced, but it is not considered to cause either highway safety concerns nor concerns regarding the free flow of traffic. It would unquestionably be noticeable to residents, but is not considered to be so severe an increase as to justify a reason for refusal.

There are no very special circumstances that would clearly outweigh the harms identified and this scheme would therefore constitute inappropriate development in the Green Belt.

## **RECOMMENDATION**

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

1. The use hereby considered, constitutes inappropriate development in the Green Belt, causing harm to the openness of the Green Belt, by virtue of the increased levels of activity and car parking which further harms the character of the local area, including the Area of Great Landscape Value designation. In the absence of very special circumstances to outweigh these harms the proposal is contrary to Policies CS2 and CS3 of the Reigate and Banstead Core Strategy, Policies DES1, NHE5 and NHE1 of the Reigate and Banstead Development Management Plan and the provisions of the National Planning Policy Framework.

## **Consultations:**

### County Highway Authority:

The proposed development is in an unsustainable location which is in excess of maximum walking distance from rail and bus services and would involve cycling along roads that are not conducive to cycling and would involve cycling along unlit and unmade paths al contrary to the NPPF 2021 and Reigate and Banstead Core Strategy 2014 Policy CS17 (Travel options and accessibility).

Access to the site is along roads that are privately maintained and owned and provide access to a number of properties. They also carry rights of way. We have no record of any complaints about pedestrian conflict with traffic accessing the application site. Any potential conflict would be mitigated by incorporating passing places but consent would be required from the relevant landowners where the land is not owned the applicant. I have recommended that a passing place be provided on Banstead public footpath no 631.

Increased traffic will wear on the existing road surface and any resulting damage may pose a hazard to public users. Maintenance of the surface to enable vehicle use is the responsibility of the landowner and/or those exercising a private vehicular right and they must ensure it is safe for the public. Any changes to the surface of rights of way must be in consultation with the Countryside Access to ensure it is suitable for the public traffic.

A significant reduction in car use is unlikely to be achieved in this unsustainable location, even with the implementation of a travel plan. The daily number of trips to/from the school itself is low 1 x minibus, 1 x cyclist, 1 x taxi and upto 14 staff carts. Although car sharing takes place on an informal basis so this number may be less on some days. A small number of trips are generated by part time staff. The Travel Plan states that there are 1 full time members of staff who arrive between 7.30-8.15 and who leave between 4 – 6.30pm. 1 part time member of staff works in the afternoons only and another (cleaner) works on Thursday and Sunday evenings only, the remaining 3 work as therapists but only work at the school a total of 3.5 days per month between them.

A travel plan would mean that the school commit to building on their existing proposals .eg to provide cycle storage, encourage staff to car share and to provide road safety training for pupils without committing to targets which would be rather meaningless given the location of the site.

If the planning authority is minded to approve the application conditions are recommended to address the following matters:

- Submission of a travel statement
- Provision of a passing place
- 

Surrey CC Countryside Access - Access to the Old Pheasantry is along roads that are privately owned and maintained and provide vehicular access to a number of properties. They also carry the above rights of way. Would be concerned that any

# Agenda Item 6

Planning Committee  
9<sup>th</sup> February 2022

Agenda Item: 6  
21/00429/CU

increase in traffic may result in conflict with public users, (pedestrians, equestrians and cyclists), although they have no record of any such complaints about conflict with traffic accessing the application site. Any potential conflict might be mitigated by incorporating passing places, but consent would be required from the relevant landowners where the land is not owned by the applicant. It may be that an alternative access into the western boundary of the site would reduce this problem. I would recommend that the applicants undertake to mow the verges either side of the tarmac and as long as there is plenty of room for pedestrians to step off the path I would be willing to accept this in addition to the passing place.

To be clear it is Public Footpath 631 where I think there might be conflict between public users and vehicles.

Increased traffic will increase wear on the existing road surface and any resulting damage (e.g. potholes) may pose a hazard to public users. Maintenance of the surface to enable vehicle use is the responsibility of the landowner and/or those exercising a private vehicular right and they must ensure it is safe for the public. Any changes to the surface of rights of way must be in consultation with Countryside Access to ensure it is suitable for the public traffic (e.g. new tarmac can be very slippery for horses). Applicants are reminded that the granting of planning permission does not authorise obstructing or interfering in any way with a public right of way. This can only be done with the prior permission of the Highway Authority (Surrey County Council, Countryside Access Group).

## NATS Safeguarding:

No objections

## **Representations:**

Letters were sent to neighbouring properties on 19<sup>th</sup> March 2021 and a site notice was posted 25<sup>th</sup> March 2021. Neighbours were re-notified on the revised plans for a 14 day period commencing 25<sup>th</sup> May 2021 and again in November 2021..

140 responses have been received across the revised application including many from the same residents raising the following issues:

<b>Issue</b>	<b>Response</b>
Inadequate parking	See paragraph.4.6,6.10,6.12 6.31
No need for the development	See paragraph 6.33
Noise & disturbance	See paragraph 6.27 -6.29
Inconvenience during construction	See paragraph 6.29
Out of character with surrounding area	See paragraph 6.23 – 6.26
Increase in traffic and congestion	See paragraph 6.16-6.18 & 6.30- 6.34



Overdevelopment	See paragraph 6.16-6.18
Hazard to highway safety	See paragraph 6.30-6.34
Harm to Conservation Area	The site is not located within a conservation area.
Harm to listed building	The building is not listed.
Overlooking and loss of privacy	See paragraph 6.27-6.29
Crime fears	See paragraph 6.27.- 6.29
Loss of/harm to trees/wildlife habitat	See paragraph 6.35-6.37
Harm to Green Belt/countryside	See paragraph 6.3-6.22
Property devaluation	This is not a material planning consideration
Alternative location or proposal preferred	Each application must be assessed on its own merits.

These comments include 21 responses expressing support for the proposed change of use.

Support - Community/regeneration benefit	See paragraph 6.33
Support - Economic growth / jobs	See paragraph 6.33
Support - Visual amenity benefits	See paragraph 6.8-6.15

## **1.0 Site and Character Appraisal**

1.1 The application site is situated on the south side of Merrywood Grove in Mogador, Tadworth. The site comprises part of a two-storey building with rooms in the roof, with grounds located to the north. The site is currently owned by Land and City Families Trust and is occupied by Merrywood House School who since 1988, have used The Old Pheasantry, including the main building and the grounds to provide accommodation for groups of disadvantaged children. The larger part of the main building, which is not the subject of this application, continues to be used as accommodation for short periods of time (weekends or weekday uses) by groups bringing disadvantaged children for educational or recreational breaks. The applicants state that the building sleeps up to 20 children and has a sitting room, dining room, garden room, kitchen and utility room, together with dormitories, bathrooms and shower rooms. It is noted that this use is currently suspended due to the COVID-19 restrictions. Off site parking for this part of the building will continue to be along the grass verge adjacent to the footpath no 631 which runs along the front of the property.

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- 1.2 The part of the building that is the subject of this application was previously occupied by the Site Manager and is located principally at first and second storey (roof space) levels with access to the ground floor. The applicants state that this use ceased in 2019 when the Manager left, and the Trustees decided to appoint an off-site Manager.
- 1.3 Merrywood House is located in spacious grounds which include open areas laid to grass as well as areas of woodland.
- 1.4 The site is located in open countryside just to the south of the M25 motorway. The site is accessed from Merrywood Grove, a private road which is designated as bridleway in part and as a public footpath. Merrywood Grove is partially surfaced, and its upkeep is undertaken by the residents who use it for access to their properties.

## **2.0 Added Value**

- 2.1 The applicants did not engage in pre-application discussions with the Council
- 2.2 Improvements secured during the course of the application: none the scheme is recommended for refusal
- 2.3 Further improvements are not considered inappropriate since the principal of the scheme is considered a unacceptable.

## **3.0 Relevant Planning and Enforcement History**

- |     |              |  |   |
|-----|--------------|--|---|
| 3.1 | 94/08100/F   | Erection of a stable block   | Approved 20<br>September 1994                   |
| 3.2 | 85/06010/F   | Continued use as rural centre for disadvantaged children and adults  | Granted 29 July<br>1985                         |
| 3.3 | 85P/0601/S32 | Continued use as rural centre for disadvantaged children and adults  | Approved with<br>conditions 29 July<br>1985     |
| 3.4 | 77P/0106     | Continued use as a rural centre for deprived and handicapped children  | Approved with<br>conditions 21 April<br>1977    |
| 3.5 | 75P/1111     | Renewal of temporary permission for use of The Old Pheantry as a rural centre for handicapped children for a further 2 years | Approved with<br>conditions 14<br>January 1976  |
| 3.6 | 74P/0468     | Temporary use as a rural centre for up to 20 educationally handicapped children  | Approved with<br>conditions 29<br>November 1974 |

## 4.0 Proposal and Design Approach

- 4.1 This is a full application for the change of use of part of the building at Merrywood House to a school. The application relates to the part of the school which was formerly occupied by the Site Manager and is located principally at first and second storey (roof space) levels with access to the ground floor.
- 4.2 The Trustees of the site have leased this part of the building to Merrywood House School, to be used for a special school for primary children with complex educational needs. It is noted that Merrywood House School is an independent special school for pupils aged 6 to 11 with complex educational and social needs. Merrywood House School offers places to children throughout the local area and surrounding boroughs (see supporting letter from Merton Council). In addition to the part of the building leased to Merrywood House School, an area of the grounds is also leased to the School, providing an area for parking and outdoor space for the children (parking to the north/east of the house).
- 4.3 The applicants note that Ofsted gave their approval to use the premises as a school in May 2020. The opening of the school was delayed by the COVID-19 restrictions, but it operated for 6 weeks before the summer holidays, housing a total of 6 children. The school reopened in September 2020 where the number of children increased to 16 children in total. The School's maximum capacity would be for 18 children. The School has 15 full-time staff members and 7 part-time staff members. It should be noted that Merrywood House School is a day school only, and there is no requirement for overnight stays.
- 4.4 In October 2020, the Council's Senior Enforcement Officer contacted the owners of The Old Pheasantry to clarify the use of the site. It was confirmed that part of the building is being used as a fee-paying school, which the Enforcement Officer advised requires planning permission. Therefore, this application has been submitted following requests from the Council's Enforcement Officer.
- 4.5 The School has a minibus which picks up the children from an agreed collection point, with the exception of one pupil who cannot travel with a group and is delivered and collected by taxi.
- 4.6 The application site currently has an informal parking forecourt arrangement, that provides space for the minibus and 15 cars. The applicants state that the parking arrangements are not ideal and have the potential to harm the existing trees on site. Therefore, the layout of the parking forecourt is proposed to be rearranged. The rearrangements are proposed in order to create a more practical layout and to minimise the impact on the existing trees. The new parking layout would include the removal of several low value tree, as detailed in the submitted Arboricultural Report prepared by David Archer Associates. The removal of these low value trees would not be detrimental to the character or appearance of the site, and proposals for

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replacement tree planting are being considered and could be achieved by means of an appropriate condition. A passing place along footpath 631 would be maintained as part of an agreement with the school if permission were granted

4.7 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a four-stage design process comprising:  
Assessment;  
Involvement;  
Evaluation; and  
Design.

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

Assessment	The character of the surrounding area is assessed as being semi-rural and already in a quasi-educational use.
	Site features meriting retention are listed as a number of trees.
Involvement	No community consultation took place.
Evaluation	The statement does not include any evidence of other development options being considered.
Design	The statement does not explain why the proposal was chosen

4.9 Further details of the development are as follows:

Site area	0.34 ha
Existing use	Residential Centre for children
Proposed use	School
Existing parking spaces	16
Proposed parking spaces	16

## 5.0 Policy Context

### 5.1 Designation

Metropolitan Green Belt  
Area of Great Landscape Value

### 5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)  
CS2 (Valued Landscapes and Natural Environment),  
CS3 (Green Belt)  
CS5 (Valued People/Economic Development),  
CS10 (Sustainable Development),  
CS12 (Infrastructure Delivery),  
CS17 (Travel Options and accessibility)

## 5.3 Reigate and Banstead Development Management Plan 2019

DES1 (Design of New development)  
TAP1 (Access, Parking and Servicing)  
NHE1 (Landscape Protection)  
NHE2 (Protecting and enhancing biodiversity and areas of geological importance)  
NHE3 (Protecting trees, woodland areas and natural habitats)  
INF1 (Infrastructure)  
INF2 (Community Facilities)

## 5.4 Other Material Considerations

National Planning Policy Framework

National Planning Practice Guidance

Supplementary Planning Guidance

Local Distinctiveness Design Guide  
Vehicle and Cycle Parking  
Guidance 2018

Other

Human Rights Act 1998

## 6.0 **Assessment**

6.1 The site is located within the Metropolitan Green Belt. National and Local Policy requires that in order to preserve the openness of the Green Belt, planning permission should not be granted for development that is inappropriate unless justified by very special circumstances.

6.2 The main issues to consider are:

- The principle of development in the Green Belt
- Design appraisal
- Neighbour amenity
- Highway matters
- Trees and Landscaping

### The principle of development in the Green Belt

6.3 The site is located in the Green Belt and Core Strategy Policy CS3 and DMP Policy NHE5, in line with the NPPF (2019), state the construction of new

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buildings will be regarded as inappropriate in the Green Belt unless they fall within one of the listed exceptions.

6.4 Para. 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Para.145 sets out a number of exceptions to this, whilst para 146 states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with then purposes of including land within it, including at part (d) the re-use of buildings provided that the buildings are of permanent and substantial construction.

6.5 The existing building at Merrywood House is one that is of permanent and substantial construction. With regards to the impact on openness, the National Planning Practice Guidance published advice on the assessment of openness in the Green Belt in July 2019. It states that *“assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:*

- *openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;*
- *the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
- *the degree of activity likely to be generated, such as traffic generation.”*

6.6 Each of these issues is discussed in turn below.

## *Spatial Impact*

6.7 The proposed development would not result in an increase in built form on the site, as the proposed school would be accommodated within the existing building. No changes are proposed to the external elevations of the building. In spatial terms, therefore, the proposed development would have no greater impact on the openness of the Green Belt than existing development.

## *Visual Impact*

6.8 The proposal involves the change of use of part of the existing building to a school. The proposal does not include any external alterations or extensions and hence the change of use would not impact the character and appearance of the site or the surrounding area in this regard.

6.9 Merrywood House School currently use an area of the grounds located to the north of the building as outdoor space for the children. The use of this area of the site is not dissimilar to the previous use as part of the rural centre for disadvantaged children. Furthermore, the site is relatively well screened from

the road and from surrounding properties by mature planting. Therefore, the proposal would have little impact upon the character and appearance of the site or the surrounding area in this respect.

- 6.10 The school currently use an area in front of the building for informal parking and it is proposed that this would be rearranged in order to create a more practical layout and to minimise the impact on the existing trees. This parking has only arisen since the school started occupation of the site in 2019. Prior to the start of the school at this time, the only parking that took place in this area was by a single vehicle by the Site manager.
- 6.11 The use of part of the woodland area for parking undoubtedly has an impact on the character and visual amenities of part of the site which prior to the occupation by the school was open and free from parking. The area used for parking has therefore changed in character and appearance of this part of the site, particularly in short views through the trees and is adversely affected. It is proposed to formalise the parking area in front of the school and the concentration of vehicles in a smaller area, including in tandem formation would lead to a reduction in the open rural quality of the environment in front of the building. The removal of trees in this area has also increased the visibility of Merrywood House and the area used for parking and as a result, it is considered that the proposals have a harmful visual impact on the site and a consequent reduction in the openness of the green belt in this location.
- 6.12 We are advised that the parking associated with the previous/existing use of the main part of the building resulted/results in parking along the grass verge lying adjacent to the public footpath no. 631 in front of the building. This grass verge will continue to be used for parking for approximately 10 cars associated with the use of the main part of the building. Whilst officers have observed this site there has been no parking on this verge, but photographs have been submitted to show some parking along this verge previously and the agent has submitted a plan to show 10 spaces along this verge for future use. Whilst this does not block the actual footpath it would present an unsightly urban appearance to this rural footpath. Albeit it is not clear when this last happened on a regular basis, a grant of permission for the school would prevent cars from the rural centre parking within the site and would, in combination with the parking area for the school, lead to a large number of cars parking in in and around a site in this otherwise very rural location. The combination of uses on this site would lead to a harmful visual impact.
- 6.13 It is of course the case that cars provide only a transitory impact upon the openness of the green belt, that harm ceasing when they leave the site. However the presence of this many cars in a relatively small area when they are visible to the surrounding area, and in the case of the cars that would be forced to park on the grass verge, being incapable of being screened by planting, would lead to harm to the openness of the green belt as well as being a visually unattractive and discordant feature in this rural location.
- 6.14 The site is located in an Area of Great Landscape Value (AGLV) where development proposals should seek to conserve and enhance the landscape.

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Given the comments noted above, it is not considered that the landscape is conserved or enhanced by the proposals and that the change of use and the consequent increase in activity would have a harmful impact on the AGLV. The scheme would thus be contrary to Policies CS2 of the Core Strategy and NHE1 of the DMP. In light of these comments, it is considered that the proposals would have a harmful visual impact on the Green Belt .

## *Duration of Development*

- 6.15 The PPG refers to the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness. In this case, the proposed development would comprise the change of use of an existing building and therefore on this point, the proposed development would have a neutral impact on the Green Belt.

## *Degree of activity likely to be generated*

- 6.16 The existing site is in use as a residential centre for underprivileged children. Information submitted with the application states that the school currently accommodates 16 pupils. Of these 15 arrive in a mini-bus whilst the other pupil is brought to school by taxi. The school state that there are generally 15 members of staff on site at any one time. The number of part-time staff has just recently reduced to 5 staff members, and these people are rarely on site together and at times work virtually. The applicants also note that the part-time staff comprise the School's therapy team and one part-time daily staff member. One therapist only comes on site once a month for half of a day. The other two therapists work on different days and work 1.5 days each. The other staff member works in the PM for two hours a day. The final person is the School's cleaner and works Sunday and Thursday evening. The applicants also state that 6 members of staff currently car-share and 1 member of staff does not have a vehicle and travels by bike.
- 6.17 The use of part of the building at Merrywood House has undoubtedly resulted in an increase in the amount of activity at the site, evidenced by the number of cars that arrive and leave along Merrywood Grove and which are parked at the site. This increase in activity has generated a large volume of objection from local residents who have raised concerns about the impact of the additional traffic on Merrywood Grove, which is a private road, and which is designated a bridleway over part of its length and a footpath over part. The increase in activity generally happens on weekdays during the school term although evidence from local residents would appear to show vehicles attending the site on weekends, bank holidays and during the school holidays, although it is not clear whether this is associated with the school or with the residential centre.
- 6.18 As discussed above, it is considered that the activity generated by the school in terms of traffic movements and the parking of cars, has had a harmful visual impact on the Green Belt in this location, and that impact has been exacerbated by the removal of trees. Further trees are proposed for removal



which will increase that impact, and which could not be mitigated by planting in the short term.

- 6.19 The use of the site for parking for the school also results in encroachment of areas of hardstanding and the parking of cars onto land that was formerly open. It is considered that this would conflict with one of the purposes for including land within the Green Belt.
- 6.20 In light of these comments, it is considered that the proposals do not preserve the openness of the Green belt.
- 6.21 The proposals would not, therefore, qualify as an exception under the terms of NPPF paragraph 149 and would comprise inappropriate development within the green belt. Therefore, in accordance with Policy CS3, planning permission should be refused unless it is demonstrated that very special circumstances exist, to the extent that other considerations clearly outweigh any potential harm to the Green Belt by reason of inappropriateness and any other harm.
- 6.22 The application will therefore be assessed against the other planning considerations before an assessment of whether 'very special circumstances' which outweigh the harm by reason of inappropriateness exist.

### Design appraisal

- 6.23 DMP Policy DES1 relates to the Design of New Development and requires new development to be of a high quality design that makes a positive contribution to the character and appearance of its surroundings. New development should promote and reinforce local distinctiveness and should respect the character of the surrounding area. The policy states that new development will be expected to use high quality materials, landscaping and building detailing and have due regard to the layout, density, plot sizes, building siting, scale, massing, height, and roofscapes of the surrounding area, the relationship to neighbouring buildings, and important views into and out of the site.
- 6.24 The proposal involves the change of use of part of the existing building to a school. The proposal does not include any external alterations or extensions and hence the change of use would not impact the character and appearance of the site or the surrounding area in this regard.
- 6.25 However, as discussed above, the location of the school to Merrywood House inevitably means that the majority of trips to the school by both pupils and staff are by private car. To date the school have used areas beneath trees in front of the school building for parking but are proposing to formalise the parking arrangements as part of this application.
- 6.26 The use of part of the woodland area for parking has undoubtedly had an impact on the character and visual amenities of part of the site which prior to the occupation by the school was open and free from parking. The area used

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for parking has therefore changed in character, and the appearance of this part of the site, particularly in short views through the trees, is adversely affected. It is proposed to formalise the parking area in front of the school and the concentration of vehicles in a smaller area, including in tandem formation would lead to a reduction in the open rural quality of the environment in front of the building. The removal of trees in this area has also increased the visibility of Merrywood House and the area used for parking and as a result, it is considered that the proposals have a harmful visual impact on the site thereby contrary to DMP Policy DES1. This is further exacerbated by the parking which we are advised will take place on the adjacent grass verge for the rest of the building. Whilst that does not form part of this application, it would nevertheless appear that by using the grounds within the site for the school parking use of the site for parking associated with the rest of the building is prevented. Thus the impact upon the character of the area by parking is exacerbated.

## Neighbour amenity

- 6.27 In addition to the comments noted above DMP Policy DES1 also requires new development to provide an appropriate environment for future occupants whilst not adversely impacting upon the amenity of occupants of existing nearby buildings, including by way of overbearing, obtrusiveness, overshadowing, overlooking and loss of privacy.
- 6.28 The nearest residential property to the school is located some 80m to the east at Pilgrims Corner and is separated from Merrywood House by areas of woodland and by the road in front of the school. In this regard, the proposed change of use would be unlikely to result in overlooking, or a loss of privacy, nor would there be an overbearing impact. The main concerns of residents relate to the additional traffic generated by the school and the increase in activity on Merrywood Grove, although concerns have been expressed about increased crime.
- 6.29 In this regard the comments from the Highways Authority are clear that this is a private road and there have been no complaints regarding potential highways conflicts/accidents. However it is equally clear that the increase in traffic is a matter of concern for local residents. Whilst acknowledging the change in character that the increased use has created for local residents, it is not considered that this is so severe as to justify a refusal of permission on these grounds. Likewise the parking of vehicles on the grass verge and round the site would be unsightly but there is no evidence to suggest that it harms neighbours amenities in a manner such as to justify a refusal of permission on these grounds. It is acknowledged that some inconvenience may arise during the works to layout the car park but these would not be considered such as to justify a refusal. There is no evidence to suggest that this scheme would in any way affect crime in the area.

## Highway matters

- 6.30 Policy TAP1 of the Development Management Plan 2019 requires new development to demonstrate that it would not adversely affect highways safety or the free flow of traffic, that it would provide sufficient off-street parking in accordance with published standards and that it would constitute development in a sustainable location.
- 6.31 It is clear that the site is not in a sustainable location and that the scheme increases the amount of on and off site parking around the site. However there is no evidence to support a refusal based upon the level of traffic drawn to the site, nor the impacts of that traffic on highways safety and the free flow of traffic. A passing place has been agreed should permission be granted that would help alleviate the difficulties of the use of these rural lanes. Parking within the site is provided although as noted elsewhere in this report that needs to be more formally laid out but is considered to provide sufficient parking for the staff and the school mini bus.
- 6.32 The issue of the sustainability of location is one that was considered as part of an appeal relating to a change of use of a house to an independent school for children with autism and special educational needs and disabilities in a property in Coulsdon Lane Chipstead (ref 19/02269/F). In that instance permission was refused because of the unsustainable location of the site, expected trip generation and travel modes of pupils and staff. Pupils would generally use either the school minibus or taxi and staff part school minibus and part private car. The site is similar to this insofar as it lies beyond walking distance from public transport, pupils would be taken to school mainly by minibus and taxi and there are no footpaths to allow pedestrian access to the school. The differences lie in that the school lies on a metalled road rather than unmade lane/public footpath as does this site and that staff were also expected to largely use the school minibus or to be taken to the school by two cars designated for that purpose from specified drop off/collection points twice daily. A copy of the appeal decision is attached.
- 6.33 The Inspector concluded that given the needs of the children that most journeys would need to be bespoke and that public transport would not be a practical option even if it were available. He also concluded that accessibility and modes of transport to be used are but one aspect of sustainable development and that whilst there would be tension with one of the criterion of Core Strategy Policy CS10 that the proposed use would meet many of the economic and social aspects of sustainable development. He referenced the fact that the NPPF (para 95) encourages a sufficient choice of school places (with which the Council do not take issue) and finally that the NPPF recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and this should be taken into account in decision making.
- 6.34 It is offices view that this summary applies equally well to this application proposal and site and that whilst this site is clearly not in a sustainable location, the nature of the use would prevent full use of public transport even were it close to the site by the children. It does however appear that staff at this site would not make use of shared transport in a manner that reflects the

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Coulsdon Lane site, drawing more traffic to the site. However overall it is not considered that the lack of sustainability would in this instance be unacceptable. For these reasons there is no objection from the highway Authority and it is to be noted that the private nature of the road and its upkeep would not be a planning matter. Subject to an appropriate passing place there is considered to be no safety risk arising from the proximity to the public footpath for the reasons outlined also.

## Trees and Landscaping

- 6.35 Policy NHE3 advises that unprotected but important trees, woodland and hedgerows with ecological or amenity value should be retained as an integral part of the development.
- 6.36 The tree officer has been consulted on the proposals in order to assess the proposed development against impact upon existing trees and vegetation. The application is supported by an arboricultural method statement that identifies trees to be removed to facilitate the new parking bays, which are low quality and will not have an adverse impact on the local canopy cover or the character of the local landscape. The additional parking bays will be located in the root protection areas (RPA) and to prevent soil compaction cellular web system is shown to be used. The level of information provided in the report is basic and to ensure the correct system is used and complies with Guidance Note 12: The Use of Cellular Confinement Systems Near Trees, a finalised tree protection plan would be required if planning permission was to be granted.
- 6.37 Also included is a structural planting plan showing location of trees and species to compensate for those removed. It is not clear what size they will be and what measures will be implemented to guarantee their survival, however this information could be secured by condition if planning permission was to be granted.

## Very Special Circumstances

- 6.38 The application site is located within the Metropolitan Green Belt. It is considered that the proposed use of part of Merrywood House as a school has a harmful impact on the openness of the green belt as a result of the increase in activity and the harmful visual impact of the parking generated by the school.
- 6.39 Accordingly, the proposal is considered to comprise inappropriate development within the green Belt which, by definition would be harmful and which would have a harmful impact on the openness of the site.
- 6.40 As a result of the concentration of parking around the site it is also considered that the scheme would result in harm to the visual amenities and rural character of the site.

6.41 Support for the school in this location has been expressed by those involved with its operation as follows:

- The proposal is for a school for children with very special needs who are extremely vulnerable and who we, as a community should care for, not abuse their right to education and development. Which is the aim of the Charity making the Application.
- The whole building is currently an 'educational establishment' and has been since 1985.
- Traffic generated by the school is limited to school term times and peak hours and amounts to no more than 38 vehicle movements per day, or 190 per week.
- The amount of traffic generated is similar to the traffic generated by surrounding residential properties.
- Pupils are brought to school by minibus which reduces the overall number of vehicle movements.
- The occupiers of Merrywood House, have a right of way over Merrywood Grove.
- The use of the site for residential stays by disadvantaged children is well-established.
- The school provides a valuable service for children with special needs.
- The school has offered to improve the passing places on Merrywood Grove in order to improve access and also contribute to the Road Fund to maintain Merrywood Grove
- The trees which have been removed were either diseased or of low quality.
- The site is already in an educational type use.

6.42 A letter of support has also been received from Merton Council who currently place a vulnerable child at the school with complex specialist needs for which the school is able to cater for as well as those of other children placed by them.

6.43 The support for the school is noted and it is appreciated that the school provides a valuable service to the wider community. That is afforded some weight and given the upheaval for such children associated with the need to find alternative schooling. However, it is considered that provision could be equally provided in a location outside the green belt and in the urban area, and as a result it is not considered that the arguments put forward in support amount to the very special circumstances required to outweigh the harm that is caused by reason of inappropriateness and the other harm identified.

6.44 In summary therefore, it is considered that the proposed change of use would constitute an inappropriate form of development which causes harm to the openness of the Green Belt and the character of the area.

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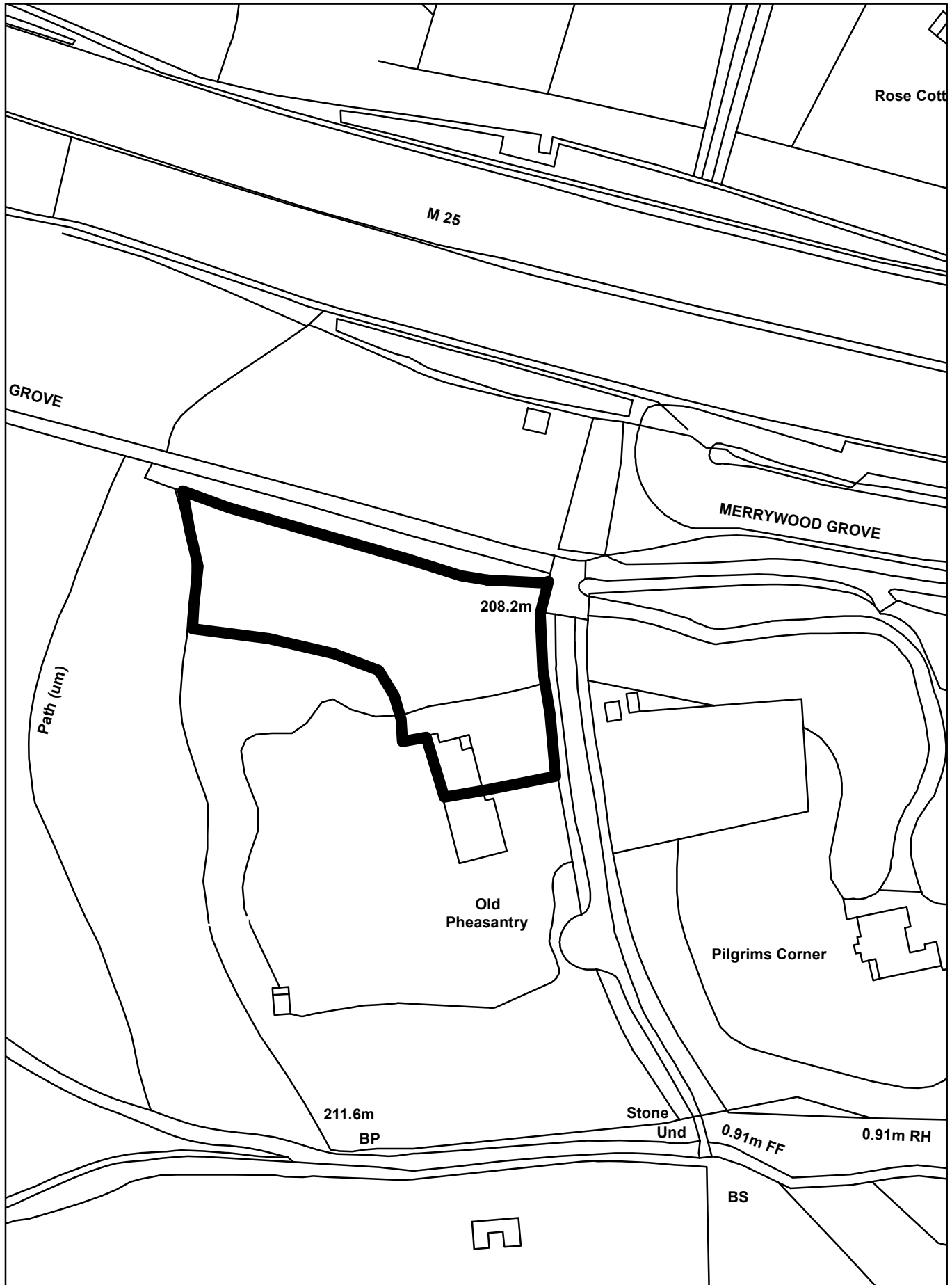
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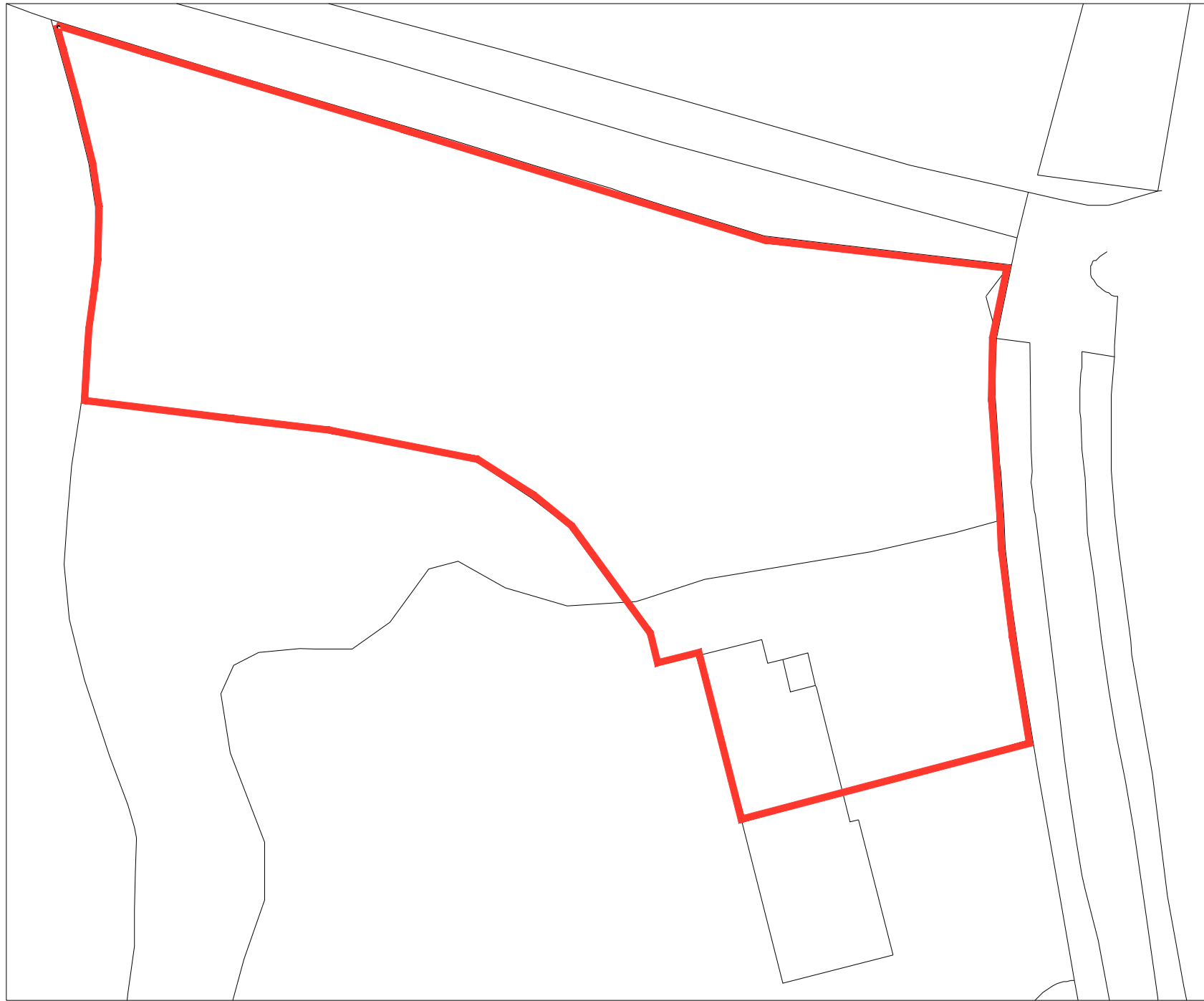
Agenda Item: 6  
21/00429/CU

## **REASON FOR REFUSAL**

1. The use hereby considered, constitutes inappropriate development in the Green Belt, causing harm to the openness of the Green Belt, by virtue of the increased levels of activity and car parking which further harms the character of the local area, including the Area of Great Landscape Value designation. In the absence of very special circumstances to outweigh these harms the proposal is contrary to Policies CS2 and CS3 of the Reigate and Banstead Core Strategy, Policies DES1, NHE5 and NHE1 of the Reigate and Banstead Development Management Plan and the provisions of the National Planning Policy Framework.

Agenda Item 6  
21/00429/CU - Land And City Families Trust, Old Pheasantry,  
Merrywood Grove, Lower Kingswood

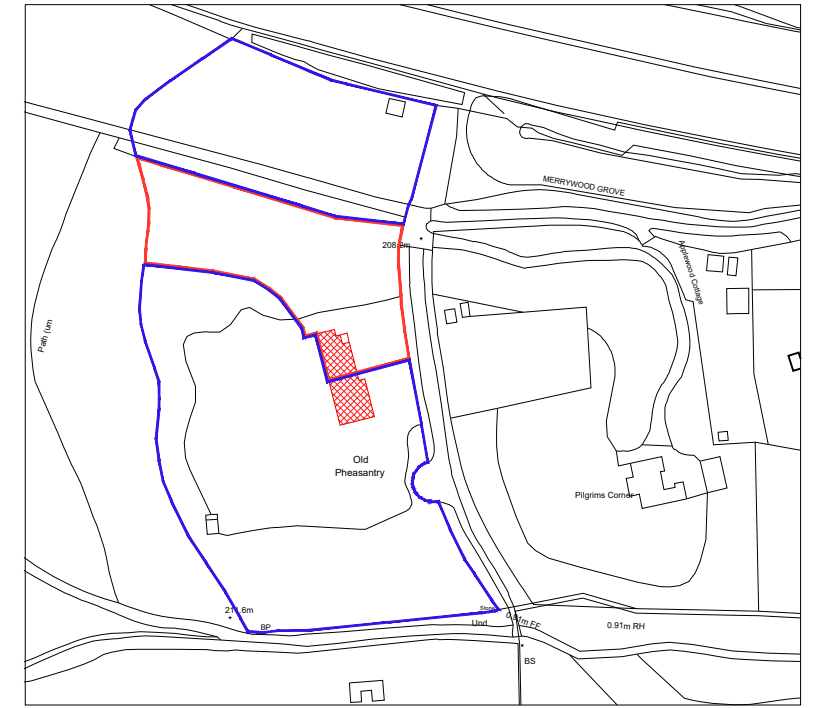




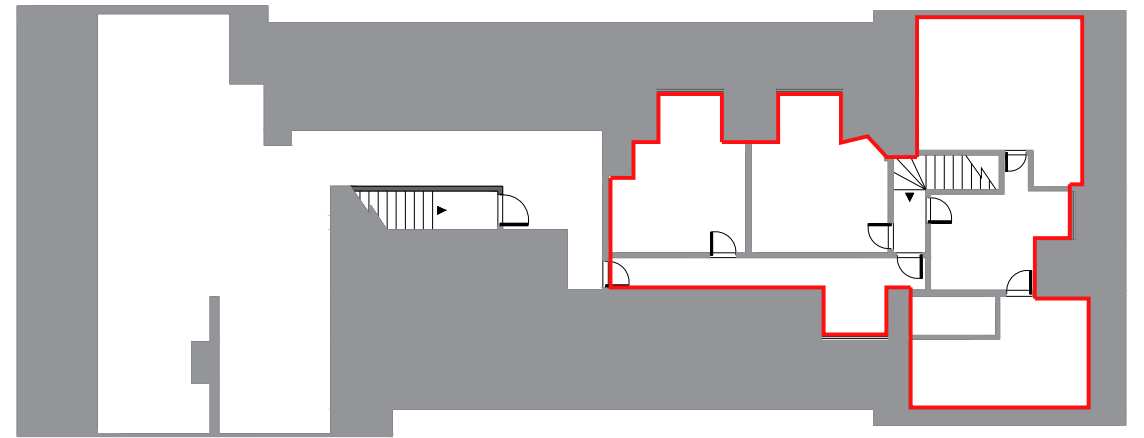
SITE PLAN  
SCALE 1:500



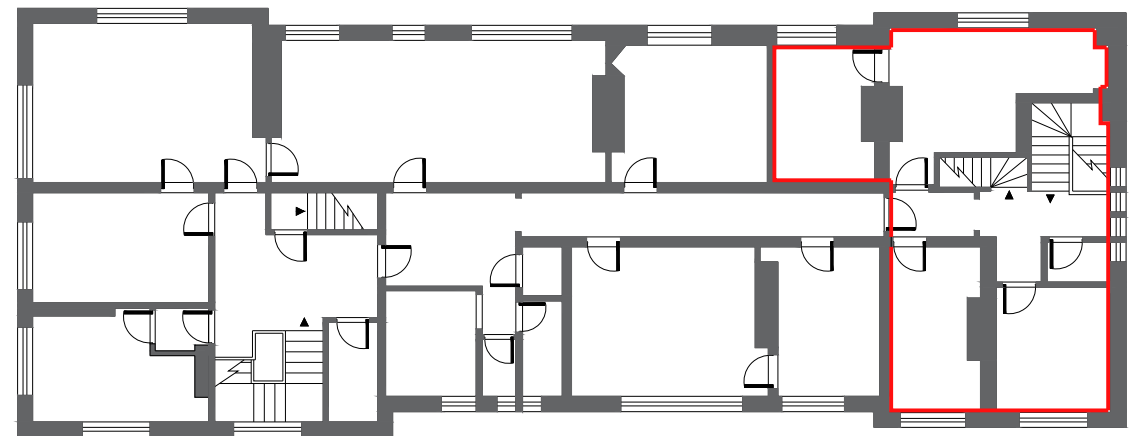
LOCATION PLAN  
SCALE 1:2500



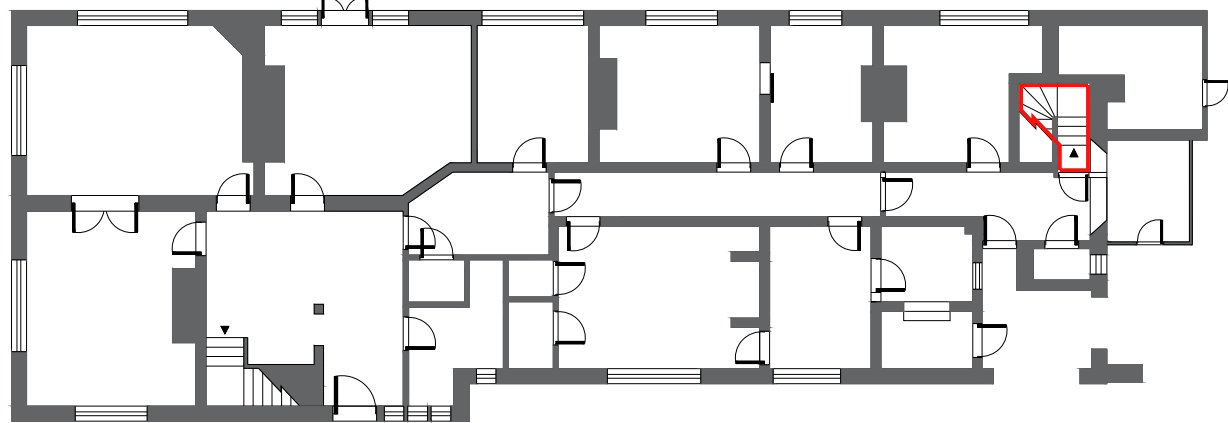
SECOND FLOOR PLAN  
SCALE 1:200



FIRST FLOOR PLAN  
SCALE 1:200



GROUND FLOOR PLAN  
SCALE 1:200







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## Appeal Decision

Site visit made on 21 January 2021

**by Lynne Evans BA MA MRTPI MRICS**

**an Inspector appointed by the Secretary of State**

**Decision date: 08 March 2021.**

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**Appeal Ref: APP/L3625/W/20/3258530**

**Rowans Hill, Coulsdon Lane, Chipstead, CR5 3QG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Gareth McCullough against the decision of Reigate & Banstead Borough Council.
  - The application Ref: 19/02269/F dated 8 November 2019, was refused by notice dated 16 July 2020.
  - The development proposed is change of use to an independent school for children with autism and related special educational needs and disabilities, with the provision of ancillary facilities including a playground, noise barriers and canopy and additional parking.
- 

### Decision

1. The appeal is allowed and planning permission is granted for change of use to an independent school for children with autism and related special educational needs and disabilities, with the provision of ancillary facilities including a playground, noise barriers and canopy and additional parking at Rowans Hill, Coulsdon Lane, Chipstead, CR5 3QG in accordance with the terms of the application, Ref 19/02269/F dated 8 November 2019, subject to the conditions set out in the schedule at the end of this decision letter.

### Preliminary Matters

2. The application was amended a number of times prior to determination and my decision is based on the proposals as determined by the Council. The description of development as set out on the application form provided a considerable amount of detail on the proposed use and development; I have therefore taken the description as set out by the Council on the decision notice and which the Appellant used on the appeal form.
3. As part of the appeal process the Appellant submitted a signed and dated Unilateral Undertaking which provides for payment of a travel plan monitoring fee to the County Council, in the event that planning permission is granted. At the same time a letter was received from the Council advising that as part of the process to complete the unilateral undertaking, a parcel of land was identified as being outside the ownership title of the Appellant and which would be required to enable the improved access to be provided. In the event of permission being granted, pre-commencement conditions have been recommended relating to the provision of the improved access points and

visibility splays. This letter was forward to the Appellant for comment and the Unilateral Undertaking to the Council for comment. No further representations were received.

4. On 1<sup>st</sup> September 2020 the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 came into force, amending the Town and Country Planning (Use Classes) Order 1987. These Regulations amend and simplify the system of Use Classes and, amongst others, a new class F1 has been created, the Learning and Non-Residential Institutions use class. However, as the application was submitted prior to the new Regulations coming into effect, the Regulations provide that the application should be determined on the basis of the use or use class referenced in the application. That is therefore the basis of my assessment.

## **Main Issues**

5. The main issues in this appeal are:
  - a) Whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies, and
  - b) whether the proposal would be a sustainable form of development.

## **Reasons**

### ***Issue a) Whether Inappropriate Development***

6. The appeal property is a vacant, large detached residential property in extensive grounds, comprising a lawned area to the rear of the house with planting and woodland to the side and rear boundaries. To the rear and to the side of the main house is a detached garage / outbuilding which appears to have accommodation at the upper level. There are two vehicular access points to the site off Coulsdon Lane with residential properties on both sides of the road. The appeal site is situated within the Green Belt and an Area of Great Landscape Value.
7. The proposed development would change the use of the existing building and site to an independent Special School for Children with Special Educational Needs and Disabilities (SEND). The School would operate as an autism special school with a capacity for 50 boys of secondary school age, with an estimated 15 members of staff. The proposed School would operate in conjunction with an existing school in Croydon, relocating some pupils to the new school and enrolling new pupils.
8. The National Planning Policy Framework (Framework) sets out the government's planning policies to secure sustainable development. Paragraph 133 sets out the great importance that the Government attaches to Green Belts and that the essential characteristics of Green Belts are their openness and their permanence. Paragraph 143 confirms that *inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances*. Paragraph 146 sets out that a number of forms of development are not inappropriate in the Green Belt providing they preserve its openness and do not conflict with the purposes of including land within it, including at d) the re-use of buildings providing that the buildings are of permanent and substantial construction and e) material changes in the use of

the land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds).

9. I am satisfied that the existing buildings on the site are of permanent and substantial construction and that the principle of the proposed change of use of these buildings and the rear garden area to educational use would not be inappropriate development. There would be some consequential changes to the layout of the grounds to allow for parking and turning as well as to create playground and associated areas, but these would not materially affect the openness and would not conflict with the purposes of including land within the Green Belt. These associated elements would also not be inappropriate development. The Council also drew the same conclusion in respect of the proposed change of use and these layout amendments.
10. Some minor associated operations in the form of acoustic measures would be introduced to protect surrounding residential neighbours. These would include a minimum 2.5 m fence particularly along the western boundary and branching into the site. Given the limited length of the fence line and its siting close to a belt of existing trees I agree with the Council that it would not materially affect the openness of the site; it would not be inappropriate development.
11. The acoustic proposals also include for a canopy cover linking the main house with the outbuilding, but very limited details have been provided as to the nature and materials for this element. The Appellant indicates that the principal purpose of this element would be to serve as an acoustic screen for the neighbouring properties and to serve this purpose would integrate with the boundary wall and rise to a height of 5m.
12. I agree with the Council that this would be considered under Paragraph 145 of the Framework which states that the construction of new buildings are inappropriate with a limited number of exceptions including under sub section c) which refers to the extension or alteration of a building providing that it does not result in disproportionate additions over and above the size of the original building. The Framework does not define the term, 'disproportionate'. The Council has also referenced Policies NHE5 and DES1 of the Council's Local Plan Development Management Plan 2019 (DM Plan). In this regard. Policy NHE5 specifically addresses under 1) extensions and alterations to buildings in the Green Belt but Policy DES1 seeks a high quality of design in all new development which I do not consider is directly relevant to this consideration as to whether the proposal would be inappropriate development within the Green Belt.
13. The Council has referred to previous extensions to the house although no detailed information has been provided. Similarly, the Appellant has referenced the demolition of various structures in the grounds as part of these proposals, but again these have not been set out in detail. Although the details are not before me, the canopy would, as I understand the proposal, be attached to an existing wall and to the sides of the house and former garage building. It would however be open on the side facing into the site. It would not in my view be visually prominent or in a visually prominent part of the site. Given its modest size and footprint in relation to the built form and size of the site and in particular its open sided form, I do not consider that it would be a disproportionate addition to the original building or would harm openness. It would not therefore be inappropriate development.

14. Taking all of these factors together, it is my conclusion that the proposed development would not be inappropriate development for the purposes of the Framework and development plan policy. The development would not harm the openness of the Green Belt in this location. There is therefore no need for the development to be justified by special circumstances.

## **Issue b) Sustainability**

15. There is no dispute between the Council, the Highway Authority and the Appellant that given the location of the site in relation to public transport facilities, most trips would be by private vehicle. However, the Appellants advise that given the specialist nature of the School and the particular needs of the individual pupils, most travel movements are bespoke and public transport, even if accessible, would not be a practical option. Shared transport would be used where possible, including a school shuttle bus service for pupils and staff members.
16. It is my understanding that the School site has been specifically selected because of its location and the opportunities for a bespoke curriculum to meet the needs of the students. I have been provided with no information to suggest that the selected School site would not be a suitable site to meet the needs of the pupils.
17. Paragraph 111 of the Framework promotes the use of Travel Plans and the Appellants have submitted a Travel Plan which sets out in detail the proposed transport arrangements for students and staff. I consider that this could be controlled by condition and a signed and dated Unilateral Undertaking has been submitted to cover the costs of monitoring the Travel Plan. I appreciate that the operator could change over time but given the size of the site, the available accommodation and bespoke form of development, this would be likely to limit the number of potential alternative users.
18. Accessibility to the site and the modes of transport to be used are but one aspect of sustainable development as set out under the Framework, including under paragraph 8 and under Policy CS10 of the Council's adopted Core Strategy (Core Strategy). Whilst there is no dispute that the most trips would be by private vehicle and that therefore there would be a tension with one of the criteria (criterion 6) set out under Policy CS10 of the Core Strategy, the proposed use of the site would meet many of the economic and social aspects of sustainable development. Indeed, paragraph 94 of the Framework notes that it is important that there is a sufficient choice of school places to meet the needs of existing and new communities. Furthermore, the Framework is clear that sustainable transport should be promoted but it does recognise at paragraph 103 that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and this should be taken into account in decision making.
19. In the particular circumstances of this case, and the clear reasons for the location selected, I do not consider that the proposed use would harm the principles of sustainable development. The scheme proposals would not comply with one of the criteria of Policy CS10 of the Core Strategy, but taking all aspects of sustainable development into consideration, there would be no material conflict with the overall objectives of both the Framework and Policy CS10 of the Core Strategy to secure sustainable development.

**Other Considerations**

20. Both the access points as existing have very restricted sight lines, particularly in a westerly direction. Without improvements to the access points and visibility splays, and given the narrowness of the road, the proposal would not provide a safe access and egress for the site and for other road users on Coulsdon Lane and would therefore be a reason for refusal.
21. The proposals include for works to the access points to improve the access arrangements and the visibility splays. It has, however, transpired that not all the land required for these works is within the control of the Appellant. I therefore agree with the Council that the resolution of this matter and the provision of the required improvements to both access points would require to be undertaken before commencement of development, and in these circumstances consider that a Grampian condition is required. I also agree with the Council that it would be necessary to ensure appropriate measures were put in place to enable parking and related servicing to be within the site for reasons of highways safety for users of Coulsdon Lane.
22. The site is within an Area of Great Landscape Value (AGLV), but given the limited external works proposed and the existing planting and vegetation to the side and rear boundaries, I am satisfied that there would be no material harm to the landscape setting of the site and to the landscape and scenic beauty of the wider AGLV. The Council also raised no concerns in this regard.
23. Although the surrounding uses are primarily residential dwellings, given the very large size of both the site and the existing building, and on the basis of the information before me, the appeal site would be suitable for the proposed use in terms of the accommodation and open space it would offer. A range of acoustic measures are proposed and subject to these being in place, I am satisfied that the proposed use would not be unneighbourly or materially harm the living conditions of surrounding neighbours. Moreover, the School would not be operating at the very times when the residential neighbours would be most likely to wish to enjoy their gardens.

**Conditions**

24. The Council has suggested a number of conditions in the event that planning permission is granted. I have already set out why I consider that conditions relating to the provision of access improvements and visibility splays must be pre-commencement conditions because of the substandard form of the existing access points, from the point of view of highway safety. For the same highway safety reasons, I also agree with the Council that a Construction Transport Management Plan is both required and needs to be approved and implemented pre-commencement.
25. To improve the sustainability of the proposed use in accessibility terms, a condition to require a travel plan as offered by the Appellant and requested by the Council should be imposed. However, as the submitted Travel Plan includes for a number of the measures to be in place prior to occupation, it is my view that an updated Travel Plan should be submitted and approved prior to first occupation in order that these matters can be controlled and monitored from the outset. The Appellant has offered for individual conditions to be imposed on elements of the Travel Plan but I consider that a holistic approach would be more useful to secure the overall accessibility objectives. In the

interests of sustainability, I also agree that 2 of the parking spaces should be set up for recharging but I consider that the requirements are clear and that there is no need to require further details to be first submitted.

26. A range of conditions are required to ensure that the details of various acoustic measures, to follow on from the information provided by the Appellant's Acoustic reports, are in place to ensure that the living conditions of the neighbours are respected. However, I consider that these measures need to be approved and in place prior to the use commencing rather than the development commencing. For the same reason, that is to protect the amenities of residential neighbours, I also agree that conditions to regulate the proposed use of the site are necessary.
27. Although the application was accompanied by a detailed arboricultural assessment, including with reference to trees to be felled and trees to be retained together with protection measures, this appeared to be based on the previous permitted residential redevelopment scheme. I consider that this should be revisited to ensure that it is fully comprehensive in relation to the development now proposed and in respect of the access and visibility works required to be undertaken in compliance with other conditions on the permission. In order to be effective and protect existing trees and to relate to the access and visibility works, this condition also needs to be pre-commencement. I also agree that a landscaping scheme should be provided but I consider that this can be later in the programme and need not be a pre-commencement condition.
28. Finally, I shall impose a condition to list the approved plans for the avoidance of doubt and in the interests of proper planning.
29. In accordance with Section 100ZA (5) of the Town and Country Planning Act 1990 and The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018, I have requested and received the Appellant's written agreement to the imposition of the several pre-commencement conditions I consider it necessary to impose. In the interests of fairness to both the Appellant and the Council I have also provided the opportunity for comment where I have proposed changes to the conditions proposed by the Council that could be regarded as being more onerous in their requirements. I have taken the further representations into account.

## **Conclusion**

30. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that the appeal should be allowed.

*L J Evans*

INSPECTOR

**Schedule of Conditions (1 – 20 inclusive):**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan (unnumbered); 1067.P01.4; 1067.P01.3; 1067.P01.2; 1067.P01.1; 1067.P01.5 Rev D; 1067.P01.6 Rev A.
- 3) No part of the development hereby approved shall be first commenced unless and until the proposed amended vehicular access points to the site on Coulsdon Lane, with visibility splays, have been constructed and provided to the satisfaction of the Local Planning Authority, in accordance with a detailed scheme to be first submitted to and approved in writing by the Local Planning Authority, based on drawing ref: Feargal Carolan 1067.P01.5 Rev D dated 21 May 2020. Thereafter the vehicular access points shall be retained and maintained as approved and the access visibility splays shall be kept permanently clear of any obstruction over 0.6m high.
- 4) No part of the development hereby approved shall be first commenced unless and until pedestrian inter-visibility zones measuring 2m by 2m have been provided to the satisfaction of the Local Planning Authority, on each side of each access off Coulsdon Lane, the depth measured from the back of the footway (or verge) and the widths outwards from the edges of the access. No obstruction to visibility between 0.6m and 2m in height above ground level shall thereafter be erected within the area of such zones.
- 5) No part of the development hereby approved shall be first commenced unless and until a Construction Transport Management Plan (CTM Plan), has been submitted to and approved in writing by the Local Planning Authority, to include details of:
  - (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) programme of works (including measures for traffic management)
  - (e) provision of boundary hoarding behind any visibility zones
  - (f) HGV deliveries and hours of operation
  - (g) vehicle routing
  - (h) measures to prevent the deposit of materials on the highway
  - (i) HGV movements to or from the site shall take place between the hours of 9.00 am and 4.30 pm only, nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting in Coulsdon Lane outside of these times
  - (j) on-site turning for construction vehicles.

The construction of the development shall be carried out in full accordance with the approved CTM Plan unless otherwise agreed in writing with the Local Planning Authority.

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- 6) The use hereby permitted shall not commence until the following facilities have been provided in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority for:
  - (a) The secure, level and covered provision for 20 bicycles storage spaces, as outlined on the approved plans.
  - (b) Clear guidance to all visitors and servicing operations (excluding waste collection) that stopping and or parking on Coulsdon Lane is not promoted and a system to ensure that visitors and service operations shall be pre-booked and managed to enter and exit the site in forward gear.
  
- 7) The use hereby permitted shall not commence until an updated School Travel Plan based on the Travel Plan (Ref: 11356/JT/002/04 dated May 2020 prepared by Sanderson Associates) has been submitted to and approved in writing by the Local Planning Authority, to include the timescales for further survey work to be undertaken. The Travel Plan shall be prepared in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide", and in general accordance with comments provided by the Travel Planning Officer. The approved Travel Plan shall be implemented for the site in accordance with a timescale to be agreed in writing with the Local Planning Authority and every subsequent occupation of the development, and thereafter the Travel Plan shall be maintained, reviewed and developed to the satisfaction of the Local Planning Authority.
  
- 8) The use hereby permitted shall not commence unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for the loading and unloading of vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / loading and unloading / turning areas shall be retained and maintained for their designated purpose.
  
- 9) The use hereby permitted shall not commence unless and until at least 2 of the available parking spaces associated with Education use are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply).
  
- 10) The use of the site hereby approved shall operate as a school only and during weekdays and school term time only and shall not be used for any other purposes during the weekends and holiday periods.
  
- 11) Notwithstanding Condition 2, the use hereby permitted shall not commence until the following details, based on the plan in Annex D of the Noise Assessment by Civil Engineering Dynamics, Rev A, have been submitted to and approved in writing by the Local Planning Authority:
  - a) detailing of the boundary treatments;
  - b) details of the siting, design, materials and finishes of the minimum 2.5m high acoustic fences;



- c) details of the siting, design, materials and finishes and acoustic performance of the canopy noise barrier between the main building and the garage annexe;
- d) The school amenity space, including the playground area, shown in blue, shall be surfaced and delineated as indicated in para 7.4 of the Noise Assessment by Civil Engineering Dynamics, Rev A.

These details shall be implemented as approved prior to the commencement of the use hereby permitted and shall be retained and maintained thereafter to the satisfaction of the Local Planning Authority.

- 12) The use hereby permitted shall not commence until a Playground and Amenity Space Management Plan has been submitted to and approved by the Local Planning Authority detailing how the amenity spaces will be managed, in particular but not limited to the management and supervision of free play within the playground, organised teaching sessions within the amenity area and management of lunchtime groups in accordance with the details specified in Rowans Hill Noise Assessment by Civil Engineering Dynamics, Rev A. The approved Management Plan shall be implemented as approved prior to the commencement of the use hereby permitted unless otherwise agreed in writing with the Local Planning Authority.
- 13) There shall be no teaching or practicing of musical instruments on the site at any time without the prior approval in writing of the Local Planning Authority. Details of the provision and mitigation will need to be approved in writing by the Local Planning Authority and this should include an adequate design of sealed glazing and suitable ventilation for thermal comfort of future occupiers.
- 14) The forest school area shall only be used within the hours of 08:30 to 14:00 hours Monday to Friday.
- 15) The use hereby permitted shall not commence until details, full specifications and elevational drawings of the kitchen extraction and filtration equipment, and an ongoing maintenance plan, have been submitted to and approved in writing by the local planning authority. The use hereby permitted shall not commence until the approved details are fully implemented. The approved fume extraction and filtration equipment shall thereafter be retained and maintained in working order for the duration of the use in accordance with the approved details.
- 16) The use hereby permitted, or the operation of any building services plant, shall not commence until an assessment of the acoustic impact arising from the operation of all internally and externally located plant has been submitted to and approved in writing by the local planning authority.  
  
The assessment of the acoustic impact shall be undertaken in accordance with BS 4142: 2014 (or subsequent superseding equivalent) and current best practice, and shall include a scheme of attenuation measures to ensure the rating level of noise emitted from the proposed building services plant is 5db less than background.
- 17) The use hereby permitted, or the operation of any building services plant, shall not commence until a post-installation noise assessment has been carried out to confirm compliance with the noise criteria. The scheme shall be implemented in accordance with the approved details and

attenuation measures, and they shall be permanently retained and maintained in working order for the duration of the use and their operation.


- 18) No development hereby permitted shall commence including demolition and groundworks preparation until a detailed, scaled Tree Protection Plan (TPP) and the related Arboricultural Method Statement (AMS) have been submitted to and approved in writing by the Local Planning Authority. 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. The AMS shall also include a supervisory regime for their implementation & monitoring with a reporting process to the Local Planning Authority. All works shall be carried out in strict accordance with these details when approved.
- 19) Notwithstanding Condition 2, the use hereby permitted shall not commence 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. The landscaping scheme shall include details of hard and soft 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 the use commencing 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.

- 20) Notwithstanding Condition 2, the use hereby permitted shall not commence unless and until full details (and plans where appropriate) of the waste management collection point, (and pulling distances where applicable), have been submitted to and approved in writing by the Local Planning Authority. The waste collection point should be of an adequate size to accommodate the bins and containers required for the approved use. The development shall be provided with the above facilities in accordance with the approved details prior to the use first commencing.

# Agenda Item 7

 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	09 February 2022
	<b>REPORT OF:</b>	HEAD OF PLANNING
	<b>AUTHOR:</b>	Lesley Westphal
	<b>TELEPHONE</b> :	01737 276769
	<b>EMAIL:</b>	Lesley.westphal@reigate-banstead.gov.uk
<b>AGENDA ITEM:</b>	7	<b>WARD:</b> Reigate

<b>APPLICATION NUMBER:</b>	21/02009/F	<b>VALID:</b>	02/08/2021
<b>APPLICANT:</b>	Elizabeth Finn Care	<b>AGENT:</b>	DAC Architects
<b>LOCATION:</b>	<b>EVERSFIELD, 56 REIGATE ROAD, REIGATE SURREY RH2 0QR</b>		
<b>DESCRIPTION:</b>	<b>Extension of Care Home to increase the number of bedrooms by 16 with associated internal and external works.</b>		
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

The proposed scheme would provide a two-storey extension to this previously extended care home to provide an additional 16 bedrooms to the care home.

The site lies within the Chart Lane Conservation Area and the original part of the building is a locally listed building. The scheme has been subject to pre-application and application discussions seeking to overcome original concerns about the scale and design of the scheme and its impact upon the surrounding environment. Amended plans have reduced the scale of the building and the design is now considered sympathetic to the character of the locally listed part of the building and the more recent extension. Overall, this is considered to preserve and protect the character of the Conservation area and surrounding area.

The scheme would result in the loss of a number of trees, including a category A and category B tree. The DMP seeks to avoid such losses although each case must be dealt with on an individual basis. In this case it is considered that the benefits accrued from the additional care home provision together with the remaining levels of planting and potential for significant levels of new planting would outweigh the harm caused by the loss of these and other lesser category trees.

Neighbours to the site have raised strong objection to a number of impacts including overbearing relationship, overlooking, loss of privacy, loss of view and outlook and noise and disturbance. These matters have been considered and as a result of the proximity of the houses and orientation to the site and intervening planting, that whilst the scheme would result in a different relationship between the application site and the neighbouring dwellings, the impacts would not be so significant as to justify a refusal given the scale of development and intervening distances.

The highways impacts of the scheme have been assessed and it is considered that the scheme would provide sufficient off street parking and would not result in such additional traffic as to cause either highways safety nor capacity concerns.

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Overall whilst the scheme would result in a visible difference to the site and the relationship with the neighbouring sites and residents, the scheme is nevertheless considered to be acceptable and to comply with the relevant policies of the Development Plan.

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

## Consultations:

### Highway Authority:

Has assessed the scheme on safety, capacity and policy grounds and recommends that conditions be attached to address the following issues:

- Provision of space for parking prior to first occupation of the extension
- CTMP
- Provision of cycling facilities, space for cyclists to change/shower and information to inform staff and visitors regarding the availability of public transport/walking/cycling /car share clubs
- 20% provision of fast charge sockets
- Provision of a Travel Plan

### Thames Water:

Waste Water: The developer is expected to minimise the discharge of groundwater into the public sewer.

Surface Water: If the developer follows the sequential approach to the disposal of surface water we would have no objection .

## Representations:

Letters were sent to neighbouring properties in September and November, a site notice was posted 5<sup>th</sup> August 2021, an advertisement placed in the local press on 12 August 2021. 25 responses have been received from 11 residents including Eversfield Court Management Ltd raising the following issues:

<b>Issue</b>	<b>Number</b>	<b>Response</b>
Harm to neighbour's amenities through noise and disturbance, loss of private view, overbearing relationship, overshadowing, overlooking and loss of privacy, light pollution, potential damage to neighbours boundary wall		See paragraphs 6.15-6.17
Increased pressure on private services		See paragraph 6.26
No need for the development/more affordable care homes are required		See paragraph 6.22
Loss of trees		See paragraphs 6.12-6.14
Increases in traffic and congestion		
Highways safety concerns		See paragraphs 6.18 – 6.21
Harm to listed building		See paragraphs 6.3-6.8
Harm to wildlife		See paragraph 6.24-6.25
Drainage capacity concerns		See paragraph 6.23
	93	See paragraphs 6.3-6.11

# Agenda Item 7

Poor design/Out of character with surroundings

See paragraphs 6.3-6.11

Overdevelopment

See paragraphs 6.3-6.11

## 1.0 Site and Character Appraisal

- 1.1 The site comprises an existing care home sited on the corner of Reigate Road and Ringley Park Road. It is an 'L' shaped building with the original part of the building (closest to Reigate Road) being a 2 ½ storey Victorian locally listed building and the whole plot lies within the Chart Lane Conservation Area. Extension works have previously been carried out to this building with a 2- storey addition lying broadly parallel to the rear site boundary.
- 1.2 It is a broadly rectangular plot with the home set towards the northern and eastern boundaries, parking at the front of the site with a little to the south of the home and with the space to the south east of the home being a garden. The boundary with Reigate Road is very well planted and largely screens the site from Reigate Road. Mature planting exists along the flank boundary with Eversfield Court being a mix of evergreen and deciduous trees and shrubs with little planting along the rear boundary with the public footpath, which joins Reigate Road and Ringley Park Road. The site slopes gently uphill from west to east.
- 1.3 The surrounding area is one with a mixed residential character and includes Reigate Grammar School some 60m's to the south west of the site. The area exhibits a range of property types from the more traditional Victorian/Edwardian houses found generally in this part of Reigate to the more contemporary houses and flats such as those that abut the site to the north and west. The Chart Lane Conservation Area lies mostly to the south of the site on the opposite side of Reigate Road. Land levels around the site are variable with a steep slope downhill from the footpath at the rear of the site down to the houses in Durfold Drive.

## 2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: an initially unacceptable sized addition was revised to a more appropriate scale with sufficient distance to surrounding properties to avoid significant adverse impacts. Changes were made to accommodate the retention of existing mature planting within the site as far as possible. No elevations were supplied so no comments at that stage upon this aspect of the scheme.
- 2.2 Improvements secured during the course of the application: Reduction in the height of the building to achieve a more appropriate height and scale for the original care home building and an internal change to the position of some rooms to address concerns about neighbour privacy.

Further improvements could be secured: By the use of a number of conditions to facilitate the most appropriate car park layout and appearance, the use of appropriate materials, landscaping and where necessary obscure glazing and fencing to protect neighbours amenities.

## 3.0 Relevant Planning and Enforcement History

- 3.1 99/17620/F                      3 storey extension                      Approved with conditions

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- 3.2 17/02379/F Extension and re-modelling of the car park hardstanding Approved with conditions

## 4.0 Proposal and Design Approach

- 4.1 This is a full application seeking permission for a two- storey extension lying to the western side of the site and attaching to the rear part of the existing care home to provide 16 additional bedrooms in total to the existing 36 bed care home with ancillary rooms, ie nurses facilities, etc.
- 4.2 The extension would align with the original part of the building in a north/south orientation broadly aligning with the westernmost boundary of the site. It would have a traditional design to be sympathetic with the most recent extension to the home to which it would adjoin with stone faced elevations and pitched tiled roofs to match the original and extended building. This addition would have a crown roof to reduce the overall height and bulk. The mass of the extension would be broken up with two sets of hipped projecting bays on each side of the extension.
- 4.3 It would accommodate 9 ground floor and 9 first floor bedrooms with windows facing into the site and towards the boundary along the length of the extension and with the end two units facing towards Reigate Road. Two rooms would be lost within the existing home to facilitate the link between the existing and new addition.
- 4.4 An illustrative plans show the area around the extension to be a formally laid out garden, but this is illustrative only and the layout and precise planting plan would be dealt with as part of extension to be garden space but the precise layout will be dealt with by condition to respond to concerns of the Conservation Officer about the formal layout initially proposed.
- 4.5 The front of the site would provide the main parking area with 23 spaces proposed around the front of the building. The spaces are set partially adjacent to the building and partially close to the front and flank boundaries. Some spaces are within the canopy of trees which are to be retained at the front and side of the site with one tree being removed from the site to. Parking for the disabled would be accommodated within the layout.
- 4.6 Works would be undertaken to remove some of the boundary planting lying along the shared boundary with Eversfield Court to the West of the site. A substantial planting plan is also proposed around the site including along this boundary.

### *Significance*

- 4.7 The Design Statement recognises the significance of the building as an example of a late Victorian upper middle class mansion. The original building is still largely intact both externally and internally.

### *Rationale*

- 4.8 In terms of the rationale for the additional rooms would be used to offer nursing care to those residents who approach their most vulnerable phase of life and who otherwise may be forced to move to another home. In economic terms it will secure existing employment and enable an increase in staff.

### *Design*

- 4.9 The extension has been designed to be sympathetic to the existing extension to which it would be attached and to the original building using sympathetic materials and

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detailing. The layout of rooms provides a regular rhythm for the elevations and efficient internal layout.

## *Landscape*

- 4.10 The scheme would result in the loss of existing trees/shrubs but would provide significant additional planting as well as features such as a pond to attract wildlife and new planting to bolster the planting along the western boundary.

## *Access/Parking*

- 4.11 A previously approved change to the parking area/ forecourt has not yet been implemented and is partially included in the current scheme. It would ensure a less prominent parking place for the home's minibus, move spaces away from Hunters Lodge to the north east and provide two fully accessible space.

- 4.12 Further details of the development are as follows:

Site area	0.72 ha
Proposed parking spaces	23 (inc 1 minibus)
Existing parking spaces	19 (inc 1 minibus)
Parking standard	13 formal space with space for 6 informal spaces

## **5.0 Policy Context**

### 5.1 Designation

Urban Area  
Chart Lane Conservation Area  
Part Locally Listed Building  
Medium level of accessibility (6)

### 5.2 Reigate and Banstead Core Strategy 2014

CS1 Presumption in favour of sustainable development  
CS4 Valued townscape and the historic environment  
CS10 Sustainable development  
CS11 Sustainable construction  
CS14 Housing needs of the community  
CS17 Travel options and accessibility

### 5.3 Reigate and Banstead Development Management Plan 2019

DES1 Design of new development  
DES5 Delivering High Quality Homes  
DES7 Specialist accommodation  
DES8 Construction Management  
TP1 Access, Parking and servicing  
CCF1 Climate change mitigation  
NHE3: Protecting trees, woodland areas and natural habitats  
NHE9 Heritage assets

### 5.4 Other Material Considerations



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NPPF

NPPG

Supplementary Planning Guidance

Surrey Design

Local Distinctiveness Design Guide

A Parking Strategy for Surrey

Parking Standards for Development

Other

Human Rights Act 1998

## 6.0 Assessment

6.1 The site comprises an existing care home within an urban area and the principle of additional works are not unacceptable. However, the scheme must be assessed against the policies of the development plan, as below, and must comply with those policies if it is to be considered acceptable.

6.2 The main issues are considered to be:

- Design appraisal
- Impact of local character
- Impact upon Trees
- Neighbour amenity
- Access and parking
- Need for the development
- Drainage capacity
- Harm to Wildlife
- Pressure on Local Services

]

### Design appraisal

6.3 Policy DES1 of the DMP expects all new development to be of high quality that makes apposite contribution to the character and appearance of its surroundings. It must (amongst other aims) promote and reinforce local distinctiveness, use high quality materials, have due regard to plot size, layout, density, relationship to neighbouring buildings, provide an appropriate environment for future occupants, include appropriate landscaping and make adequate provision for access and servicing.

6.4 This building is partially locally listed and lies within a Conservation Area and DMP Policy NHE9 requires development to protect, preserve and wherever possible enhance designated and non designated heritage assets. This can be achieved by understanding the significance and character of the asset, use high quality materials, design and detailing such as form, scale, layout, massing securing the long term viable use and future for heritage assets.

6.5 The starting point in this assessment is to note that the scheme has been designed to sit sympathetically with the previous extension and the original building in terms of its scale, design detailing and materials and to that extent it would comply with Policy DES1. The original scheme was considered to be too large with a bulk and massing and design that would adversely affect the heritage assets on and around the site. However, the reduced scale scheme has overcome those original concerns and it is officers view (including the Conservation Officer) that the current scheme has resolved

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the original design and conservation concerns. A number of details still need to be clarified but these could be dealt with by condition and would include matters including details of proposed materials, that windows be set back behind the reveal at one brick depth, windows and doors and other external joinery be painted white timber, rainwater goods be black painted metal with ogee gutters, parking spaces to be finished in gravel pea shingle, roof tiles to be handmade sandfaced dark brown clay tiles with bonnett hips to match the existing. Additionally, further details will be required to ensure an appropriate planting screen between the extended area and the Victorian element. These details would ensure that the scheme complies both with policies NHE9 to protect and preserve the surrounding conservation area and with Policy DES1 regarding the use of high quality materials.

- 6.6 The applicant has not made a viability case to justify this work but does draw attention to the fact that “Eversfield is simply too small to be economic as a care home in the long term. This project is essential to enable the home to be manned efficiently & for nursing care as well as residential care to be offered. The proposal will have enormous benefits for the care and welfare of highly vulnerable people and will secure a wonderful asset and an important centre of local employment”. Officers experience of this issue is simply that when new care home proposals come forward they are invariably for much larger homes than this one -in the region of 80+ plus rooms to take advantage of the benefits of economies of scale for staff. It makes sense therefore that apart from offering an enhanced range of care options that it could also improve the economies of scale for the operation of the home. If that were the case then the scheme would also comply with policy NHE9 insofar as it could secure the long terms use of the site and the locally listed building (as far as it is possible to say).
- 6.8 Overall it is considered that the scheme would comply with the provisions of the policies referenced above and therefore also the provisions of the NPPF.

## Impact upon local character

- 6.9 Policies DES1 and NHE9, as referenced in paragraphs 6.3 and 6.4 are also relevant to the consideration of this scheme upon the wider surroundings.
- 6.10 The character of the area is very mixed with a range of property types, ages, sizes and designs. Although largely residential in character the wider area does include the nearby Grammar School the scale and design of which do form part of the character of the area within which the site lies. Also contributing to that character are several blocks of flats of varying sizes and designs set within generally mature and well planted gardens. The scale of these buildings, including Eversfield, lie alongside the many smaller domestic buildings in correspondingly smaller plots. Policy DES1 addresses the potential for conflict between these differing scale buildings by referencing the need for due regard to plot size, layout, density, relationship to neighbouring buildings.
- 6.11 The extension would be a substantial addition to the existing building, but this is a large site and it is considered that it could accommodate the proposed works without feeling cramped within the plot. A direct comparison in terms of density is not possible due to the different character of the use compared to individual surrounding homes but it would provide future residents with an appropriate environment. Subject therefore to not causing harm in respect of the impact upon trees and neighbouring amenities it could be concluded that the scheme would be an appropriate form of development that would not harm the character of the surrounding area.

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- 6.12 DMP Policy NHE3 advises that where relevant new development would be required to include an assessment of existing trees and landscape features on the site including their suitability for retention. Unprotected but important trees with ecological, amenity or other value should be retained as an integral part of the design of development except where their long terms survival would be compromised by their age or condition or where there are overriding benefits for the their removal. Development involving the loss of a tree in category A or B will be refused unless the need for and benefits of development in that location clearly outweigh the loss which will be assessed on a case by case basis commensurate with the value of the feature. Where such losses are agreed this will be subject to compensatory provision commensurate with the scale of the loss.
- 6.13 This scheme would result in the removal of some trees and shrubs along the western boundary shared with Eversfield Court including a Category A tree to the west of the proposed extension. This relates to a 15m common oak tree which lie within the existing boundary planting along this boundary albeit it is set in from the boundary by approximately 9 m's. It would lie in very close proximity to the flank wall of the proposed extension and it is not possible to keep the tree under this scheme. This is unfortunate but it is also appreciated that effort has gone into the care and protection of retained trees on the site. The loss of this tree would be noticeable to residents in Eversfield Court along with the loss of other shrubs and smaller trees along this boundary although replacement landscaping would be provided. In total 11 trees would be lost around the site including one category B Bay tree growing partially beneath the canopy of a 15m Common Oak in the centre of the site. The other trees to be removed are all category C and no objections are raised to those removals. Although none of the trees are covered by TPO, their location within the conservation area affords them some protection.
- 6.14 The loss of trees on this site is regrettable, along the Reigate Road boundary this is not considered a particular issue since the losses would not be noticeable and new planting will be provided that would in time supplement the existing green screen along this frontage. The loss of trees along the boundary shared with Eversfield Court is very regrettable and will be noticeable to the residents on the adjacent site: not only the loss of the Category A tree but also the shrubs that will need to be removed or pruned back. This will create a significantly different outlook for the residents adjacent to this site. There is some planting on the Eversfield Court side of the fence but this would not compensate for the losses that would be experienced. The proposed extension would be set back between 9.3m's – over 13m's from the site boundary and this would allow good levels of new planting that would in time soften the visual impact of the proposed new building. The submitted Arboricultural Method Statement indicates almost 900 plants being proposed around the site with 387 along the boundary with Eversfield Court. However officers believe that area A along the boundary with Eversfield Court may benefit from a re-assessment once the clearance of existing foliage has taken place: it then being entirely clear the extent of plantingworks that would be needed to replace/enhance this boundary. Accordingly despite the details already provided it is intended to attach a landscaping condition. The planting proposed would still need to consider the impacts on the internal light and outlook to the proposed rooms, but nevertheless a good planting scheme could be achieved. On balance, taking account of the benefits of the scheme, given the level of planting around the site and the level of replacement planting that could be achieved, it is not considered that the loss of the one Category A and one Category B trees would be so significant as to warrant a refusal of permission .

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- 6.15 DMP policy DES1 seeks to ensure that new development does not adversely impact upon the amenities of occupants of existing nearby buildings including by way of overbearing, obtrusiveness, overshadowing, overlooking and loss of privacy.
- 6.16 Residents from Eversfield Court to the west and Durfold Close to the north have raised objection to the scheme on the basis of noise and disturbance, loss of private view, overbearing relationship, overshadowing, overlooking and loss of privacy, light pollution.

### *Noise/disturbance:*

Whilst there is likely to be noise and disturbance during construction, this would not be considered significant enough to refuse a scheme and following completion this will be a residential environment which would not be expected to cause unacceptable levels of noise and disturbance to its neighbours.

### *Loss of Private view:*

Individuals are not entitled to a private view across their neighbours land.

### *Overbearing/obtrusive Relationship*

Residents to the rear of the site in Durfold Drive where land levels are significantly lower have expressed concern in this respect. Given the separation distances (numbers 26-34 Durfold Drive ranging between 23.3m's – 34 m's from the proposed extension) and the presence of a tall boundary hedge at the rear of number 34 or the more oblique angle of view of the site with numbers 26 and 28 Durfold Drive, the scheme is not considered to cause a harmful overbearing relationship. This assessment takes into account the changing land levels between the site and the houses in Durfold Drive.

The flats at Eversfield Court lie at the closest point 21.3m's from the flank wall of the proposed extension on a site with little difference in levels. A boundary fence along the shared boundary would prevent window to window views between Eversfield Court and the proposed extension at ground floor level. The separation distance between first floor windows would exceed that usually considered acceptable for principal facing windows in new development and this scheme is no exception

### *Overlooking/Loss of Privacy*

The separation distances referred to above would in officers view ensure that no significant levels of overlooking or loss of privacy would be created by this scheme. It is acknowledged that the residents of those houses to the north and the flats in particular to the west would have a very different outlook than at present. However there is no reason that standards regarding separation distances for the development of this site should be different to those applied elsewhere across the Brough.

### *Overshadowing:*

The apartments in Eversfield Court nearest to the scheme are likely to experience some overshadowing in the early morning whilst houses to the north in Durfold Drive may experience some overshadowing during the winter months caused by the development. However, it is not considered that in either case, given the separation distances involved that this would be at levels considered unacceptable.

### *Other neighbour concerns:*

Concerns have also been expressed regarding the potential harm to garden walls by the excavation needed for foundations: this would be subject to the usual requirement by anyone carrying out building work that they do not damage their neighbours properties and is not a matter for this authority to consider.

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Concerns have been expressed regarding potential drainage issues due to the sandy nature of soil in this area with water causing damage/land slippage to neighbouring sites. Drainage matters would be dealt with by the Building Regulations procedure and as above, any new development must pay due regard to the impacts upon neighbouring properties

The existing external lighting on site is a cause of concern to nearby residents and the applicant has agreed that no external lights would be affixed to the building where facing Eversfield Court. However this will be addressed by means of a condition to secure details of all proposed external lighting.

- 6.17 Overall whilst appreciating that the neighbours to this site would have a different outlook and experience of their homes, this scheme nevertheless would comply with the general standards adopted for new development in this Borough.

## Access and parking

- 6.18 DMP Policy TAP1 requires that all new development should provide safe and convenient access for all road users taking account of cumulative impacts to ensure that scheme does not cause highways safety concerns nor impede the free flow of traffic. Sufficient parking should be provided on site to ensure that there is no overspill onto the adjacent highway such as to cause the above issues.
- 6.19 Annexe 4 of the DMP advises that the parking standard for residential care homes and nursing homes are subject to an individual assessment. In this instance 23 spaces are proposed.
- 6.20 The scheme has been assessed by the County highways authority who consider the issues of safety, capacity and free flow of traffic. They raise no objections subject the layout of the parking area complying with a previously submitted plans rather than the most recent plan. No concerns have been expressed regarding the proposed parking levels.
- 6.21 The site lies within a medium accessibility area with the town centre approximately a 10 minute walk with its services and public transport and the train station being approximately another 5-10minutes beyond that. Overall it is considered that this is a very sustainable location and subject to a number of conditions including the need for the submission of a travel plan the scheme is considered to comply with the relevant highways policies at both local and national level.

## Need for the Development

- 6.22 A number of residents have raised concerns that this care home is a private and expensive home whilst other homes have vacancies and when in fact more affordable homes are required. There is an accepted need for a wide range of accommodation within the /borough and an older population is generally accepted to have a need for such provision. The affordability of the scheme is not a factor which the Council can take into account. Therefore, it is considered that this scheme would provide a policy compliant form of accommodation.

## Drainage Capacity

- 6.23 Thames Water have not raised objection to the principal of development whilst the actual physical works to connect to the drainage supply would be a matter for the building regulation process. No objections are raised in this capacity.

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## Harm to Wildlife

- 6.24 DMP Policy NHE2 instructs that development proposals will be expected to retain and enhance valued priority habitats and features of bio-diversity importance. Wherever possible a bio-diversity net gain should be achieved and this approach mirror that seen in national legislation.
- 6.25 The scheme would take place in a cultivated garden where the main loss would be anticipated to arise from the loss of trees and shrubs which could accommodate birds and potentially providing roosts for bats. Conditions could be attached to ensure that prior to works commencing a survey is undertaken to ensure no nests or roosts are disturbed and that a mitigation plan is provided to ensure that an overall bio diversity enhancement is achieved. This could take place as part of the landscaping works that will also be recommended.

## Pressure on local Services

- 6.26 Concern has been expressed that the additional 16 bedrooms would put unacceptable pressure on local services, particularly health services because of the age and potential health of residents. This scheme is one of many new residential schemes being approved all of which would have an impact upon local services but which are needed to fulfil the Councils housing obligations. There is no evidence available to show that the services that provide for this area would be unable to cope with the additional 16 residents and the scheme could not be refused on such a basis.

## **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.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Combined Plan	D-13	A	07.10.2021
Floor Plan	D-07	E	22.11.2021
Floor Plan	D-06	E	22.11.2021
Floor Plan	D-08	C	22.11.2021
Floor Plan	D-09	C	22.11.2021
Proposed Plans	D-10	E	22.11.2021
Proposed Plans	D-11	E	22.11.2021
Proposed Plans	D-12	E	22.11.2021
Proposed Plans	D-14	E	22.11.2021
Location Plan	D-01	B	22.07.2021
Combined Plan	D-10	C	22.07.2021
Floor Plan	D-04	B	30.07.2021
Floor Plan	D-03	C	30.07.2021
Elevation Plan	D-05	B	30.07.2021

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 above ground floor slab level 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 to and approved in writing by the local planning authority. The Landscaping scheme shall include details of hard landscaping, boundary fencing of treatment, 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, the reinstatement of evergreen ornamental shrubbery set between the extended area and the Victorian building, numbers/densities of planting and an implementation programme.

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

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

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

Reason: To ensure good arboricultural and landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies NHE3 and DES1 of the Reigate and Banstead Borough Development Management Plan 2019, British Standards including BS8545:2014 and British Standard 5837:2012.

4. Prior to the commencement of any development works, including demolition and all construction activities, all related arboricultural matters, including arboricultural supervision, monitoring and tree protection measures shall be undertaken in strict accordance with the approved details contained in the Arboricultural Impact Assessment ref. PB/AIA-21/04.09/Rev A and the Arboricultural Method Statement ref. PB/AMS-21/04.09/Rev A.

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

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construction and to comply with policies NHE3, DES1 and DES3 of the Reigate and Banstead Development Management Plan

5. Prior to the commencement of any works above slab level, -photographic samples of a sample wall of the proposed rubble stone adjacent to the existing extension, showing it matches in sizes, courses, rubble face Bargate Stone colour and bath stone ashlar to match the existing. It is recommended that is be provided at an early stage to allow for ordering time.

Reason: To ensure a satisfactory appearance upon completion to accord with the provision of Policies DES1 and NHE9 of the Reigate and Banstead Development Management Plan 2019.

6. All rooftiles shall be handmade sandfaced dark brown clay tiles with bonnet tiles to hips to match the existing. These should be sourced at an early stage to allow for ordering times.

Reason: To ensure a satisfactory appearance upon completion to accord with the provision of Policies DES1 and NHE9 of the Reigate and Banstead Development Management Plan 2019.

7. All windows and doors shall be set back behind the reveal at one brick depth, with casements in each opening.

Reason: To ensure a satisfactory appearance upon completion to accord with the provisions of Policies DES1 and NHE9 of the Reigate and Banstead Development Management Plan 2019.

8. The eaves shall be black painted open rafter feet with no fascia.

Reason: To ensure a satisfactory appearance and character upon completion to accord with the provisions of Policies DES1 and NHE9 of the Reigate and Banstead Development Management Plan 2019.

9. All windows, doors and other external joinery shall be of white painted timber.

Reason: To ensure a satisfactory appearance and character upon completion to accord with the provisions of Policies DES1 and NHE9 of the Reigate and Banstead Development Management Plan 2019.

10. All rainwater goods shall be black painted cast metal with ogee gutters.

Reason: To ensure a satisfactory appearance and character upon completion to accord with the provisions of Policies DES1 and NHE9 of the Reigate and Banstead Development Management Plan 2019.

11. All parking spaces shall be finished in fixed flint gravel pea shingle to reduce the extent of tarmac and all marking out is to be in granite setts.



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Reason: To ensure a satisfactory appearance and character upon completion to accord with the provisions of Policies DES1 and NHE9 of the Reigate and Banstead Development Management Plan 2019.

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

Reason: In order that the development should not prejudice highways safety nor cause inconvenience to other highway users and to satisfy Policy TAP1 of the Reigate and Banstead Development Management Plan 2019 and the objectives of the National Planning Policy Framework.

13. 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. HGV deliveries and hours of operation
  - f. Measures to prevent the deposit of materials on the highway
  - g. On site turning for construct 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 highways safety nor cause inconvenience to other highway users and to satisfy Policy TAP1 of the Reigate and Banstead Development Management Plan 2019 and the objectives of the National Planning Policy Framework.

14. Prior to the occupation of the development, a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the NPPF, Surrey County Council's "Travel; Plans Good Practice Guide". The approved Travel Plan shall be implemented for each and every subsequent occupation of the development, and thereafter shall be maintained and developed to the satisfaction of the Local Planning Authority

Reason: In recognition of Section 9 Promoting Sustainable Transport in the NPPF and in order to meet the objectives of the NPPF and to satisfy the provisions of Policy TAP1 of the Reigate and Banstead Development Management Plan 2019.

15. The development shall not be occupied until unless and until at least 20% of the available parking spaces are provided with a fast charge socket (current minimum requirement): 7kw Mode 3 with Type 2 connector – 230 v AC 32 amp

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single phase dedicated supply)., and a further 20% of the available spaces to be provided with power supply to provide additional fast socket if required, in accordance with a scheme to be submitted to and approved in writing the LPA.

Reason: In recognition of Section 9 Promoting Sustainable Transport in the NPPF and in order to meet the objectives of the NPPF and to satisfy the provisions of Policy TAP1 of the Reigate and Banstead Development Management Plan 2019.

16. The development hereby approved shall not be first opened until 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
  - h. The secure parking of bicycles within the development site
  - i. Facilities within the development site for cyclists to change into and out of cyclist equipment/shower and
  - j. Information to be provided to staff/visitors regarding the availability of and whereabouts of local public transport/walking/cycling/car sharing clubs/car clubs.

Reason: In recognition of Section 9 Promoting Sustainable Transport in the NPPF and in order to meet the objectives of the NPPF and to satisfy the provisions of Policy TAP1 of the Reigate and Banstead Development Management Plan 2019.

17. Prior to development above slab level details shall be provided in writing of all proposed external lighting on the approved extension and in the garden.

Reason: To protect the amenities of neighbouring occupiers in accordance with the provision of Policy DES1 of the Reigate and Banstead Development Management Plan 2019.

18. Prior to occupation of the development, the first floor windows to bedroom 17 the stairs and sluice rooms overlooking Eversfield Court and the first floor bathroom windows to bedrooms 10 and 11 shall be obscure glazed and shall not be openable below 1.7m's above finished floor level and shall remain as such in perpetuity.

Reason: To protect the privacy of nearby residents in accordance with the provisions of Policy DES1 of the Reigate and Banstead Development Management Plan 2019

19. Prior to any clearance of trees or shrubs required to implement this permission, an inspection shall be carried out by a suitably qualified ecologist to ensure that there are no active nests contained therein. Should any be found works shall cease until the fledging season has finished.

Reason: To protect existing wildlife utilising the site in accordance with the provision of Policy NHE2 of the Reigate and Banstead Development Management Plan 2019.

20. Prior to any works above slab level, details shall be provided in writing to and be approved by the Local Planning authority of the proposed bio diversity enhancements and mitigation proposed to ensure a total net increase in bio diversity. The scheme shall be carried out in accordance with the approved details.

Reason: To accord with the provisions of Policy NHE2 of the Reigate and Banstead Development Management Plan 2019 and the National Planning Policy Framework.

## INFORMATIVES

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at [www.firesprinklers.org.uk](http://www.firesprinklers.org.uk).
2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions. Further information can be found on the Council website at : [Climate Change Information](#).
3. Prior to the initial occupation of the approved scheme that 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](http://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 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

# Agenda Item 7

Planning Committee  
9th February 2022

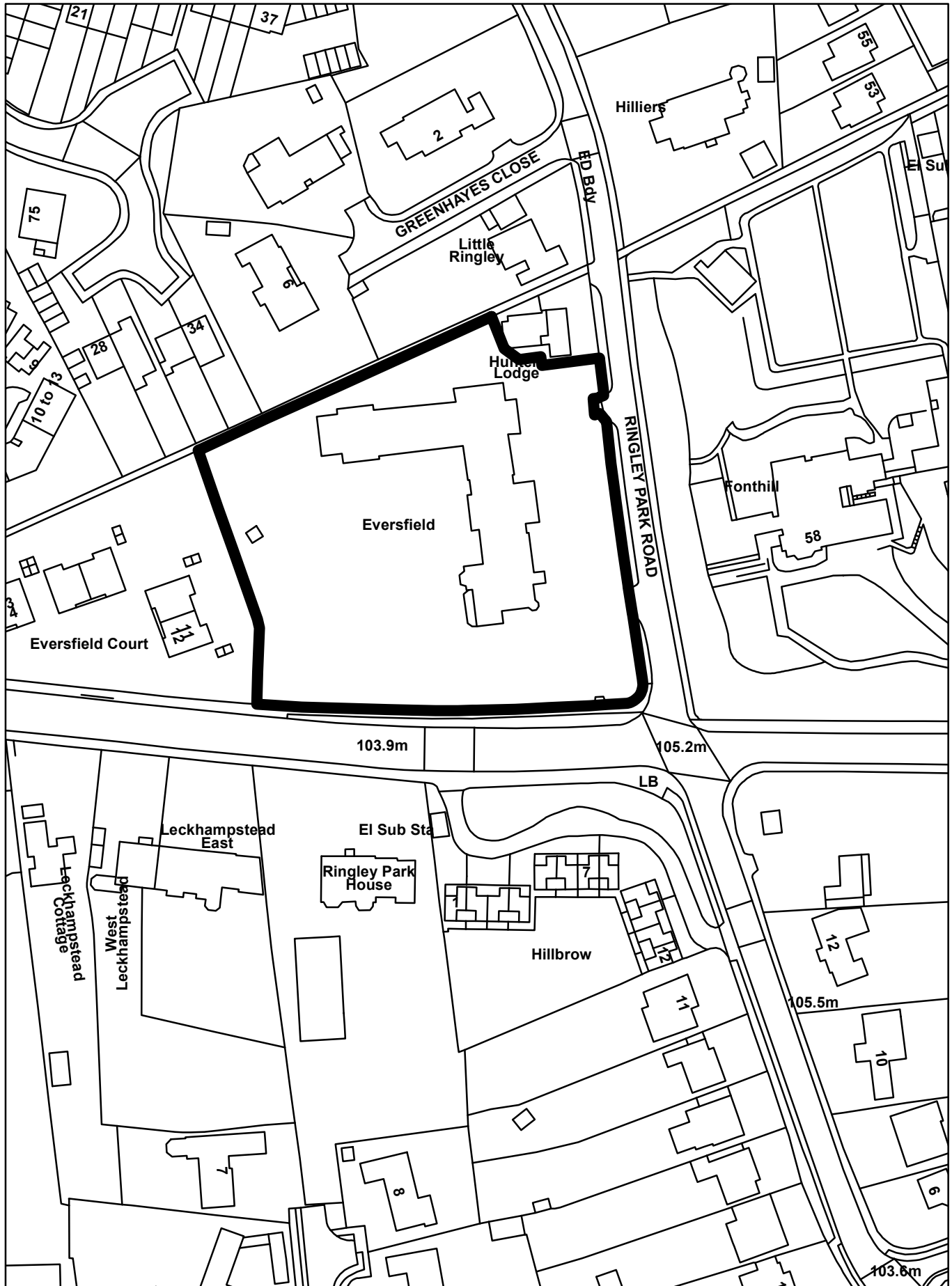
Agenda Item:  
21/02009/F

(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.

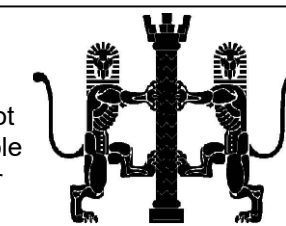
Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit.

5. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions.
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 cleaning, clearing or repairing highway surfaces and prosecutes persistent offenders (Highways Act 1980 Section 131.148,149).
7. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types. Installation must be carried out in accordance with the IET Code of Practice for Electric Vehicle Charging Equipment: <https://www.theiet.org/resources/standards/cop-electric.cfm>.

21/02009/F - Eversfield, 56 Reigate Road, Reigate Agenda Item 7



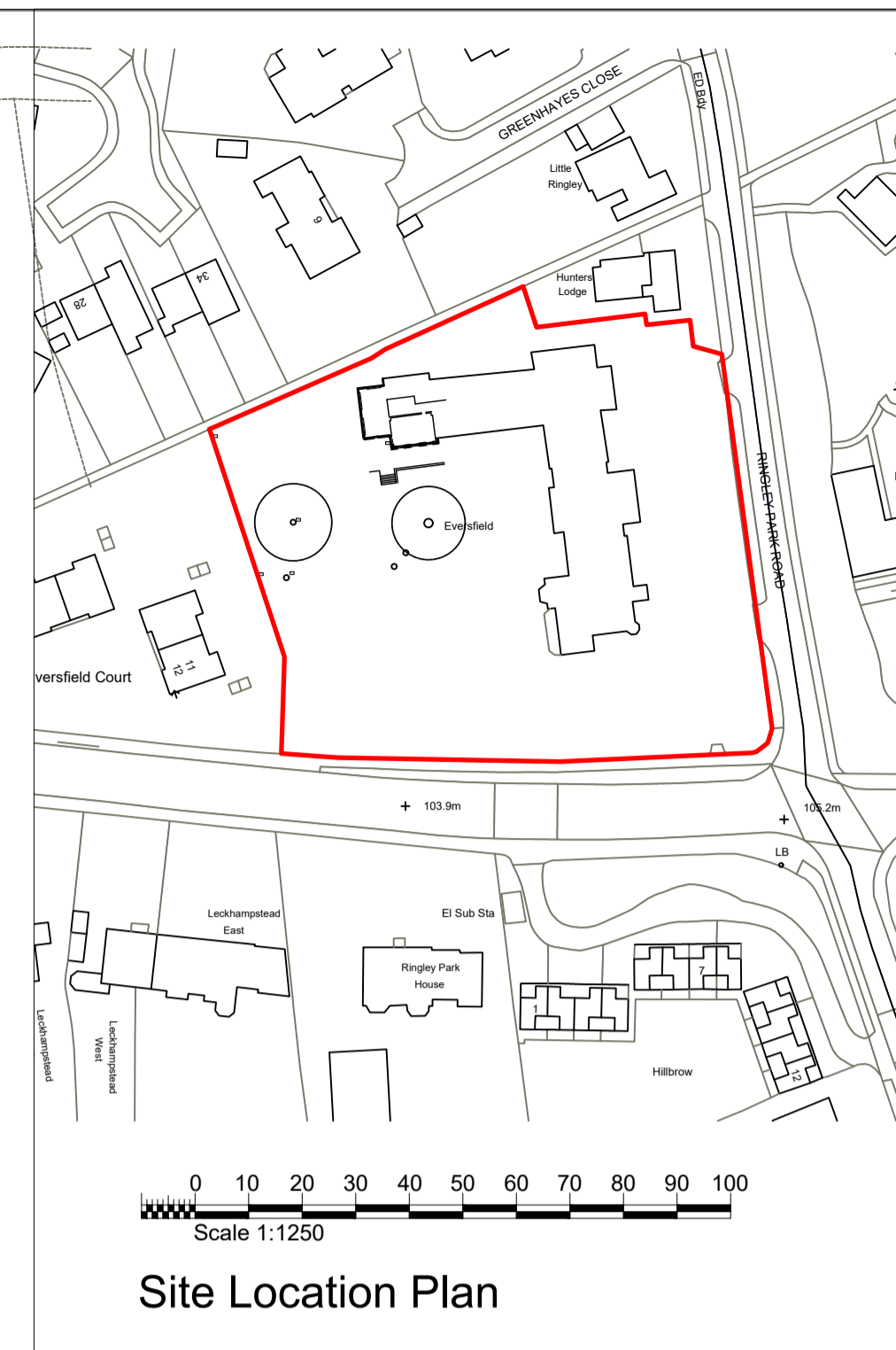
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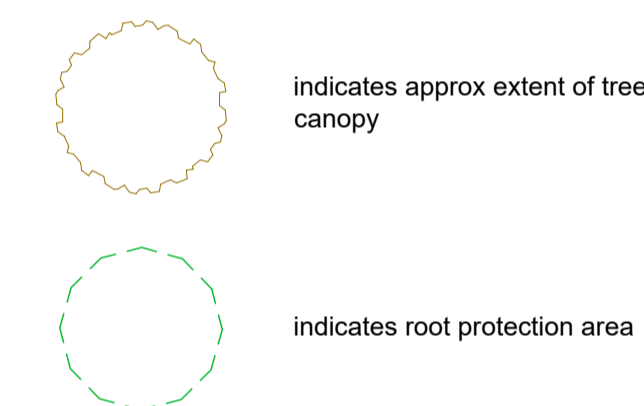
**NOTES**

- Do not scale
- Verify all dimensions on site before commencing any work or preparing any shop drawings
- All building materials, components and workmanship to comply with the appropriate Public Health Acts, Building Regulations, British & European Standards and Codes of Practice and to the appropriate manufacturers recommendations.
- For all specialist work see relevant drawings
- All schemes to be set out completely including buildings, roads, drainage and levels prior to the commencement of works
- Sites to be checked against Land Registry plans and any necessary Easements to be established
- Any discrepancies, errors or omissions to be reported to the architect for further instructions before commencement of works

K		
J		
H		
G		
F		
E		
D		
C		
B		
10.06.20	Areas to front & side of building added	JR
A		
18.12.19	Additional site features shown	JR
Date	Revisions	By



Site Location Plan



**DAC**  
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21 Stone Street, Gravesend, Kent, DA11 0NP  
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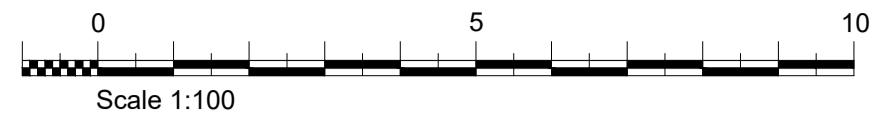
Project Title  
**EVERSFIELD CARE HOME REIGATE**

Client  
**ELIZABETH FINN CARE**

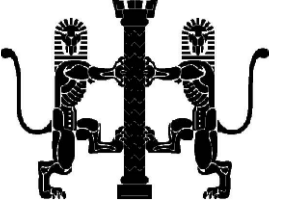
Drawing Title  
**BLOCK PLAN  
SITE LOCATION PLAN  
AS EXISTING**

Scale	Date	Drawn By
1:1250, 1/200	22/07/19	TR

Project No.	Dwg. No.	Rev.
5214	D-01	B



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**NOTES**

- Do not scale
- Verify all dimensions on site before commencing any work or preparing any shop drawings
- All building materials, components and workmanship to comply with the appropriate Public Health Acts, Building Regulations, British & European Standards and Codes of Practice and to the appropriate manufacturers recommendations.
- For all specialist work see relevant drawings
- All schemes to be set out completely including buildings, roads, drainage and levels prior to the commencement of works
- Sites to be checked against Land Registry plans and any necessary Easements to be established
- Any discrepancies, errors or omissions to be reported to the architect for further instructions before commencement of works

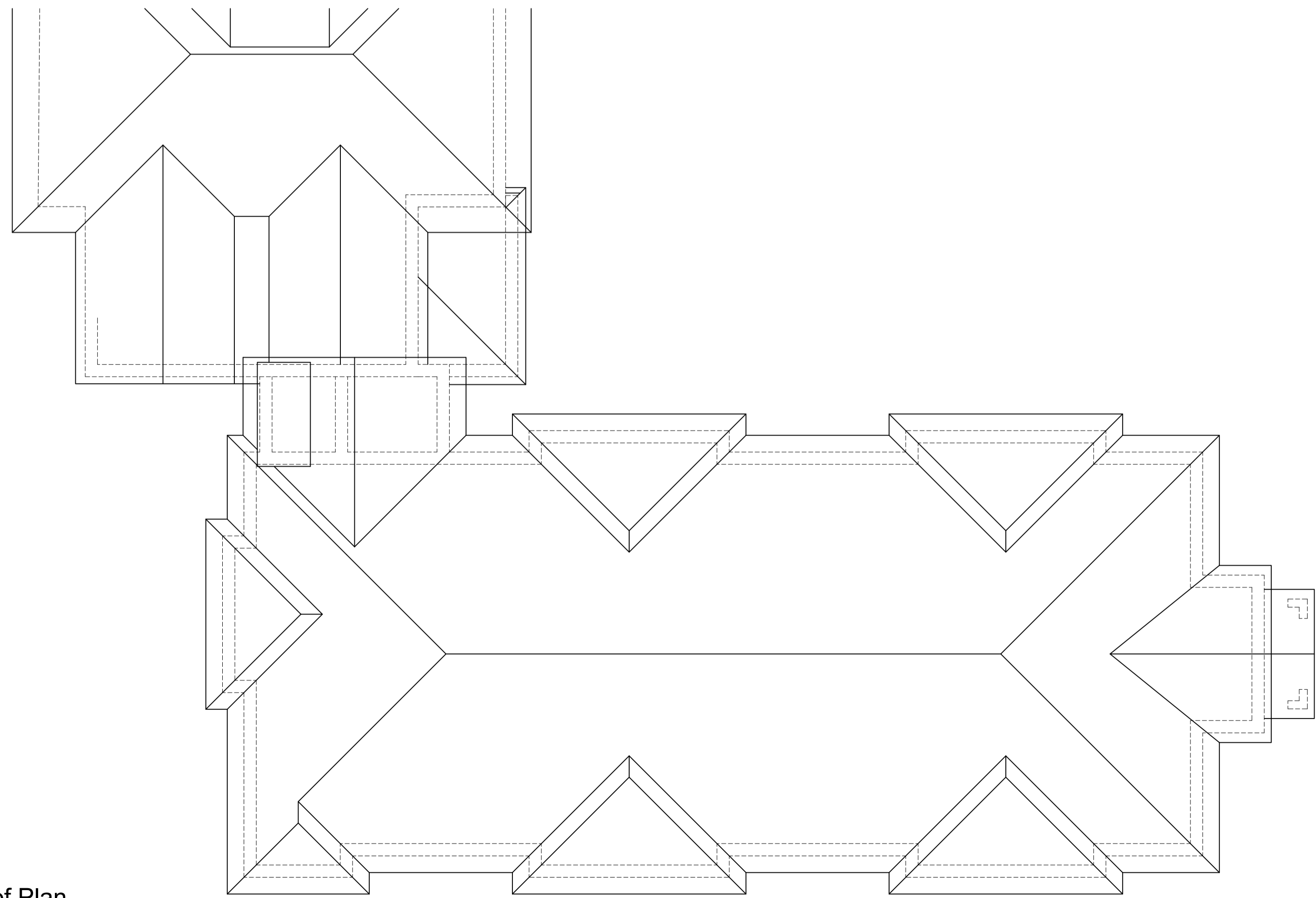


K		
J		
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G		
F		
E		
D		
C		
30.06.21	Doors revised	JR
B		
28.06.21	Balcony roof added, note for doors to cupboard beneath staircase	JR
A		
28.05.21	Roof plan adjusted to suit elevations	JR
Date	Revisions	By

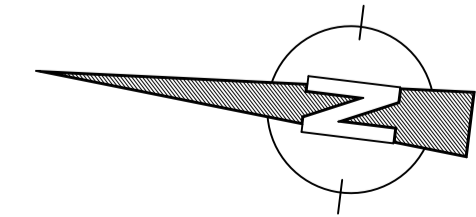


West Elevation D-10-01

**External Materials**  
 Plain clay roof tiles to match existing roof of two/three storey wing  
 Bargate stone external wall facings with reconstructed stone heads, cills & string courses, all to match existing  
 White painted or high build stained timber window & door frames



Roof Plan



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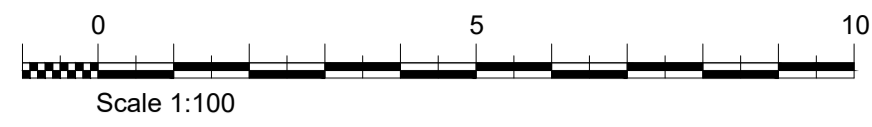
Project Title  
**EVERSFIELD CARE HOME REIGATE**

Client  
**ELIZABETH FINN CARE**

Drawing Title  
**ELEVATION & SECTION**  
**AS PROPOSED**

Scale 1:100	Date 20.05.21	Drawn By JR
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Project No. <b>5214</b>	Dwg. No. <b>D-10</b>	Rev. <b>C</b>
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**NOTES**

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- Verify all dimensions on site before commencing any work or preparing any shop drawings
- All building materials, components and workmanship to comply with the appropriate Public Health Acts, Building Regulations, British & European Standards and Codes of Practice and to the appropriate manufacturers recommendations.
- For all specialist work see relevant drawings
- All schemes to be set out completely including buildings, roads, drainage and levels prior to the commencement of works
- Sites to be checked against Land Registry plans and any necessary Easements to be established
- Any discrepancies, errors or omissions to be reported to the architect for further instructions before commencement of works



North Elevation D-12-04

East Elevation/Section D-12-05

K		
J		
H		
G		
F		
E	Revised to match other elevs in order to reduce windows facing Eversfield Court	JR
19.11.21		
D	Redesigned to suit Conservation Officer comments, floors levels reduced by 225mm	JR
24.09.21		
C	Crown Roof Shown	JR
20.08.21		
B	Doors revised	JR
30.06.21		
A	Further detail to north elev, shading to windows	JR
28.06.21		
Date	Revisions	By

**External Materials**  
 Plain clay roof tiles to match existing roof of two/three storey wing  
 Bargate stone external wall facings with reconstructed stone heads, cills & string courses, all to match existing  
 White painted or high build stained timber window & door frames

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Project Title  
**EVERSFIELD CARE HOME REIGATE**

Client  
**ELIZABETH FINN CARE**

Drawing Title  
**ELEVATION & SECTIONS 04 to 07**  
**AS PROPOSED**

Scale	Date	Drawn By
1:100	20.05.21	JR

Project No.	Dwg. No.	Rev.
5214	D-12	E

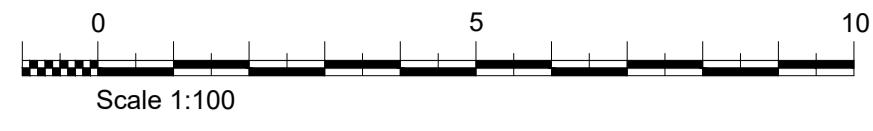


South Elevation/Section D-12-06



East Elevation D-12-07





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**NOTES**

Do not scale

Verify all dimensions on site before commencing any work or preparing any shop drawings

All building materials, components and workmanship to comply with the appropriate Public Health Acts, Building Regulations, British & European Standards and Codes of Practice and to the appropriate manufacturers recommendations.

For all specialist work see relevant drawings

All schemes to be set out completely including buildings, roads, drainage and levels prior to the commencement of works

Sites to be checked against Land Registry plans and any necessary Easements to be established

Any discrepancies, errors or omissions to be reported to the architect for further instructions before commencement of works

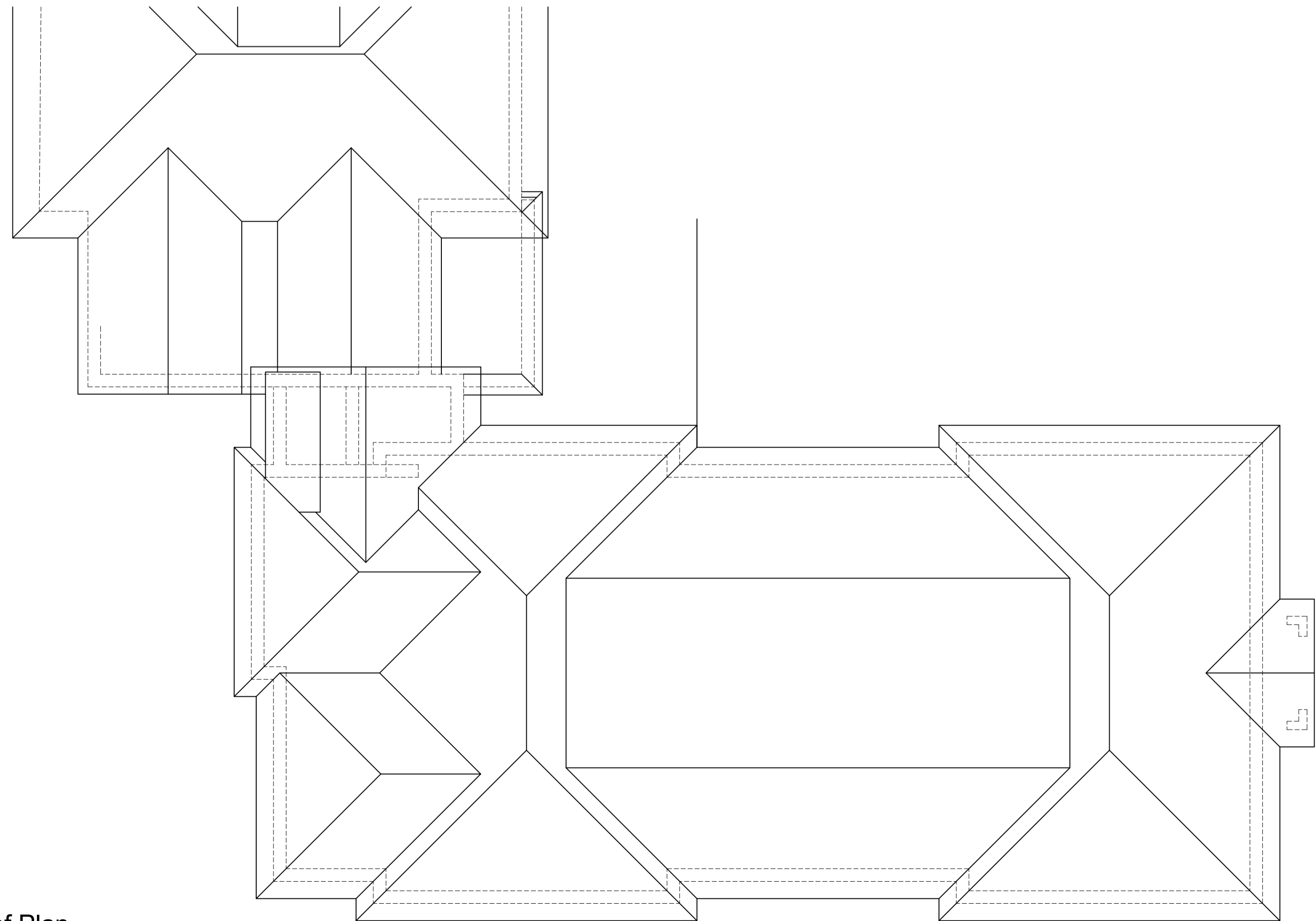


Recent two storey wing

Original Victorian Mansion

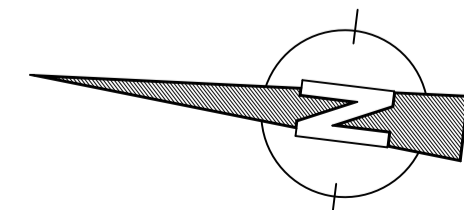
Proposed two storey wing

West Elevation D-10-01



Roof Plan

**External Materials**  
 Plain clay roof tiles to match existing roof of two/three storey wing  
 Bargate stone external wall facings with reconstructed stone heads, cills & string courses, all to match existing  
 White painted or high build stained timber window & door frames



K		
J		
H		
G		
F		
E		
19.11.21	Revised to reduce feeling of overlooking	JR
D	Redesigned to suit Conservation Officer comments, floors levels reduced by 225mm	JR
24.09.21		
C		
30.06.21	Doors revised	JR
B		
28.06.21	Balcony roof added, note for doors to cupboard beneath staircase	JR
A		
28.05.21	Roof plan adjusted to suit elevations	JR
Date	Revisions	By

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Project Title  
**EVERSFIELD CARE HOME REIGATE**

Client  
**ELIZABETH FINN CARE**

Drawing Title  
**ELEVATION & SECTION**  
**AS PROPOSED**

Scale	Date	Drawn By
1:100	20.05.21	JR

Project No.	Dwg. No.	Rev.
5214	D-10	E



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**NOTES**  
Do not scale

Verify all dimensions on site before commencing any work or preparing any shop drawings

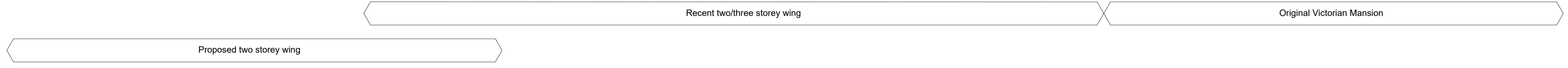
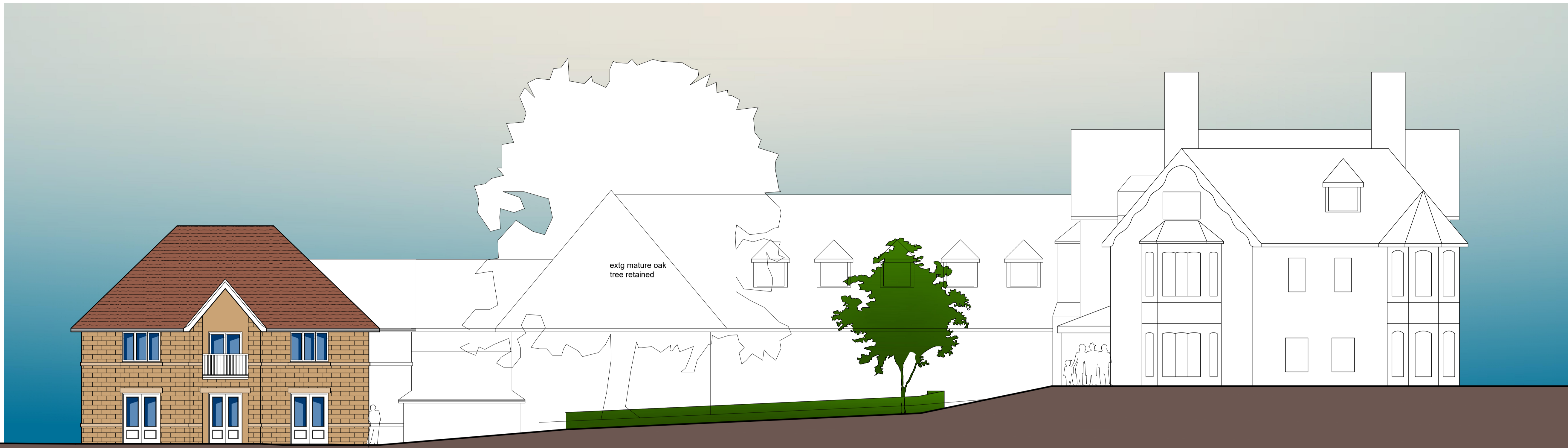
All building materials, components and workmanship to comply with the appropriate Public Health Acts, Building Regulations, British & European Standards and Codes of Practice and to the appropriate manufacturers recommendations.

For all specialist work see relevant drawings

All schemes to be set out completely including buildings, roads, drainage and levels prior to the commencement of works

Sites to be checked against Land Registry plans and any necessary Easements to be established

Any discrepancies, errors or omissions to be reported to the architect for further instructions before commencement of works



South Elevation D-11-02

K		
J		
H		
G		
F		
E	19.11.21	Windows to bedrooms 8 & 9 now on this elevation
D	24.09.21	Redesigned to suit Conservation Officer comments, floors levels reduced by 225mm
C	30.06.21	Doors revised
B	28.06.21	Staircase & section
A	28.05.21	Redesign
Date	Revisions	By

**External Materials**  
Plain clay roof tiles to match existing roof of two/three storey wing  
Bargate stone external wall facings with reconstructed stone heads, cills & string courses, all to match existing  
White painted or high build stained timber window & door frames

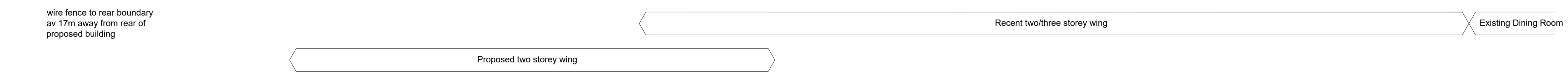
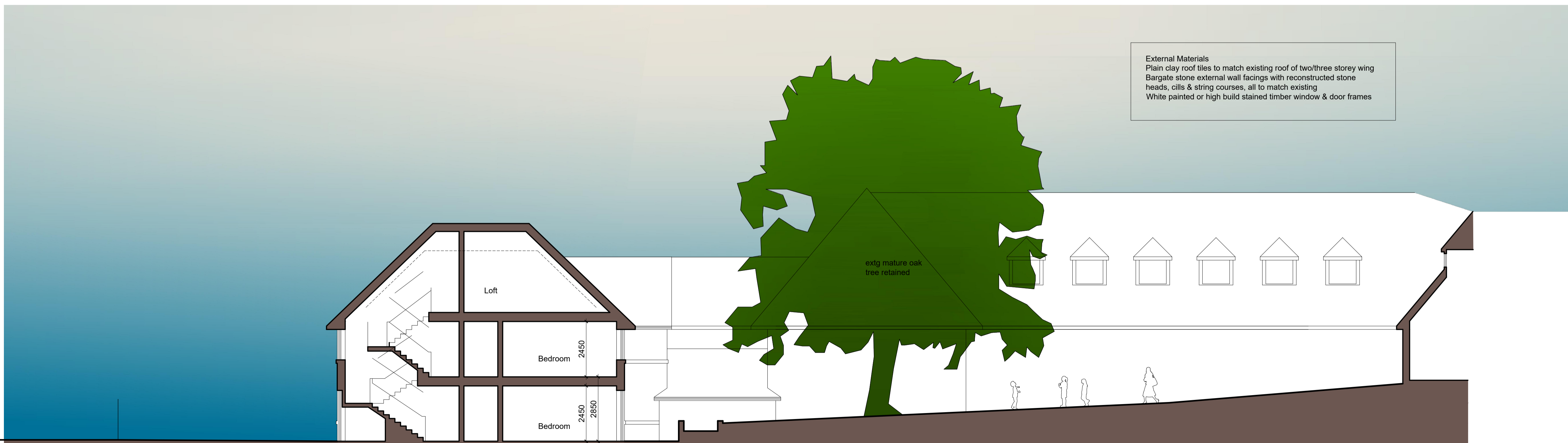
**DAC**  
Architects

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Design@DACarchitects.co.uk

Project Title  
**EVERSFIELD CARE HOME REIGATE**

Client  
**ELIZABETH FINN CARE**

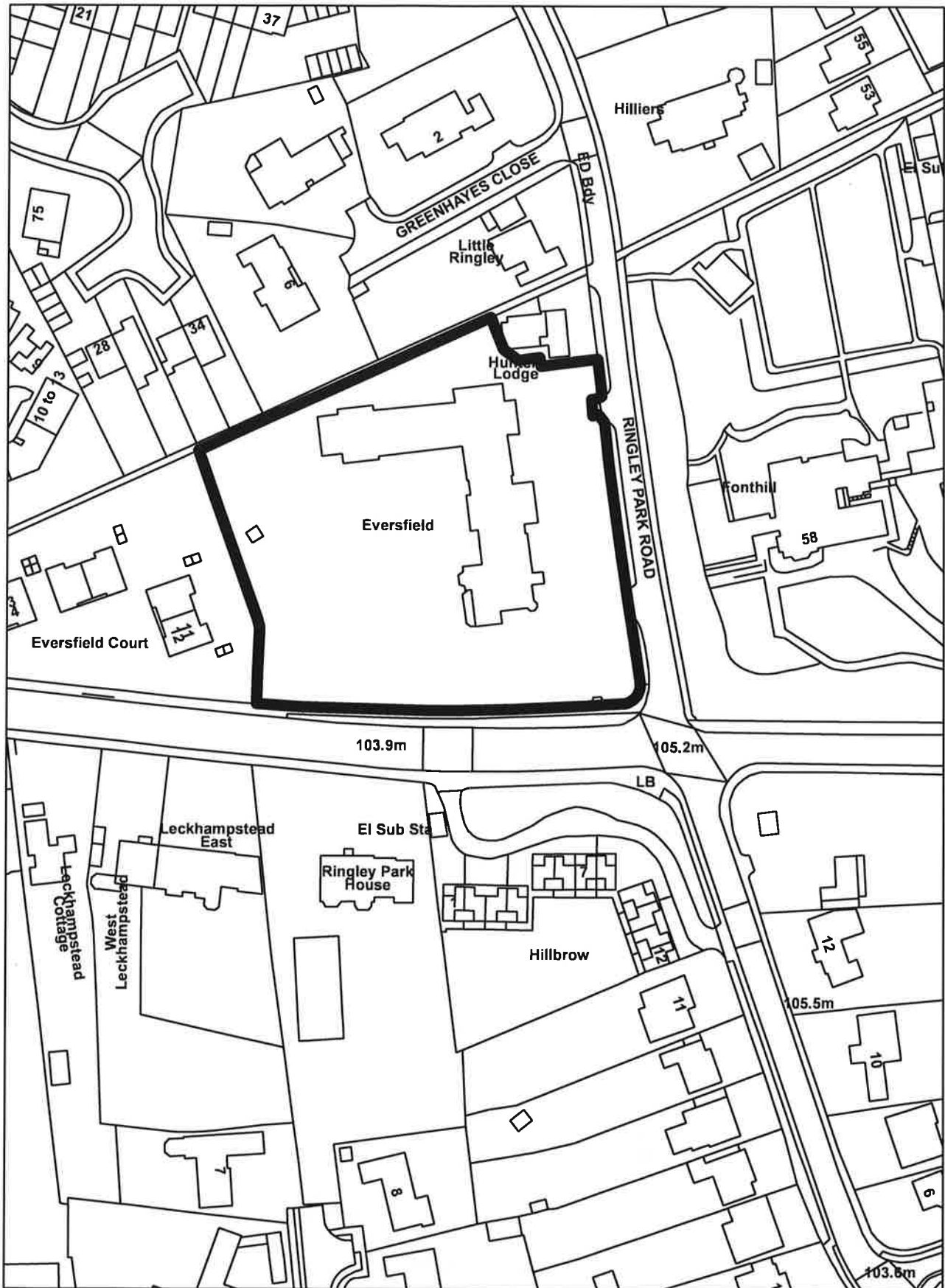
Drawing Title  
**ELEVATION & SECTION 02 & 03**  
**AS PROPOSED**



Section D-11-03

Scale 1:100	Date 20.05.21	Drawn By JR
Project No. <b>5214</b>	Dwg. No. <b>D-11</b>	Rev. <b>E</b>

21/02009/F - Eversfield, 56 Reigate Road, Reigate



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Scale 1:1,250

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Verify all dimensions on site before commencing any work or preparing any shop drawings.  
All building materials, components and workmanship to comply with the appropriate Public Health Act, Building Regulations, and other applicable laws and regulations, and to the appropriate manufacturer's recommendations.  
For all structural work see relevant drawings.  
All fixtures to be set out complete including buildings, roads, drainage and levels prior to the commencement of works.  
Shade up the proposed ground level. Regulatory plans and any necessary approvals to be obtained.  
Any discrepancies, errors or omissions to be reported to the architect or other relevant party immediately upon discovery.

23.02.21	Circle parking marks	JR
23.02.21	Parking revised circle parking from level 2 to 1st floor	JR
24.02.21	Level 2 revised, with new lifts and new access to level 2	JR
24.02.21	Various below ground services including pipes & joints	JR
24.02.21	ADMM	JR
25.02.21	Floor plan revised new section line indicated	JR
27.02.21	Existing trees shown including Scope of Work, Walls, Trees & Cherry Plants	JR
28.02.21	Comprehensive Drainage Schemes & moved away from north-east	JR
28.02.21	Access Statement	JR
28.02.21	Outline of previous designs for the building and site to be returned to design & access statement	JR
28.02.21	Windows to be fully set, lantern & elevation plan	JR
28.02.21	Revisions	JR

**DAC ARCHITECTS**  
21 Stone Street, Glasgow, G4 6JF  
Tel: 0141 204 2024  
Fax: 0141 204 2024

Project Title  
**EVERSFIELD CARE HOME  
REIGATE**

Client  
**ELIZABETH FINN CARE**

Drawing Title  
**BLOCK PLAN  
LOWER GROUND FLOOR  
LEVEL  
AS PROPOSED**

Scale	Date	Drawn By
1:200	22/07/19	JR
Project No.	Draw No.	Rev.
5214	D-06	R



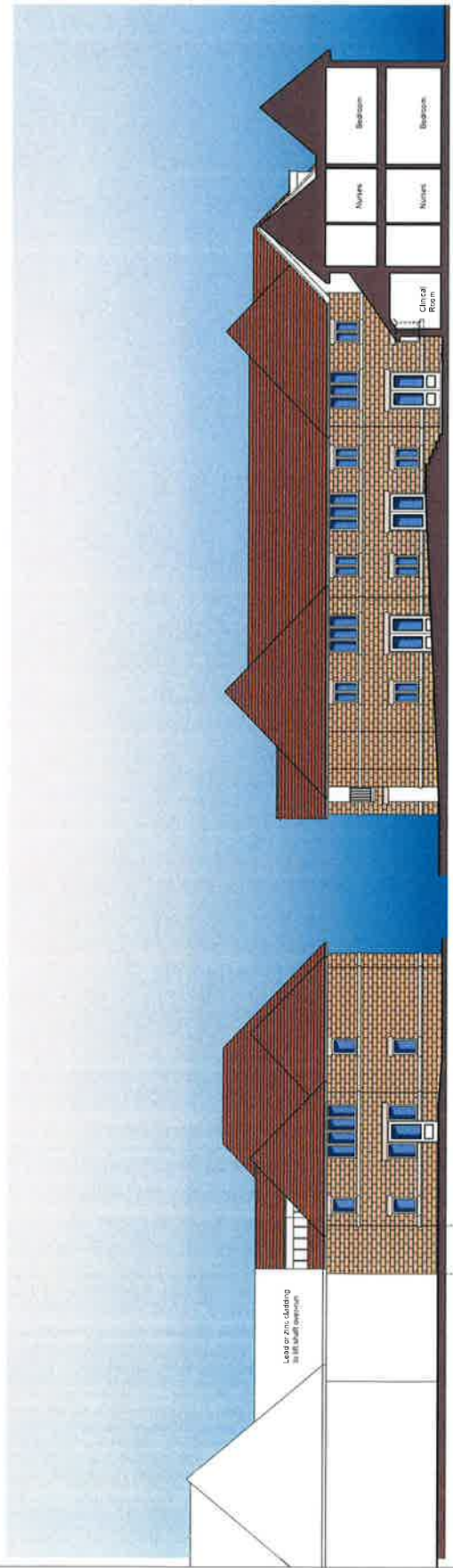
Refer 'Tree Survey & Report by Tree Services Ltd PBMA-2105-09 Rev A dated 6 July 2017' for exact locations & details of all trees shown.

- Indicates proposed location of tree canopy
- Indicates root protection area
- Indicates tree to be removed

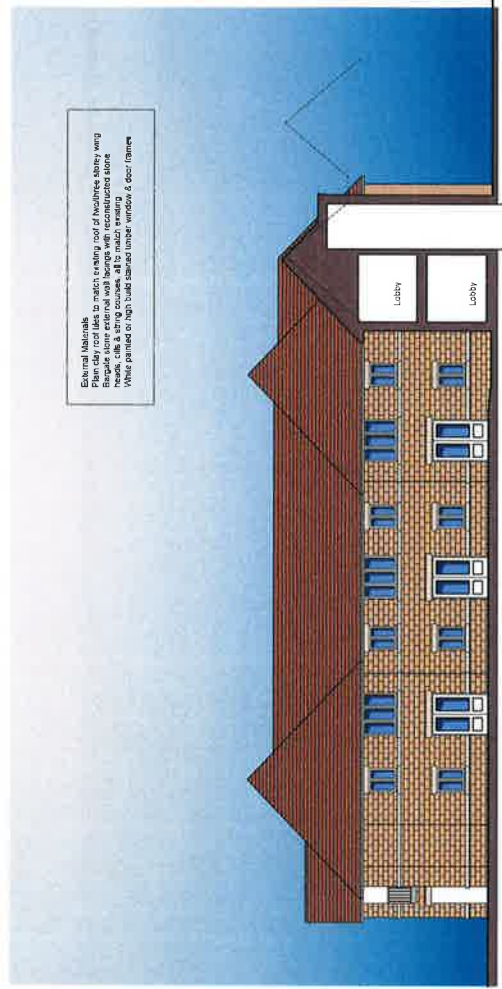
Change No. for detailed design & Building Control approvals  
Control requirements  
Indicates spaces subject to Building Control requirements. Spaces shown in red. Spaces shown in blue. Spaces shown in green. Spaces shown in yellow.

Ground level floor area of Extension  
315 sqm at each level. 630 sqm total GFA

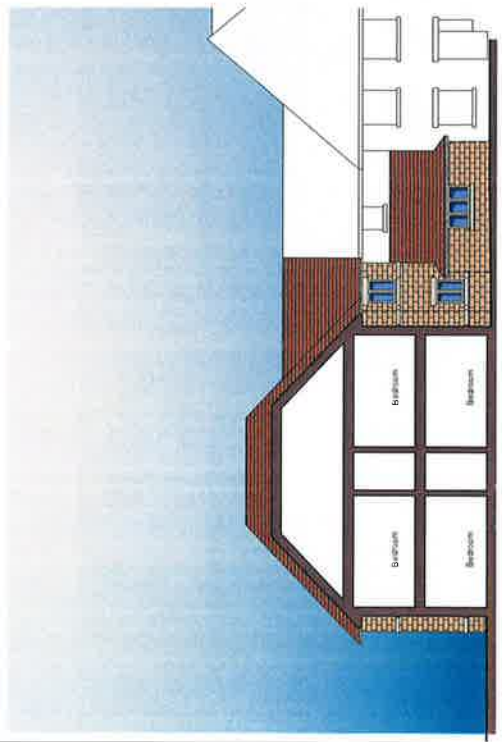
Statement of Accommodation  
New extension lower level  
New extension upper level  
Existing building upper level  
Existing building lower level  
New extension of 18 bedrooms



North Elevation/Section D-12-04



East Elevation/Section D-12-05



South Elevation/Section D-12-06

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**NOTES**  
Do not build.  
Verify all dimensions on site before commencing any work to ensure any change is correct.  
All building materials, components and workmanship to comply with the appropriate Building Regulations, Building Control, British & European Standards and Codes of Practice and to the appropriate manufacturer's instructions.  
For all specialist work see relevant drawings.  
All services to be set out completely including building, tanks, storage and before prior to the commencement of work.  
Drawings to be checked against Land Registry plans and any necessary Easements to be established.  
Any discrepancies, errors or omissions to be reported to the architect for further instructions before commencement of work.

K			
J			
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E	Reigate Home external wall facing with reconstructed stone heads, oak & string courses. All by master masonry. Walls painted in high gloss marine under window & door frame	JR	
D	Reigate Home external wall facing with reconstructed stone heads, oak & string courses. All by master masonry. Walls painted in high gloss marine under window & door frame	JR	
C	Reigate Home external wall facing with reconstructed stone heads, oak & string courses. All by master masonry. Walls painted in high gloss marine under window & door frame	JR	
B	Green Roof System	JR	
A	Roof to match existing roof of Neelbree, where wing Reigate Home external wall facing with reconstructed stone heads, oak & string courses. All by master masonry. Walls painted in high gloss marine under window & door frame	JR	
Date:	Revisions:	By:	

**DAC Architects**  
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Design@DACarchitects.co.uk

Project Title  
**EVERSFIELD CARE HOME  
REIGATE**

Client  
**ELIZABETH FINN CARE**

Drawing Title  
**ELEVATION & SECTIONS  
04 to 07**  
**AS PROPOSED**

Scale	Date	Drawn By
1:100	20.05.21	JR
Project No.	Disc. No.	Rev.
5214	D-12	E

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**NOTES**

1. All dimensions on this drawing are to be taken from the centerline of the building unless otherwise indicated.

2. All building materials, components and workmanship to comply with the appropriate Building Regulations, Building Regulations, and any other applicable regulations and standards.

3. For all specialist work see relevant drawings.

4. All services to be installed in accordance with the relevant standards and best practice.

5. All services to be installed in accordance with the relevant standards and best practice.

6. All services to be installed in accordance with the relevant standards and best practice.

7. All services to be installed in accordance with the relevant standards and best practice.

8. All services to be installed in accordance with the relevant standards and best practice.

9. All services to be installed in accordance with the relevant standards and best practice.

10. All services to be installed in accordance with the relevant standards and best practice.

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A			

18.11.21 Revised to include taking of permissions  
 24.09.21 Reopened to suit construction levels reduced by 225mm  
 26.06.21 Doors amended  
 28.06.21 Mainline wall added, note for doors to coordinate beneath staircase  
 28.06.21 Roof plan updated to suit elevations

Date: 28.06.21  
 Drawn By: JR  
 Checked By: JR

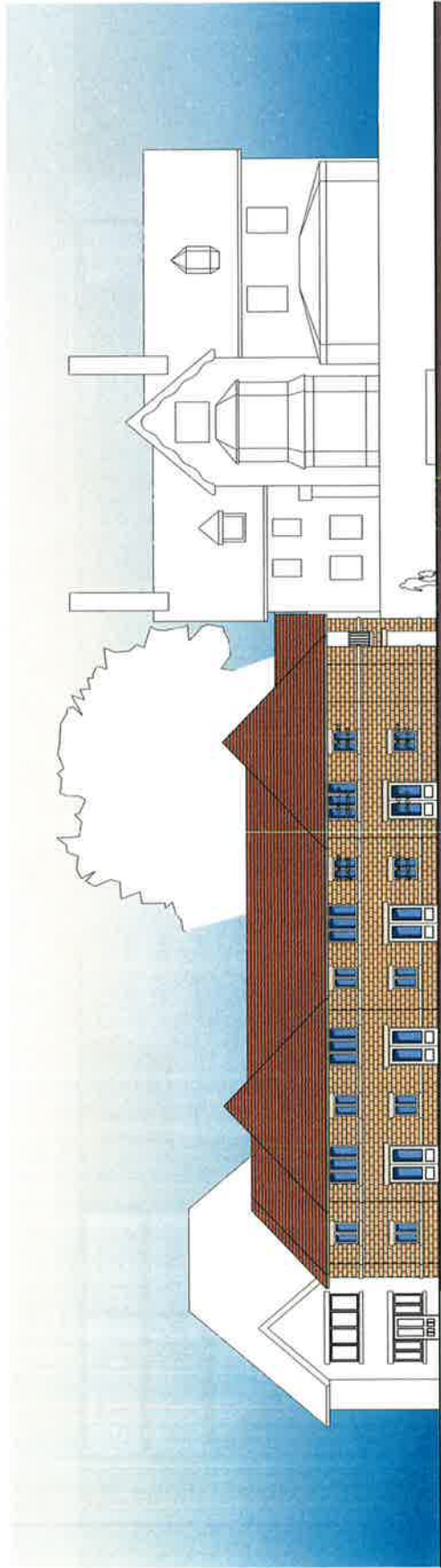
**DAC Architects**  
 21 Saxe Street, Grosvenor, Kent, DA11 0DP  
 Tel: 01892 433333  
 Email: info@dacarchitects.co.uk

Project Title:  
**EVERSFIELD CARE HOME REIGATE**

Client:  
**ELIZABETH FINN CARE**

Drawing Title:  
**ELEVATION & SECTION**  
**AS PROPOSED**

Scale	Date	Drawn By
1:100	20.03.21	JR
Project No.	Drawn No.	Rev.
5214	D-10	E



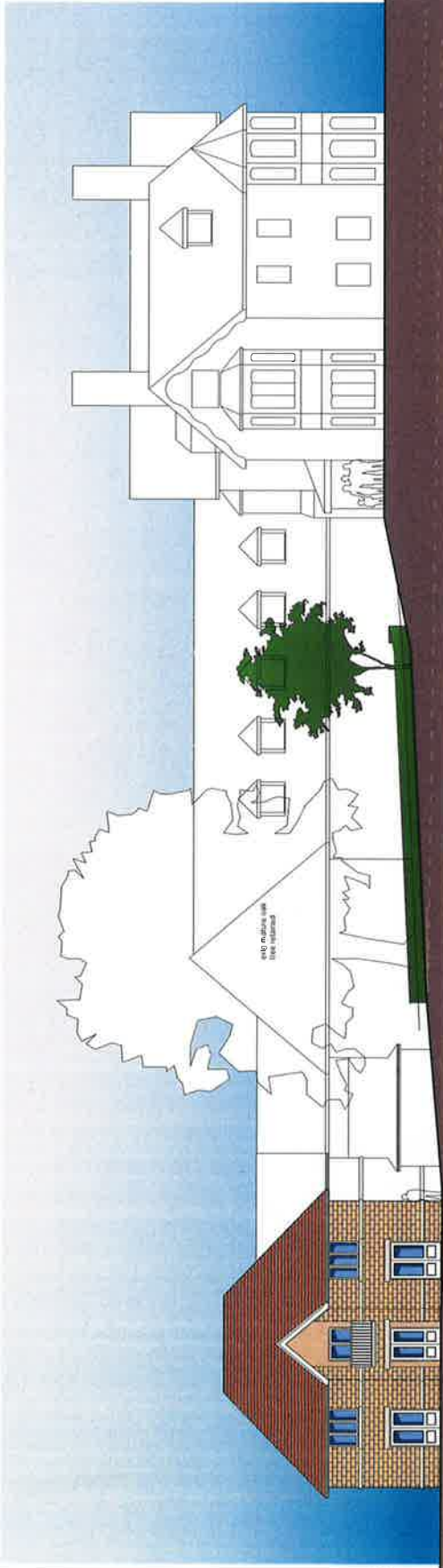
West Elevation D-10-01



Roof Plan

Original Victorian Mansion  
 Proposed two storey wing  
 Recent two storey wing

Specialist Materials:  
 Blue clay roof tiles to match existing roof of two/one storey wing  
 Buxgate stone external wall finish with reconstructed stone  
 White painted high build barnoid primer, window & door frames



South Elevation D-11-02



Section D-11-03

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**NOTES**

- Do not scale
- Verify all dimensions on site before commencing any work or preparing any shop drawings.
- All building materials, components and workmanship to comply with the applicable Public Health Act, Building Regulations, Code of Practice and Codes of Practice and to the applicable standards to be specified.
- For all specialists work see relevant drawings.
- All schemes to be set out completely including building, roads, drainage and levels prior to the commencement of works.
- Sites to be checked against Local Regulatory plans and any necessary Exemptions to be established.
- Any discrepancies, errors or omissions to be specified to the architect for further instructions before commencement of works.

K		
F		
H		
G		
F		
E	19.11.21	Windows to balconies & gable end on the elevation
D	24.09.21	Redesignated to Aid Conversation Other comments: Recess levels raised by 25mm
C		
B	30.08.21	Stops revised
A	28.06.21	Alterations & section
By	28.05.21	Revised
Date		

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 design@dacarchitects.co.uk

Project Title  
**EVERSFIELD CARE HOME REIGATE**

Client  
**ELIZABETH FINN CARE**

Drawing Title  
**ELEVATION & SECTION 02 & 03 AS PROPOSED**

Scale	Date	Drawn By
1:100	20.05.21	JR
Project No.	Dwg No.	Rev.
5214	D-11	E



**NOTES**  
Do not scale

Verify all dimensions on site before commencing any work or preparing shop drawings.

All building materials, components and workmanship to comply with the appropriate Public Health Act, Building Regulations and other applicable codes and standards. Refer to the appropriate manufacturer's recommendations.

For all materials refer to the relevant drawings.

All services to be set out completely including building, track, damage and levels prior to the commencement of work.

Size to be checked against Land Registry plans and any necessary alterations to be notified to the relevant authority.

Any discrepancies, errors or omissions to be reported to the architect for their instructions before commencement of work.

No.	Date	Revisions	By
1	18.11.21	Revisions 8, 9, 10 & 11 added in response to comments from client	JR
2	24.08.21	Revisions 1 to 7 completed	JR
3	28.06.21	Revised new layout to bedroom 1 in order to meet client requirements	JR

**DAC**  
Architects

21 Stone Street, Gravesend, Kent, DA11 9NP  
Tel: 01474 596956 Fax: 01474 320774  
info@dacarchitects.co.uk

Project Title  
**EVERSFIELD CARE HOME  
REIGATE**

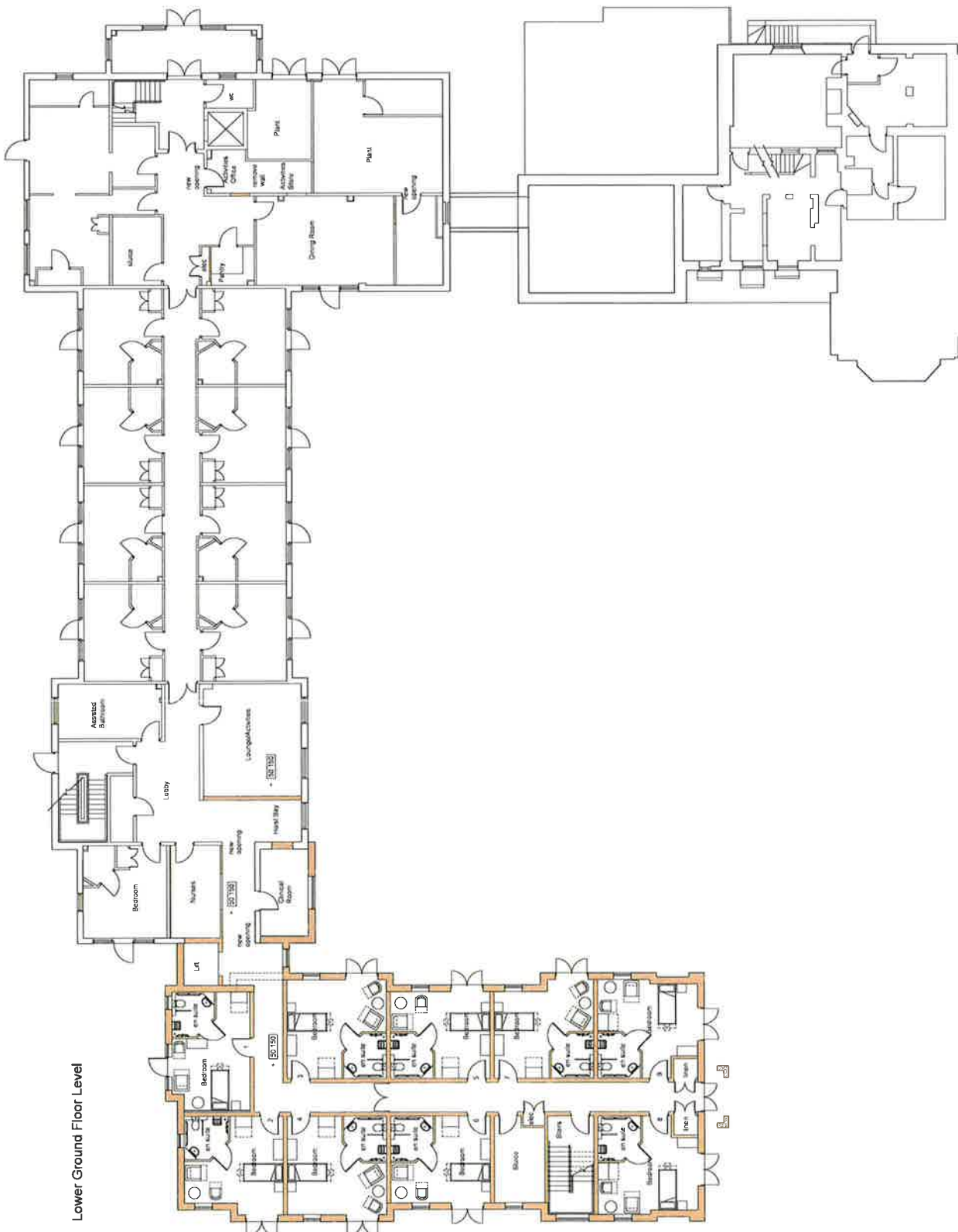
Client  
**ELIZABETH FINN CARE**

Drawing Title  
**LOWER GROUND FLOOR  
PLAN**

AS PROPOSED

Scale	1:100	Date	28.03.21	Drawn By	JR
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Project No.	5214	Draw No.	D-08	Rev.	C
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Lower Ground Floor Level







**NOTES**

Do not mark  
 Verify all dimensions on site before commencing any work or issuing any drawings.  
 All building materials, components and accessories to comply with British and European Standards and Codes of Practice and to the appropriate manufacturers recommendations.  
 For all specialist work see relevant drawings.  
 All schemes to be set out completely including buildings, mark drainage and levels prior to the commencement of works.  
 Sites to be checked against Land Registry plans and any necessary Easements to be established.  
 Any discrepancies, errors or omissions to be reported to the architect for further instructions before commencement of work.

Date	Revisions	By
18.11.21	Bedroom 17, James & black moved Bedroom 17, James & black moved to 12 included	JR
24.09.21	Redesignated to suit Conservation Office comments	JR
25.08.21	Revised, new layout to bedroom 1, garage revised for level access	JR

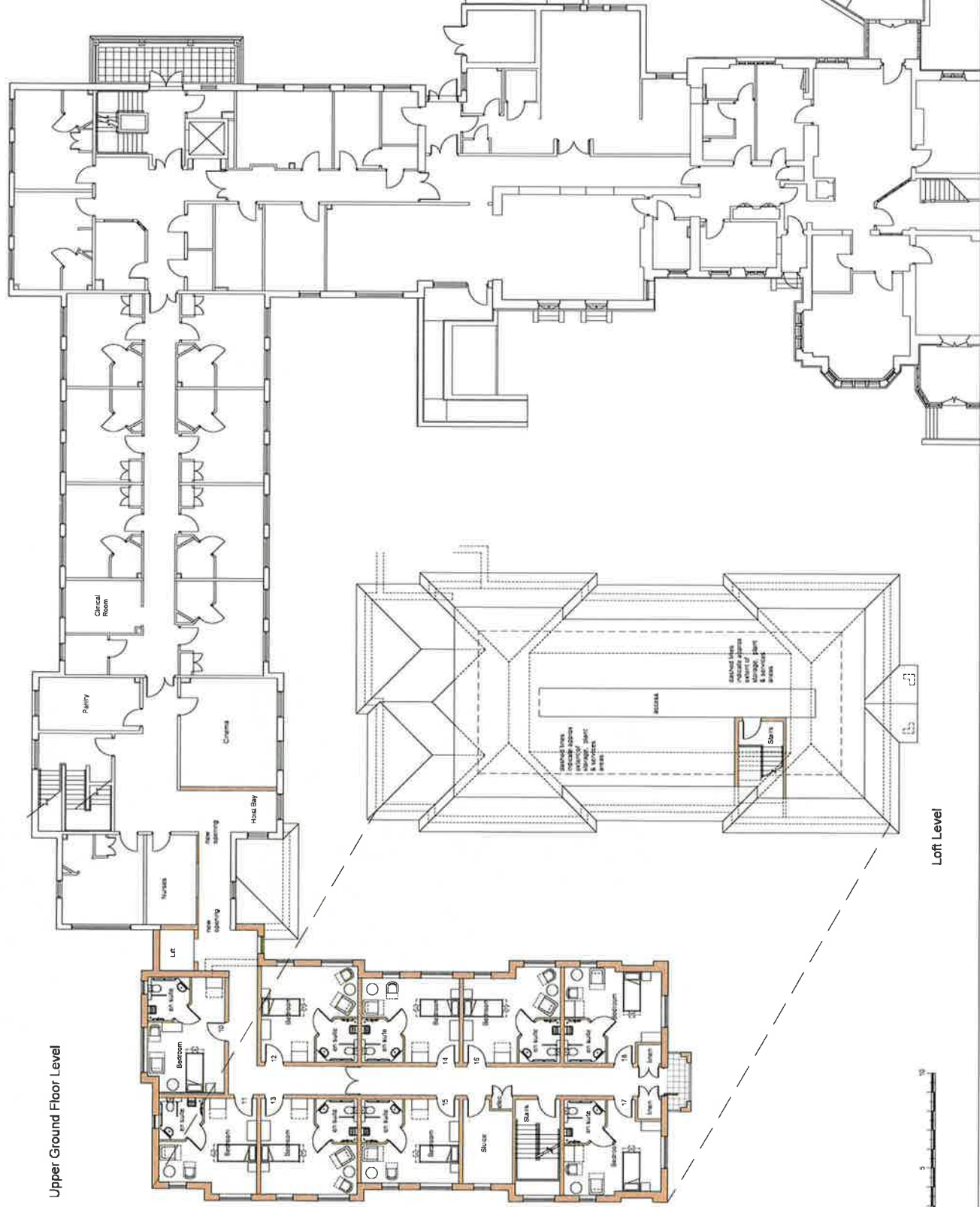
**DAC Architects**  
 2, Belsa Street, Glasgow G6 6 3AT, UK  
 Tel: 0141 204 1000  
 Email: Design@DACarchitects.co.uk

Project Title  
**EVERSFIELD CARE HOME  
 REIGATE**

Client  
**ELIZABETH FINN CARE**

Drawing Title  
**UPPER GROUND FLOOR  
 & LOFT PLAN  
 AS PROPOSED**

Scale	Date	Drawn By
1:100	20.05.21	JR
Project No	Draw No	Rev.
5214	D-09	C














# Agenda Item 8

Planning Committee  
9th February 2022

Agenda Item: 8a and 8b  
21/00468/F  
21/00469/LBC

 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	9 <sup>th</sup> February 2022
	<b>REPORT OF:</b>	HEAD OF PLANNING
	<b>AUTHOR:</b>	Matthew Sheahan
	<b>TELEPHONE:</b>	01737 276514
	<b>EMAIL:</b>	Matthew.sheahan@reigate-banstead.gov.uk
<b>AGENDA ITEM:</b>	8a and 8b	<b>WARD:</b> RGT - Reigate

<b>APPLICATION NUMBER:</b>	A) 21/00468/F B) 21/00469/LBC	<b>VALID:</b>	11/03/2021 11/03/2021
<b>APPLICANT:</b>	Skelton Developments (Nottingham) Limited	<b>AGENT:</b>	Quod
<b>LOCATION:</b>	<b>THE OMNIBUS BUILDING LESBOURNE ROAD REIGATE SURREY RH2 7LD</b>		
<b>DESCRIPTION:</b>	<b>External alterations comprising 9no. dormer windows at second floor level. As amended on 12/08/2021</b>		
<b>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.</b>			

## SUMMARY

This is a full planning application and Listed Building Consent application for the insertion of 9 dormer windows to the second floor of The Omnibus Building. The building is located on the northern side of Lesbourne Road in Reigate and is Grade II listed, being a former Bus Garage designed by Wallis Gilbert and Partners and built in 1931. The surrounding area is characterised by predominantly residential uses with some commercial uses to the south, and open land to the north.

The proposed dormer windows would be of a flat roof design of some variation in terms of width in order to correspond with first floor windows below. The dormers would be contained within the north elevation of the building. Their purposes is stated as being required to allow for the provision of a greater degree of natural light to the office space occupying the second floor, which is currently vacant, as well as allow for improved outlook for any future occupiers of the building, in accordance with standards. It is argued by the applicants that the proposed improvements to the building would bring significant economic benefits that should be afforded significant weight, highlighting in particular the bringing back of a high quality employment space brought into use, which could be suitable for use by a local business or a new business to the borough, with space to accommodate between 30-40 full-time equivalent jobs, the increase in spending locally by employees and the contribution of this to the local economy, as well as additional business rates revenue generated.

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It is accepted that, whilst the office space is vacant it is not currently contributing to the economy of Reigate, and that there would be benefits in bringing the office space back in to use which may be assisted by the proposal. However the current situation is not an absolute impediment to the office space being usable and it has not been fully demonstrated that alternatives have been explored to let the space at a lower cost or to find less harmful solutions to improve their outlook and lighting. It is therefore considered that the benefits claimed would not outweigh the level of harm to the character of the Grade II listed building in this instance.

The Omnibus building has been significantly altered over the preceding decades, particularly to the south side of the building, not least the creation of a glazed atrium and entrance, granted in 1997, to accommodate the conversion of the building to offices. At the time of these previous applications, care was given to avoiding the insertion of dormer windows and rooflights on the northern side of the building in order to protect its powerful roofscape, and the creation of the glazed atrium was seen as a way to achieve this. It is clear however that this has been poorly designed with regard to allowing for light penetration to certain parts of the internal space. Whilst accepting that the building needs improving in this regard, it is the view that this could be achieved without needing to further harm the last remaining elevation of the original building. The north elevation has a clean, unbroken roofscape, clearly visible from the north and providing an attractive setting for the Chart Lane Conservation Area. It is officers view that a less damaging alternative would be for rooflights to be added on the hidden southern plane of the roof, out of view of the street scene or the ground level as they would be hidden by the southern office block and provide additional light. Further internal alterations to the layout of the building and increasing the size and width of the atrium would be required to provide light more generally to the building, which is an issue across all floors, as well as improving outlook.

As it is considered that there are alternative solutions to what is largely an internal issue with the building, it is not considered that the proposed alterations are acceptable due to the level of harm caused to a Grade II listed building, and the economic benefits that may arise would not be sufficient to outweigh this harm, as these benefits could be achieved by other means.

## RECOMMENDATION

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

1. The proposed insertion of dormer windows to the roof of the north elevation of the building would result in an unacceptable level of visual harm to the character and integrity of the Grade II listed building. The benefits of the proposal are not considered to outweigh this harm and it would therefore be contrary to the National Planning Policy Framework 2021, Policy CS4 of the Reigate and Banstead Core Strategy 2014 and Policies DES1 and NHE9 of the Reigate and Banstead Development Management Plan 2019.



## Consultations:

Conservation Officer: Objection raised. This is discussed in detail later in this report.

Twentieth Century Society: Objection raised, and refusal recommended. Agree with the Conservation Officers View that the insertion of windows will harm the listed building's appearance and character and will have a detrimental impact on the Chart Lane Conservation Area.

## Representations:

Letters were sent to neighbouring properties on the 12<sup>th</sup> March 2021 with respect to both applications. One letter of objection was received raising the following issues:

Issue	Response
Harm to the Listed Building	Paragraph 6.2-6.10

## 1.0 Site and Character Appraisal

- 1.1 This is a grade II statutory listed building, a former Bus Garage designed by Wallis Gilbert and Partners and built in 1931 as part of the headquarters of the East Surrey Traction Company (the Company was taken over by the London Transport Passenger Board in 1933, with London General Country Service, later known as London Country Buses).
- 1.2 The building comprises a part of the former bus depot which was converted to offices and has a modern glazed façade, with external play area located to the western side of the building. There is parking to the south, east and west of the site. The building is located on the northern side of Lesbourne Road. The surrounding area is characterised by predominantly residential with some commercial and some open land to the north. There are no significant trees likely to be affected by the proposed development. The site level decreases towards the east. The site of the building abuts the Chart Lane Conservation Area to the north.

## 2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: Formal pre-application advice was not sought from the Local Planning Authority prior to the submission of the application.
- 2.2 Improvements secured during the course of the application: Improvements were sought in order to address the concerns raised by the Conservation Officer. The dormer windows as originally proposed were amended for roof lights; however it is not felt that the amendments to replace the proposed dormer windows with rooflights would sufficiently overcome these concerns.

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- 2.3 Further improvements could be secured: None as the application is to be recommended for refusal.

## 3.0 Relevant Planning and Enforcement History

The planning history for the property is extensive. The most recent applications are listed below:

97/09490/F Part demolition/ redevelopment and part refurbishment to provide new class B1 office building and restaurant (class A3) together with associated parking and landscaping – Approved with Conditions

97/09480/LBC Part demolition/ redevelopment and part refurbishment to provide new class B1 office building and restaurant (class A3) together with associated parking and landscaping – Approved with Conditions

99/01110/LBC Alterations to existing fenestration of retained part of listed building in connection of planning permission 97P/0948 and listed building consent 97P/0948 Approved with Conditions

00/02429/CU Change of use of retained part of listed building to class B1 (offices) – Approved with Conditions.

00/09620/CU Change of use of retained part of listed building to class D1 (Nursery) with formation of new vehicular egress, alterations to car parking layout to include external play area & associated external alterations (amended description) – Approved with Conditions

00/92350/LBC Alteration to the front elevation of new office building (revision to listed building consent 97P/0948) Drawing Nos. 4503 D(0)01,2,3,4,5 – Approved with Conditions

00/92360/F Alteration to the design of the front elevation of new office building (revision to planning permission 97P/0949) – Approved with Conditions

02/00230/LBC - Works associated with the alteration of the car park and entrance to the site, (03.04.2002) GRANTED

09/01970/F - Installation of hand rail to front of building, (23.02.2010) GRANTED

10/00562/F Installation of handrail to front of building - AC - Approved with Conditions

21/00468/F External alterations comprising 9no. dormer windows at second floor level. As amended on 12/08/20 – Pending Consideration.

## 4.0 Proposal and Design Approach

4.1 This is a full planning application and listed building consent application for external alterations comprising 9no. dormer windows at second floor level of the building within the north elevation. The proposed dormers would be of a flat roof design and all contained within the existing roof plane. Within the planning statement submitted in support of the application it is stated that the proposed windows are required in order to provide adequate levels of natural light and outlook to the second floor office space, which at present is not served by windows to the northern side. There would be some variation in the width and amount of glazing for the dormers, in order to match the existing window widths at first floor below. The cill and head height of all the proposed windows would be level along the length of the building. They would be metal framed windows, clad in lead with timber surrounds.

4.2 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a four-stage design process comprising:

Assessment;  
Involvement;  
Evaluation; and  
Design.

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

Assessment	<p>The building is Grade II listed, and falls within the Chart Lane Conservation Area, as well as being adjacent to the Reigate Town Conservation Area. There are also a number of other statutorily listed and locally listed building nearby, and a Grade II statutorily listed park and garden. As such, a comprehensive Heritage Statement and Townscape/Landscape Visual Impact Assessment (“TVIA”) have been prepared. The Assessment notes that whilst the Site is linked to the renowned architects Wallis Gilbert and Partners, the historic parts of the building are not representative of their characteristic style and quality.</p> <p>The Assessment notes that whilst the Site is linked to the renowned architects Wallis Gilbert and Partners, the historic parts of the building are not representative of their characteristic style and quality. Furthermore, the only remnants of the original building include the small westernmost section (now occupied by a nursery school) and parts of the rear (north) elevation. The rear elevation</p>
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	<p>has also been altered from what was constructed originally and the roof, which is affected by these proposals was completely rebuilt in 2000. Nonetheless, the Site is considered to have low to medium archaeological interest, medium historic interest, and low to medium architectural/artistic interest. The planning statement goes on to say that the value of the Site's setting is considered to be medium, given that the building itself is Grade II listed, located in a Conservation Area (to which it makes a minimal and neutral to positive contribution), and within the settings of a number of other heritage assets. The Site makes a moderate and positive contribution to the setting of the adjacent Grade II listed former office buildings (Linden Court), and a neutral contribution to the settings of other nearby heritage assets. The Significance Statement therefore concludes that the overall heritage significance of the site is medium.</p>
Involvement	No community consultation is identified as having taken place.
Evaluation	It is not indicated that alternative development options have been considered.
Design	The statement explains that the design of the proposals scheme has been informed by a detailed understanding of the history and heritage of the subject site and its wider setting, and the area's local distinctiveness. The proposals are considered to sensitively respect and conserve the historic environment by virtue of the design, reflecting the existing architectural style, idiom, detailing, proportions and materials of the subject site and the adjacent Grade II listed building.

#### 4.4 Further details of the development are as follows:

Site area	0.65ha
Existing Use	Office (Class E)

## 5.0 Policy Context

### 5.1 Designation

Urban Area  
Grade II Listed Building  
Adjacent to Chart Lane Conservation Area

## 5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)  
CS4 (Valued townscapes and the historic environment)  
CS10 (Sustainable Development),

## 5.3 Reigate & Banstead Development Management Plan 2019

Design	DES1
Natural and historic environment	NHE9
Transport, access and parking	TAP1

## 5.4 Other Material Considerations

National Planning Policy Framework  
2021

National Planning Practice Guidance

Supplementary Planning Guidance

Surrey Design

Local Distinctiveness Design Guide  
A Parking Strategy for Surrey  
Parking Standards for Development

Other

Human Rights Act 1998  
Community Infrastructure Levy  
Regulations 2010

## 6.0 **Assessment**

6.1 The application seeks planning permission and listed building consent for external alterations comprising 9no. dormer windows at second floor level.

- Design and impact on the character of the Grade II listed building
- Impact on neighbouring amenity
- Transport matters

### Design and impact on the character of the Grade II listed building

6.2 Paragraph 199 of the NPPF 2021 requires local planning authorities to consider the impact of a proposed development on the significance of a designated heritage asset, and great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 200 follows by stating that:

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Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks gardens, and World Heritage Sites, should be wholly exceptional.

6.3 Policy NHE9 of the Councils Development Management Plan 2019 (DMP) requires development which has the potential to impact on a designated heritage asset to preserve its character and setting. The policy states with regard to Grade II listed buildings that, in considering planning applications that directly or indirectly affect designated heritage assets, the Council will give great weight to the conservation of the asset, irrespective of the level of harm. Any proposal which would result in harm to or total loss of a designated heritage asset or its setting will not be supported unless a clear and convincing justification is provided. In this regard: Substantial harm to, or loss of, Grade II assets will be treated as exceptional and substantial harm to, or loss of, Grade I and II\* assets and scheduled monuments will be treated as wholly exceptional.

6.4 The Councils' Conservation Officer has reviewed the application and makes the following comments:

*Further to our recent site visit my views are as follows, as previously noted the Bus Garage of 1931 is a barn like building with few windows and a handmade clay tile roofscape without dormers or rooflights. In converting the Garage in recent years, great efforts were made to ensure that new windows, rooflights or dormers were avoided on the north side. This building is quite different in character to the Bus Company Offices of 1932 situated on the west side of the site.*

*It is considered that the proposed dormers or rooflights would disrupt what is a clean and powerful unbroken roofscape. It is appreciated that at present this is a winter tree issue as the self-seeded trees in the land adjacent provide cover in the summer. As noted, in converting the Garage in recent years, great efforts were made to ensure that new windows, rooflights or dormers were avoided on the north side. A glazed building on the south side was accepted as a way of achieving this but it is apparent that this has been poorly designed in terms of the light penetration within the building on several floors. I consider as a less damaging alternative that rooflights provided on the hidden southern plane of the roof would not be visible from the street or from the ground as they would be hidden by the southern office block and provide additional light, and a reduction in the depth of the internal floor and increase in the size and width of the atrium would seem to be needed to provide light generally in the building. I am concerned that the problems were apparent on other floors and if the issue*

*is not resolved by a redesign on the south side there would be pressure for further windows on the north side at other levels.*

*The NPPF notes, inter alia, the following for designated Heritage Assets assuming the harm is less than substantial;*

*Considering potential impacts*

*199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

*200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.*

*202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*

*There is a need to minimise harm to the Heritage Asset, irrespective of the level of harm and any harm requires clear and convincing justification. Paragraph 199 of NPPF notes that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.*

*There is clearly a problem with the southern glazed building which was intended to avoid alterations to the northern elevation of the listed building. My view is that its inadequacies should be addressed by remodelling the south building atrium as the deep floors as no longer fit for purpose. The listed building has already been considerably altered and it is important that its integrity is not further eroded. Whilst appreciating the problems of the modern southern building this should not be resolved by harming what is left of the northern principal elements of the listed building. I therefore consider that the proposal is harmful to the character and integrity of the listed building and strongly recommend refusal from a conservation viewpoint.*

- 6.5 In support of the proposal, the applicants have argued that the scheme would bring about a number of key economic benefits that should be afforded significant weight in the consideration of this application. These benefits have been submitted in the form of a statement, which are attached separately to this report, however the key points raised are outlined in the following sections.
- 6.6 It is argued that the works would transform the quality of the space – future-proofing it to enable it to attract tenants over the long-term, as at present the offices located on the second floor of the building do not have window openings and therefore very poor access to natural daylight and external views.

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Occupation of the currently vacant 437 sqm GIA share of the space for use by a business would support policy objectives at the national, regional and local level which aim to help local businesses to thrive and grow. The improvements would also be expected to deliver the following local economic benefits:

- High-quality employment space brought into use, suitable for use by a local business or a new business to the borough;
- Space to accommodate estimated 30-40 full-time equivalent jobs;
- Uplift in Gross Value Added (GVA) of between approximately £3.9 million and £5.2 million per year;
- Local spending by net additional workers within the local economy of between £85,000 to £110,000 per year; and
- Additional Business Rates Revenue for Reigate and Banstead (no rates are payable while the space is vacant as the building is listed).

6.7 It is contended that despite the challenging market there have been a number of enquiries about the vacant second floor space over the last 12 months. However it has not been possible to let the space in its current state. All potential occupiers who have viewed the accommodation have stated that they would be interested in taking up the space should windows be installed, however the current condition of the unit is not suitable to meet their needs for high quality space with good access to natural daylight and external views. It is argued that all of these potential occupiers would have represented an inward investment into Reigate if the space was suitable, as they are not currently represented in the town. The poor quality of the existing space has to date led to the loss of those investments to locations elsewhere outside of Reigate. It is further argued that, as a consequence of the pandemic, many people have expressed a desire to work from home at the very least on a part time basis, therefore there is a need to provide high quality office spaces to encourage employees back to offices.

6.8 As stated earlier in this report and referenced by the Conservation Officer, when considering the potential impact of development on the significance of a designated heritage asset, the NPPF requires any harm to, or loss of, the significance of a designated heritage asset to require clear and convincing justification. Whilst the economic arguments in support of the proposal have been afforded appropriate weight, in this instance it is not the view that this would outweigh the harm to the building. Paragraph 199 of the NPPF is clear that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The north elevation of the building, with its' powerful, unbroken roofscape, represents the last remaining element of the original building, which has been significantly altered, particularly to the south in the form of a glazed atrium and modern entrance. Therefore the insertion of windows along the length of this elevation would result in the complete loss of significance of this building. This would be contrary to the requirement of the NPPF, which is clear that there is



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a need to minimise harm to the Heritage Asset, irrespective of the level of harm. Linden Court immediately to the west has a number of dormer windows within its roof space, however this building is of a quite different character, being more typically residential in appearance, whereas the Omnibus Building was designed to resemble a barn like structure, which by its nature would be devoid of domestic clutter to the roof such as dormer windows or roof lights.

- 6.9 It is clear that the glazed section to the south has been poorly designed with regard to allowing for light penetration to certain parts of the internal space. Whilst accepting that building needs improving in this regard, it is the view that this could be achieved without needing to further harm the last remaining elevation of the original building. It is officers view that rooflights should be added on the hidden southern plane of the roof, out of view of the street scene or the ground level as they would be hidden by the southern office block and provide additional light through the building. Further internal alterations to the layout of the office space within, in addition to increasing the size and width of the atrium would be required to provide light more generally to the building, which is observed as being an issue across all floors (ground, first and second), as well as improving outlook. This could reasonably be achieved as the existing deep office spaces are not fit for the purposes of modern office working.
- 6.10 As it is considered that there are alternative solutions to what is largely an internal issue with the building, it is not considered that the proposed alterations are acceptable due to the level of harm caused to a Grade II listed building, and the economic benefits that may arise would not be sufficient to outweigh this harm, as these benefits could be achieved by other means. The applicant has submitted amended plans during the course of the application to substitute proposed dormer windows for rooflights; however this does not address the in principle objection to the addition of windows to the north elevation of the building. Therefore the proposal would be contrary to the NPPF 2021, Policy CS4 of the Reigate and Banstead Core Strategy 2014 and Policies DES1 and NHE9 of the Reigate and Banstead Development Management Plan 2019.

## Impact on neighbouring amenity

- 6.11 The nearest residential property would be Linden Court to the east of the Omnibus building which, whilst now residential in use, once formed the offices for the former bus garage. This building features flat roof dormer windows around the roof of the building. Most of these would not be impacted by the proposed dormers due to the relationship between the two buildings, with the rear elevation of Linden Court angled away facing a north-easterly direction. This would render views between windows difficult and would give rise to minimal overlooking/ loss of privacy. It is noted that the roof plane of Linden Court features two windows in the southern elevation that face the Omnibus building; however there are no windows proposed to face this elevation. In view of this the proposal would not give rise to significant harm to neighbouring amenity and would comply with Development Management Plan Policy DES1 in this regard.

## Highway Matters

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- 6.12 Given that the application relates only to the insertion of windows to an existing office space there would be no highway implications to take in to account, therefore the application would be acceptable in this regard.

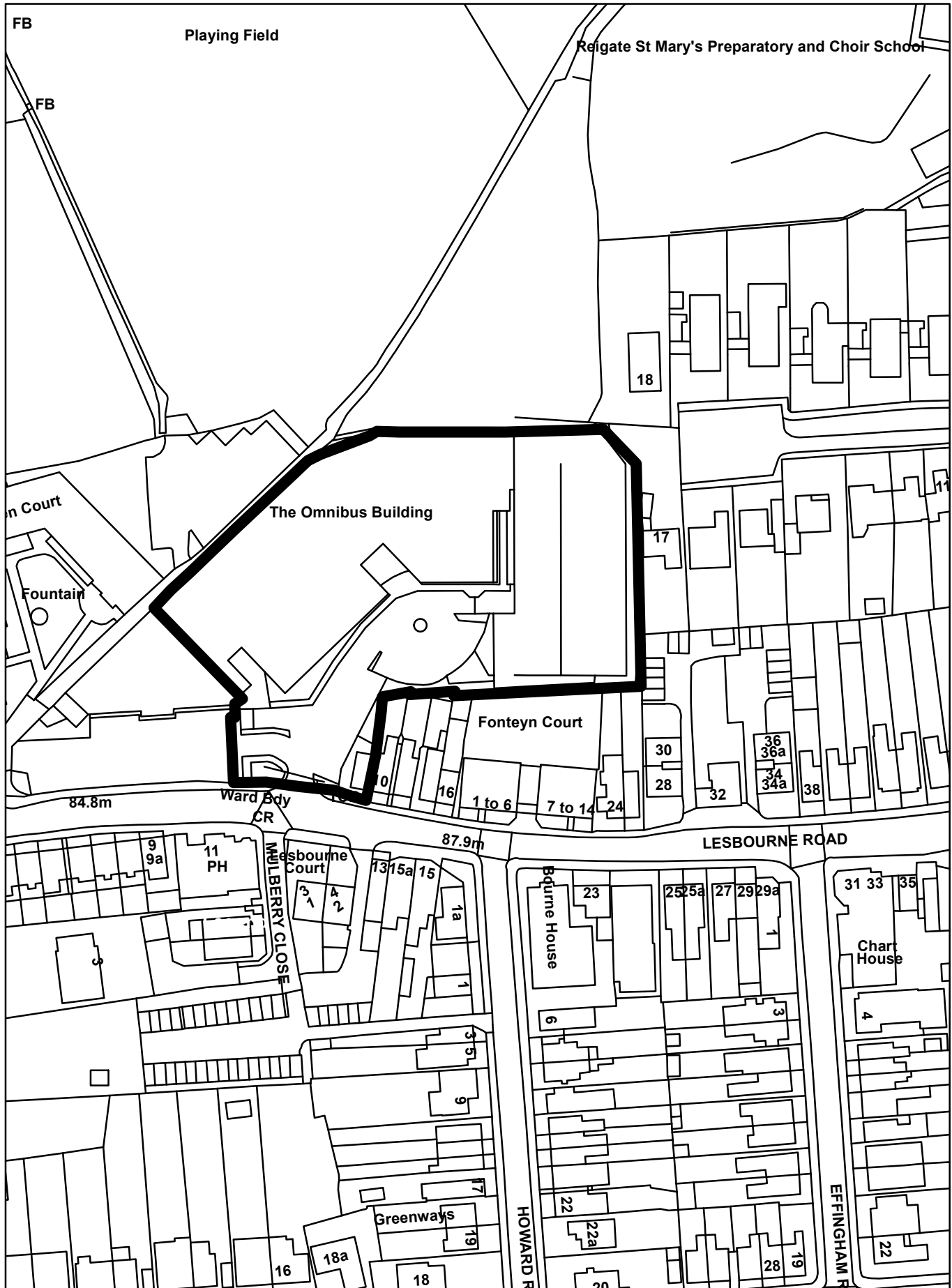
## **Reason for refusal**

1. The proposed insertion of dormer windows to the roof of the north elevation of the building would result in an unacceptable level of visual harm to the character and integrity of the Grade II listed building. The benefits of the proposal are not considered to outweigh this harm and it would therefore be contrary to the National Planning Policy Framework 2021, Policy CS4 of the Reigate and Banstead Core Strategy 2014 and Policies DES1 and NHE9 of the Reigate and Banstead Development Management Plan 2019.

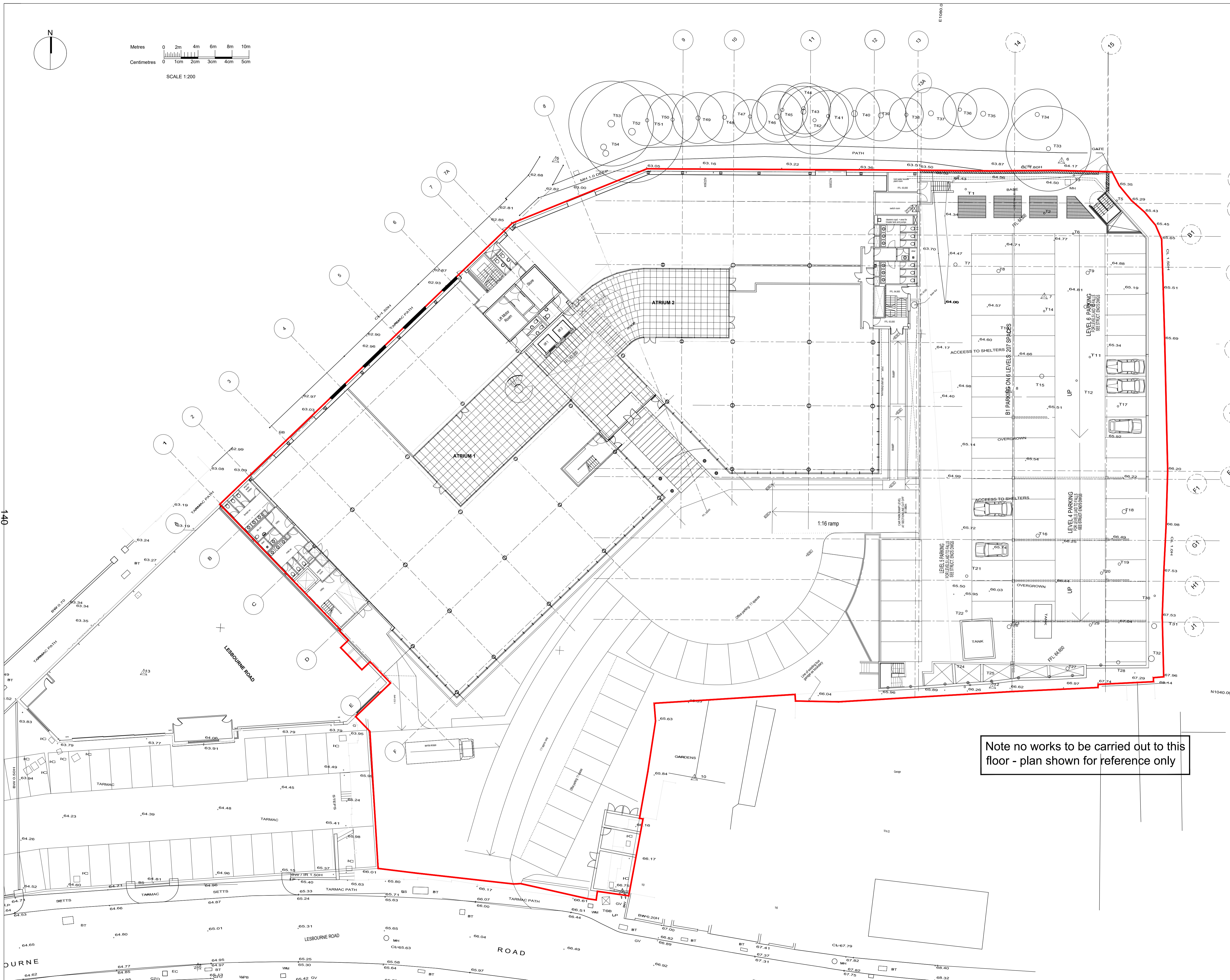
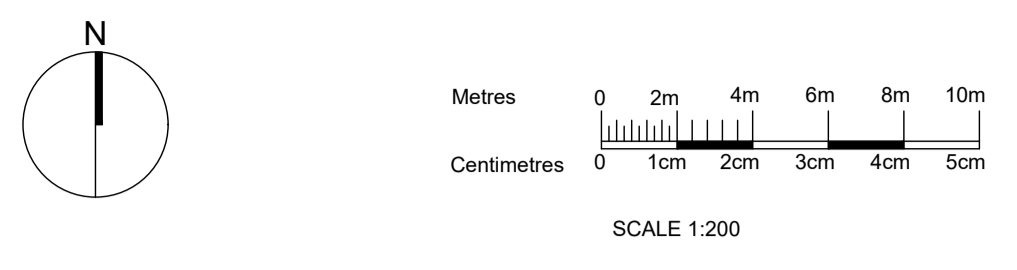
## **Proactive and Positive Statements**

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.

# 21/00468/F - The Omnibus Building, Lesbourne Road, Reigate



NOTES:



P-00 21.10.20 JOC JD Draft Issue - Listed Building Consent  
Rev Date Drw Chk Notes

Planning

Client  
Skelton Group

Project  
The Omnibus Building  
Lesbourne Road  
Reigate RH2 7AU

Drawing Title  
Listed Building Consent  
Application for New Windows  
Ground Floor Plan - Existing & proposed

Drawn	Checked	Paper	Scale	Date
JOC	JD	A1	1:200	Feb 21
Project No.	Drawing No.	Revision		
20375	0201	P-00		

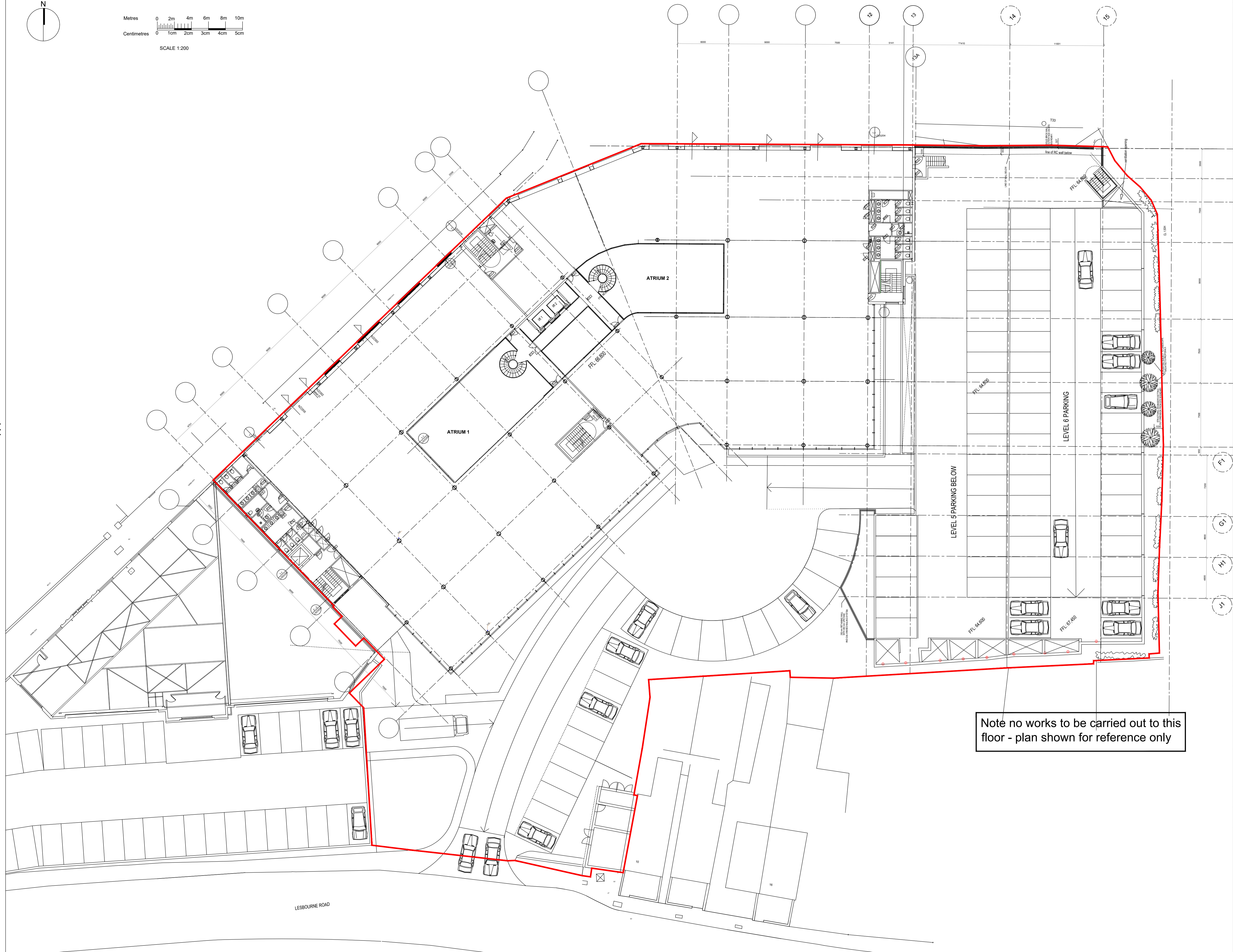
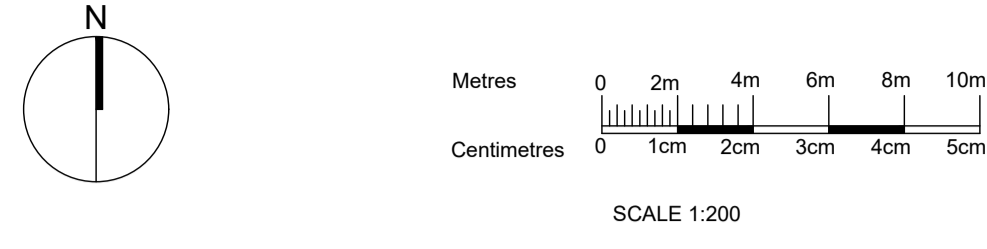
**CORSTORPHINE + WRIGHT ARCHITECTS**

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One Mortimer Street London W1T 3JA  
Tel: 020 7842 0820 www.corstorphine-wright.com

**NOTES:**

Application Site Boundary



Note no works to be carried out to this floor - plan shown for reference only

P-00	21.10.20	JOC	JD	Draft Issue - Listed Building Consent
Rev	Date	Drw	Chk	Notes

**Planning**

Client  
Skelton Group

Project  
The Omnibus Building  
Lesbourne Road  
Reigate RH2 7AU

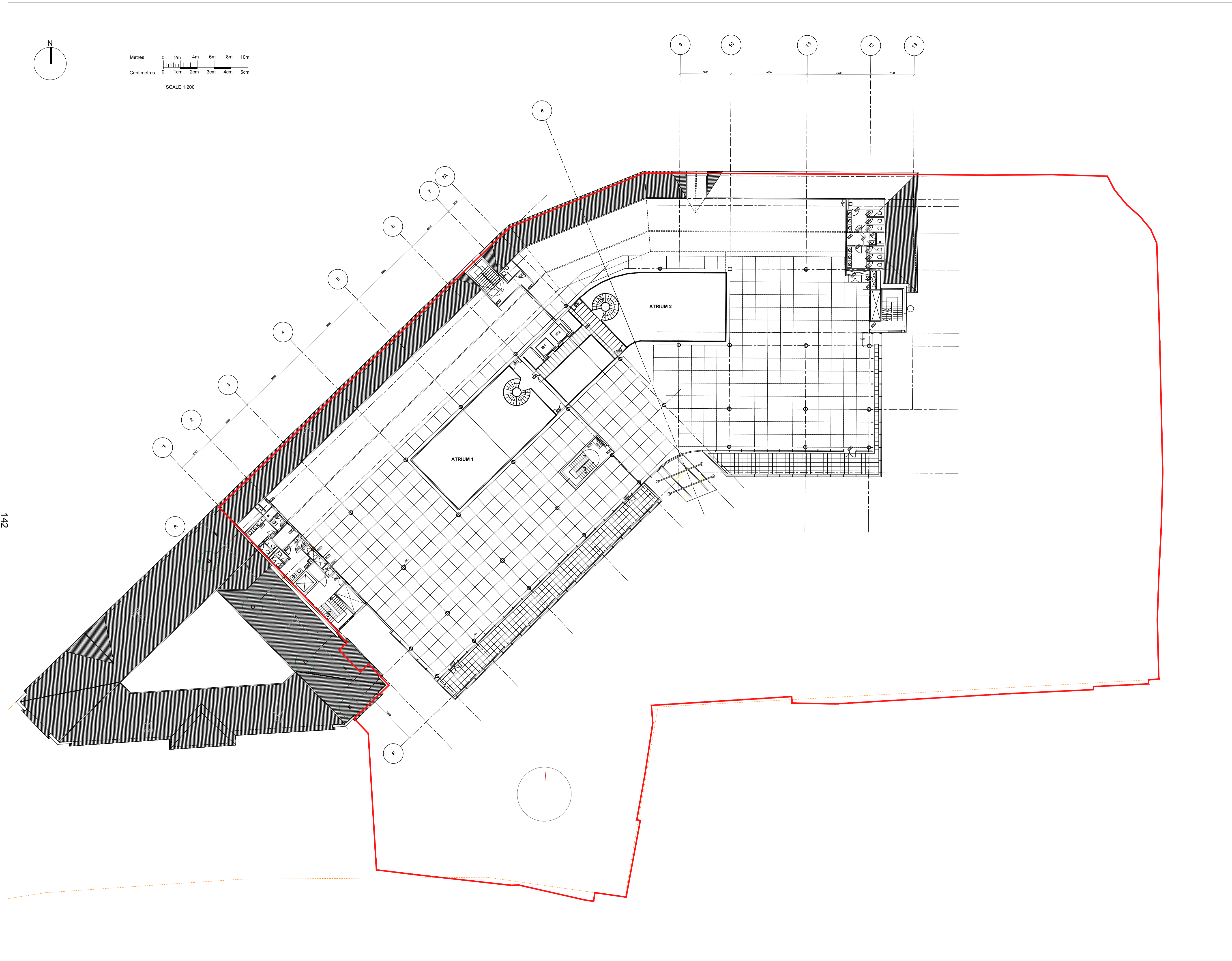
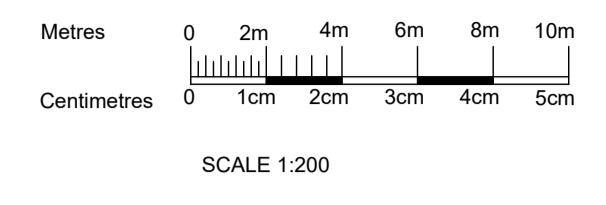
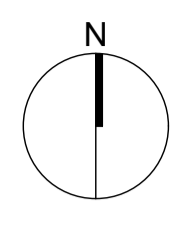
Drawing Title  
Listed Building Consent  
Application for New Windows  
First Floor Plan - Existing & Proposed

Drawn	Checked	Paper	Scale	Date
JOC	JD	A1	1:200	Feb 2021
Project No.	Drawing No.	Revision		
20375	0202	P-00		

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### Planning

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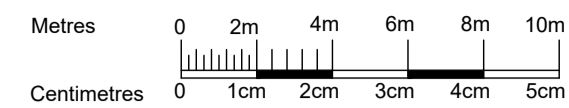
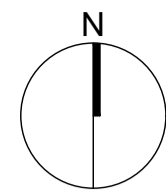
Project  
The Omnibus Building  
Lesbourne Road  
Reigate RH2 7AU

Drawing Title  
Listed Building Consent  
Application for New Windows  
Second Floor Plan - Existing

Drawn	Checked	Paper	Scale	Date
JOC	JD	A1	1:200	Feb 21
Project No.	Drawing No.	Revision		
20375	0203	P-00		

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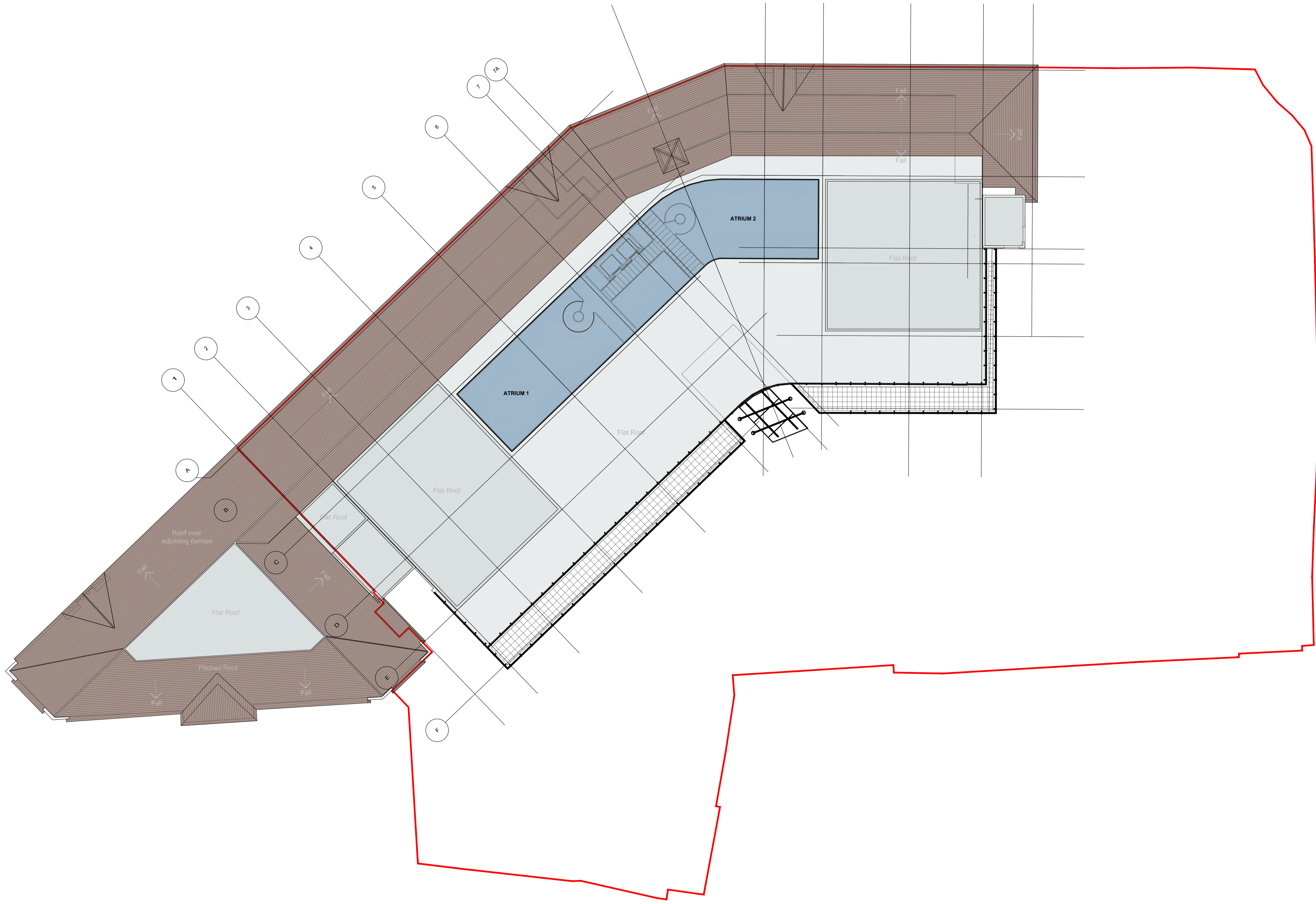


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Rev	Date	Drw	Chk	Notes

### Planning

Client  
Skelton Group

Project  
The Omnibus Building  
Lesbourne Road  
Reigate RH2 7AU

Drawing Title  
Listed Building Consent  
Application for New Windows  
Roof Plan - Existing

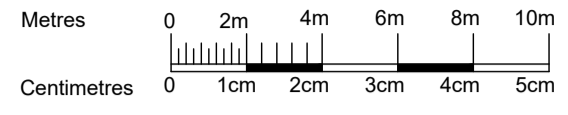
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JOC	JD	A1	1:200	Feb 21
Project No.	Drawing No.	Revision		
20375	0204	P-00		

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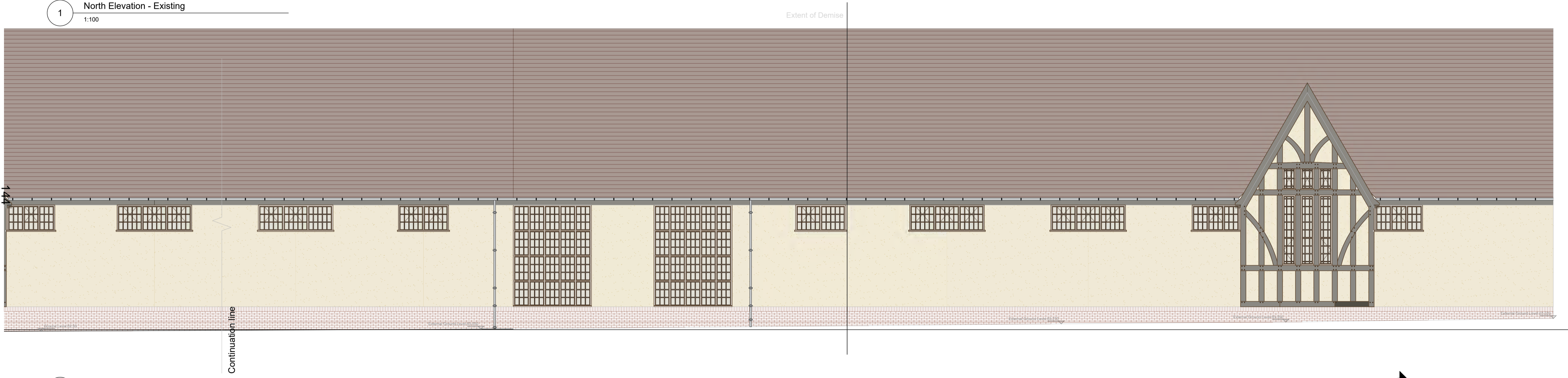


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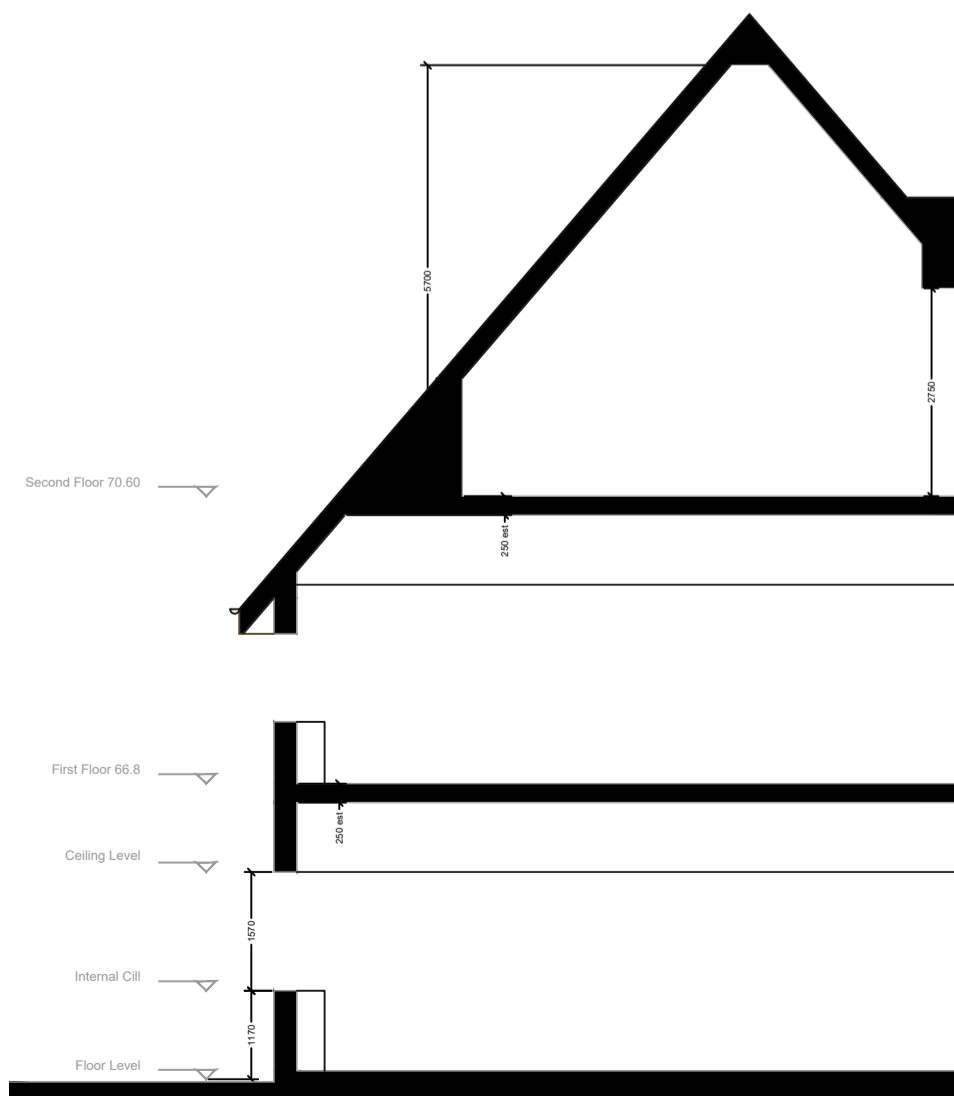
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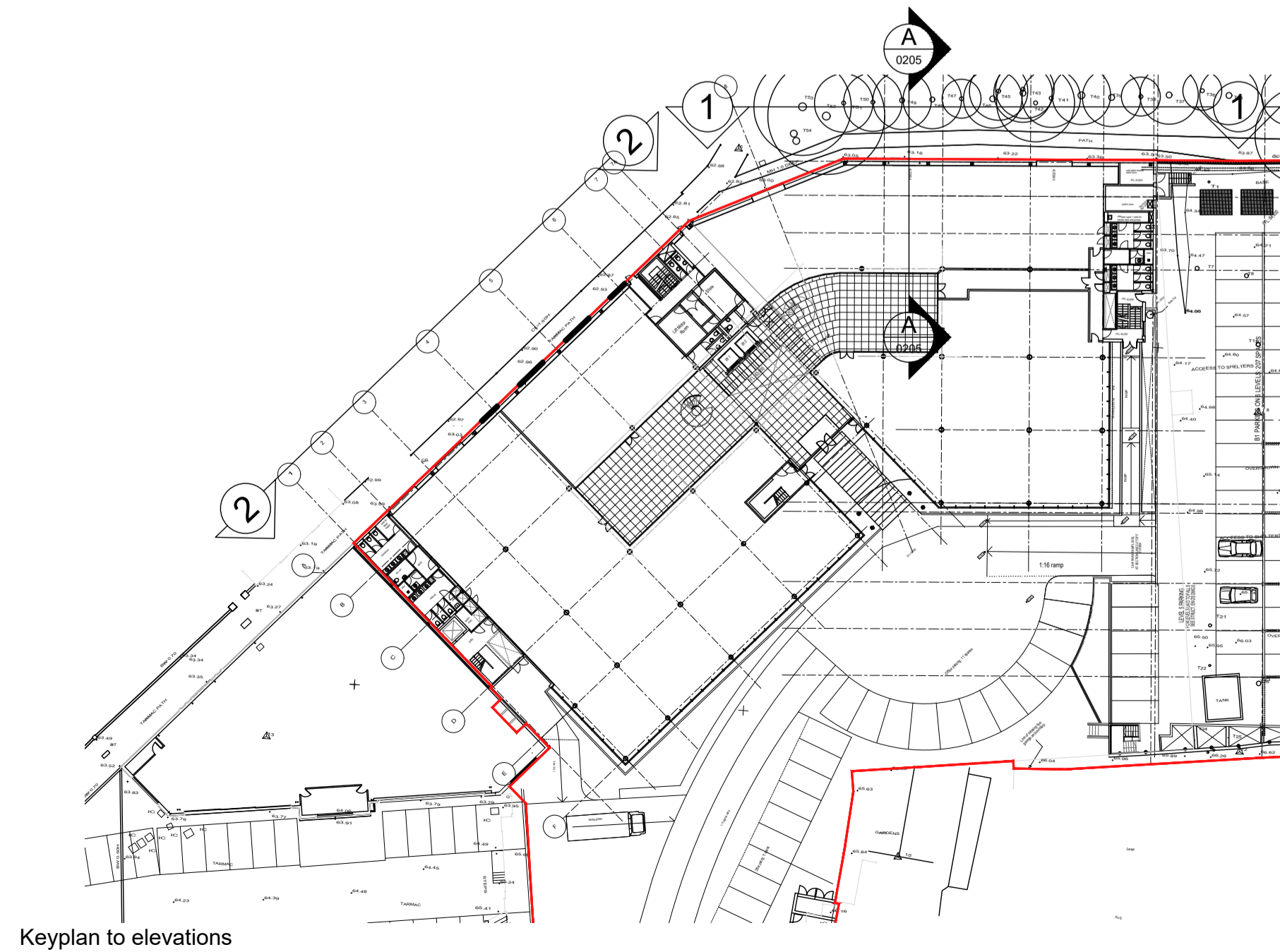
2 North-west Elevation - Existing

1:100



3 Section A-A - Existing

1:100



Keyplan to elevations

P-00	21.10.20	JOC	JD	Draft Issue - Listed Building Consent
Rev	Date	Drw	Chk	Notes

**Planning**

Client  
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Project  
The Omnibus Building  
Lesbourne Road  
Reigate RH2 7AU

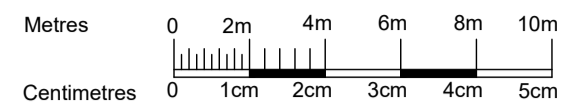
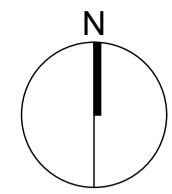
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Listed Building Consent  
Application for New Windows  
Elevations - Existing

Drawn	Checked	Paper	Scale	Date
JOC	JD	A1	1:200	Feb 21
Project No.	Drawing No.	Revision		
20375	0205	P-00		

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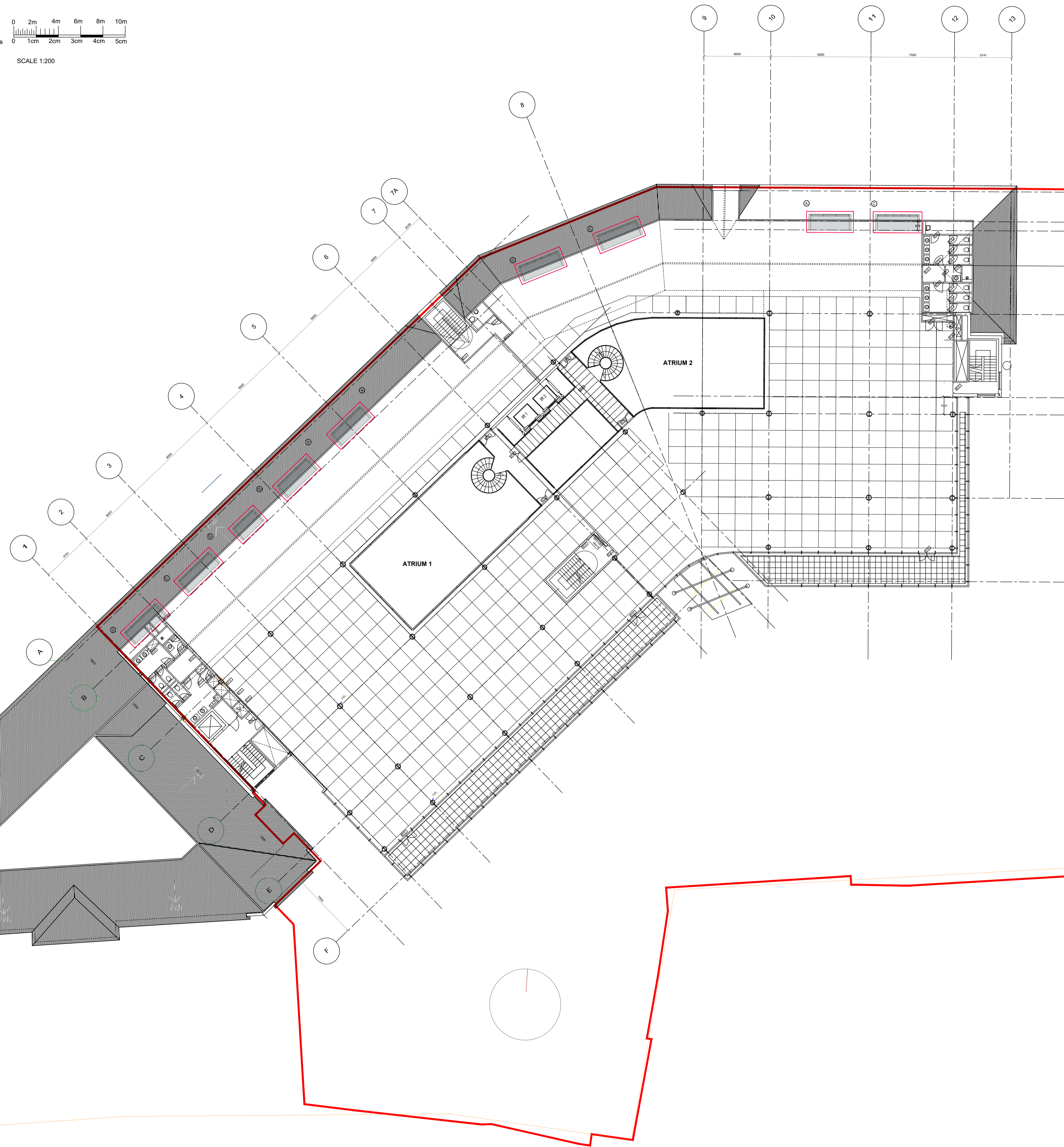
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Rev	Date	Drw	Chk	Notes	

## Planning

Client  
 Skelton Group

Project  
 The Omnibus Building  
 Lesbourne Road  
 Reigate RH2 7AU

Drawing Title  
 Listed Building Consent  
 Application for New Windows  
 Second Floor - Proposed

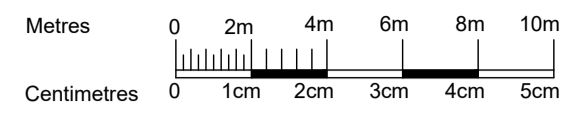
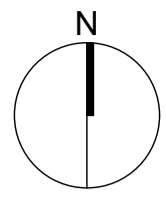
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JOC	JD	A1	1:200	Feb 21

Project No.	Drawing No.	Revision
20375	0303	P-00

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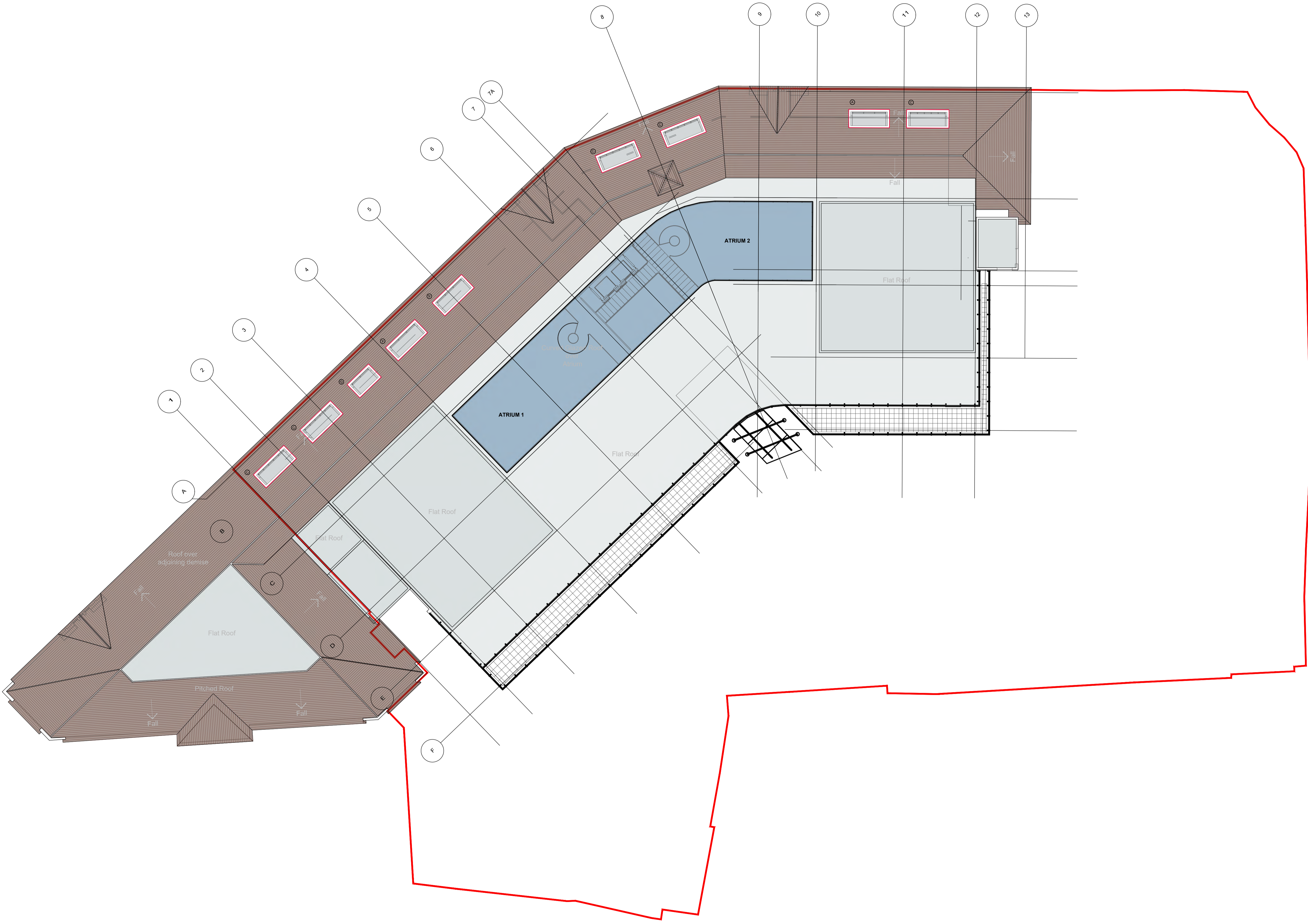
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Agenda Item 8

NOTES:

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P-00 21.10.20 JOC JD Draft Issue - Listed Building Consent

Rev	Date	Drw	Chk	Notes

Planning

Client  
Skelton Group

Project  
The Omnibus Building  
Lesbourne Road  
Reigate RH2 7AU

Drawing Title  
Listed Building Consent  
Application for New Windows  
Roof Plan - Proposed

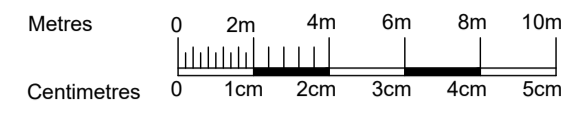
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JOC	JD	A1	1:200	Feb 21
Project No.	Drawing No.	Revision		
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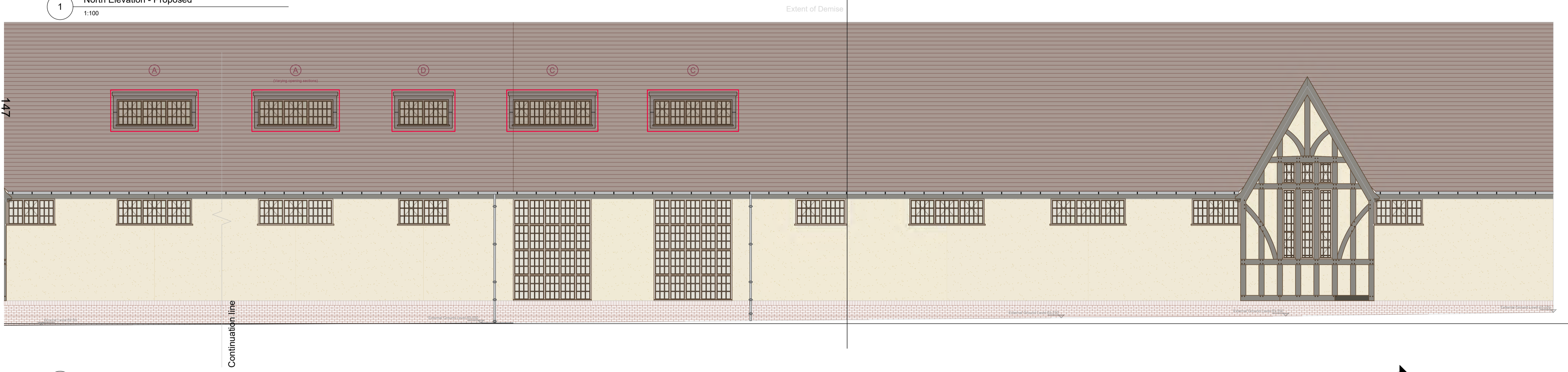


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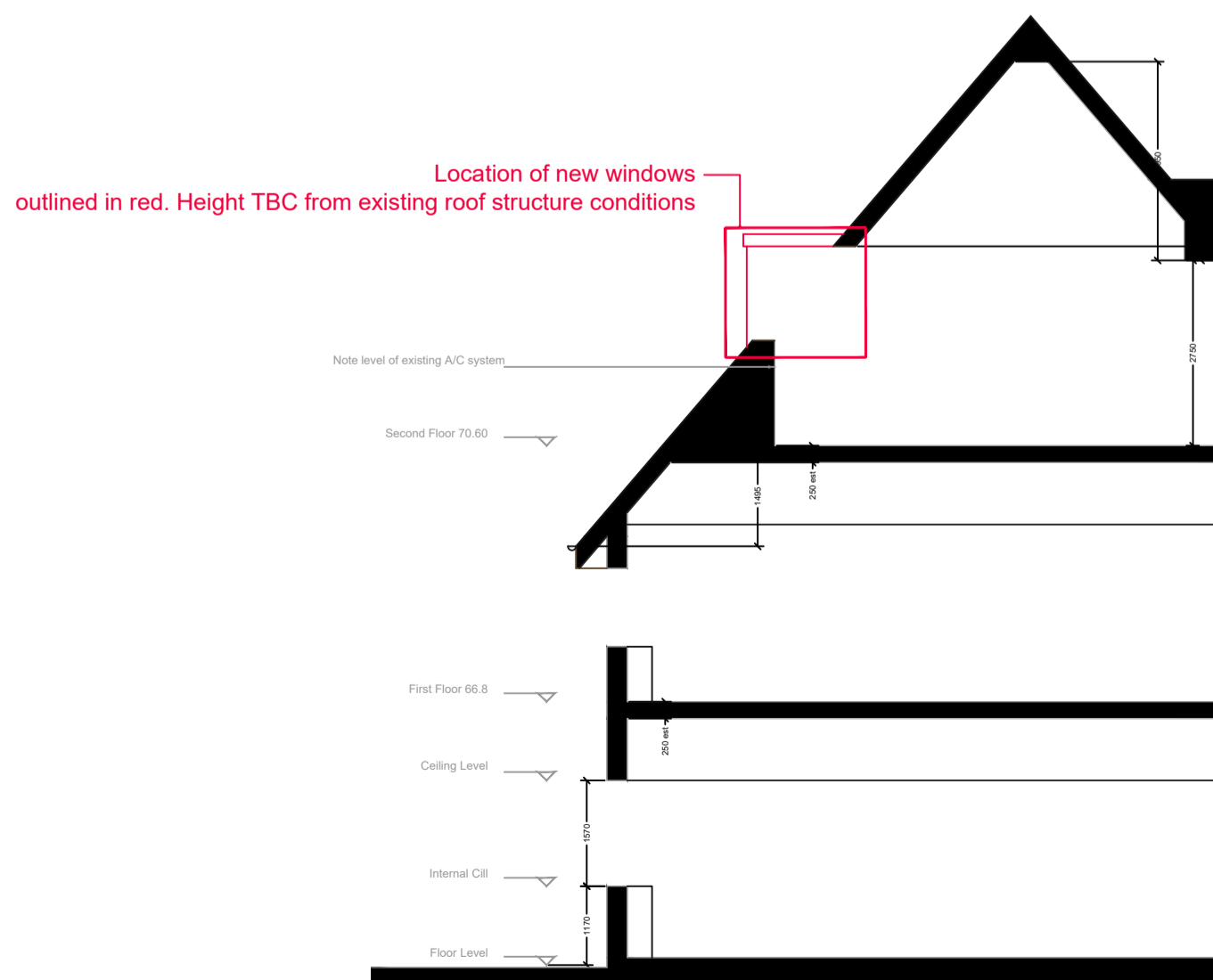
1 North Elevation - Proposed

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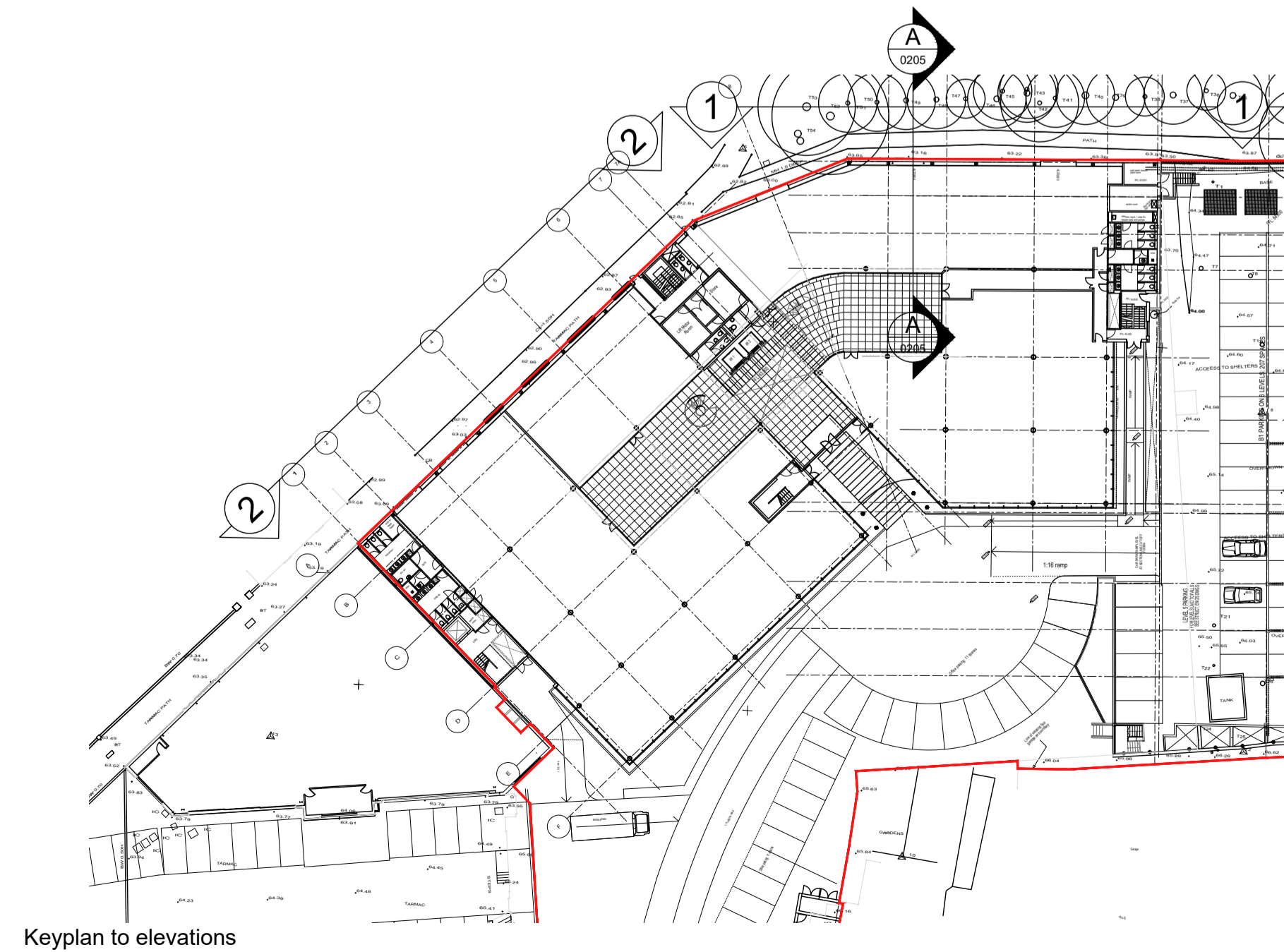
2 North-west Elevation - Proposed

1:100



3 Section A-A - Proposed

1:100



Keyplan to elevations

P-00	21.10.20	JOC	JD	Draft Issue - Listed Building Consent
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The Omnibus Building  
Lesbourne Road  
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Drawing Title  
Listed Building Consent  
Application for New Windows  
Elevations - Proposed

Drawn	Checked	Paper	Scale	Date
JOC	JD	A1	1:200	Feb 21

Project No.	Drawing No.	Revision
20375	0305	P-00

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# Agenda Item 9

Planning Committee  
9th February 2022

Agenda Item: 9  
21/02420/F

 <p><b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate</p>	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	8 <sup>th</sup> February 2022
	<b>REPORT OF:</b>	HEAD OF PLANNING
	<b>AUTHOR:</b>	Lesley Westphal
	<b>TELEPHONE:</b>	01737 276769
	<b>EMAIL:</b>	Lesley.westphal@reigate-banstead.gov.uk
<b>AGENDA ITEM:</b>	9	<b>WARD:</b> Redhill East

<b>APPLICATION NUMBER:</b>	21/02420/F	<b>VALID:</b>	09 September 2021
<b>APPLICANT:</b>	Mr Mark Bright	<b>AGENT:</b>	-
<b>LOCATION:</b>	<b>MARKETFIELD COURT, 15 MARKETFIELD WAY, REDHILL</b>		
<b>DESCRIPTION:</b>	<b>Application for planning permission to provide a roof extension containing three 2 bedroom apartments</b>		
<b>DRAWING NUMBERS:</b>	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 a rooftop extension to create 3 residential units on an existing, completed and occupied scheme (apart from the community space) for 50 units with community space and associated works.

The scheme would add some additional height and bulk to the existing block of flats but has been designed to be subservient and minimise the visual impacts upon the wider area. The extension would respect the general character of the existing block of flats using sympathetic materials and form.

The block lies within Redhill Town centre in an area with significant levels of development underway leading to a high density character around Marketfield Way. When complete, it would sit comfortably within the general scale and character of its surroundings.

The existing development has been completed with all residential units now let and this scheme is therefore considered as an independent development scheme rather than as part of the scheme for 50 units in terms of the requirement for affordable housing.

No off- street parking is provided, in common with the original scheme, but subject to conditions, regarding travel plans/packs, and cycle storage facilities no objections are raised to this issue in such a sustainable location.

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## RECOMMENDATION

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

## Consultations:

Highway Authority: Have assessed the scheme on safety, capacity and policy grounds and recommend a condition relating to the provision of secure bicycle parking should permission be granted.

Reigate Ramblers: No foreseeable objections

Environment Agency: No objection

## Representations:

Letters were sent to neighbouring properties on 16 September 2021. No responses have been received.

### 1.0 Site and Character Appraisal

- 1.1 The site comprises a detached 6 and 8 storey building that comprises 50 residential units and a community hall together with bicycle spaces, plant, internal refuse storage, a roof garden and associated landscaping. The building lies between the London - Brighton main line railway (to the east) and Marketfield way to the west, broadly opposite the new multi storey buildings and cinema being erected on the opposite side of the road in the centre of Redhill. The northern boundary abuts the Crest Nicholson Picturehouse development.
- 1.2 The character of this part of the town centre is undergoing rapid change with a large number of multi storey buildings in the immediate vicinity of the site comprising both residential, office buildings and leisure uses such as the nearby cinema currently under construction
- 1.3 The Station lies within a couple of minutes' walk of the site along with bus services and the main facilities of the town centre a little further. This forms a very sustainable location.

### 2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: None – there was no pre-application approach
- 2..2 Improvements secured during the course of the application: None the application is acceptable as existing
- 2.3 Further improvements could be secured: Conditions to secure cycle parking and noise mitigation.

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## 3.0 Relevant Planning and Enforcement History

- |     |   |  |  |
|-----|---|--|--|
| 3.1 | 19/01365/S73  | 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  | Approved   |
| 3.2 | 17/02876/VS106  | Variation to the S106 to change tenure of the affordable housing units to low- cost private rented homes from 7 shared ownership units.  | Approved 29 April 2019                               |
| 3.3 | 17/02876/F  | 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. | Granted 18 May 2018 and subject to a S106 obligation |
| 3.4 | A range of applications seeking to discharge the conditions attached to the above applications. |  |  |

## 4.0 Proposal and Design Approach

- 4.1 This is a full application for the erection of 3 x 2- bedroom flats to be located on the roof of the existing apartment building. The existing building has a flat roof, design, the main part 8 stories high with a lower roof line adjacent which provides the roof terrace referred to in the description of the building. Solar panels are accommodated on the roof the subject of this application. The existing building has elevations finished with a mix of facing bricks to accentuate the individual blocks and with grey cladding on part of the upper level and the stair core.
- 4.2 The design approach of this small element of the completed scheme is to secure a design that complements the existing building using materials that will combine with those used on the existing building to provide a building with clean crisp lines. Accordingly, the three flats would form a modest flat roof addition to the existing building and be set back from the facing edge of the existing building such as to reduce the bulk and minimise the impact upon the streetscene. The addition would be finished in grey cladding to blend with the cladding used on the stair core and to minimise the visual impact of the extension with attention directed to the floors below finished in brickwork



#### 4.3 Further details of the development are as follows:

Site area	0.19hectares
Parking standard	No parking
Number of affordable units	None
Net increase in dwellings	3 units
Infrastructure contribution	£0
Existing site density	263 dwellings per hectare
Proposed site density	278dph
Density of the surrounding area	Varied –
	493dph – Picturehouse Development
	263dph – Marketfield Way as built
	382dph - Nobel House

#### 5.0 Policy Context

##### 5.1 Designation

Urban area  
Flood Zone 2  
Air Quality Management area  
Redhill Town Centre

##### 5.2 Reigate & Banstead Core Strategy:

CS1 Presumption in Favour of Sustainable Development  
CS4 Valued Townscapes and Historic Environment  
CS10 Sustainable Development  
CS11 Sustainable Construction  
CS13 Housing Delivery  
CS14 Housing Needs of the Community  
CS17 Travel Options and Accessibility

##### 5.3 Reigate and Banstead Development Management Plan 2019:

DES1 Design of new development  
DES4 Housing Mix  
DES5 Delivering High Quality Homes  
DES8 Construction Management  
TAP1 Access, Parking and Servicing  
CCF1 Climate Change Mitigation  
INF3 Electronic Communications Networks

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## 5.4 Other Material Considerations

Supplementary Planning Guidance	Surrey Design Local Distinctiveness Design Guide 2021
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Other	Human Rights Act 1998
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## 6.0 **Assessment**

6.1 The site lies within Redhill Town centre, in a very sustainable location. The site is already in residential use and subject to the favourable assessment of issues below, the principle of development is considered acceptable.

6.2 The main issues to consider are:

- Design and Impact Upon Local Character
- Neighbour amenity
- Access and parking
- Affordable Housing
- Other Issues

### Design and Impact Upon Character of the Area

6.3 Policy DES1 requires all new development to be of a high-quality design that makes a positive contribution to the character and appearance of its surroundings. This can be achieved with reference to considerations of matters such as bulk, mass, scale, appropriate materials, and avoiding adverse impacts upon future occupants and the amenity of existing occupants.

6.4 The applicant approached the Council for pre-application advice about a roof extension as part of wider proposed extension works whilst the scheme was still under construction. The advice received in respect of the roof extension (for 4 flats) suggested that:

- There could be some scope to add to the top floor but that the suggested scheme provided insufficient set back such that the mass and form was considered too bulky and dominant. A unit should be lost to enable a smaller floorspace and a greater setback which would reduce the impact upon the streetscene.

6.5 Following that advice the proposed extension has been reduced in size, and remains a single storey flat roof addition to the existing block which would be set back sufficiently from the facades of the existing building to minimise the visual impact of the addition when viewed in the wider streetscene. It is not an uncommon approach to either set back the top floor(s) of a taller block of offices/flats, or to use different materials to try to minimise the visual impacts of the height and examples of these approaches are found on the adjacent site

where the top floor has a lighter glazed appearance and has varying roof heights. The scheme on the application site indeed already has different roof heights which reduce the general impact and appearance of bulk and mass.

- 6.6 When considered in the context of the surrounding area, the proposed addition would not result in a building of unacceptable overall height or bulk and mass and the proposed materials would fit sympathetically into the character of this building. Overall it is considered that the design of this scheme would comply with the Development Plan and would fit sympathetically with the general scale and character of this part of Redhill town centre.

### Neighbour Amenity

- 6.6 Policy DES1 requires that new development provides an appropriate environment for both future occupants and does not adversely impact upon occupants of existing nearby buildings. The proposed flats would not lie any closer to any nearby flats on adjacent blocks than the relationship that already exists between flats in this block and those others nearby. Those separation distances were found to be acceptable previously and to provide adequate separation as to protect the amenities of nearby and future residents. Accordingly, there is not considered to be a concern in this respect with this scheme and the scheme is considered to be policy compliant in this respect.

### Access and Parking

- 6.7 Policy TAP1 encourages a sustainable approach to transport and the location of new development and applications will be looked upon favourably unless they would have an unacceptable impact on highways safety or the cumulative impacts on the road network.
- 6.8 The original scheme was accepted providing no off-street parking with the County Highways Officer noting that the site is in a sustainable location and that the surrounding streets have either double yellow or single yellow line parking restrictions. This means that it is not legally possible to park in a dangerous location. It was considered likely that the scheme would attract non car owning residents and reference was made to the use of car club vehicles. Accordingly, the scheme was approved subject to conditions requiring bicycle storage facilities, the submission of a finalised Travel Plan and that all residents be provided with Travel Packs to include details of all nearby facilities and of the nearest car club vehicles.
- 6.9 No objections have been received from the County Highways Officer and subject to appropriate conditions to secure the same facilities as for those residents of the original scheme, no objection is seen to the proposed scheme in this respect.

### Affordable Housing:

- 6.10 Policy DES6 sets out the Councils affordable housing requirements: on developments of 11 or more units that 30% of homes on the site should be

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affordable housing. The supporting text to this policy advises that developments that seek to avoid the requirements of this policy by failing to make most efficient use of land or by artificially subdividing land ownership into smaller developments sites will be required to increase density where appropriate or to meet the cumulative requirement for all the sites on one or more of the sites.

- 6.11 In this instance the site has not been obviously under developed, albeit there is still scope in officers view for these three additional units, and nor has the site been divided into different land ownerships in an effort to avoid any infrastructure contributions.
- 6.12 Rather, the approved scheme has been completed which is confirmed with a Building Regulations Completion Certificate. We are advised that all 50 units have been let and that discussions with Reigate and Banstead Council are advanced with a view to finding a tenant for the community space. This scheme is therefore considered to be a self-contained change to an existing development that should be assessed independently against Policy DES6. Accordingly, the provisions of Policy DES6 do not apply to this scheme.

Other Issues:

## Infrastructure Contributions

- 6.13 Policy INF1 identifies the importance of the timely provision of infrastructure to support new development. In this instance due to the modest scale of the scheme CIL payments are the only contributions that would be required from this scheme and these are secured through a separate process.

## Flooding:

- 6.14 Whilst the site lies within Flood Zone 2 the three proposed flats would not lie in any danger of flooding nor contribution to flood risks within the wider area. Issues of drainage would be dealt with as part of the Building Regulations process.

## Noise:

- 6.15 The site lies in close proximity both to the busy Marketfield Way and to the main line railway, both generating potential noise for future residents. It is proposed that this be dealt with by means of the same condition that was applied to the main scheme when permission was granted.

## Air Quality:

- 6.16 The site lies within an air quality management area which was previously, and subject to appropriate conditions, not considered sufficiently bad to justify a refusal of permission for a residential use on this site. Accordingly, it is proposed to attach the same condition to this permission regarding air quality

as was attached to the previous scheme for the main body of this block of apartments.

## 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
Prop'd rear/side Elevs	01276PL113		9.9.21
Prop'd Front/Side Elevs	01276 PL112		9.9.21
Prop'd 8 <sup>th</sup> Floor and Roof	01276 PL111		9.9.21
Ex Roof Plan	01276PL110		9.9.21
Ex Side/Rear Elevs	01276PL103		9.9.21
Ex Rear & Side Elevs	01276PL102		9.9.21
Location Plan	Unnumbered		9.9.21

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

Reason: In recognition of Section 9 Promoting Sustainable Transport in the NPPF 2021.

4. The scheme shall be carried out using the materials identified in the application form.

Reason: To ensure a satisfactory appearance upon completion in accordance with the provisions of Policy DES1 of the Reigate and Banstead Development Management Plan 2019.

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5. The development hereby approved shall be carried out in accordance the approved Noise and Vibration Assessment produced by Sharps Redmore (dated 30 November 2017) and submitted as part of planning application reference 17/02876/F. 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 policy CS10 of the Reigate and Banstead Core Strategy.

6. The development hereby approved shall be carried out in accordance with the approved Air Quality Assessment produced by AECOM dated 26 November 2017, (submitted with application reference 17/02876/F 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 CS10 of the Reigate and Banstead Core Strategy.

7. 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)(submitted with application reference 17/02876/F) .

The solar panels shall be installed in accordance with the approved plans and shall be installed and operational prior to the occupation of the first residential unit hereby approved.

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.

## 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](http://www.firesprinklers.info).
2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions. Further information can be found on the Council website at : [Climate Change Information](#).

3. 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 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.

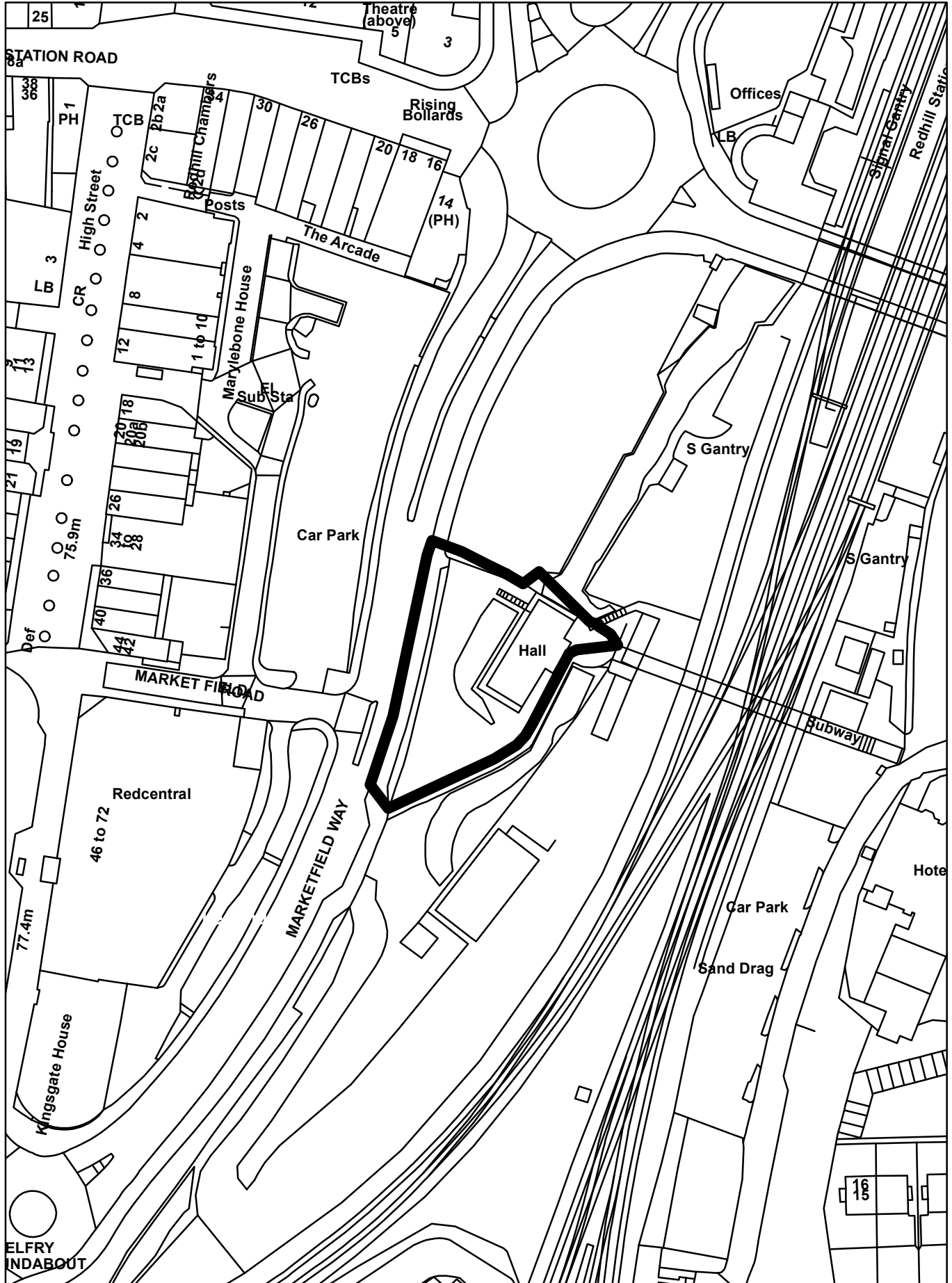
## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against development plan policies CS1 CS4 CS10 CS11 CS13 CS17 DES1 DES4 DES5 TAP1 INF1 CCF1 and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

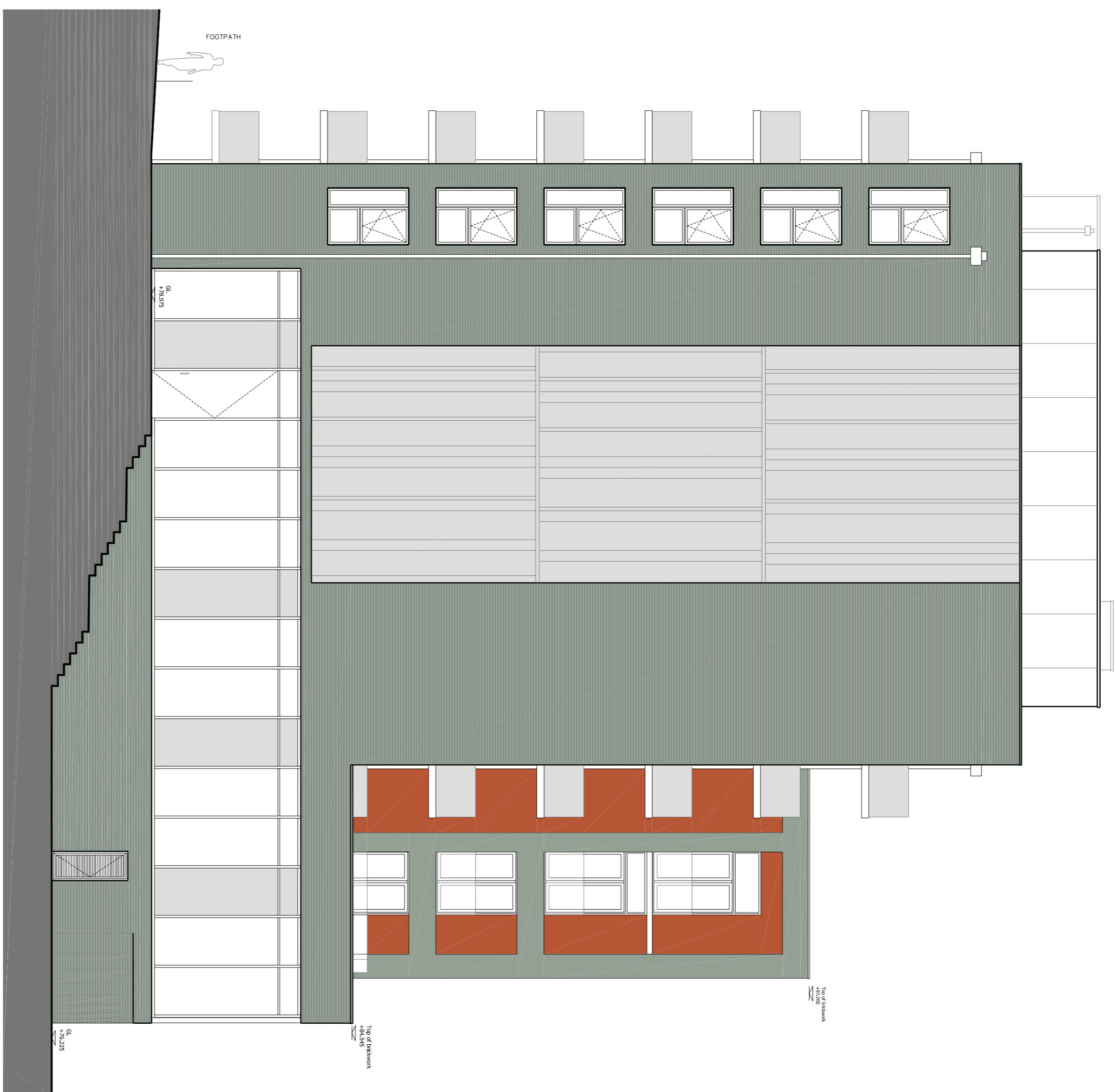
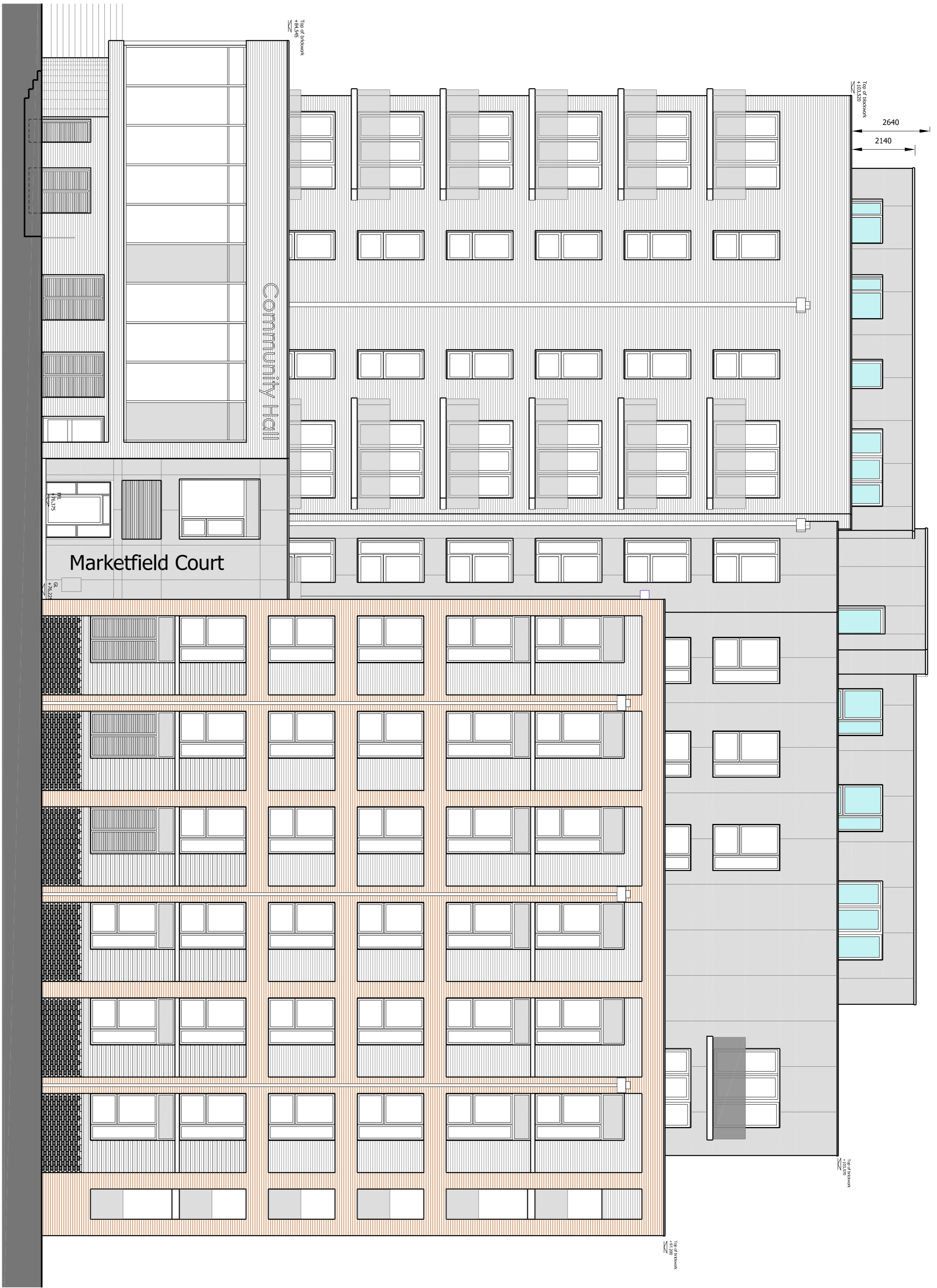
## **Proactive and Positive Statements**

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

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21/02420/F - Marketfield Court, 15 Marketfield Way,  
Redhill







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Rev	Date	Description



www.dmsarchitects.co.uk

St Paul's House, East Street, Farnham, Surrey, GU9 7TJ

Tel: 01252 246616 / 07812 504922

Client: Lodgerrest Developments Ltd DMS

Project: Marketfield Court

Marketfield Way

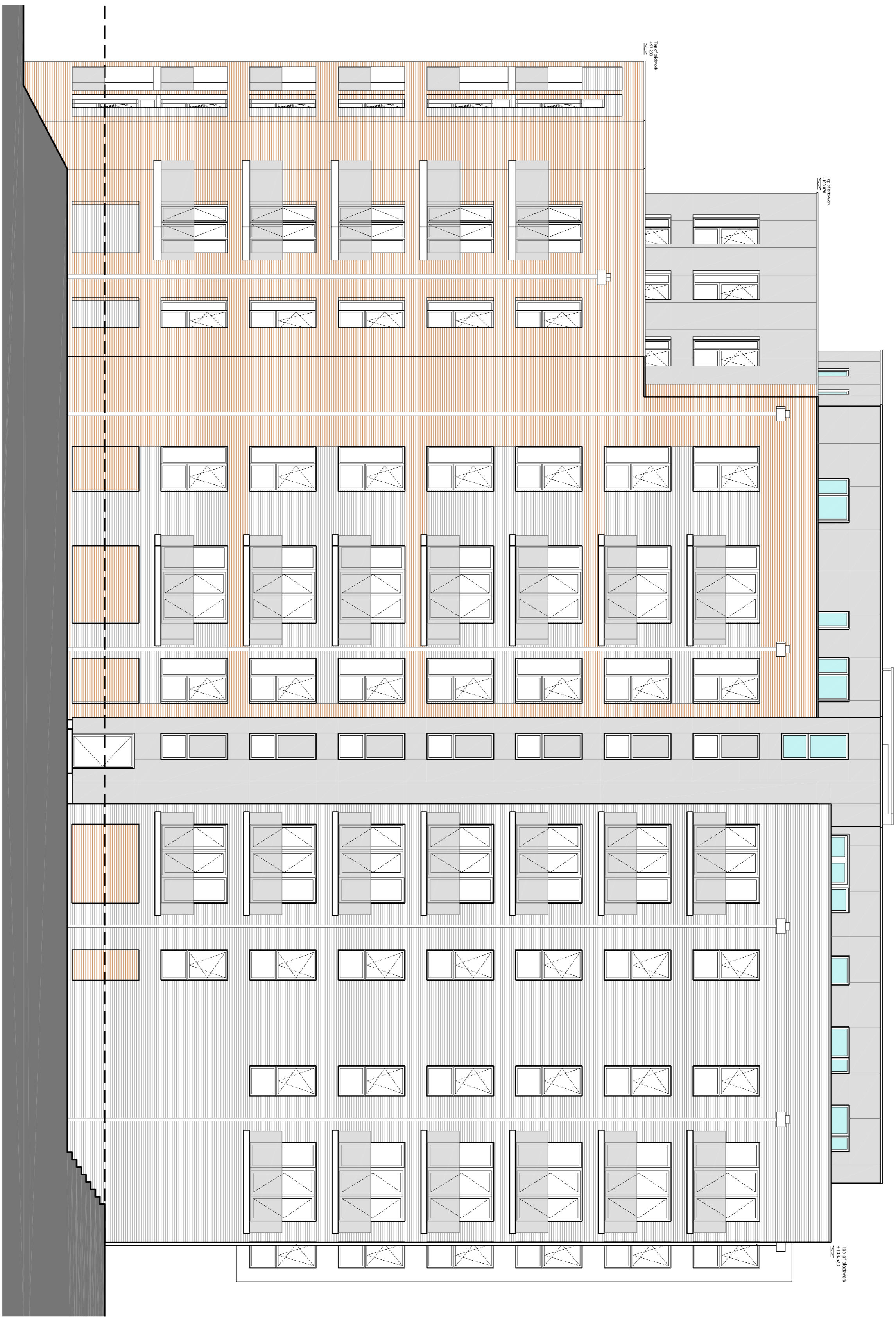
Redhill

Scale: 1:100 @ A1

Date: July 2021

Checked by: [Name]

Revision: [Number]



Proposed Rear Elevation 1:100



Proposed Side Elevation 1:100

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Rev	Date	Description



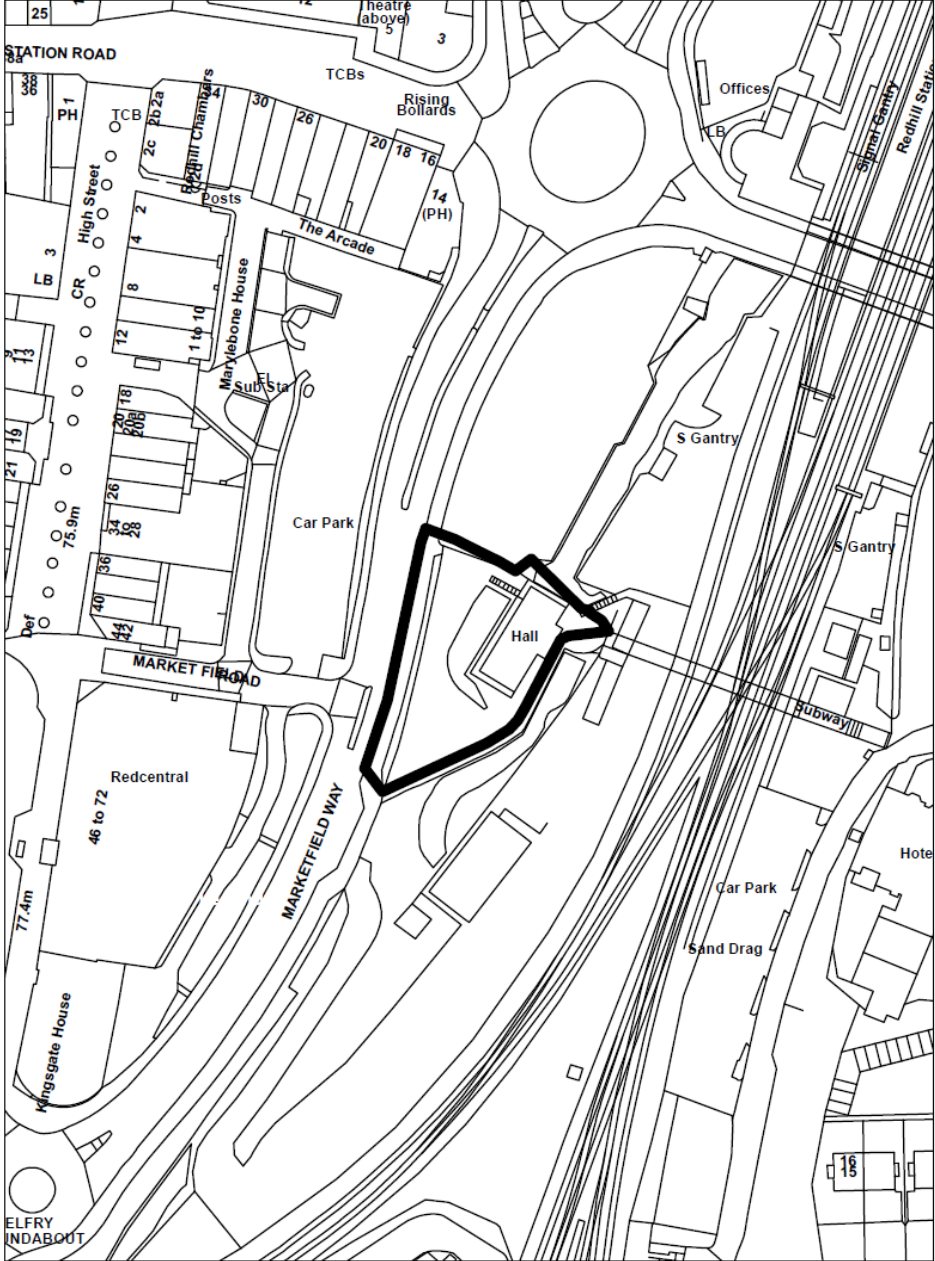
[www.dmsarchitects.co.uk](http://www.dmsarchitects.co.uk)

St Paul's House, East Street,  
Farnham, Surrey, GU9 7TJ

Tel: 01252 246616 / 07812 504922

Client: Lodgerest Developments Ltd DMS  
 Project: Marketfield Court  
 Marketfield Way  
 Redhill  
 Drawing Title: Proposed Rear + Side Elevations  
 Date: July 2021  
 Checked by:  
 Drawing Number: 01276/PL113  
 Revision:

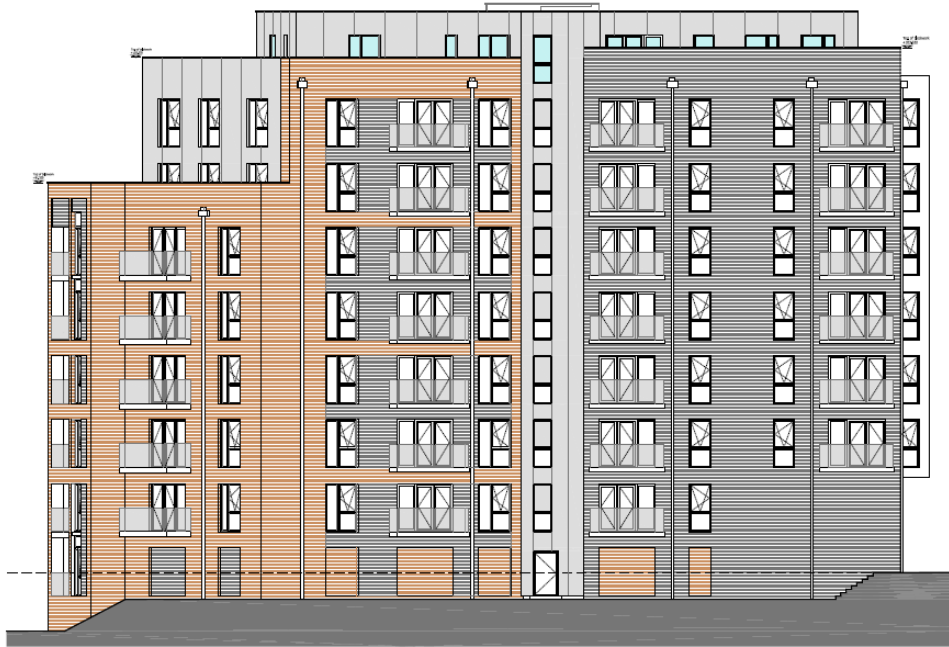
21/02420/F - Marketfield Court 15 Marketfield Way Redhill Surrey RH1 1EU





Proposed Front Elevation 1:100  
0 2 4 10m

Proposed Side Elevation 1:100

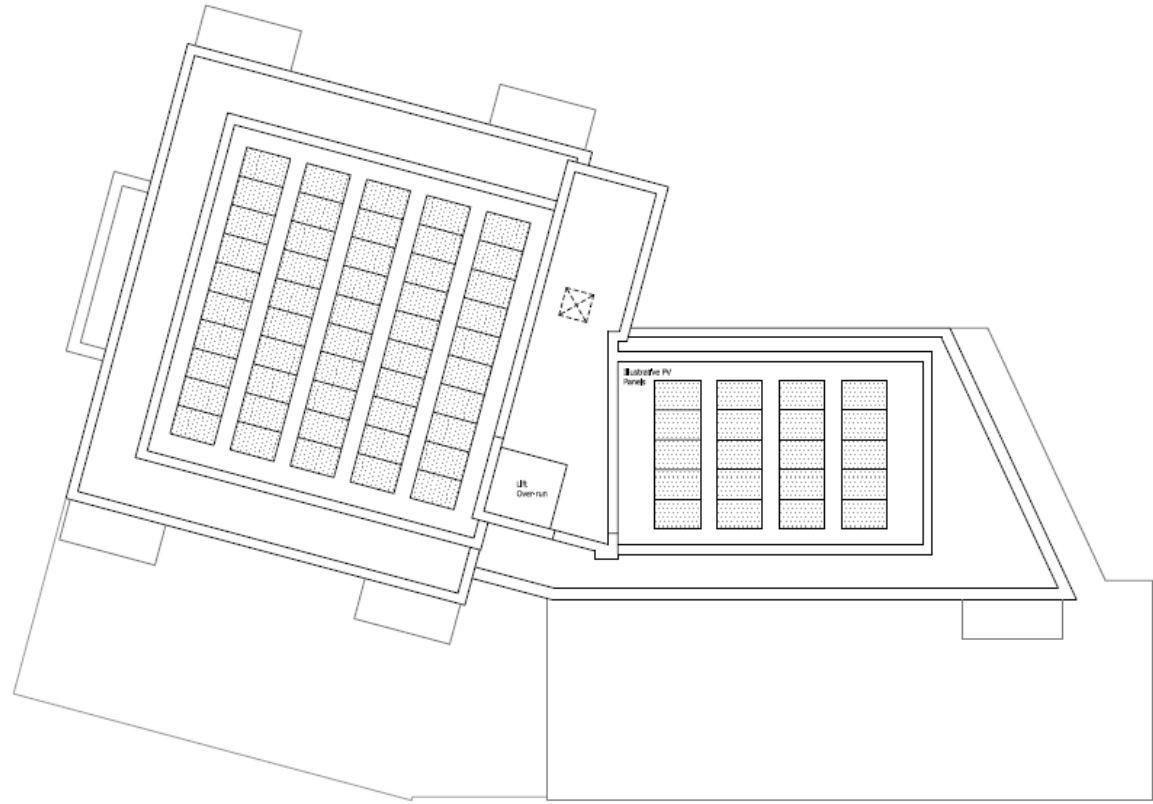


Proposed Rear Elevation 1:100

Proposed Side Elevation 1:100



Proposed 8th Floor Plan 1:100



Proposed Roof Plan 1:100

Rev	Date	Description



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 St Paul's House,  
 Farnham, Surrey  
 Tel: 01252 246616 /

Client:  
 Lodgecroft Developments  
 Project:  
 Marketfield Court  
 Marketfield Way  
 Redhill  
 Drawing Title:



← looking at the building from in front of the site



looking south at the two adjacent buildings including the recently completed Picture House development and the under construction Marketfield Way to the right. Application site is behind these buildings →



← looking north from close to the railway  
bridge/roundabout at southern end of town

Same view looking north but  
closer →






# Agenda Item 10

Planning Committee  
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 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	09 February 2022
	<b>REPORT OF:</b>	HEAD OF PLANNING
	<b>AUTHOR:</b>	Matthew Holdsworth
	<b>TELEPHONE:</b>	01737 276752
	<b>EMAIL:</b>	Matthew.Holdsworth@reigate-banstead.gov.uk
<b>AGENDA ITEM:</b>	10	<b>WARD:</b> Hooley, Merstham and Netherne

<b>APPLICATION NUMBER:</b>	21/02357/F	<b>VALID:</b>	23/11/2021
<b>APPLICANT:</b>	DHA Planning	<b>AGENT:</b>	
<b>LOCATION:</b>	<b>GARAGE BLOCK TO THE REAR OF 25 ALBURY ROAD, MERSTHAM</b>		
<b>DESCRIPTION:</b>	<b>Demolition of garages and erection of two detached dwellings</b>		
<b>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.</b>			

## SUMMARY

This is a full application for the demolition of the derelict garages on the site and the erection of two 2-bedroomed detached chalet bungalows along with landscaping and parking for four cars.

The principle of development has been accepted and the garages found not to be in use for local parking. The application follows on from a previous scheme (20/00605/F) that was refused on appeal for a terrace of three houses. This appeal was dismissed on grounds of overdevelopment and cramped nature of the proposal along with harm to neighbour amenity.

This scheme reduces the number of dwellings and so their consequent distances to boundaries and neighbouring properties as well as offering low eaves to minimise their scale and bulk.

It is considered that the proposal would not cause significant harm to the character of the area, or the adjacent ancient monument, or cause any adverse neighbour amenity to other properties. It is considered to have overcome the previous dismissed appeal reasons on the site. There are a sufficient number of car parking spaces and the proposal therefore complies with policy in this and all other regards.

## RECOMMENDATION

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

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## Consultations:

Highway Authority: No objections subject to conditions relating to space for parking, electric car charging points, secure bicycle storage and a construction transport management plan.

Historic England: Whilst there will be a minor level of additional harm to the monument from the development, we advise that this harm is not overriding. Historic England has no objection to these proposals.

Neighbourhood Services: No objection as the bin presentation point is adjacent to Albury Road.

Contaminated Land Officer: Recommends conditions

Surrey Archaeological Officer: "I am satisfied that the development poses no threat to buried archaeology and so no further archaeological work is required."

Tree Officer: recommends a landscaping condition.

Conservation Officer: "Consideration should be given as whether the building adjacent to the boundary with Albury Moat should be set back as given this is adjacent to the green belt, the Local Distinctiveness SPD requirement for a soft edge landscaped buffer to the countryside is a factor, though this needs to be balanced with the presence of the existing garages though these are flat roofed". Recommends conditions relating to materials and landscaping.

Environment Agency: No objections

## Representations:

Letters were sent to neighbouring properties on 25 November 2021. Four letters of representation from local residents have been received raising the following concerns:

Issue	Number	Response
Overlooking and loss of privacy	3	See paragraphs 6.8-6.10
Overdevelopment	2	See paragraphs 6.5-6.7
Out of character	2	See paragraphs 6.5-6.7
Inconvenience during construction	1	See paragraph 6.8
Hazard to highway safety	2	See paragraphs 6.8-6.10

### 1.0 Site and Character Appraisal

1.1 The current site consists of a garage block and parking area accessed by a driveway between nos 25 and 27 Albury Road. The current garages are largely

in a state of disrepair. The site is surrounded by residential properties on three sides although the south eastern corner is open to an area of open land.

- 1.2 This open land forms the site of Albury Manor and is a scheduled ancient monument. There are no trees on the site and the site is relatively flat. The site lies within Flood Zone 2.

## **2.0 Added Value**

- 2.1 Improvements secured at the pre-application stage: None
- 2.2 Further improvements could be secured: Materials as specified by the conservation officer, landscaping, boundary treatment, broadband condition, water and energy efficiency condition, secure bicycle storage, electric charging conditions, parking conditions

## **3.0 Relevant Planning and Enforcement History**

- 3.1 20/00605/F - Demolition of garages and construction of three new houses – refused and dismissed on appeal.

## **4.0 Proposal and Design Approach**

- 4.1 The application follows on from the previously refused scheme for three dwellings on the site that was dismissed on appeal due to the impact on neighbouring properties and the cramped nature of the proposal. The appeal decision is attached.
- 4.2 The proposal seeks to demolish the existing garages on the site and replace with two detached chalet bungalows. Each of the dwellings would have two bedrooms.
- 4.3 The existing access would be retained and approved with four new car parking spaces (two for each house) at the head of the existing access drive.
- 4.4 The remainder of the site would be laid largely to lawn with some landscaping proposed to the southern boundary with the adjacent ancient monument.
- 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.

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

Assessment	The site has been laid out to allow vehicle access, parking and turning area to be efficiently contained to allow two houses with good sized gardens.
Involvement	No community consultation took place.
Evaluation	The statement does not include any evidence of other development options being considered.
Design	The design of each house has been carefully considered to provide high quality design with precisely modelled facades to visually reduce the impact of the massing and provide visual interest in materials, set backs and detailing

4.6 Further details of the development are as follows:

Site area	0.07 hectares
Proposed parking spaces	4
Parking standard	4
Net increase in dwellings	2

## 5.0 Policy Context

### 5.1 Designation

Urban Area, adjacent to ancient monument and metropolitan green belt.

### 5.2 Reigate and Banstead Core Strategy

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

### 5.2 Reigate & Banstead Development Management Plan 2019

Design, Character, and amenity	DES1, DES5, DES8
Heritage	NHE9
Transport, Access, and parking	TAP1
Climate Change resilience	CCF1, CCF2
Infrastructure to support growth	INF3

### 5.3 Other Material Considerations

National Planning Policy Framework

Supplementary Planning Guidance

Surrey Design  
Local Distinctiveness Design Guide  
Householder Extensions and  
Alterations

Other

Human Rights Act 1998

## 6.0 Assessment

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

6.2 The main issues to consider are:

- Impact on local character
- Neighbour amenity
- Impact on ancient monument
- Highway and parking matters
- Flooding
- Contaminated Land
- CIL
- Affordable housing
- Sustainability and Climate Change
- Other matters

### Impact on local character

6.3 It is considered that there is no objection in principle to the redevelopment of the site for residential purposes. The garages are largely derelict and are not used extensively for parking.

6.4 The application follows on from the previous application for a terrace of three dwellings (20/006065/F) that was refused and subsequently dismissed at appeal due to overdevelopment of the site, overlooking and the design of the proposed dwellings.

6.5 This application seeks to overcome the previous reasons for refusal and has proposed two detached 2-bedroom chalet bungalows. These would be located centrally in the plot and would be orientated at 90 degrees from one another. In terms of their design, they would be relatively contemporary in appearance with an asymmetrical pitched roof to each property. However, this would be acceptable in this location due to the position to the rear of other properties and their relatively low height. In addition, the materials are proposed to be of traditional design, bricks and red tiles. The conservation officer has been consulted due to the setting of the adjacent ancient monument and has specified a condition relating to the materials to ensure that they are of high quality and a traditional design.

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- 6.6 The properties would each have private amenity areas to the rear and side of the houses and these are considered to be commensurate with the surrounding plot sizes, especially when viewed with the plot sizes of the bungalows to the north.
- 6.7 It is considered therefore that the quantum of development and the design of the building is appropriate on this site and the proposal complies with policy DES1 in this regard.

## Neighbour amenity

- 6.8 The proposed development has been considered in terms of its potential impact on the amenities of the neighbouring properties. The properties to the west, in Albury Road, are at least 30m from the side of the houses. It is noted that there are side facing windows at first floor level that would face these properties and their rear gardens; however, amended plans have been received that show this window to be obscure glazed and this will be conditioned. It is also noted that the driveway would be between 25 and 27 Albury Road. However, the existing garages would historically have generated more traffic than the proposed two dwellings and it is not considered that there would be significant harm to these properties in terms of noise and disturbance. The impact upon these properties was not cited as harmful in the previous appeal inspector's decision and the impact of this proposal is similarly considered acceptable.
- 6.9 Turning to the properties in Bletchingley Close, the proposed dwellings would be built at least 7m from the boundary, an increase of at least 5m from the previous refused scheme. The properties in Bletchingley Close are at least 23m away. Consequently, it is considered that no adverse loss of amenity to these properties would occur, and again these properties were not previously cited in the appeal decision either.
- 6.10 The appeal decision previously centred upon the impacts on the properties to the north of the proposed site which are two semi-detached bungalows (14 and 15 Albury Place). These have very small rear gardens of only around 6m in depth. The northerly bungalow would be positioned around 4m from the northern boundary. However, due to the design of the roof, which slopes away from the boundary and the significant reduction in eaves height when compared to the previously refused scheme, it is not considered that the proposal would cause a material loss of amenity to those properties to the north. In addition, the applicants have shown that the proposal would pass a 25-degree line taken from the rear windows of nos 14 and 15 which would comply with paragraph 4.4 of the Council's SPG on householder extensions and alterations. Amended plans have been provided which show the Velux windows to the northern roof slope being set at least 1.7m above finished floor level and this is considered to prevent material overlooking to the properties to the north. This represents a vast improvement upon the previously two-storey properties facing these bungalows with clear glazed first floor windows overlooking them such that no objections have been received from the occupants to this scheme and the relationship is considered acceptable.

- 6.11 Consequently, it is considered that the proposal would not cause significant or material harm to the amenity of neighbouring properties and therefore, the proposal complies in this regard with policy DES1.

### Impact on Ancient Monument

- 6.12 The site is adjacent to Albury Manor, a former moated medieval manor house and is now a scheduled ancient monument with only the moat still visible in the landscape. The conservation officer has been consulted and as stated above has recommended conditions relating to the external materials of the dwellings. Whilst he has made comments in regard to the siting of the southerly bungalow, this is currently set further back in the plot than the existing garages and therefore its siting is considered acceptable on balance in relation to the siting of the ancient monument.
- 6.13 In addition, he has recommended a condition relating to landscaping and a further condition relating to the boundary treatment between the dwellings and the ancient monument. The landscaping condition has also been requested by the Council's Tree Officer. Subject to these conditions being complied with, it is considered that the proposal complies with policies NHE3 and NHE9.

### Highway and Parking Matters

- 6.14 The County Highways Authority has assessed the proposed development on safety, capacity and policy grounds and have recommended that conditions should be imposed on the permission relating to space being laid out for parking, electric charging points, secure bicycle storage, and a construction transport management plan.
- 6.15 The Highways Authority note that the proposed development is to utilise the existing access onto Albury Road. In addition, the proposal is unlikely to result in a material increase of vehicle movements, compared to the previous use of the site. As such, no objections are raised on highway safety, or capacity grounds.
- 6.16 Four parking spaces are proposed which is considered acceptable and compliant with policy TAP1 and Annexe 4 of the DMP.

### Flooding

- 6.17 The site is situated within Flood Zone 2 and the applicant has provided a Flood Risk Assessment. The site is located about 235m upstream of the South Merstham Ditch (West), a tributary of the Redhill Brook. Historic records locate the site within Flood Zone 2. The appellant has submitted fluvial modelling (JFLOW) which shows that the local Flood Zone 2 extent does not include the application site. The modelling routes flooding over land based on topography (LiDAR) and shows the likely flooding flow route to be on lower land to the east of the site, a flow route confirmed by the Risk of Flooding from Surface Water Map. On this basis, the applicant contends that the site is considered to better

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fit the definition of Flood Zone 1 'Low Probability' (i.e. less than 1 in 1000 annual probability of river flooding).

- 6.18 The applicant has submitted a site specific flood risk assessment (FRA) which proposes appropriate mitigation through the setting of the finished ground floor level at least 300mm above the external ground level with all sleeping accommodation at first floor level. The Environment Agency have not objected to the proposal subject to the FRA conditions being complied with. Therefore it is considered that the proposal would comply with policy CCF2.

## Contaminated Land

- 6.19 Due to the previous use of the site, the contaminated land officer has been consulted and he has recommended conditions relating to the removal of the existing asbestos on site, along with a number of conditions relating to ground contamination.

## CIL

- 6.20 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

- 6.21 Development Management Plan DES6 states that on developments providing 11 or more homes, 30% of the homes on site should provide affordable housing. This supersedes the Core Strategy policy CS15 in its entirety.
- 6.22 In view of this, the Council is not presently requiring financial contributions from applications such as this resulting in a net gain of 10 units or less.

## Sustainability and Climate Change

- 6.23 Policy CCF1 of the Councils Development Management Plan 2019 seeks to ensure that all new development contributes to reducing carbon emissions. New development will be encouraged to incorporate passive and active energy efficiency measure and climate change resilience measures and renewable energy technologies. In order that the proposed development contributes to achieving these aims, in the event that planning permission is granted, conditions requiring demonstration that it will meet the national water efficiency standard of 110litres/person/day and achieve not less than a 19% improvement in the Dwelling Emission Rate (DER) over the Target Emission Rate (TER) as defined in Part L1A of the 2013 Building Regulations would be attached.

## Other Matters



- 6.24 Electronic communication networks: Policy INF3 criteria 1 states that "The Council will require all new development to be connected with high speed and reliable broadband". A condition has been added to the permission to this effect.

## CONDITIONS

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

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

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

Plan Type	Reference	Version	Date Received
Elevation Plan	311(GA)025	1	25.01.2022
Elevation Plan	311(GA)026	1	25.01.2022
Floor Plan	311(GA)021	1	25.01.2022
Roof Plan	311(GA)022	1	25.01.2022
Elevation Plan	311(GA)027	1	25.01.2022
Location Plan	311(GA)001	0	03.09.2021
Site Layout Plan	311(GA)002	0	03.09.2021
Site Layout Plan	311(GA)003	1	03.09.2021
Elevation Plan	311(GA)016	0	03.09.2021
Elevation Plan	311(GA)015	0	03.09.2021
Floor Plan	311(GA)010	0	03.09.2021
Proposed Plans	311(GA)030	0	03.09.2021

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 submitted plans, the proposed external finishing materials and details shall be carried out using the external finishing 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 and tile hanging shall be of cambered handmade sandfaced plain clay tiles with hogsback ridge tiles, a photographic sample of which shall be submitted and approved in writing by the LPA before any works above slab

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level. Regard should be had to seeking approval of materials as early as possible due lead in times of ordering materials.

b) Brickwork shall be of sandfaced clay or handmade or hand simulated character, a photographic sample of which shall be submitted and approved in writing by the LPA before any works above slab level. Regard should be had to seeking approval of materials as early as possible due lead in times of ordering materials.

c) All rooflights shall be black painted metal conservation rooflights with a single vertical glazing bar, set back in the plane of the roof, to avoid disruption to the roofscape.

Reason: To ensure that the development hereby permitted is only constructed using the appropriate external facing materials and detailing in the interest of the visual amenities of the area and the setting of Albury Manor, the adjacent Ancient Monument with regard to Reigate and Banstead Development Management Plan 2019 policies DES1 and NHE9.

4. No development shall commence on site until a scheme for landscaping has been submitted and approved in writing by the local planning authority. The landscaping scheme should include details of any 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 maintenance 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 the recommendations within British Standard BS 5837:2012 'Trees in relation to design, demolition and construction – Recommendations'

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

Reason: To ensure good arboricultural and landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies NHE3, DES1 and NHE9 of the Reigate and Banstead Borough Local Plan 2019 and relevant industry standards, including BS8545:2014 and BS5837:2012

5. The fencing to the southern boundary shall be of brown stained vertically boarded featheredge timber with timber posts and timber gravel boards with wildlife friendly access provision (hedgehog holes).

Reason: To preserve the visual amenity of the area and protect the setting of the ancient monument with regard to the Reigate and Banstead Development Management Plan 2019 policies DES1 and NHE9.

6. The works shall be carried out in accordance with the measures set out within the submitted Flood Risk Assessment, reference: 88561-Barnes-AlburyRd by Unda.

Reason: To ensure the proposal complies with EA Flood Risk Standing Advice and to mitigate flood risk with regard to Policy CS10 of the Core Strategy 2014, Policy CCF2 of the Development Management Plan 2019 and the NPPF.

7. 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 condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the NPPF and Reigate and Banstead Development Management Plan policy TAP1.

8. The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter retained and maintained for their designated purpose.

Reason: In order that the development promotes more sustainable forms of transport, and to preserve the character of the Conservation Area, and to accord with the National Planning Policy Framework 2019 and Reigate and Banstead Core Strategy 2014 Policy CS17 and policy TAP1 and NHE9 of the Development Management Plan.

9. The development hereby approved shall not be first occupied unless and until space has been laid out within the site, in accordance with details and plans to be submitted to and approved in writing, for cycles to be parked in a covered and secure location for each dwelling. Thereafter the cycle parking area shall be retained and maintained for its designated purpose.

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

10. 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

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- (c) storage of plant and materials
  - (d) measures to prevent the deposit of materials on the highway
  - (e) no HGV movements to or from the site shall take place between 8am and 9am and 5pm and 6pm nor shall the contractor permit any HGVs associated with the development to be laid up, waiting in Albury Road, Manor Road, or Regents Close
  - (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: in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019, Reigate and Banstead Core Strategy 2014 Policy CS17 and Reigate and Banstead Development Management Plan 2019 policies TAP1 and DES8.

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 Land Contamination: Risk Management Guidance (2020) and British Standard BS 10175.

Reason: To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to the Reigate and Banstead Development Management Plan 2019 policy DES9 and the NPPF.

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

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

waters with regard the Reigate and Banstead Development Management Plan 2019 policy DES9 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 Land Contamination: Risk Management Guidance (2020) and British Standard BS 10175, shall be submitted to the Local Planning Authority and is subject to the approval in writing of the Local Planning Authority and any additional requirements that it may specify. If applicable, ground gas risk assessments should be completed inline with CIRIA C665 guidance.

Reason: To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard the Reigate and Banstead Development Management Plan 2019 policy DES9 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 the Reigate and Banstead Development Management Plan 2019 policy DES9 and the NPPF.

# Agenda Item 10

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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 the Reigate and Banstead Development Management Plan 2019 policy DES9 and the NPPF.

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

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

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

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

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

## 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](http://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](http://www.firesprinklers.info).
3. The applicant is advised that the Borough Council is the street naming and numbering authority and you will need to apply for addresses. This can be done by contacting the Address and Gazetteer Officer prior to construction commencing. You will need to complete the relevant application form and upload supporting documents such as site and floor layout plans in order that official street naming and numbering can be allocated as appropriate. If no application is received the Council has the authority to allocate an address. This also applies to replacement dwellings. If you are building a scheme of more than 5 units please also supply a CAD file (back saved to 2010) of the development based on OS Grid References. Full details of how to apply for addresses can be found [http://www.reigate-banstead.gov.uk/info/20277/street\\_naming\\_and\\_numbering](http://www.reigate-banstead.gov.uk/info/20277/street_naming_and_numbering)
4. The use of landscape/arboricultural consultant is considered essential to provide acceptable submissions in respect of the above relevant condition. The Council would expect to see medium sized suitable structural landscape trees

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and some elements of formally managed native hedging to be incorporated into the submitted scheme.

The planting of trees and the formally managed native hedging shall be in keeping with the character and appearance of the surrounding locality. There is an opportunity to incorporate structural landscape trees into the scheme to provide for future visual amenity in this area. It is expected that the structural landscape trees will be of medium size at maturity and 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.

5. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:  
<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicleinfrastructure.html>  
for guidance and further information on charging modes and connector types.
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. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
8. The property is within flood zone 2 which means the land is assessed as having between a 1 in 100 and 1 in 1,000 annual probability of river flooding. The applicant is advised to ensure that floor levels are no lower than existing floor levels and floor levels are 300 millimetres (mm) above the estimated flood level. If the floor levels are not going to be 300mm above estimated flood levels, the applicant is advised to consider flood resistance and/or resilience measures.
9. 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 condition 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.

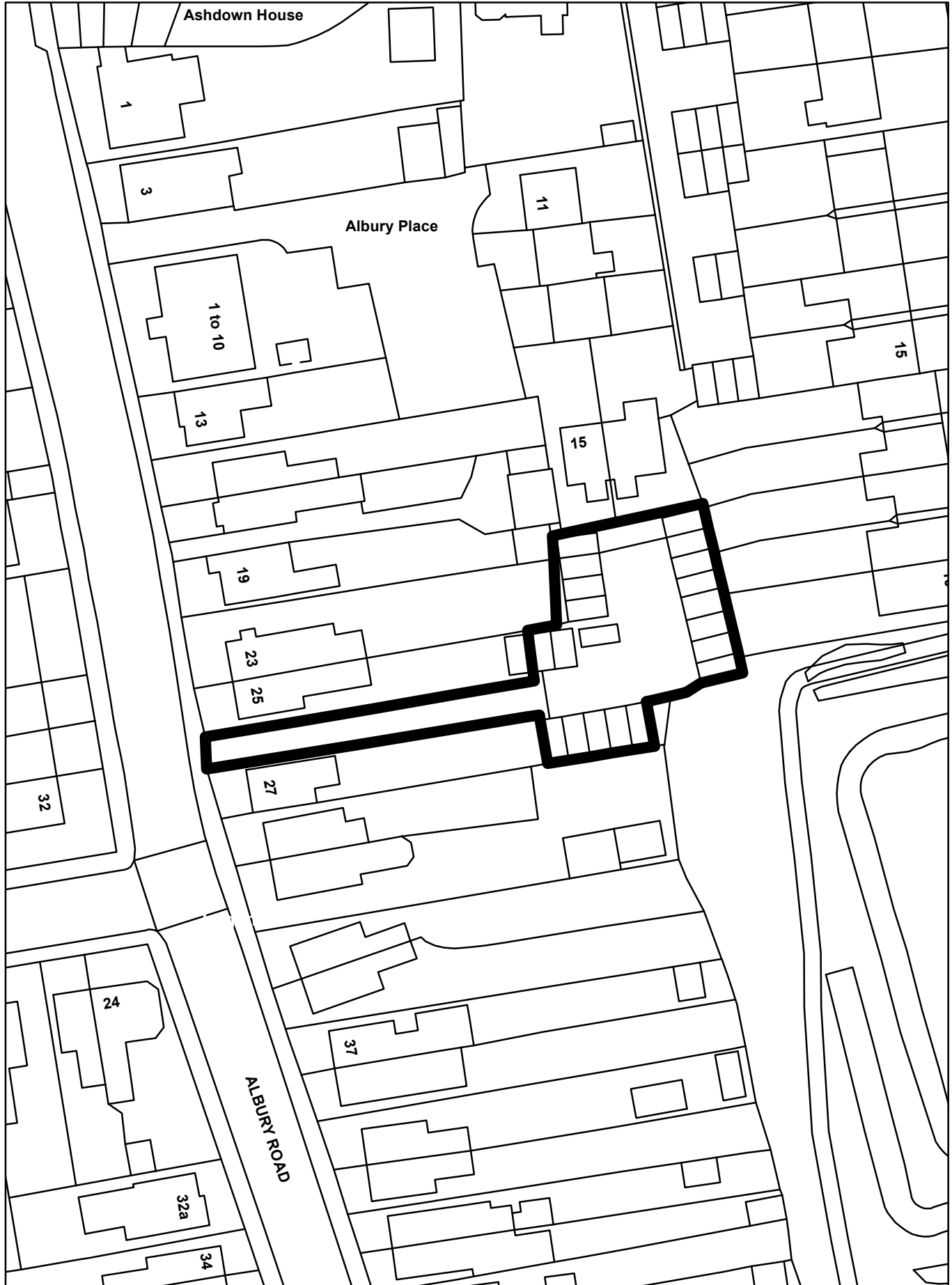


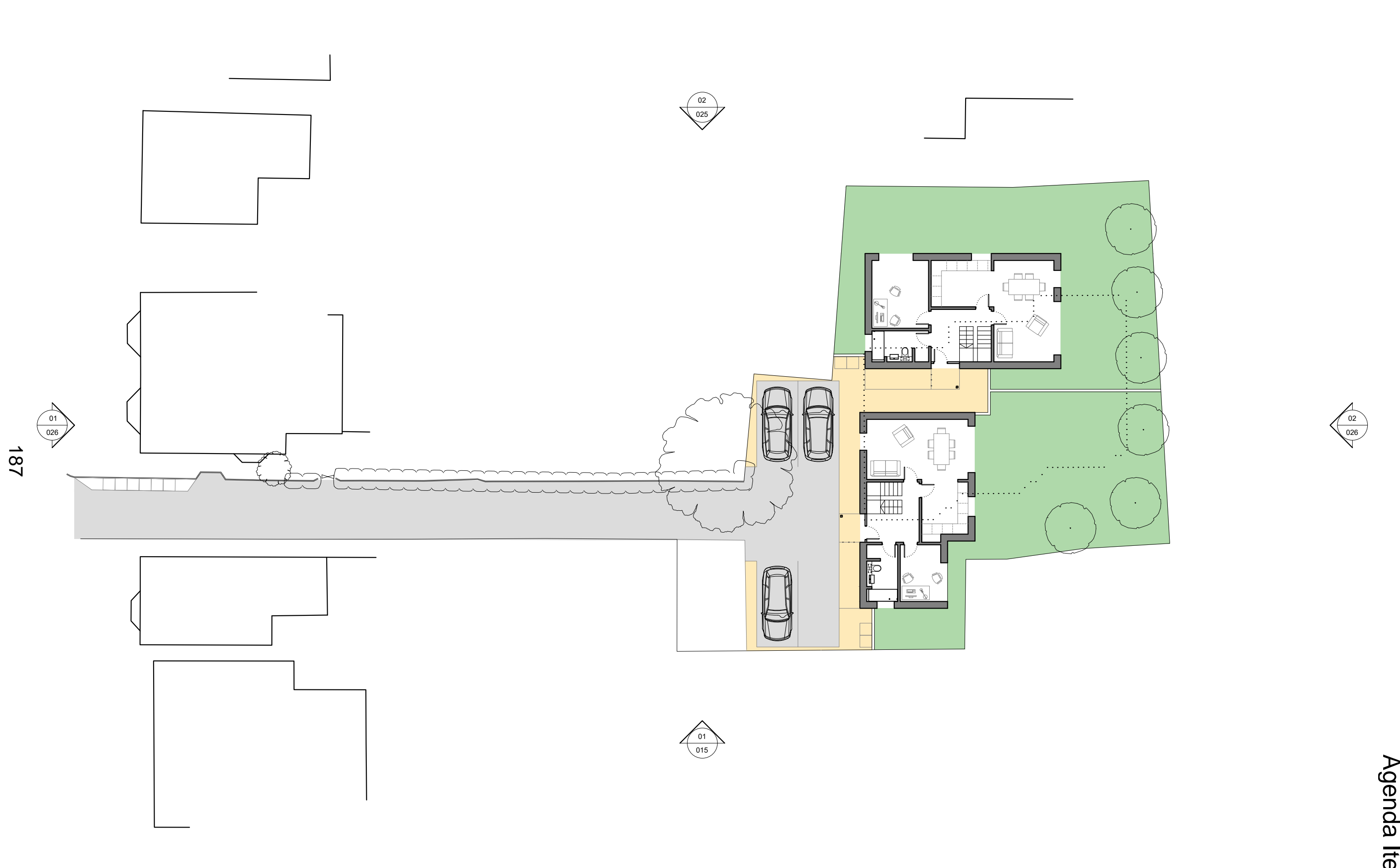
## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against development plan policies DES1, DES5, DES8, NHE3, NHE9, TAP1, and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

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

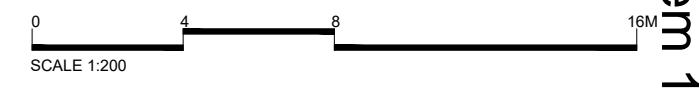
Agenda Item 10  
21/02357/F - Garage Block Rear Of 25 Albury Road,  
Merstham





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01 PROPOSED SITE PLAN (GA)  
1:200 @ A3

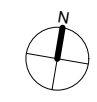


Agenda Item 10

Rev	Date	Description	Drawn	Check
0	12.05.2021	STAGE 2 - PLANNING DRAFT	GS	FL
0	25.05.2021	STAGE 2 - ISSUED FOR PLANNING	GS	FL
0	24.06.2021	STAGE 3 - ISSUED FOR PLANNING	JD	FL
1	24.08.2021	STAGE 3 - ISSUED FOR PLANNING	GS	FL

Do not Scale. Use figured dimensions only. All dimensions to be checked on site.  
All drawings to be read in conjunction with the Engineers' drawings. Any discrepancies between consultants drawings to be reported to the Architect before any work commences.  
The Contractor's attention is drawn to the Health & Safety matters identified in the Health & Safety plan as being potentially hazardous. These Items should not be considered as a complete and final list. The Work Package Contractor's normal Health and Safety obligations still apply when undertaking constructional operations both on and off site.

STAGE 3



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Felix Lewis Architects

Project:	311 - ALBURY ROAD
Title:	PROPOSED SITE PLAN (GA)
Scale @A3:	1:200
Drawing and CAD File Number:	311(GA)003
Rev:	1

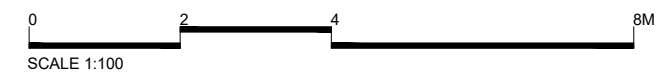


**01 WEST ELEVATION (GA)**  
1:100 @ A3

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**02 EAST ELEVATION (GA)**  
1:100 @ A3



Rev	Date	Description	Drawn	Check
0	12.05.2021	STAGE 2 - PLANNING DRAFT	GS	FL
0	25.05.2021	STAGE 2 - ISSUED FOR PLANNING	GS	FL
0	24.06.2021	STAGE 3 - ISSUED FOR PLANNING	JD	FL
1	24.08.2021	STAGE 3 - ISSUED FOR PLANNING	GS	FL
1	20.01.2022	STAGE 3 - ISSUED FOR PLANNING	JC	FL

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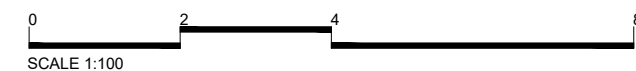
Project:	311 - ALBURY ROAD
Title:	WEST & EAST ELEVATIONS (GA)
Scale @A3:	1:100
Drawing and CAD File Number:	311(GA)025
Rev:	1



01 NORTH ELEVATION (GA)  
1:100 @ A3



02 SOUTH ELEVATION (GA)  
1:100 @ A3



Rev	Date	Description	Drawn	Check
0	12.05.2021	STAGE 2 - PLANNING DRAFT	GS	FL
0	25.05.2021	STAGE 2 - ISSUED FOR PLANNING	GS	FL
0	24.06.2021	STAGE 3 - ISSUED FOR PLANNING	JD	FL
1	24.08.2021	STAGE 3 - ISSUED FOR PLANNING	GS	FL
1	20.01.2022	STAGE 3 - ISSUED FOR PLANNING	JC	FL

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STAGE 3

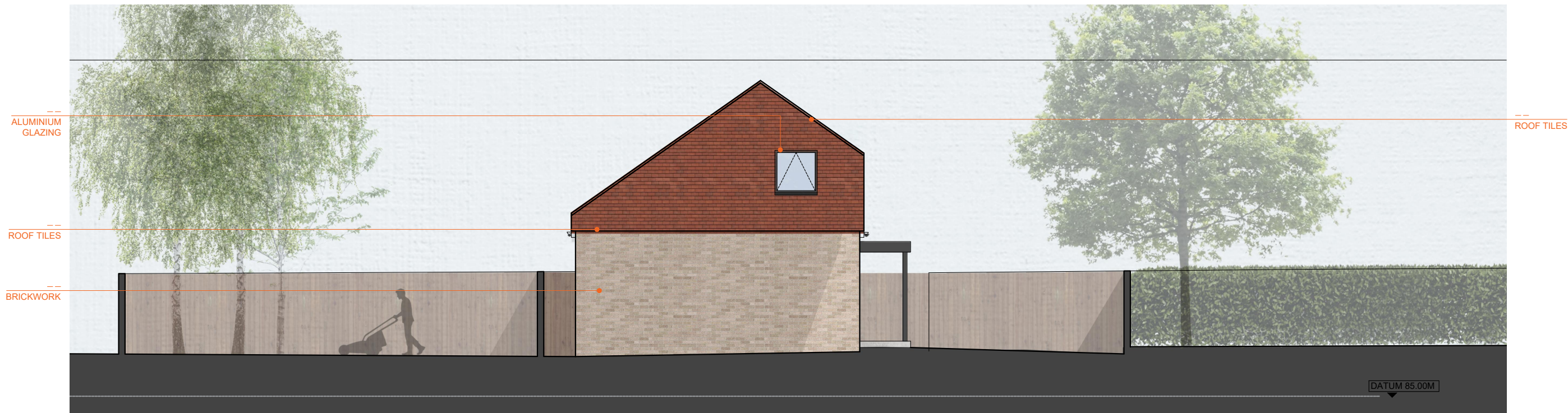
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Felix Lewis Architects

Project: 311 - ALBURY ROAD

Title: NORTH & SOUTH ELEVATIONS (GA)

Scale @A3: 1:100 Drawing and CAD File Number: 311(GA)025 Rev: 1

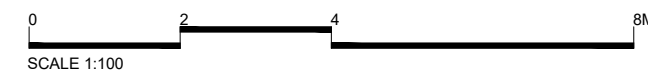


**01 NORTH ELEVATION (GA)**  
1:100 @ A3



**02 SOUTH ELEVATION (GA)**  
1:100 @ A3

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Rev	Date	Description	Drawn	Check
0	24.08.2021	STAGE 3 - ISSUED FOR PLANNING	JD	FL
1	24.08.2021	STAGE 3 - ISSUED FOR PLANNING	GS	FL
1	20.01.2022	STAGE 3 - ISSUED FOR PLANNING	JC	FL

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**Felix Lewis Architects**

Project:	311 - ALBURY ROAD
Title:	SOUTH & NORTH ELEVATIONS (GA)
Scale @A3:	1:100
Drawing and CAD File Number:	311(GA)027
Rev:	1



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## Appeal Decision

Site Visit made on 6 May 2021

**by Rory MacLeod**

**an Inspector appointed by the Secretary of State**

**Decision date: 17 June 2021**

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**Appeal Ref: APP/L3625/W/21/3267489**

**Garage Block Rear of 25 Albury Road, Merstham, Surrey RH1 3LP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Baldly Son and Chandler Ltd against the decision of Reigate and Banstead Borough Council.
  - The application Ref 20/00605/F, dated 16 March 2020, was refused by notice dated 22 July 2020.
  - The development proposed is demolition of garages and construction of three new houses.
- 

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The proposal is for a staggered terrace of three houses. Amended plans were submitted during the consideration of the application to move the terrace 1.5m to the south and to replace first floor rear facing bedroom windows with flank windows for the two end of terrace houses.

### Main Issues

3. The main issues are the effect of the proposal on (a) the character and appearance of the area, (b) the living conditions of occupiers of the adjacent bungalows 14 and 15 Albury Place in relation to massing and privacy, (c) the setting of a scheduled ancient monument and (d) flood risk.

### Reasons

#### *Character and appearance*

4. The appeal relates to a backland site of lock up garages accessed via a drive between 25 and 27 Albury Road. The surrounding area is mainly residential but comprises a mixture of house types and sizes. The proposed terrace would have a flat roof which would constrain its scale and massing, but which would contrast with the pitched roofs to surrounding dwellings. Plot sizes vary in the surrounding area, but those proposed would be narrower and shorter than for neighbouring development. To the north are bungalows with short gardens but the plots here are generally wider and relate to smaller single storey dwellings as opposed to the two storey houses proposed. Whereas the site is currently totally hard surfaced much would be available for gardens with hardstanding largely confined to the parking area next to the access. Nonetheless, the proposal would result in a relatively cramped form of development that would not be in keeping with or which would enhance the character of the area.

5. The proposal would thereby conflict with Policy DES1 of the Reigate and Banstead Development Management Plan (2019) (DMP) which require high quality design that makes a positive contribution to the character and appearance of its surroundings, having due regard to factors including layout, plot sizes, siting, scale and roofscapes.

### *Living conditions*

6. Nos 14 and 15 Albury Place are a pair of semi-detached bungalows abutting the site's northern boundary with short back gardens about 6m in depth. Their rear windows are south facing directly towards the proposed terrace. Separating distances would vary due to the stagger of the houses but even with the revised siting shown in the amended plan and the flat roof, which would restrict the terrace's overall height, its mass would appear as a close, prominent and overbearing structure. The terrace would dominate the outlook from the rear windows and back gardens over the back garden fence. The centre terrace house would have a clear glazed first floor rear facing bedroom window that would overlook the short back gardens and rear windows to the bungalows resulting in a loss of privacy. Living conditions would be unduly compromised in the bedroom if a condition required both bedroom windows to be frosted.
7. As such, the proposal would be contrary to Policy DES1 requiring development to provide an appropriate environment for future occupants whilst not adversely impacting the amenity of occupants of existing nearby buildings, including by way of obtrusiveness, overlooking, loss of privacy and being overbearing. Continuation of the present storage use could result in some noise and disturbance for adjoining occupiers, but this is unlikely to be significant.

### *Scheduled ancient monument*

8. The appeal site's south-eastern boundary abuts Albury Farm, a scheduled ancient monument (SAM) relating to a medieval moated site. Historic England were notified of the application and comment the site is "*of particular significance due to the level of documentary information which survives to accompany and inform on its history*" and that the site "*also survives exceedingly well, still contains water within the moat and the ramparts which enclosed the site still remain as significant earthworks*".
9. The front and eastern flank walls to the terrace would be visible from positions within the SAM. The terrace would not be as close as the nearest garages to be demolished but would be two stories in height and therefore more conspicuous. It would be no closer to the SAM than the flank wall to 10 Bletchingley Close, an end of terrace house that also abuts the site, but this building predates the scheduling of the monument. The appellant requests a landscape condition to enable some screening of the terrace, but soft surfaces in front of the terrace would be limited in extent to enable significant screening without harming outlook from the front windows. Nonetheless, there is a small tree beyond the site boundary that would offer limited screening from the SAM.
10. The SAM is set within a small park which appears to be well used with footpaths crossing it connecting with surrounding residential areas, including one adjacent to the appeal site boundary. As such, by reason of its height and proximity, the terrace would be a noticeable new feature to the backdrop to the SAM when viewed from this publicly accessible open space. It would have a limited adverse effect on the setting of the SAM.



11. The proposal would thereby conflict with Policy NHE9 of the DMP which requires development to protect, preserve, and wherever possible enhance designated heritage assets including their setting. The policy is consistent with Paragraph 196 of the National Planning Policy Framework (the Framework) which requires when there would be less than substantial harm to a designated heritage asset that the harm be weighed against the public benefits of the proposal. In this case the replacement of underused garage blocks in poor physical condition by housing would result in an optimum viable use of the land. This would be a public benefit that would diminish the limited harm arising to the setting of the SAM.
12. I note that the appellant has submitted a Heritage Statement which concludes that the "*level of change is considered to represent a Minor Significance of Effects on the setting of Albury Manor Scheduled Manor*". On receipt of this, Historic England concurred that there would be "*a negligible impact to the setting of the monument*" and raise no objection on heritage grounds.

### *Flood risk*

13. The appeal site is located about 235m upstream of the South Merstham Ditch (West), a tributary of the Redhill Brook. Historic records locate the site within Flood Zone 2. On this basis the Council set out a requirement for a sequential test to ensure that development is directed to areas at least risk of flooding. However, the appellant has submitted fluvial modelling (JFLOW) which shows that the local Flood Zone 2 extent does not include the appeal site. The modelling routes flooding over land based on topography (LiDAR) and shows the likely flooding flow route to be on lower land to the east of the site, a flow route confirmed by the Risk of Flooding from Surface Water Map. On this basis, the appellant contends that the site is considered to better fit the definition of Flood Zone 1 'Low Probability' (i.e. less than 1 in 1000 annual probability of river flooding).
14. The appellant has submitted a site specific flood risk assessment (FRA) which proposes appropriate mitigation through the setting of the finished ground floor level at least 300mm above the external ground level with all sleeping accommodation at first floor level. The Environment Agency have not objected to the proposal subject to the FRA conditions being complied with.
15. My finding, in relation to the information available, is that the proposal would not result in an unnecessary risk of flooding. There would not be substantive conflict with Policy CS10 of the Reigate and Banstead Core Strategy (2014) or with Policy CCF2 of the DMP which require proposals to avoid areas at risk of flooding where possible and to prioritise development in areas with the lowest risk of flooding.

### *Housing need*

16. The proposal would result in the redevelopment of an underused site in a poor physical condition to housing. There would be a benefit of 3 additional dwellings of satisfactory size in a sustainable location not far from facilities within a residential area. This would make a small contribution towards the general need for additional housing. It would be in accordance with the Government's objective at Paragraph 59 of the Framework to significantly boost the supply of homes.

## *Planning balance*

17. Whilst I consider there to be no objection to the principle of the redevelopment of the site for residential purposes, the benefit of 3 additional dwellings would be outweighed by the harm to the character of the area and to the living conditions of occupiers of the adjacent bungalows. There would be substantive conflict with Policy DES1 of the DMP and with the development plan as a whole.
18. The appellant contends that the Council cannot demonstrate a five year housing land supply and that the tilted balance at Paragraph 11(d) of the Framework should therefore apply. The Council firmly rejects this contention claiming it has 8.63 years land supply. The dispute relates to the nature of the review of the local plan in 2019 and whether the five year supply calculation should be judged against the standard methodology requirement.
19. It is not necessary for me to formally conclude on this dispute. Even if I were to accept that the tilted balance should apply, the adverse impacts of the proposal in relation to the character and appearance of the area, and especially on the living conditions of occupiers of the bungalows to the north of the site, would significantly and demonstrably outweigh the proposal's benefits when assessed against the policies of the Framework taken as a whole.
20. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. There are no material considerations before me to indicate that the decision on the appeal should not be taken in accordance with the development plan.

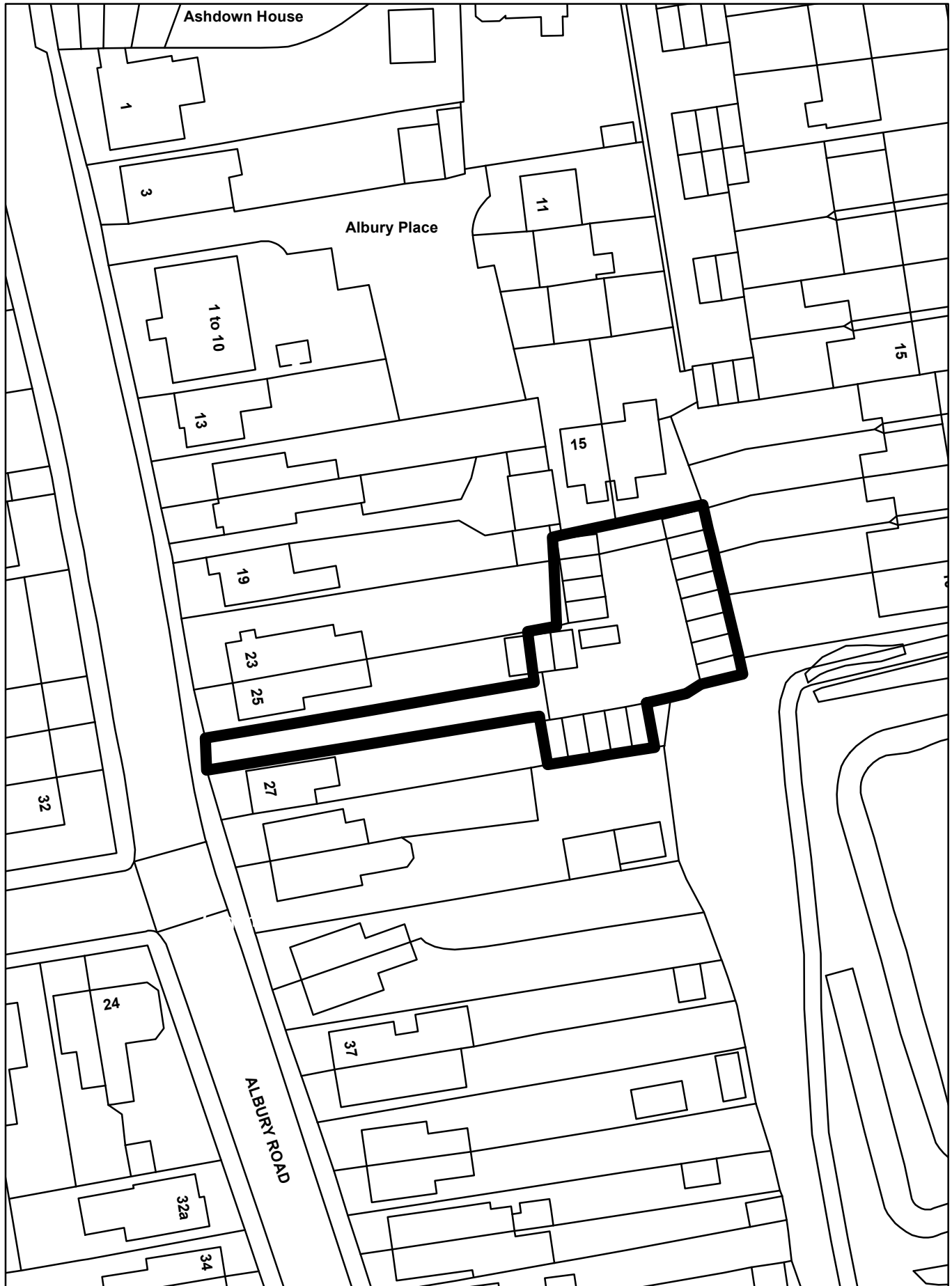
## **Conclusion**

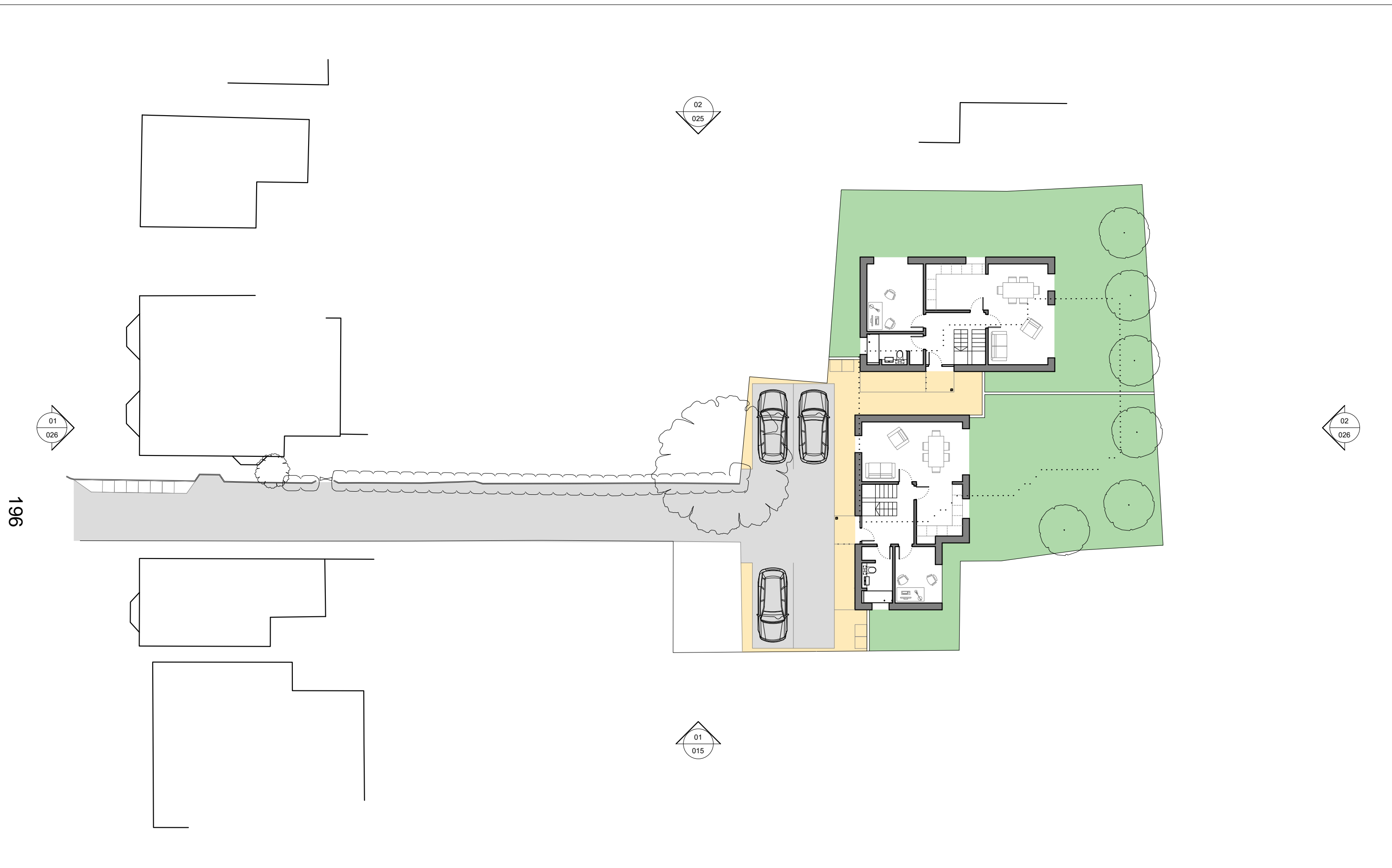
21. For the reasons given above I conclude that the appeal should be dismissed.

*Rory MacLeod*

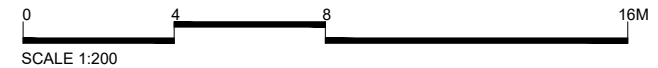
INSPECTOR

# 21/02357/F - Garage Block Rear Of 25 Albury Road, Merstham





01 PROPOSED SITE PLAN (GA)  
1:200 @ A3



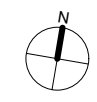
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1	24.08.2021	STAGE 3 - ISSUED FOR PLANNING	GS	FL

Do not Scale. Use figured dimensions only. All dimensions to be checked on site.

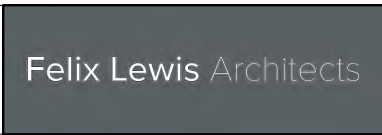
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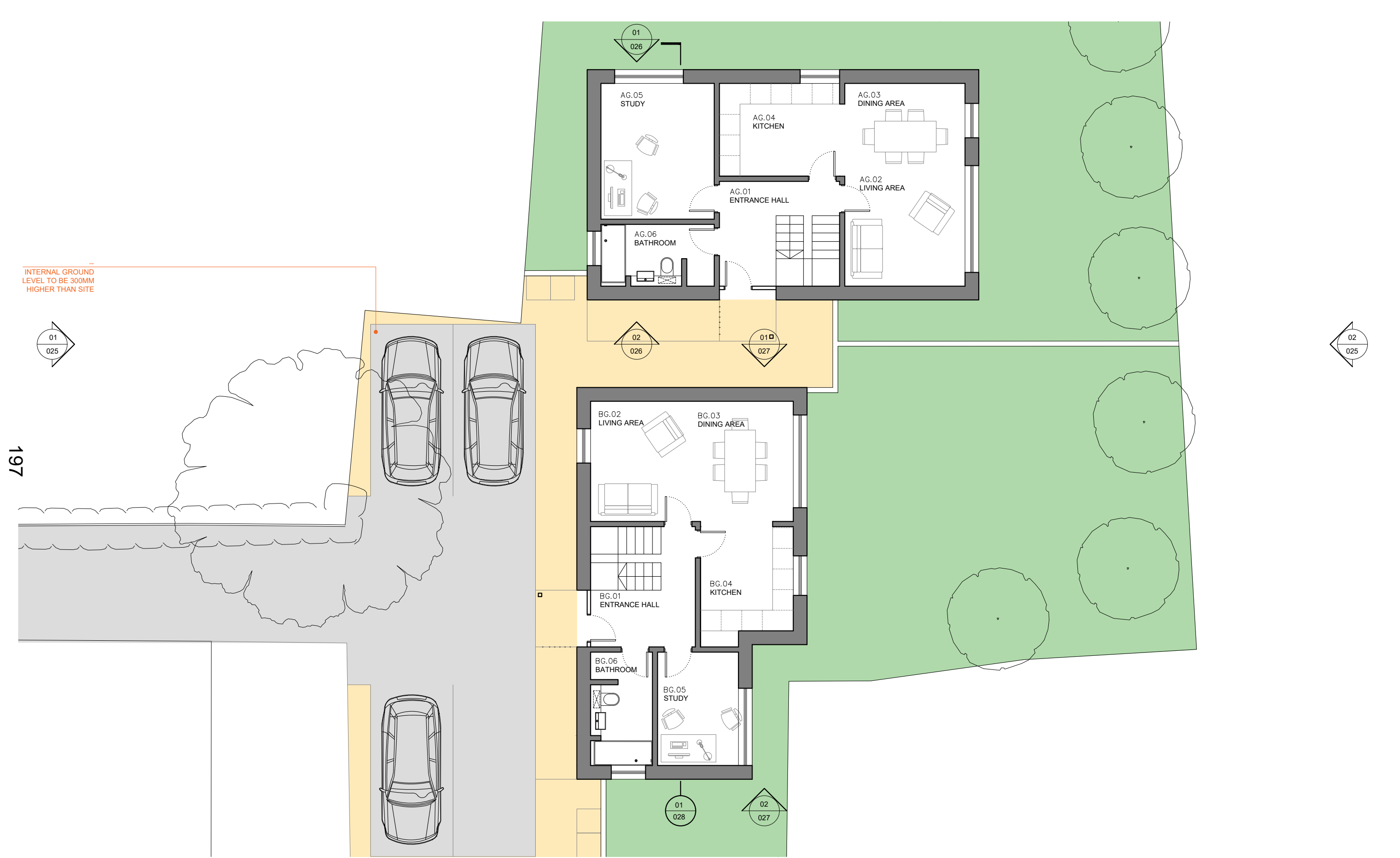
STAGE 3



E: info@felixlewisarchitects.com  
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T: 01737 457 123  
W: www.felixlewisarchitects.com



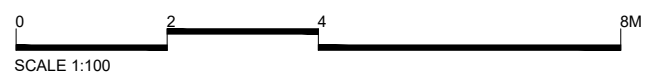
Project:	311 - ALBURY ROAD
Title:	PROPOSED SITE PLAN (GA)
Scale @A3:	1:200
Drawing and CAD File Number:	311(GA)003
Rev:	1



197

INTERNAL GROUND LEVEL TO BE 300MM HIGHER THAN SITE

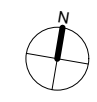
01 PROPOSED GROUND FLOOR PLAN (GA)  
1:100 @ A3



Rev	Date	Description	Drawn	Check
0	12.05.2021	STAGE 2 - PLANNING DRAFT	GS	FL
0	25.05.2021	STAGE 2 - ISSUED FOR PLANNING	GS	FL
0	24.06.2021	STAGE 3 - ISSUED FOR PLANNING	JD	FL
1	24.08.2021	STAGE 3 - ISSUED FOR PLANNING	GS	FL
2	27.08.2021	STAGE 3 - ISSUED FOR PLANNING	GS	FL
2	20.01.2022	STAGE 3 - ISSUED FOR PLANNING	JC	FL

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STAGE 3

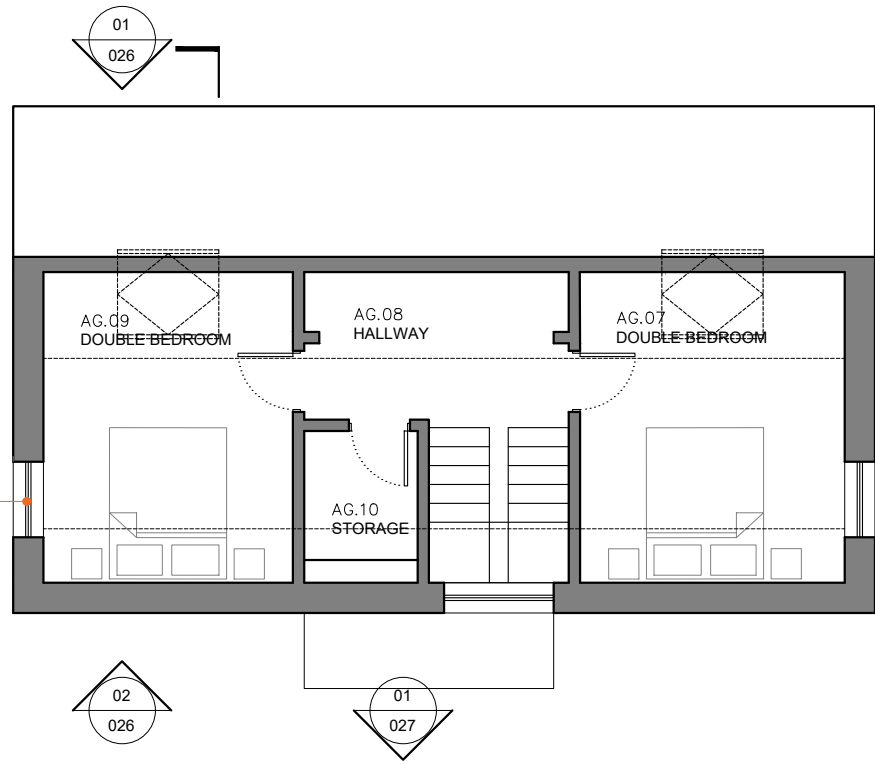


E: info@felixlewisarchitects.com  
T: 01622 535 010  
F: 01737 457 123  
W: www.felixlewisarchitects.com

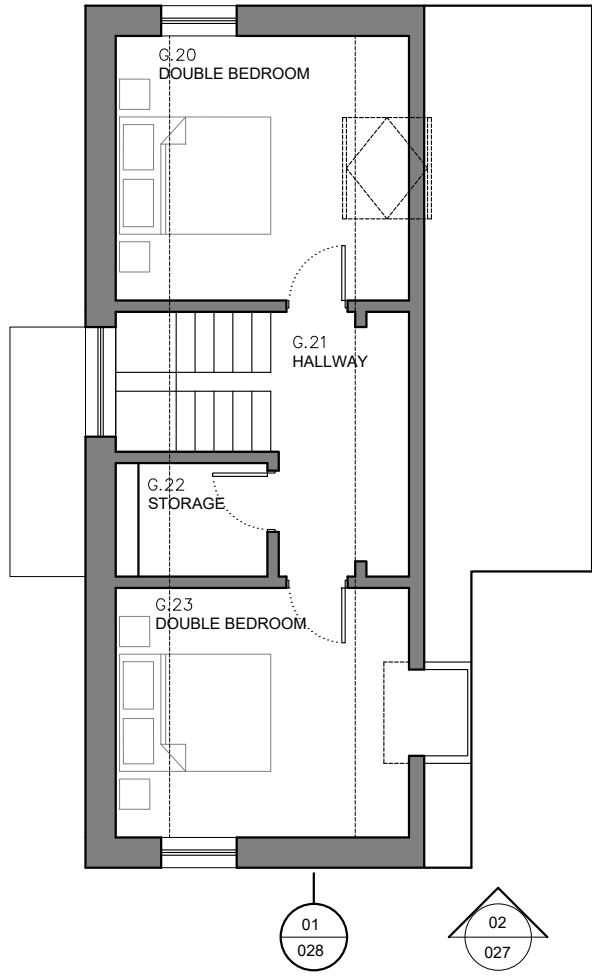
Felix Lewis Architects

Project:	311 - ALBURY ROAD
Title:	PROPOSED GROUND FLOOR PLAN (GA)
Scale @A3:	1:100
Drawing and CAD File Number:	311(GA)020
Rev:	2

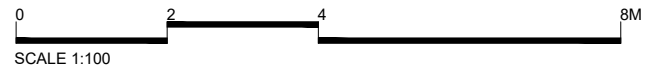
198



OPAQUE WINDOW



01 PROPOSED FIRST FLOOR PLAN (GA)  
1:100 @ A3



Rev	Date	Description	Drawn	Check
0	12.05.2021	STAGE 2 - PLANNING DRAFT	GS	FL
0	25.05.2021	STAGE 2 - ISSUED FOR PLANNING	GS	FL
0	24.06.2021	STAGE 3 - ISSUED FOR PLANNING	JD	FL
1	24.08.2021	STAGE 3 - ISSUED FOR PLANNING	GS	FL
1	20.01.2022	STAGE 3 - ISSUED FOR PLANNING	JC	FL

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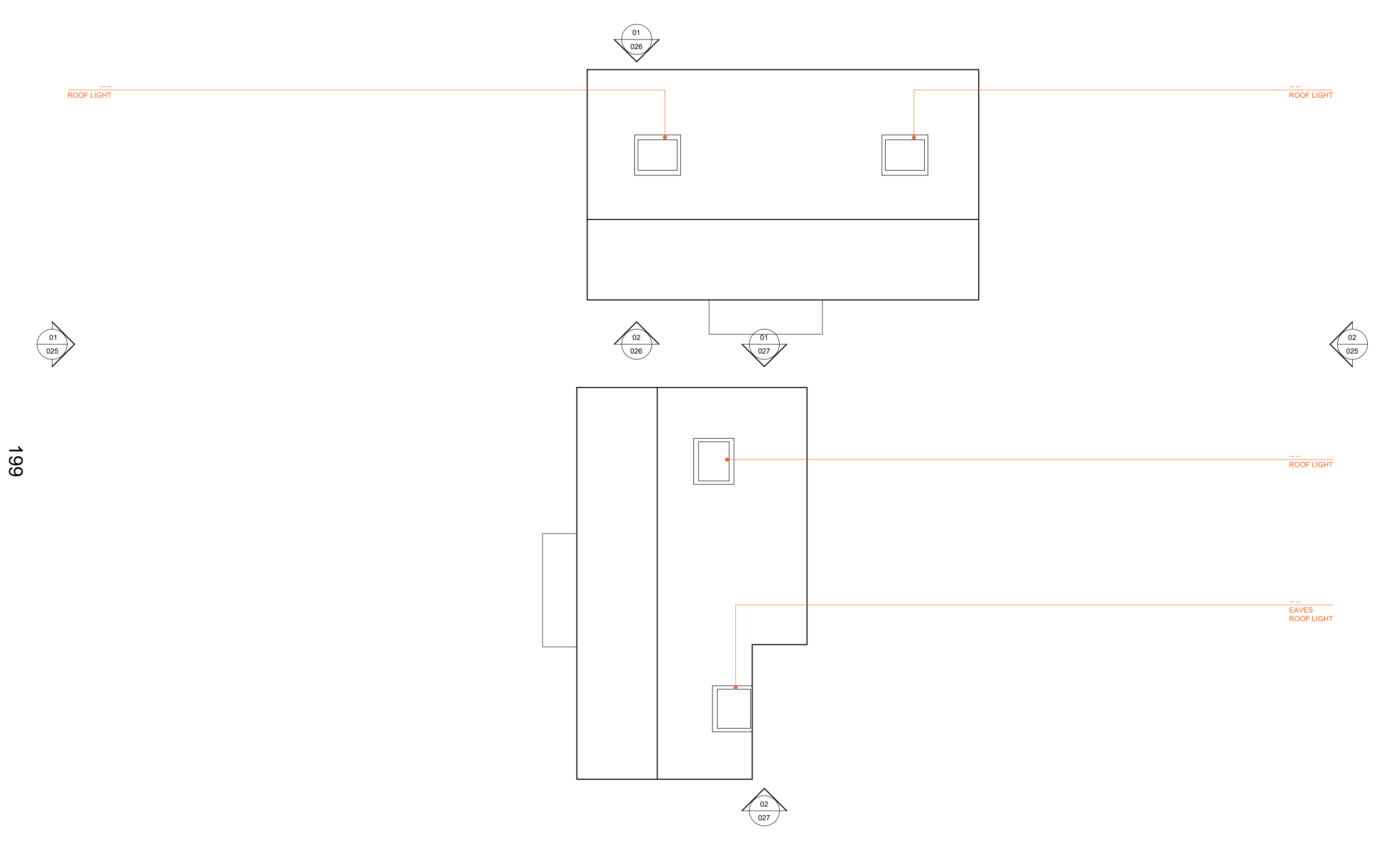
STAGE 3



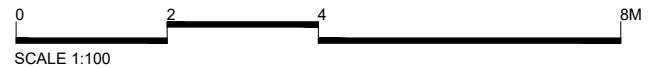
E: info@felixlewisarchitects.com  
T: 01622 535 010  
T: 01737 457 123  
W: www.felixlewisarchitects.com

Felix Lewis Architects

Project:	311 - ALBURY ROAD
Title:	PROPOSED FIRST FLOOR PLAN (GA)
Scale @A3:	1:100
Drawing and CAD File Number:	311(GA)021
Rev:	1



01 PROPOSED ROOF PLAN (GA)  
1:100 @ A3



Rev	Date	Description	Drawn	Check
0	12.05.2021	STAGE 2 - PLANNING DRAFT	GS	FL
0	25.05.2021	STAGE 2 - ISSUED FOR PLANNING	GS	FL
0	24.06.2021	STAGE 3 - ISSUED FOR PLANNING	JO	FL
1	24.08.2021	STAGE 3 - ISSUED FOR PLANNING	GS	FL
1	20.01.2022	STAGE 3 - ISSUED FOR PLANNING	JC	FL

Do not Scale. Use figured dimensions only. All dimensions to be checked on site.  
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STAGE 3



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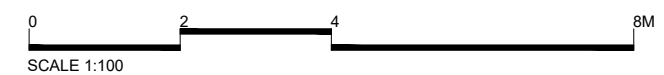
Project:	311 - ALBURY ROAD
Title:	PROPOSED ROOF PLAN (GA)
Scale @A3:	1:100
Drawing and CAD File Number:	311(GA)022
Rev:	1



01 WEST ELEVATION (GA)  
1:100 @ A3



02 EAST ELEVATION (GA)  
1:100 @ A3



Rev	Date	Description	Drawn	Check
0	12.05.2021	STAGE 2 - PLANNING DRAFT	GS	FL
0	25.05.2021	STAGE 2 - ISSUED FOR PLANNING	GS	FL
0	24.06.2021	STAGE 3 - ISSUED FOR PLANNING	JD	FL
1	24.08.2021	STAGE 3 - ISSUED FOR PLANNING	GS	FL
1	20.01.2022	STAGE 3 - ISSUED FOR PLANNING	JC	FL

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Project:	311 - ALBURY ROAD
Title:	WEST & EAST ELEVATIONS (GA)
Scale @A3:	1:100
Drawing and CAD File Number:	311(GA)025
Rev:	1



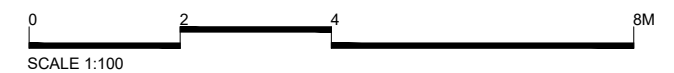


01 NORTH ELEVATION (GA)  
1:100 @ A3

201



02 SOUTH ELEVATION (GA)  
1:100 @ A3



Rev	Date	Description	Drawn	Check
0	12.05.2021	STAGE 2 - PLANNING DRAFT	GS	FL
0	25.05.2021	STAGE 2 - ISSUED FOR PLANNING	GS	FL
0	24.06.2021	STAGE 3 - ISSUED FOR PLANNING	JD	FL
1	24.08.2021	STAGE 3 - ISSUED FOR PLANNING	GS	FL
1	20.01.2022	STAGE 3 - ISSUED FOR PLANNING	JC	FL

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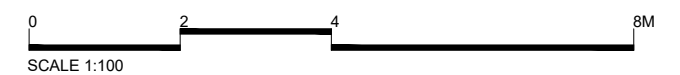
Project:	311 - ALBURY ROAD
Title:	NORTH & SOUTH ELEVATIONS (GA)
Scale @A3:	1:100
Drawing and CAD File Number:	311(GA)025
Rev:	1



01 NORTH ELEVATION (GA)  
1:100 @ A3



02 SOUTH ELEVATION (GA)  
1:100 @ A3



202

Rev	Date	Description	Drawn	Check
0	24.08.2021	STAGE 3 - ISSUED FOR PLANNING	JD	FL
1	24.08.2021	STAGE 3 - ISSUED FOR PLANNING	GS	FL
1	20.01.2022	STAGE 3 - ISSUED FOR PLANNING	JC	FL

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**STAGE 3**

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Felix Lewis Architects

Project:	311 - ALBURY ROAD
Title:	SOUTH & NORTH ELEVATIONS (GA)
Scale @A3:	1:100
Drawing and CAD File Number:	311(GA)027
Rev:	1



01 PERSPECTIVE VIEW  
NOT TO SCALE

Rev	Date	Description	Drawn	Check
0	12.05.2021	STAGE 2 - PLANNING DRAFT	GS	FL
0	25.05.2021	STAGE 2 - ISSUED FOR PLANNING	GS	FL
0	24.06.2021	STAGE 3 - ISSUED FOR PLANNING	JD	FL
0	24.08.2021	STAGE 3 - ISSUED FOR PLANNING	GS	FL

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E: info@felixlewisarchitects.com  
T: 01422 535 010  
T: 01737 457 123  
W: www.felixlewisarchitects.com

Felix Lewis Architects

Project:	311 - ALBURY ROAD
Title:	PERSPECTIVE VIEW
Scale @A3:	Drawing and CAD File Number: 311(GA)030 Rev: 0

204



205





207



208





209




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# Agenda Item 11

Planning Committee  
09 February 2022

Agenda Item: 11  
21/03038/HHOLD

 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	<b>TO:</b>	PLANNING COMMITTEE	
	<b>DATE:</b>	9 <sup>th</sup> February 2022	
	<b>REPORT OF:</b>	HEAD OF PLANNING	
	<b>AUTHOR:</b>	Helen Love	
	<b>TELEPHONE:</b>	01737 276174	
	<b>EMAIL:</b>	helen.love@reigate-banstead.gov.uk	
<b>AGENDA ITEM:</b>	11	<b>WARD:</b>	<i>Salfords and Woodhatch</i>

<b>APPLICATION NUMBER:</b>	21/03038/HHOLD	<b>VALID:</b>	1 <sup>st</sup> December 2021
<b>APPLICANT:</b>	Mr and Mrs Cocks	<b>AGENT:</b>	The Michael Blacker Partnership
<b>LOCATION:</b>	<b>17 VOGAN CLOSE, REIGATE, SURREY RH2 8AT</b>		
<b>DESCRIPTION:</b>	<b>Proposed first floor rear extension and side extension, and the addition of a first floor side facing window to existing dwelling</b>		
<b>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.</b>			

This application is referred to Committee in accordance with the Constitution as the agent is a Councillor.

## SUMMARY

This is a householder application for a first floor rear extension and side extension, and addition of a first floor side facing window to existing dwelling.

The extensions have been designed sympathetically with the design of the existing dwelling. They would maintain the separation at first floor level to avoid a terracing effect and would not have any adverse neighbour impacts, according with the Council's SPD on Householder extensions in both regards.

The new window would be obscure glazed to avoid overlooking and the proposal is therefore considered acceptable.

## RECOMMENDATION(S)

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

# Agenda Item 11

Planning Committee  
09 February 2022

Agenda Item: 11  
21/03038/HHOLD

## Consultations:

None

## Representations:

Letters were sent to neighbouring properties on 2<sup>nd</sup> December 2021.

0 responses have been received.

### 1.0 Site and Character Appraisal

1.1 The site comprises of a two storey detached house set in a modest plot. The surrounding area is characterised by a moderate level of tree cover and is relatively open. The buildings here are generally set back from the highway. There are no significant trees likely to be affected by the proposed development. The site decreases in level from north to south.

### 2.0 Added Value

2.1 Improvements secured at the pre-application stage: The applicant approached the Council for pre-application advice. The scheme at that stage contained a flat roof and failed to maintain space to the boundary at first floor level and concerns were therefore raised which has resulted in this much better scheme being submitted for consideration.

### 3.0 Relevant Planning and Enforcement History

- |     |                |   |             |
|-----|----------------|---|-------------|
| 3.1 | 14/00936/HHOLD | Single storey side and rear extension and garage conversion | AC 15/07/17 |
| 3.2 | 17/01821/HH    | Two storey front extension and porch                        | AC 09/10/17 |

### 4.0 Proposal and Design Approach

4.1 This is a householder application for first floor rear extension and side extension, addition of a first floor side facing window to existing dwelling.

### 5.0 Policy Context

#### 5.1 Designation

Urban Area

#### 5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)  
CS4 (Valued Townscapes and Historic Environment)

## 5.3 Reigate & Banstead Development Management Plan 2019

Design, Character and Amenity                      DES1

## 5.4 Other Material Considerations

National Planning Policy Framework

National Planning Practice Guidance

Supplementary Planning Guidance                      Householder Extensions and Alterations

Other    Human Rights Act 1998

## 6.0 **Assessment**

6.1 The main issues to consider are:

- Design appraisal
- Neighbour amenity

### Design appraisal

6.2 The proposed first-floor rear extension would be positioned above the existing single storey rear extension and span the width of the rear elevation of the main dwelling. The roof would be pitched and hipped and be subservient to the main dwelling. The first-floor rear addition would retain 1.4 metres from the boundary with the neighbouring dwelling to the south west and a gap of 2.6 metres from the boundary with the neighbouring dwelling to the north east.

6.3 The first-floor side extension would be positioned above the existing single storey side addition. The side addition would be set back from the front elevation of the main dwelling and not extend past the rear elevation of the original dwelling. This addition would be modest in width and retain a 1 metre gap from the boundary with the neighbour to the north east. The roof would be hipped and be subservient to the main dwelling. This addition would have a high level side facing window and small front and rear facing windows.

6.4 The proposal includes the addition of two first floor side facing windows. One would be to an en suite bathroom in the proposed addition and the second would be to the family bathroom in the original dwelling. These windows would be conditioned to be either high level or obscure glazed and therefore no harm any neighbour amenity with regard to overlooking or loss of privacy.

# Agenda Item 11

Planning Committee  
09 February 2022

Agenda Item: 11  
21/03038/HHOLD

- 6.5 The rear addition would not be visible from the streetscene but both elements of the proposal are well designed to integrate well with the existing dwelling and conform to the character of the area.
- 6.6 Accordingly, the proposal would comply with policies DES1 and DES3 of the Development Management Plan 2019.

## Neighbour amenity

- 6.7 The impact on the neighbouring properties has been assessed. The property to the south west is separated by a gap of 1.4 metres from the application dwelling. The first floor is separated by a distance of 4 metres. This property also has a substantial single storey side and rear addition. Therefore, the combined distance and position of their additions would alleviate any potential harm to their amenity from the proposed first floor rear addition.
- 6.8 The neighbouring property to the north east would be separated from the proposed first floor side addition by a distance of 2.4 metres. This property also has a single storey rear extension. The first-floor side addition would be position between the two dwellings and not beyond either rear elevation. A one metre gap would be retained from the boundary with this dwelling. There are no significant windows in their side elevation on which the addition would have an impact.
- 6.9 Any side facing window would be either high level or obscure glazed so avoiding overlooking and the proposal therefore complies with policy DES1.

## **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:

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Elevation Plan	4681/PL04	B	13.12.2021
Proposed Plans	4681/PL03	B	13.12.2021
Street Scene	4681/PL05		01.12.2021
Elevation Plan	4681/PL02		25.11.2021
Location Plan	4681/SK1		25.11.2021
Block Plan	4681/SK2		25.11.2021
Existing Plans	4681/PL01		25.11.2021

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.

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 development shall be constructed in accordance with the materials as specified on the approved plans and there shall be no variation without prior approval and agreement in writing with the Local Planning Authority.

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

4. The two proposed first floor windows in the south east side elevations of the development hereby permitted shall be glazed with obscured glass and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed 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 Development Management Plan 2019 policy DES1.

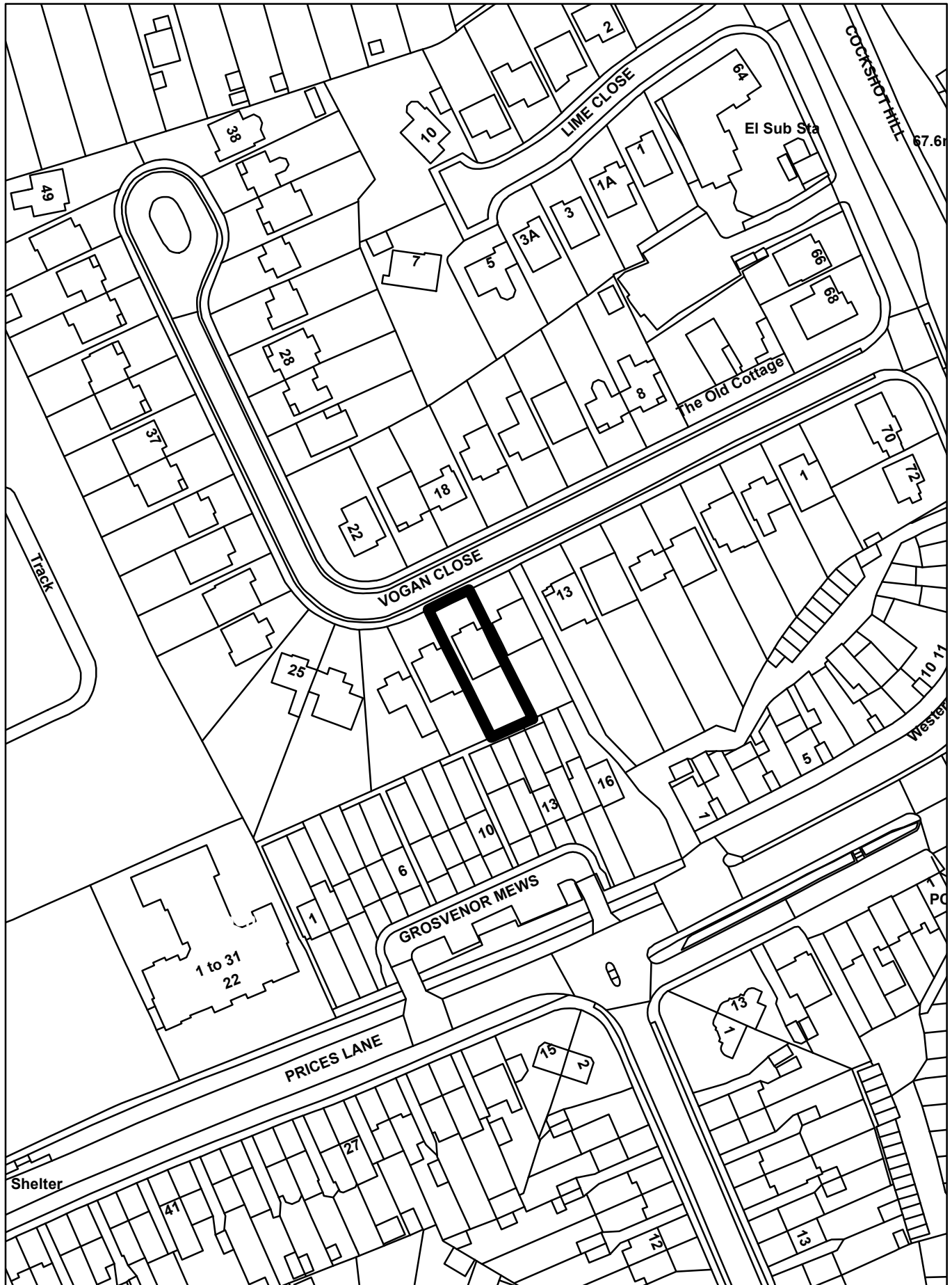
## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against development plan policies DES1 and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

## **Proactive and Positive Statements**

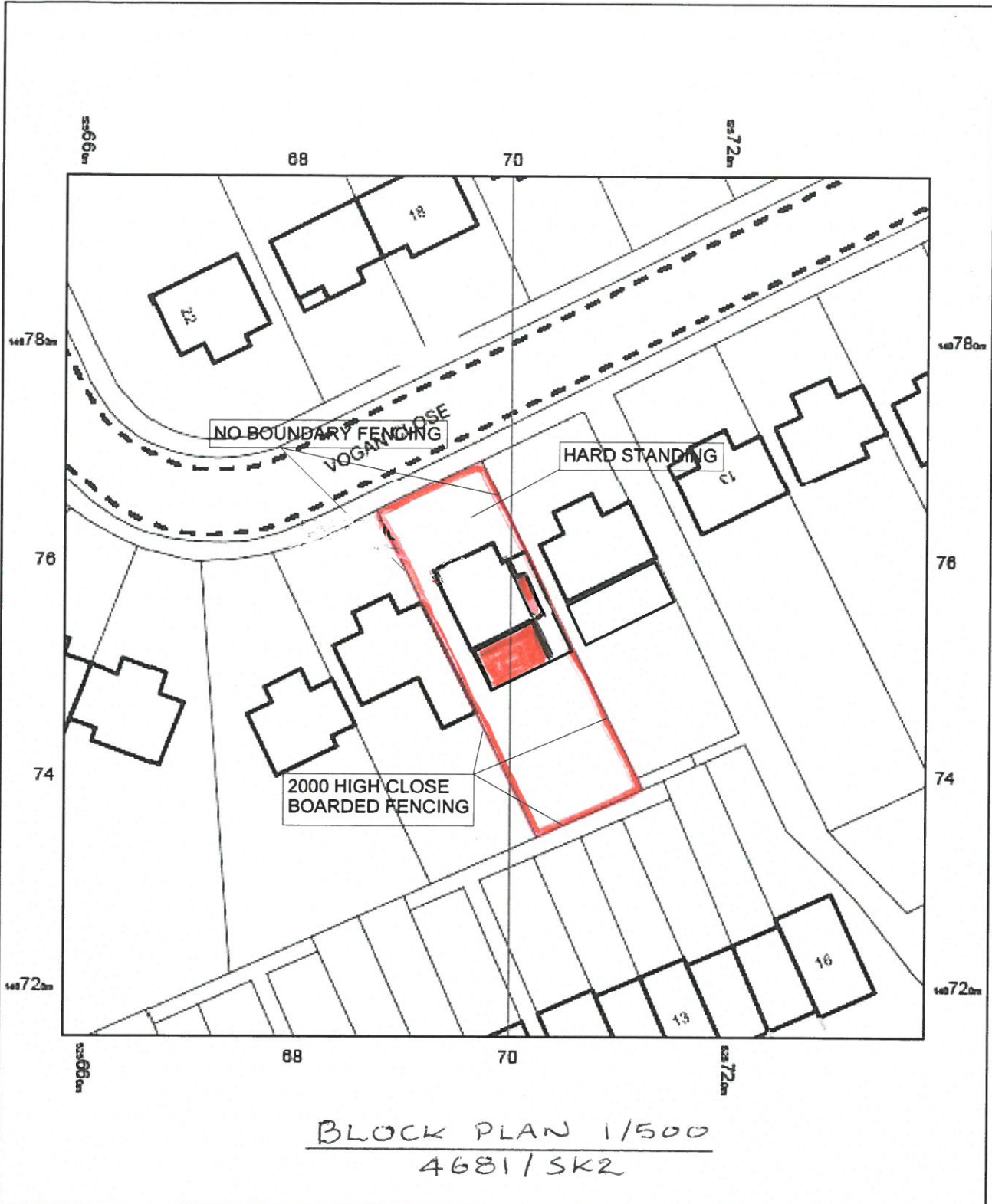
The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in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

Agenda Item 11  
21/03038/HHOLD - 17 Vogon Close, Reigate

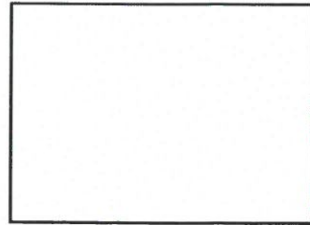
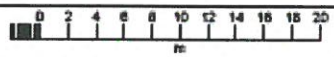




17 Vogon Close



BLOCK PLAN 1/500  
4681/SK2



OS MasterMap 1250/2500/10000 scale  
12 May 2014, ID: BLJT-00324129  
[www.planningapplicationmaps.co.uk](http://www.planningapplicationmaps.co.uk)  
1:500 scale print at A4, Centre: 525699 E, 148756 N  
©Crown Copyright Ordnance Survey. Licence no. 100051661

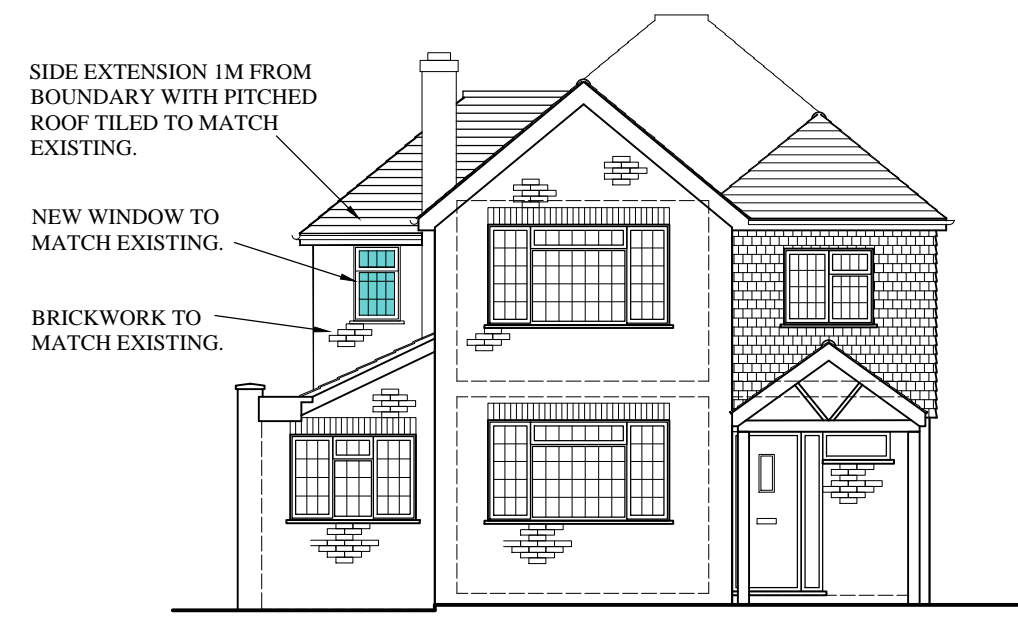


**General Notes.**

1. All concrete to have a minimum cube crushing strength of:  
 Mass Concrete = 25 N/mm<sup>2</sup>. at 28 days.  
 Reinforced Concrete = 35 N/mm<sup>2</sup>. at 28 days.  
 Nominal Aggregate size is to be 20mm.
2. All dimensions to be checked on site by the Contractor prior to construction and the Engineer to be informed of any discrepancies.
3. All new steelwork is to comply with B.S.449. 1969 and later amendments, or B.S.5950 1985 and later amendments as directed.
4. All new timber is to comply with B.S.5268, 1985, Grade SC4 and be treated.
5. All dimensions are in millimetres unless otherwise stated.
6. Fire casing to steelwork is to be two layers of 12.5mm Gypsum fireline board with joints taped & staggered. Finished with skim coat of gypsum plaster on Gypsum steel encasement system to achieve 1 hour fire resistance.
7. All welds are to be continuous 6mm fillet welds unless otherwise stated.
8. This drawing is to be read in conjunction with all relevant Architects and other specialists drawings.
9. All work to be carried out to the approval of the local Authority District Surveyor or Building Inspector.



LEHT HAND SIDE ELEVATION



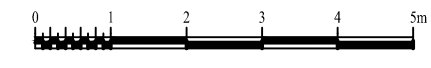
FRONT ELEVATION



REAR ELEVATION



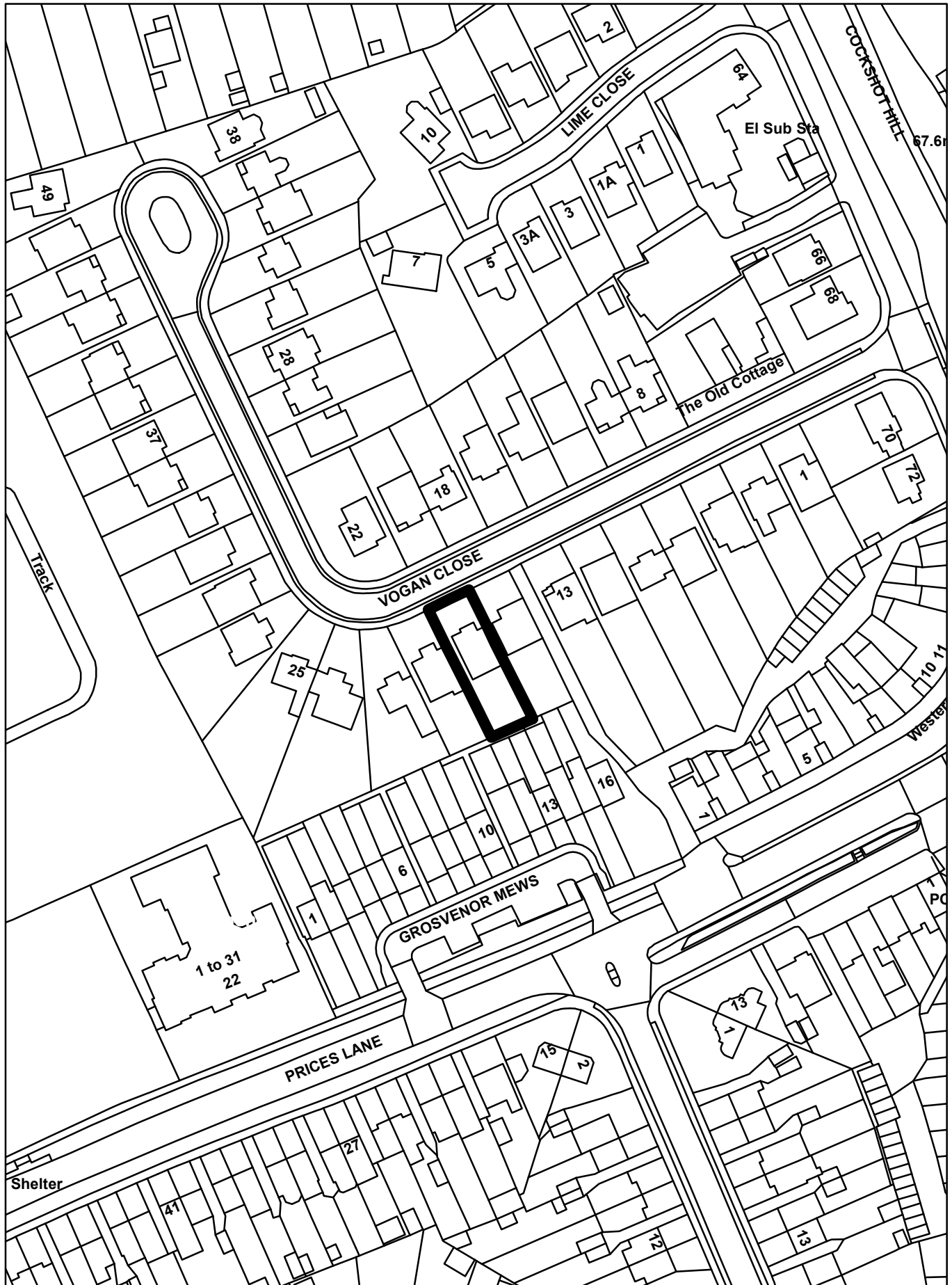
RIGHT HAND SIDE ELEVATION



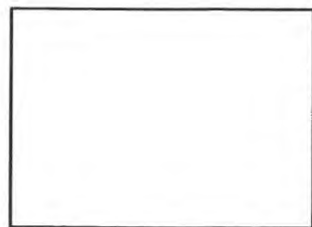
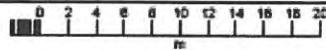
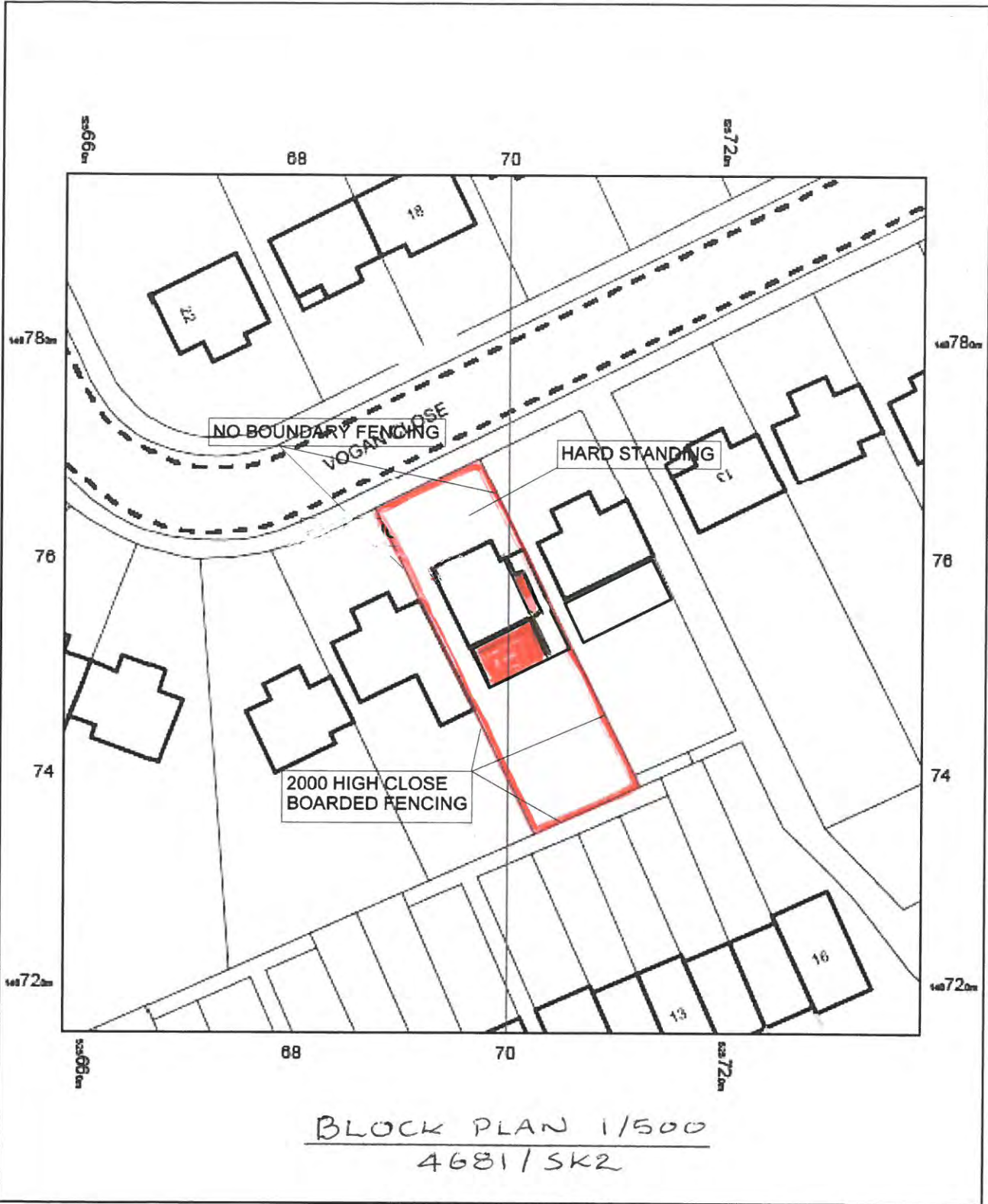
218

B	09:12:21	1st fl bedroom 4 rear windows reduced in size.
A	06:12:21	1st fl side extension rear window & adjacent roof light and RHS bathroom window altered.
<b>REV DATE</b>		
<b>Drawing</b>	<u>PROPOSED ELEVATIONS</u>	
<b>Project</b>	<u>17 VOGAN CLOSE</u> <u>REIGATE RH2 4AT</u>	
<b>Client</b>	<u>MR &amp; MRS R. COCKS</u>	
<b>Architect</b>	<b>Michael Blacker Partnership</b> <small>Michael S. Blacker C.Eng. P.Eng. E. Andrew Blacker B.Sc.(Hons) C.Eng. M.I.C.E.</small>	
<b>CONSULTING STRUCTURAL &amp; CIVIL ENGINEERS</b>		
<small>No 1 MARK STREET, REIGATE, SURREY RH2 0BL E - MAIL <a href="mailto:enqs@blacker.co.uk">enqs@blacker.co.uk</a> TELEPHONE 01737 244886 FACSIMILE 01737 224556</small>		
<small>Scale</small>	<small>1:100 @ A3</small>	<small>Drawn</small> AG
<small>Date</small>	<small>Job No.</small> NOV 2021 4681	<small>Checked</small> -
	<small>Dwg. No.</small> PL04	<small>Rev</small> B

# 21/03038/HHOLD - 17 Vogon Close, Reigate



# 17 Vogon Close



OS MasterMap 1250/2500/10000 scale  
12 May 2014, ID: BLJT-00324129  
[www.planningapplicationmaps.co.uk](http://www.planningapplicationmaps.co.uk)

1:500 scale print at A4, Centre: 525699 E, 148756 N

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100051661

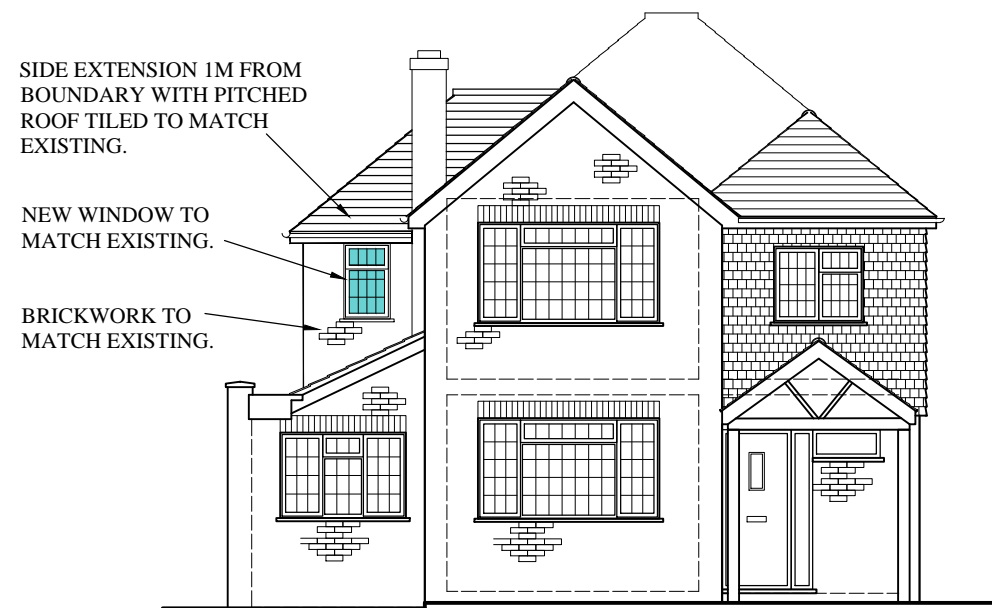


**General Notes.**

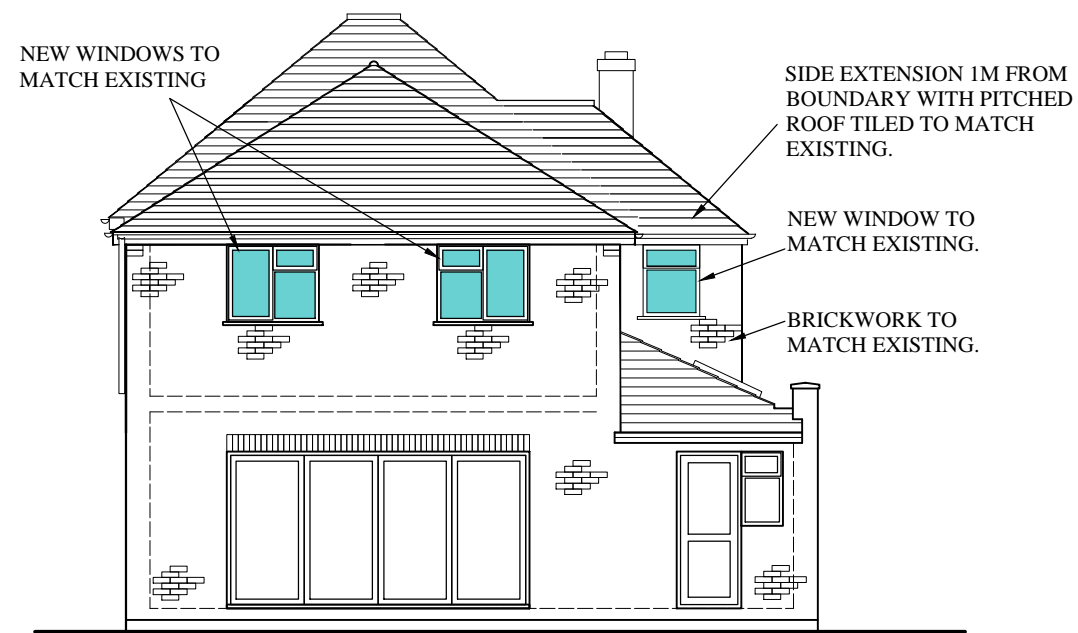
1. All concrete to have a minimum cube crushing strength of:  
Mass Concrete = 25 N/mm<sup>2</sup>. at 28 days.  
Reinforced Concrete = 35 N/mm<sup>2</sup>. at 28 days.  
Nominal Aggregate size is to be 20mm.
2. All dimensions to be checked on site by the Contractor prior to construction and the Engineer to be informed of any discrepancies.
3. All new steelwork is to comply with B.S.449, 1969 and later amendments, or B.S.5950 1985 and later amendments as directed.
4. All new timber is to comply with B.S.5268, 1985, Grade SC4 and be treated.
5. All dimensions are in millimetres unless otherwise stated.
6. Fire casing to steelwork is to be two layers of 12.5mm Gypsum fireline board with joints taped & staggered. Finished with skim coat of gypsum plaster on Gypsum steel encasement system to achieve 1 hour fire resistance.
7. All welds are to be continuous 6mm fillet welds unless otherwise stated.
8. This drawing is to be read in conjunction with all relevant Architects and other specialists drawings.
9. All work to be carried out to the approval of the local Authority District Surveyor or Building Inspector.



LEHT HAND SIDE ELEVATION



FRONT ELEVATION



REAR ELEVATION



RIGHT HAND SIDE ELEVATION

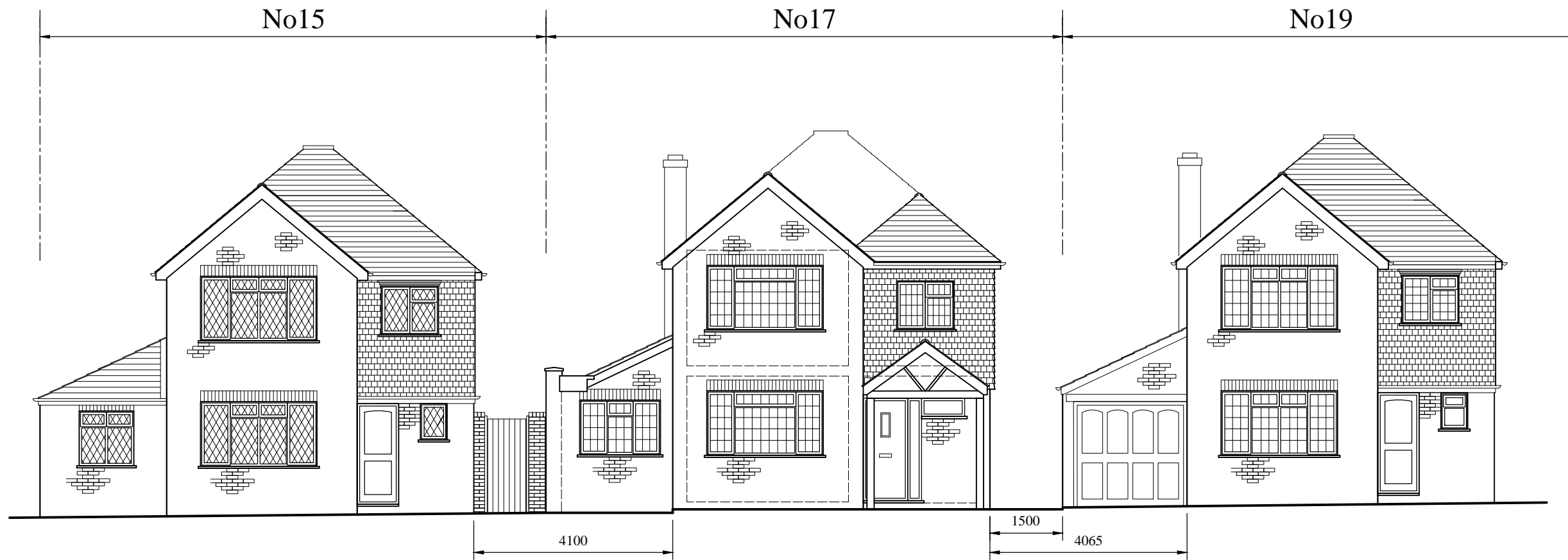


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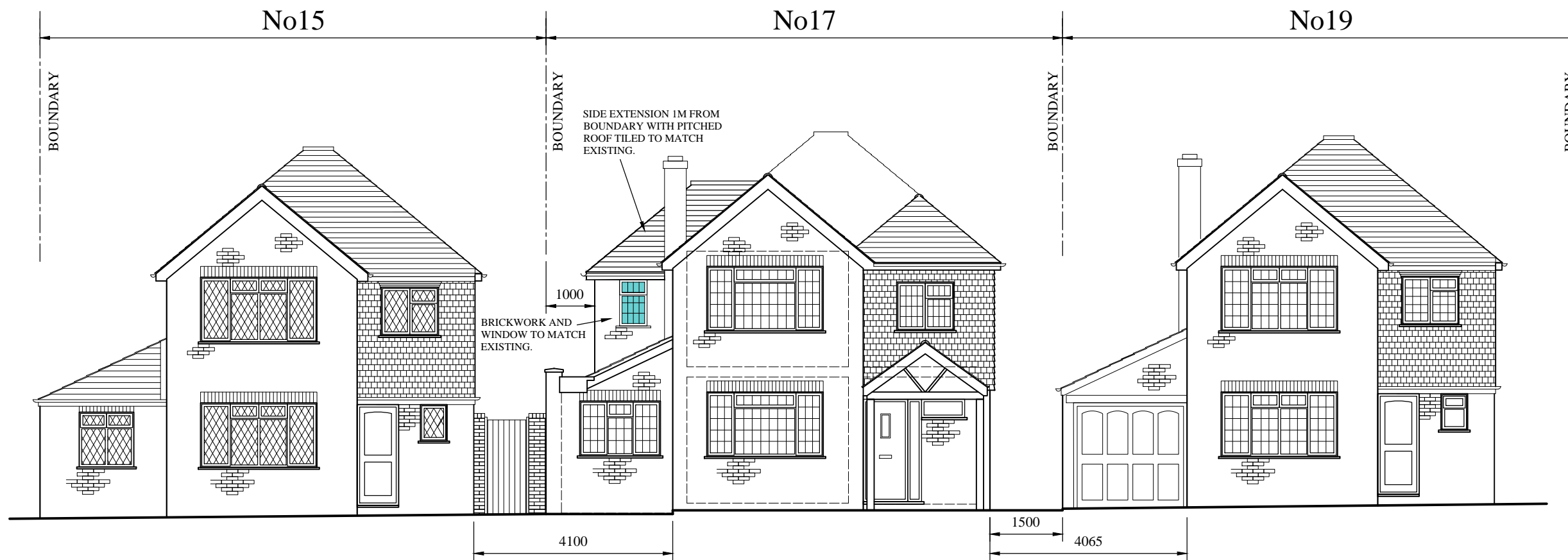
B	09:12:21	1st fl bedroom 4 rear windows reduced in size.
A	06:12:21	1st fl side extension rear window & adjacent roof light and RHS bathroom window altered.
<b>REV DATE</b>		
<b>Drawing</b>		
<u>PROPOSED ELEVATIONS</u>		
<b>Project</b>	17 VOGAN CLOSE REIGATE RH2 4AT	
<b>Client</b>	MR & MRS R. COCKS	
<b>Architect</b>	Michael Blacker Partnership	
<b>Michael Blacker Partnership</b>		
<small>Michael S. Blacker C.Eng. P.Eng. E. Andrew Blacker B.Sc.(Hons) C.Eng. M.I.C.E.</small>		
<b>CONSULTING STRUCTURAL &amp; CIVIL ENGINEERS</b>		
<small>No1 MARK STREET, REIGATE, SURREY RH2 0BL E - MAIL <a href="mailto:enqs@blacker.co.uk">enqs@blacker.co.uk</a> TELEPHONE 01737 244886 FACSIMILE 01737 224556</small>		
<small>THE COPYRIGHT IN THIS DRAWING IS THE PROPERTY OF THE MICHAEL BLACKER PARTNERSHIP AND NEITHER THE DRAWING NOR ANY PART OF IT, NOR ANY INFORMATION CONTAINED THEREIN, SHALL BE REPRODUCED OR DISCLOSED TO ANY THIRD PARTY WITHOUT PRIOR CONSENT OF THE MICHAEL BLACKER PARTNERSHIP.</small>		
Scale	1:100 @ A3	Drawn AG Checked -
Date	NOV 2021	Job No. 4681 Dwg. No. PL04 Rev B

**General Notes.**

1. All concrete to have a minimum cube crushing strength of:  
Mass Concrete = 25 N/mm<sup>2</sup>. at 28 days.  
Reinforced Concrete = 35 N/mm<sup>2</sup>. at 28 days.  
Nominal Aggregate size is to be 20mm.
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9. All work to be carried out to the approval of the local Authority District Surveyor or Building Inspector.



**EXISTING STREET SCENE**



**PROPOSED STREET SCENE**



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REV	DATE
Drawing	
EXISTING & PROPOSED STREET SCENE	
Project	
17 VOGAN CLOSE REIGATE RH2 4AT	
Client	
MR & MRS R. COCKS	
Architect	
<b>Michael Blacker</b> <i>Partnership</i> <small>Michael S. Blacker C.Eng. F.I.Struct.E. Andrew Blacker B.Sc.(Hons) C.Eng. M.I.C.E.</small>	
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No1 MARK STREET, REIGATE, SURREY RH2 0BL	
E - MAIL <a href="mailto:eng@blacker.co.uk">eng@blacker.co.uk</a>	
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Scale	1:100 @ A3
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Date	NOV 2021
Job No.	4681
Eng. No.	PL05
Rev	-



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GV14 NEJ







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# Agenda Item 12

Planning Committee  
9th February 2022

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 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	9 <sup>th</sup> February 2022
	<b>REPORT OF:</b>	HEAD OF PLANNING
	<b>AUTHOR:</b>	Matthew Sheahan
	<b>TELEPHONE:</b>	01737 276514
	<b>EMAIL:</b>	Matthew.sheahan@reigate-banstead.gov.uk
<b>AGENDA ITEM:</b>	12	<b>WARD:</b> Banstead Village

<b>APPLICATION NUMBER:</b>	21/03016/F	<b>VALID:</b>	30/11/2021
<b>APPLICANT:</b>	Ministry of Justice	<b>AGENT:</b>	Edgeplan
<b>LOCATION:</b>	<b>HMP HIGH DOWN, HIGHDOWN LANE BANSTEAD SM2 5PJ</b>		
<b>DESCRIPTION:</b>	<p><b>Please Note: Access to the details of the scheme is restricted, and plans cannot be viewed without authorisation due to potential security threat of publication.</b></p> <p><b>New single storey workshop facility and relocation of existing dog kennels. As amended on 20/12/2021</b></p>		
<p><b>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.</b></p>			

**This application is referred to Committee in accordance with the Constitution as the application exceeds 250sqm of floorspace.**

## SUMMARY

This is a full application for the construction of a new workshop facility, the relocation of the existing dog kennels and associated works at HMP High Down. The site is located to the north of the borough in Banstead and is within the Metropolitan Green Belt.

The proposed workshop would be a large, roughly square, flat roofed building of utilitarian appearance, 7m in height. The proposed materials would reflect the utilitarian form, being comprised of light coloured facing brick and grey metal, ridged cladding. Whilst the building would be large it would be sited within the existing prison complex, which consists of similarly large buildings of not dissimilar appearance. Within this context the building would be acceptable. The existing dog kennels would be removed and re-sited to the north of the workshop building. Whilst the dog kennel compound would be on a larger footprint, this would be a modest increase and the appearance would be similar to the existing. The existing vehicular access would be modified to allow connectivity with the wider site.

The site of the prison is considered to constitute previously developed land (PDL) within the Green Belt as defined within the National Planning Policy Framework 2021 (NPPF). Paragraph 149 (g) of the NPPF allows for the partial infilling of PDL

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subject to the development not giving rise to a greater level of harm to openness than the existing development. In this instance, whilst the proposed workshop would be of a substantial size (1253.6 sqm in footprint), it would be located within the existing prison compound, surrounded by other large buildings, and would be relatively low scale in comparison. The new dog kennel compound would be approx.. 25m greater in area than the existing kennels, however these are proposed to be removed, therefore the additional amount of built form would be quite minimal and would not be significantly harmful to openness.

The development would not result in any impact with regard to highway matters. Whilst no landscaping is proposed this is considered to be appropriate in this case, as the site is devoid of landscaping, which would be impractical for a prison site on the grounds of security. The submitted drainage scheme has been reviewed by the Lead Local Flood Authority (LLFA) who have raised no objections subject to conditions.

It is noted that the site was once occupied by the former asylum complex, and the proposed workshop would be in the approximate location of the former chapel building. The submitted archaeological Desk Based Assessment (DBA) has reviewed the scheme and concluded that the likelihood of encountering finds from this period is low.

The scheme is considered to be acceptable with regard to the above matters.

## **RECOMMENDATION(S)**

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

## Consultations:

Surrey County Council Lead Local Flood Authority: The submitted drainage strategy has been reviewed by the LLFA who have raised no objections. Conditions requiring the submission of details of a surface water drainage scheme prior to the commencement of development, and the submission of verification report prior to occupation.

## Representations:

Letters were sent to neighbouring properties on the 1<sup>st</sup> December 2021. No responses have been received.

### 1.0 Site and Character Appraisal

- 1.1 The site is occupied by HMP High Down, located to the very North of the Borough in Banstead. The site lies within the Metropolitan Green Belt, with Banstead Downs to the north, west and south. The site is large and sprawling in nature encompassing both High Down prison to the South and Down View to the North. The built form of the site consists of accommodation blocks and associated buildings such as storage and workshops etc, all of which are utilitarian and functional in appearance given the use of the site. There is both a staff and visitor carpark, located beyond the secure confines of the prison walls. The site remains flat throughout.
- 1.2 The location of the proposed works is to the north-west part of the wider prison site, currently used to house the works compound. This area is currently comprised of a single storey stores/workshop building and kennels for the prison's dogs. The site also contains a defunct wind turbine. These building are separated from the wider secure site by a 5.2m high security fence comprising of posts and secure mesh.

### 2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: Formal pre-application advice was sought from the Local Planning Authority prior to the submission of the application. Objection was not raised to the principle of the development within the Green Belt although it was explained that very special circumstances would need to be presented.
- 2.2 Improvements secured during the course of the application: Improvements were not sought as the application is deemed to be acceptable.
- 2.3 Further improvements could be secured: Further improvements could be sought by way of conditions. A condition restricting the hours of use would be included.

### 3.0 Relevant Planning and Enforcement History

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The planning history for the site is extensive. The majority of the permissions relate to minor developments providing replacement facilities or improvements to existing facilities. The following is a list of the most recent applications related to the site.

07/01130/CDV - Extension to existing reception/admin/kitchen, ground and first with pitch roof extension - Approved

07/02188/F - 9m x 3m x 3m storage container - Approved

08/00203/F - Erection of satellite dish used for inter-prison communication mounted at ground level adjacent to kitchen block having a total height of 3.5 metres - Withdrawn.

08/00705/F - Installation of a 1.8m (in diameter) satellite dish affixed to a 5m lattice tower with approved anti-climb devices. - Approved

08/02394/F Erection of new bicycle shelter for 20 cycles - AC - Approved with Conditions

17/01736/F - New main stores building, hard standing and internal road alterations – Approved with conditions.

## 4.0 Proposal and Design Approach

- 4.1 This is a full application for a new single storey workshop building and the relocation of the existing dog kennels. The building would be of a functional flat roof design and cover an area of 1253.6 sqm in footprint. It would be 7m in height. The proposed floor area of the proposed workshop to largely be turned over to the workshop area, fresh produce area and packing area, with ancillary plant rooms, offices, staff rooms and facilities around the room. New security fencing would be constructed around the building at various points. The proposed facility is to provide 90 new prison work spaces for existing prisoners and will be used to accommodate prisoners undertaking food packaging work.
- 4.2 Regarding materials, the building would be a mix of brickwork to the lower portions of the building with composite wall cladding above. Various elements of plant such as air vents/ ducts would feature around the building. The roof would feature a number of windcatchers, rooflights and PV panels. Entrance doors would feature around the building, including vehicle entrance to the east elevation, which would be accessed via a new access route linking up to the rest of the site. New security fencing and gates would be installed to the north of the building and would link up to existing fencing surrounding this part of the prison compound.
- 4.3 In addition it is proposed to relocated the existing dog kennels to the north of the existing works services building. The dog kennel enclosure comprises of four kennels and four rooms to accommodate a general store, food store, laundry and grooming. The buildings would be single storey with a footprint of 111sqm, and surrounded by a 2m high fence. A new footpath would link the



kennels to the front of the site area. A new storage bay would be created to the east of the site adjacent to existing storage containers. Two new storage containers would be relocated to the south of these.

4.4 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a four-stage design process comprising:  
Assessment;  
Involvement;  
Evaluation; and  
Design.

4.5 Evidence of the applicant’s design approach is set out below:

Assessment	The surrounding built-up areas are Banstead located to the south west of the application site and Belmont located to the north and north west of the application site. Both areas are served by a wide range of facilities, have overground rail stations with connection to London and have a wide stock of different housing types. The existing built form of the site consists of accommodation blocks and associated buildings, which are utilitarian and functional in appearance given the use of the site.
	The topography of the area is described as being relatively level with a fall over the wider area to the south east of the application site. The southern and western boundaries are also bordered by a belt of established trees beyond which are open fields.
Involvement	No community consultation is identified as having taken place.
Evaluation	It is not indicated that alternative development options have been considered.
Design	The proposed workshop building is intended is to provide a 90-place new build workshop. This new workshop unit must provide flexible workspace and be a fit for purpose facility. The new workshop will retain the utilitarian appearance appropriate within the context of the wider site and surrounding buildings, rather than create a building of contrasting appearance.

4.6 Further details of the development are as follows:

Site area	0.702ha (wider prison site 11.3 ha)
Existing Use	Prison (Use Class C2(A) Secure residential institution)

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Proposed use	Workshop (Class E(g)(iii) within the existing prison
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## 5.0 Policy Context

### 5.1 Designation

Metropolitan Green Belt

### 5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)  
CS10 (Sustainable Development),

### 5.3 Reigate & Banstead Development Management Plan 2019

Design	DES1
Natural and historic environment	NHE 5 NHE3 NHE5 NHE6 NHE9
Transport, access and parking	TAP1

### 5.4 Other Material Considerations

National Planning Policy Framework  
2021

National Planning Practice Guidance  
Supplementary Planning Guidance

Surrey Design  
Local Distinctiveness Design Guide  
A Parking Strategy for Surrey  
Parking Standards for Development

Other	Human Rights Act 1998 Community Infrastructure Levy Regulations 2010
-------	--

## 6.0 Assessment

6.1 The application seeks planning permission a new single storey workshop facility and relocation of existing dog kennels. As amended on 20/12/2021.

- Principle of the development within the Metropolitan Green Belt
- Design and character assessment
- Neighbouring Amenity
- Transport matters
- Trees and landscaping
- Archaeology

## Impact on the openness of the Metropolitan Green Belt

- 6.2 The proposed building would be single storey and comprise a workshop area, HV room and other ancillary uses, as well as office and training facilities at the first floor. An existing dog kennel, which is currently adjacent to the location of the proposed workshop, would be removed and re-provided elsewhere within the site.
- 6.3 The National Planning Policy Framework 2021 (NPPF) attaches great importance to the Metropolitan Greenbelt, stating under paragraph 137 that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Inappropriate development within the Green Belt is, by definition, harmful to the Green Belt, and should not be approved unless justified by very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations (paragraphs 147-148).
- 6.4 Paragraph 149 states that there are certain exceptions to this, including (g): limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
- not have a greater impact on the openness of the Green Belt than the existing development; or
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
- 6.5 The location of the proposed workshop building would be within the existing developed site of the prison complex, in the same general location as the storage buildings previously granted consent under application 17/01736/F. It is considered that the development would in this instance constitute limited infilling of previously developed land within the Green Belt. Consideration therefore needs to be given as to whether the building would result in a greater degree of harm to openness than the existing development. The proposed workshop would be single storey and have a footprint of 1253.6sq sqm. This would be a large building; however it would be sited within the prison compound surrounded by other buildings of a similar appearance, some of which are considerably large. It is noted that the prison complex is surrounded by a wall of some 6.5m in height. The workshop would be 7m in height, leaving only 0.5m visible above the wall. From many vantage points the building would not be visible. Where it may be visible from more distant vantage points it would be viewed within the context of the wider prison amongst existing buildings.

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- 6.6 The existing dog kennels would be relocated from their current position to the north-west of the works services building. Whilst adding additional built form (approx.. 25sqm additional footprint), the existing kennels, which account for a similar amount of built form, are to be removed, therefore the addition of new kennels would result in very minimal impact on openness.
- 6.7 The applicant has argued that, should the proposed development be considered an inappropriate form of development within the Green Belt, there are very special circumstances that would justify the proposal. It is the view applicant within their supporting statement that the proposals are for a facility to deliver vocational training to support prisoners' future rehabilitation once released from prison. Due to the secure nature of the site and the fact that those accessing the new workshop are prisoners it would be unfeasible due to the logistics and the necessary security procedures to provide a similar facility off site on a site that was not within the Green Belt. Given these circumstances the facility could not realistically be provided anywhere but within the existing prison complex. The facility is required to give prisoners skills to assist them in finding work once released from prison. This is considered to be an essential part of prisoner rehabilitation and has been shown to result in significantly lower levels of re-offending. The wider social and public benefits of providing this facility are therefore considered to be of significance and would outweigh any marginal harm to the openness of the Green Belt. Whilst this is agreed, Officers conclusions are that the site already constitutes a built up development such that this infilling would not further harm the openness of the green belt meaning the proposal would not constitute inappropriate development for which very special circumstances are required.
- 6.8 In light of the above considerations the proposed development would be appropriate within the Green Belt and would not result in significant harm to the level of openness of the site. The proposal is therefore deemed to meet the requirements of the NPPF 2021 and Development Management Plan 2019 (DMP) Policy NHE5.

## Design and character assessment

- 6.9 The proposed building would be large and of a flat roof design, sitting on a roughly square shaped footprint. Policy NHE5 of the DMP 2019 with regard to development within the Green Belt requires the design of new development to respect the character of the area. The prison is a developed site within the Green Belt and therefore does not necessarily reflect the rural character typically exhibited in such areas. The utilitarian appearance of the building and choice of buildings would be appropriate within the context of the wider site, where there are many buildings of a similarly functional design. The location of the building would make use of an underutilised part of the site. Its comparatively low scale compared to a number of other buildings within the site would not cause it to be unduly prominent.

- 6.10 The proposal is therefore not considered to be inappropriate in terms of design and would comply with Policies DES1 and NHE5 of the DMP 2019 in this regard.

### Neighbouring Amenity

- 6.11 The location of the building would be sited a considerable distance from any nearby residential properties (the nearest being located on Freedown Lane approx..330m to the south), therefore it is not considered there would be harm to residential amenity. The proposal would comply with Policy DES1 in this regard.

### Transport matters

- 6.12 The proposal would give rise to minimal changes to the existing transport arrangements. The existing access to this part of the site would be modestly altered and a proposed new stretch of access created to allow vehicular access to/ from the new workshop building. This would not be objectionable and would allow for connectivity to the wider prison site. Vehicular access is from the main prison gate to the south of High Down Lane. An 18.5t delivery vehicle and a fire tender are the only vehicles that will require direct access to the site. Delivery vehicles will reverse to rolling shutters where they will load/unload. Delivery vehicles will egress the site in forward gear.
- 6.13 Pedestrian access for staff to the wider prison site is from the prison gatehouse to the south of High Down Lane. Once pedestrians have passed security checks at the gatehouse they will pass two gates inside the prison. Staff will use the shared vehicle and pedestrian route to the application site to the north of the wider prison site. There is a marked pedestrian walkway to the south of the prison gatehouse which leads to a further gate providing access to the compound and waste compaction area to the east of the site. Pedestrians will walk through the compound and waste compaction area to the new workshop building. The pedestrian access is located to the north of the site and a ramp is provided. Trips from servicing vehicles to the new site are expected to be infrequent therefore it is not likely that there would be conflict arising between vehicles and pedestrians from a safety viewpoint.
- 6.14 As stated earlier in the report, the proposed workshop would be overseen by 15 third party members of staff. It is anticipated that 11 of these staff members would be travelling by car. It is not proposed to provide additional parking to these staff members, who will be allocated spaces within the main prison carparks to the north of the complex. Therefore it not the view that scheme would result in harm to the existing parking situation. It is anticipated that the use of sustainable modes of travel, as well as encouraging the use of public transport, would form part of the future travel plan.
- 6.15 In light of the above it is considered that the scheme would not give rise to harm with regard to highway considerations and would therefore comply with Policy TAP of the DMP 2019.

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## Trees and landscaping

- 6.16 There are no trees of significance within the site, and any green areas within the prison generally comprised of lawn. It is not proposed to incorporate landscaping in to the proposed scheme. This is considered necessary and sensible bearing in mind that the need to create a secure environment limits the scope to introduce soft landscaping or habitat enhancements, due to it potentially creating opportunities for prisoners to conceal themselves. The landscaping is therefore limited to simple low maintenance and robust hard landscaping providing safe access routes to the proposed workshop and relocated dog kennels.

## Archaeology

- 6.17 The application has been supported by a Archaeology Desk Based Assessment (DBA). There are no specific archaeological restrictions on the site. The assessment concludes that the site is unlikely to yield finds of significance relating prehistoric, Roman, Saxon, Medieval and post medieval periods, the likelihood of which is considered to be low or negligible.
- 6.18 The site remained undeveloped farmland until 1873 when the Middlesex County Council purchased the Hundred Acres Farm in order to build a mental asylum. The building opened in 1877 and was almost self-sufficient with its own farm, workshops, gasworks, infirmaries, a chapel, a burial ground and sports grounds. Cartographic sources and building plans show that the proposed new workshop was situated partly over the chapel, two of the wards and the corridors linking the administration block to the wards. The hospital increased in capacity over the course of the late 19th and early 20th centuries and during the Second World War it was used as a military camp and later a tuberculosis unit. By the time the hospital closed in 1986 the number of beds had been greatly reduced and the building was in need of refurbishment. Nearly all of the buildings were demolished, and two new prisons were opened in 1992. Therefore, the likelihood of encountering late post-medieval and modern finds and features is considered to be low to moderate. If such features are encountered they are likely to relate to the foundations of the building which previously occupied the site.

## **CONDITIONS**

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site Layout Plan	203502-5061- CTG-034-00-DR- A-0002-S2-P02- D0100	P02	22.11.2021
Other Plan	203502-5061- CTG-034-00-DR-	P03	22.11.2021

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	A-0003-S2-P03-D0100		
Site Layout Plan	203502-5061-CTG-034-00-DR-A-0004-S2-P06-D0100	P06	22.11.2021
Floor Plan	203502-5061-CTG-034-00-DR-A-0011-S2-P06-D0100	P06	22.11.2021
Roof Plan	203502-5061-CTG-034-RF1-DR-A-0013-S2-P03-D0100	P03	22.11.2021
Elevation Plan	203502-5061-CTG-034-ZZ-DR-A-0101-S2-P06-D0100	P06	22.11.2021
Floor Plan	203502-5061-CTG-XXX-00-DR-A-0018-S2-P02-D0100	P02	22.11.2021
Elevation Plan	203502-5061-CTG-034-ZZ-DR-A-0102-S2-P05-D0100	P05	22.11.2021
Floor Plan	203502-5061-CTG-XXX-ZZ-DR-A-0014-S2-P03-D0100	P03	22.11.2021
Other Plan	203502-5061-BRL-34-XX-DR-C-1111-S2-P02-B1100	P02	22.11.2021
Elevation Plan	203502-5061-CTG-XXX-ZZ-DR-A-0015-S2-P02-D0100	P02	22.11.2021
Elevation Plan	9-S2-P01-D0100	P01	22.11.2021
Location Plan	203502-5061-CTG-034-00-DR-A-0001-S2-P03-D0100	P03	22.11.2021

Reason:

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

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

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

3. If, prior to or during development, ground contamination is suspected or manifests itself then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted an appropriate remediation strategy to the Local Planning Authority and the written approval of the Local Planning Authority has been received. The strategy should detail how the contamination shall be managed.

The remediation strategy shall be implemented in accordance with such details as may be approved and a remediation validation report shall be required to be submitted to Local Planning Authority to demonstrate the agreed strategy has been complied with.

Should no ground contamination be readily identified during the development, confirmation of this should be provided in writing to the Local Planning Authority.

Reason: To comply with the Reigate and Banstead Local Plan Development Management Plan 2019 (Policy DES9 Pollution and contaminated Land) and the NPPF.

4. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
  - a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
  - b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy.
  - c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.



d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.

e) Details of drainage management responsibilities and maintenance regimes for the drainage system.

f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site, and comply with Policy CCF2 of the Development Management Plan 2019.

5. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS, and comply with Policy CCF2 of the Development Management Plan 2019.

6. The materials to be used in the construction of the external surfaces of the development shall be constructed in accordance with the materials as specified on the approved plans and there shall be no variation without prior approval and agreement in writing with the Local Planning Authority.

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

## INFORMATIVES

1. In seeking to address and discharge the “contamination remediation” condition above, the applicant’s attention is drawn to the fact that the application site is situated on or in close proximity to land that could be potentially contaminated by virtue of previous historical uses of the land.

Visual and olfactory evidence of contamination can take many forms including hydrocarbon or solvent odours, ash and clinker, buried wastes, burnt wastes/objects, metallic objects, staining and discolouration of soils, oily sheen on ground water and fragments of asbestos containing materials

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(ACMs) (Note: this list is intended to be used as a guide to some common types of contamination and is not exhaustive).

In seeking to address the condition a photographic record of works should be incorporated within the validation report. Should no ground contamination be identified then a brief comment to this effect shall be required to be provided in writing to the Local Planning Authority.

The Local Planning Authority cannot confirm that the condition has been fully discharged until any validation report has been agreed.

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](http://www.firesprinklers.info).
3. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions. Further information can be found on the Council website at: Climate Change Information.

## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against the NPPF 2021 and Development Management Plan policies DES1 NHE3 NHE5 NHE6 NHE9 TAP1 material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.


## **Proactive and Positive Statements**

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

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 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	TO:	PLANNING COMMITTEE
	DATE:	9th February 2022
	REPORT OF:	HEAD OF PLANNING
	AUTHORS:	Andrew Benson
	TELEPHONE:	01737 276175
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<b>AGENDA ITEM:</b>	13	WARD: All

<b>SUBJECT:</b>	<b>DEVELOPMENT MANAGEMENT Q22021-22 PERFORMANCE</b>
<b>PURPOSE OF REPORT:</b>	To inform members of the 2021/22 Q3 Development Management performance against a range of indicators
<b>RECOMMENDATION:</b>	<b>To note the performance of Q3 2021/22</b>

Planning Committee has authority to note the above recommendation

## BACKGROUND

1. Development Management encompasses a wide range of planning activities including pre-application negotiations and engagement; decision making on planning applications through to compliance and enforcement.
2. It puts the Council's locally adopted development plan policies into action and seeks to achieve sustainable development.
3. It is a non-political, legislative system with all Development Management functions falling under the responsibility of the Planning Committee in the Council's Constitution. As such it is a non-Executive function falling outside the scope of the quarterly corporate performance reports that are presented to the Executive and Overview and Scrutiny Committee.
4. Development Management performance has always been monitored and reviewed in line with statutory and local targets with quarterly reports sent to the Department for Levelling Up housing and Communities. However, given that all functions of the Council as Local Planning Authority fall under the responsibility of the Planning Committee, the performance information has also been shared with the Planning Committee Chairman. This report enables the performance indicators to be noted by the Planning Committee itself.
5. This report is the third quarterly report of the 2021/22 municipal year and provides the quarterly performance at Table 1. Also provided at Table 2 is the performance measure, relating to the time taken in total days from receipt of a valid application to its registration.

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## PERFORMANCE

	Applications determined (in 8/13 weeks or agreed)	Target	Q3	Q4	20/21	Q1	Q2	Q3
1	Major applications	60%	75%	60%	91%	75%	80%	75%
2	Non-major applications	70%	84%	95%	87%	80%	87%	80%
3	Average days to decision	73	86	71	80	80	73	80
<b>Appeals</b>								
4	Appeals Received	-	21	22	74	14	19	21
5	Major Appeals Decided	-	1	1	3	1	1	3
6	Major Appeals Dismissed	70%	1 (100%)	1 (100%)	3 (100%)	1 (100%)	1 (100%)	2 (75%)
7	Non-major appeals Decided	-	19	16	56	10	16	13
8	Non-major appeals Dismissed	70%	9 (47%)	10 (62.5%)	37 (66%)	9 (90%)	10 (62.5%)	8 (62%)
<b>Enforcement</b>								
9	Reported Breaches		99	105	417	105	100	113
10	Cases Closed		118	106	374	84	86	135
11	On hand at end of period		149	162	162	190	189	197
12	Cases over 6 months old		58	56	56	62	68	74
13	Priority 1 Enforcement	100%	100%	100%	100%	100%	100%	100%
<b>Application Workload</b>								
14	Received		404	431	1417	478	410	369 (251 HH)
15	Determined		330	389	1276	421	473	351
16	On hand at end of period		423	460	460	497	419	413
17	Withdrawn		23	11	50	15	12	18

Table 1 - Development Management performance

Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
9	10.2	8.5	9.5	8.1	7.1	11.1	12.1	12.3	6.7	3.7	3.3	2.8	3.1	2.6

Table 2 – Time taken from receipt to registration (working days)

Reason for delay	Number
Awaiting compliance check	10
Awaiting submission of application	15
Awaiting outcome of application	15
Written in past month chasing information/regularisation	8
Open/ongoing prosecution	1
Awaiting Appeal	12
Expediency of harm be concluded with input from statutory consultees	2
Regularising works commenced but not yet complete	5
Chasing up of costs	2
Temporary Stop Notice Served	1
Awaiting planting of replacement tree	1
Delayed by probate	1

Table 3 – Reason for enforcement investigation over 6 months

## Planning applications

6. 369 planning applications (251 householder) were received in Q3 which

continues the reduction from the extremely high number of submissions in Q1 of 478 and is more in line with long term average application numbers. This has allowed planning application case officers to catch up after fears of caseloads being unmanageable as previously reported.

7. The Town and Country Planning Development Management Procedure Order 2015 sets the statutory period for the determination of planning applications at 8 weeks for non-major applications and 13 weeks for major applications (10+ dwellings or 1,000+ sqm floorspace). This statutory period is relaxed where an extension of time is agreed between the applicant and local planning authority. In order to monitor the performance of local planning authorities, the Government sets targets for the determination of major and non-major planning applications within the statutory period or agreed extension of time. For major developments, this target is 60% and for non-major developments it is 70%.
8. In this Quarter 75% of major applications (3 out of 4) were determined within the statutory period or within agreed extension of time. For non-major applications the figure was 80% for the quarter and so the target was met for both. This is against the backdrop of significant delays in the registration and determination of planning applications as reported in the national press in November.
9. The average days to decision for Q1 was 80 days, which missed the target of 80 days, primarily due to a small number of applications being determined which were vastly beyond their 8 week date due to issues being able to progress them having been resolved.

## Planning appeals

10. 21 appeals have been received in the quarter.
11. Alongside the Government performance measure based on speed of determination of planning applications, is the other performance criteria set for local planning authorities aimed at assessing the 'quality' of decision making. This is measured as a percentage of total applications which result in an appeal allowed, broken down between major and non-major development proposals. The relevant target for both types of application is that not more than 10% of applications should be allowed at appeal.  
For example –  
If 100 major applications are determined by the authority over the qualifying two-year period and 9 are allowed at appeal that would result in a figure of 9% which is acceptable. However, if 100 major applications were determined and 11 of these ended up being appealed and the appeals allowed, this would result in a figure of 11% which fails the 10% target.

The assessment considers appeals allowed against applications refused by each authority across a two year period. Over this latest two-year period 73 major applications were determined meaning 8 or more appeals allowed in the two year period to 31<sup>st</sup> December 2021 will lead to the target being missed and likely poorly performing designation together with the loss of control by virtue of the ability to submit applications directly to the Secretary of State.

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12. In this last quarter three major appeals were determined and two were dismissed and one allowed. As the first major appeal allowed for a year, it does not risk triggering the poor performance designation but as always it is a matter to be mindful of. The one major appeal allowed was 8 Brighton Road, Hooley which was refused at the October 2020 Committee meeting.
13. 8 out of the 13 non-major appeals determined in this quarter were dismissed representing 62% dismissed which misses the 70% target but evens out across the year.

## Planning Enforcement

14. There were 113 reported enforcement breaches in the quarter, continuing the high numbers that started to be reported last year. This is common across the County and nationally as was reported in the national planning press in December. It is likely to be a result of the combination of more people being locked down at home, spending more time observing development in their neighborhoods as well as some changes resulting from Government changes in response to Covid such as extending construction hours and correlations to the high numbers of planning applications and amount of development currently being undertaken. When combined with working through the backlog associated with the difficulty in closing some cases whilst restrictions in site inspections were in place, and the continued sickness absence of one enforcement officer, this has resulted in an increase in the number of enforcement cases on hand and over 6 months across the year. The team is back to full capacity which will help it catch up.

## Registration

15. Table 2 shows that performance in the time taken from receipt to registration of new applications. It is pleasing to report how quickly valid applications have been registered in this last quarter.

## Overall

16. The drop off in application numbers from the record highs in the first quarter has eased pressure upon application caseloads and the need to consider reducing services as other authorities have been forced to do. Planning enforcement cases continue to run high but are being appropriately managed and kept on top of.
17. The department is looking to advertise two key vacancies of Development Manager and Principal Planning Officer which have been covered by contract staff in recent months. Successful recruitment will help build stability and resilience within the team.
18. Outside of performance measures but for Members to note, is a further recent change to permitted development regulations, which now allows pubs and restaurants to install outdoor seating structures (marquees, gazebos etc) without requiring planning permission.