

# Agenda

## Planning Committee

Wednesday, 8 June 2022 at 7.30 pm

New Council Chamber, Town Hall, Reigate



This meeting will take place in the Town Hall, Castlefield Road, Reigate. Members of the public, Officers and Visiting Members may attend remotely or in person.

*All attendees at the meeting have personal responsibility for adhering to any Covid control measures. Attendees are welcome to wear face coverings if they wish.*



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### Members:

J. Baker

M. S. Blacker

J. S. Bray

P. Chandler

Z. Cooper

P. Harp

A. King

J. P. King

S. A. Kulka

S. McKenna

R. Michalowski

S. Parnall

C. Stevens

D. Torra

S. T. Walsh

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Published 27 May 2022

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

## Substitutes:

<b>Conservatives:</b>	R. Absalom, H. Avery, J. Hudson, N. C. Moses, M. Tary and R. S. Turner
<b>Residents Group:</b>	G. Adamson, R. Harper, N. D. Harrison and G. Hinton
<b>Green Party:</b>	J. Booton, V. Chester, J. C. S. Essex, A. Proudfoot, S. Sinden and R. Ritter
<b>Liberal Democrats</b>	M. Elbourne

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

**1. Election of Chairman**

To agree the appointment of the Chairman for the municipal year 2022/23.

**2. Election of Vice-Chairman**

To agree the appointment of the Vice-Chairman for the municipal year 2022/23.

**3. Minutes** (Pages 7 - 10)

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

**4. Apologies for absence**

To receive any apologies for absence.

**5. Declarations of interest**

To receive any declarations of interest.

**6. 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:

**7. 21/03303/F - Titan House, Crossoak Lane, Salfords** (Pages 11 - 54)

The demolition of existing buildings (2) and the erection of two any industrial processes (class e (g) (iii)), general industrial (use class b2) storage and/or distribution (use class b8) units with ancillary office accommodation, together with other associated parking, servicing landscape and infrastructure.

**8. 21/03185/F - Oldbury Engineering Ltd, 8 - 12 Balcombe Road, Horley** (Pages 55 - 78)

Demolition of all existing building and erection of a detached building containing 6 apartments with associated access, parking for car and cycles, refuse storage and amenity space. As amended on 22/02/2022 and on 16/05/2022.

**9. 21/02438/F - Salfords Village Store, 21 Brighton Road, Salfords** (Pages 79 - 108)

Demolition of existing convenience store building and redevelopment involving the erection of a convenience store (Class E) with associated parking and landscaping. As amended on 15/03/2022, 16/03/2022 and on 28/04/2022.

**10. First Homes Interim Policy Statement** (Pages 109 - 122)

Note the requirements of this new national planning housing policy, and the need to apply it in the borough as set out in this Interim Policy Statement;

- Agree the recommended local eligibility criteria; and
- Authorise the relevant Heads of Service alongside portfolio-holder to amend this Interim Policy Statement as required to reflect lessons learnt through implementing the policy.

**11. Any other urgent business**

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



### **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 27 April 2022 at 7.30 pm.

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

#### **110. MINUTES**

It was **RESOLVED** that the minutes of the meeting held on 6 April 2022 be approved as a correct record.

#### **111. APOLOGIES FOR ABSENCE**

An apology for absence had been received from Councillor A King, Councillor Hudson attended as his substitute.

#### **112. DECLARATIONS OF INTEREST**

Councillor Blacker declared a pecuniary interest in item 7, 131 Bletchingley Road, Merstham, as he was likely to be the agent for this application. Councillor Blacker was not present at the meeting for the duration of this item.

#### **113. ADDENDUM TO THE AGENDA**

**RESOLVED** that the addendum be noted.

#### **114. 21/01203/F - LAND PARCEL OPPOSITE 21 TO 21C WELLESFORD CLOSE, BANSTEAD**

The Committee considered an application at land parcel opposite 21 to 21C Wellesford Close, Banstead for a residential development comprising 26 houses and maisonettes, including 8 units for affordable housing. Formation of two new access roads with turning heads, associated car parking, landscaping and tree planting.

Andrew Siefers, a resident, spoke in objection to the application stating that he lived adjacent to the site. Although he was not against the site being developed, he felt that the proposal was an overdevelopment. He had highway concerns which he outlined, which included issues relating to on street parking. The current development would cause highway issues for existing and new residents; any new development would generate an increase in levels of traffic.

John Escott, the Agent, spoke in support of the application stating that the site was incorporated into the urban area of Banstead as part of the Development Management Plan to enable housing development. The scheme was in keeping with the local environment, with mainly detached and semi-detached housing being proposed and the development was relatively low in density. Design had embodied principles of good design. A full range of assessments had been undertaken and there had been no objections raised by the highway authority. Parking also met the

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local parking standards. The scheme provided 8 affordable units which complied with policy.

A reason for refusal was proposed by Councillor Walsh and seconded by Councillor Michalowski, whereupon the Committee voted and **RESOLVED** that planning permission be **REFUSED** on the grounds that:

1. The proposed development by reason of the scale of the development, the layout with two access roads, extent of hard surfaced parking areas including tandem spaces, limited space between properties and to the site boundaries, together with their limited plot sizes and minimal frontages would appear as a cramped overdevelopment of the site, out of keeping with and harmful to the character of the area, contrary to Policy DES1 of the Reigate and Banstead Development Management Plan 2019 and guidance contained within the Local Character and Distinctiveness Design Guide SPD 2021.
2. Without a completed planning obligation, the proposal fails to provide on-site affordable housing, and is therefore contrary to policy DES6 of the Reigate and Banstead Development Management Plan 2019.

## 115. 21/02283/F - 101 LADBROKE ROAD, REDHILL

The Committee considered an application at 101 Ladbroke Road, Redhill, for the erection of 10 apartments, including access, parking and amenity space, following the demolition of an existing building.

Louise Tait, a local resident, spoke in objection to the application, stating that the proposed development would have a negative impact on local residents. It would be wider and significantly deeper than the existing home and extending well beyond the rear elevations of adjoining properties. It would be overbearing, obtrusive, would cause a lack of privacy for all the direct neighbours and cause significant overshadowing of the property at 103 Ladbroke Road. The access road was a similar width to the outdoor space at 103 and would pass close to a bedroom and toilet window, creating noise, light and fume pollution. The development would impact the objector's right to enjoy her garden due to noise and fumes created by the passing and parking of vehicles directly next to the garden. This was of particular importance as the objector had limited mobility and the access road would add to her feelings of vulnerability, particularly as Surrey Police had advised that the access road to rear car parking had potential to be vulnerable to crime. Concern was raised regarding pre-emptive tree felling at the site and that it was unfortunate that no community consultation took place before the devastation of this wildlife habitat commenced.

David Hutchinson, a local resident, spoke in objection to the application explaining that he lived to the rear of the application site and this proposal was significantly worse than the previous proposal. It would create overlooking as demonstrated by the photographs taken from his property. The pre-emptive tree felling was also a concern and an attempt to get TPOs had not been possible. Any new tree planting on the site may also fail as saplings could die off. With much of the development concreted over there was concern regarding water runoff and it was requested that parking be moved to the front of the development. There were concerns regarding the impact fumes from vehicles and lighting would have. There should be a reinstatement of the wildlife corridor.



A reason for refusal was proposed by Councillor McKenna and seconded by Councillor Stevens, whereupon the Committee voted and **RESOLVED** that planning permission be **REFUSED** on the grounds that:

1. The proposal, by reason of the significant width, depth and bulk of the proposed building, the proposed access road and hardstanding to the rear and limited space for meaningful replacement landscaping to the southern boundary, would be incongruous and cramped overdevelopment of the site, out of keeping with and harmful to the character and appearance of the locality contrary to policies DES1 of the Reigate and Banstead Development Management Plan 2019 and chapter 12 of the NPPF.
2. The proposal, by reason of its width, bulk, massing and depth, which extends significantly beyond the rear elevations of 97-99 and 103 Ladbroke Road, and proximity to these dwellings would appear as a dominant and overbearing structure when viewed from these neighbouring properties, harmful to the residential amenities of their occupants. In addition the proximity of the access road and car parking to 97-99 Ladbroke Road and dwellings to the rear on Lynwood Road would result in unacceptable levels of noise and disturbance. The proposal would therefore be contrary to policy DES1 and DES9 of the Reigate and Banstead Development Management Plan 2019 and chapter 12 of the NPPF.

## **116. 21/02769/F - 131 BLETCHINGLEY ROAD, MERSTHAM**

The Committee considered an application at 131 Bletchingley Road, Merstham, for the construction of 2 semi-detached houses with parking and vehicle crossovers.

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

## **117. DEVELOPMENT MANAGEMENT QUARTER 4 2021-22 PERFORMANCE**

The Head of Planning gave the Committee an overview of development management in quarter 4 and across the year. It was noted that the number of applications received in quarter 4 totalled 403, of which 282 were householder applications. Across the year a total of 1651 applications had been received and this was the most that had been received since 2016/17.

Over the year as a whole, 81% of major applications were determined within the target timeframe and 86% of non-major applications were determined within the target timeframe.

Within 2021/22, 429 breaches had been reported and this had been an upward trend across the year. There had been a high proportion of relatively minor breaches. Overall, enforcement cases over 6 months old had been reduced to 40 and this was more in line with expectation.

66.6% of major and non-major appeals had been dismissed. There had been 6 major appeals of which 2 had been allowed and it was felt that this was a sustainable level. One major appeal decision was for the redevelopment of a site at Great Tattenhams (for a flatted scheme in the place of a site of six bungalows). An application was made to the High Court for the appeal decision to be quashed as it

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was felt that the decision was unlawful. The appeal was successful; therefore, this did not count against these statistics. This would fall to be re-determined and would have to be considered when the final outcome was received.

On average, across quarter 4, it was taking approximately 2.5 days to register an application. It was acknowledged that this had been a challenging year in terms of numbers, however the Planning Department had coped remarkably well in the circumstances.

Looking forward, there were potential changes to planning arising from the Government's White Paper and members would be kept informed.

Members concurred that officers should take credit for the high workload that had been well managed and for the result at the High Court.

In terms of staffing levels, there were slightly less staff now than there were in 2016/17 and levels were being monitored. The Head of Planning stated that they did not wish to rely too heavily on contract staff and there was the ambition to build up more junior members of the team.

**RESOLVED** that:

1. The report be noted;
2. The Head of Planning would confirm the ratio of staff to applications.

## **118. ANY OTHER URGENT BUSINESS**


There was none, however Mr Parker was thanked for the quality of his presentations this evening. The Committee thanked the Planning Team for their hard work this municipal year.

The Meeting closed at 9.21 pm

# Agenda Item 7

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21/03303/F

 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	08 June 2022
	<b>REPORT OF:</b>	HEAD OF PLANNING
	<b>AUTHOR:</b>	Michael Parker
	<b>TELEPHONE:</b>	01737 276339
	<b>EMAIL:</b>	Michael.parker@reigate-banstead.gov.uk
<b>AGENDA ITEM:</b>	7	<b>WARD:</b> Horley East And Salfords

<b>APPLICATION NUMBER:</b>	21/03303/F	<b>VALID:</b>	17/01/2022
<b>APPLICANT:</b>	F74 D Chateau S.A.R.L C/O Salmon Property Horley L	<b>AGENT:</b>	Lambert Smith Hampton
<b>LOCATION:</b>	<b>TITAN HOUSE CROSSOAK LANE SALFORDS SURREY RH1 5EX</b>		
<b>DESCRIPTION:</b>	<b>The demolition of existing buildings (2) and the erection of two any industrial processes (class e (g) (iii)), general industrial (use class b2) storage and/or distribution (use class b8) units with ancillary office accommodation, together with other associated parking, servicing landscape and infrastructure.'</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

The application seeks full permission for the demolition of existing buildings (2) and the erection of two any industrial processes (class e (g) (iii)), general industrial (use class b2) storage and/or distribution (use class b8) units with ancillary office accommodation, together with other associated parking, servicing landscape and infrastructure.

There is no in principle objection to the scheme. The site is located within the urban area, the site is not statutory or locally listed and is in a designated a Principal Employment Area.

The site is located on the eastern side of the A23 and at the southern end of the urban area of Salfords. The site was previously occupied by Titan Travel. To the east of the site is the railway line. To the north of the site are residential properties accessed along Empire Villas. The site accesses onto Cross Oak Lane, close to the signalised junction with the A23. To the east, is a restricted height bridge which runs beneath the railway line. There are trees and boundary vegetation on most boundaries of the site, notably the boundaries with the A23, with the existing buildings set well back from the A23 and Cross Oak Lane and Empire Villas and this is a feature which prevails along much of this stretch of the A23

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It is accepted that the scheme would result in a significant change to the existing character and nature of the site however, overall, it is considered that the proposal achieves a good standard of design and a development which is in keeping with the scale and character of surrounding industrial developments and would not have a detrimental impact on the character of the area.

Whilst neighbouring properties would experience a significant change as a result of the development, the proposals would not give rise to a serious detriment to their living conditions and thus comply with policy DES1 of the DMP and the general provisions of the NPPF (para 127) which seeks to ensure that developments provide a high standard of amenity for existing and future occupants.

Subject to conditions the proposal is considered to be acceptable with regard to highway safety and capacity, parking, trees, ecology, Gatwick safeguarding, sustainable construction, crime and flooding/drainage.

This proposal is therefore considered to be acceptable in planning terms so is recommended for approval.

## **RECOMMENDATION(S)**

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

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) Contribution of £6150 towards auditing of the travel plan
- (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 8 November 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. Without a completed planning obligation the proposal fails to provide adequate contribution towards auditing of the Travel Plan and is therefore contrary to the National Planning Policy Framework 2021 and Reigate and Banstead Core Strategy 2014 Policy CS17 (Travel Options and Accessibility).

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## **Consultations:**

Aerodrome Safeguarding (Gatwick Airport): no objection subject to conditions

Environment Agency: no objection

Environmental Health (contamination): no objection subject to conditions

Environmental Health (air quality): no objection subject to adequate dust management

Highway Authority: The County Highway Authority has assessed the application on safety, capacity and policy grounds and has raised no objection subject to conditions and £6150 contribution towards auditing of Travel Plan.

Horley Town Council: objects

i) The current transport infrastructure will not support the proposal both at Cross Oak Lane and at the junction of Cross Oak Lane with the A23 especially when taking into account that the Westvale Park development access road joins into this junction;

ii) Prior to any approval, a thorough traffic survey along the A23 and its junctions, from the Chequers roundabout in Horley to the junction with Three Arch Road in Earlswood, be carried out and the results established;

iii) Should the Local Planning Authority be minded to approve the application, HTC request a condition be imposed to require traffic regulation of site traffic being prevented from using access routes through the Acres and Langshott developments and country lanes in the wider Salfords and Sidlow Parish Council area.

Network Rail: no objection from planning perspective

Regulatory Support Services: no objection subject to conditions

Reigate Society: concerns regarding the impact on residential properties along Empire Villas and impact on traffic at Cross Oak Lane/Bonehurst Road junction

Salfords and Sidlow Parish Council: concerns regarding impact on residents in Empire Villas in terms of light, outlook and privacy and impact from plant/pollution and operations of the site. Concerns about the B8 use proposed in terms of type of employment provided. Concerns about impact on local road network.

Surrey County Council Minerals and Waste: no objection

Surrey County Council Lead Local Flood Authority:

Satisfied that the proposed drainage scheme meets the national guidance and technical standards. Condition recommended to secure further finalised details of drainage strategy and implementation of drainage strategy.

Surrey Wildlife Trust:

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No objection subject to conditions securing mitigation measures

Thames Water: no objection in relation to waste water network and sewage treatment works infrastructure capacity. A number of informatives recommended.

## **Representations:**

31 responses, 30 objections and 1 representation, have been received raising the following issues:

<b>Issue</b>	<b>Response</b>
Alternative location/ proposal preferred	See paragraph 6.2-6.4
Crime fears	See paragraph 6.42-6.46
Drainage/sewage capacity	See paragraph 6.39-6.41
Harm to Conservation Area	The site is not within a Conservation Area
Harm to Green Belt/countryside	The site is within the designated urban area
No need for the development	See paragraph 6.2-6.4
Harm to wildlife habitat	See paragraph 6.34-6.36
Health fears	See paragraph 6.15-6.25
Inconvenience during construction	See paragraph 6.15-6.25
Inadequate parking	See paragraph 6.26-6.30
Increase in traffic and congestion	See paragraph 6.26-6.30
Hazard to highway safety	See paragraph 6.26-6.30
Overdevelopment	See paragraph 6.5-6.14
Out of character with surrounding area	See paragraph 6.5-6.14
Poor design	See paragraph 6.5-6.14
Loss of buildings	See paragraph 6.2-6.4
Noise & disturbance	See paragraph 6.15-6.25
Loss of/harm to trees	See paragraph 6.31-6.33
Overlooking and loss of privacy	See paragraph 6.15-6.25
Loss of private view	Not a material planning consideration
Overshadowing	See paragraph 6.15-6.25
Overbearing relationship	See paragraph 6.15-6.25
Concerns about subsidence damage from construction	This is not a material planning consideration but a matter

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	between the applicant and neighbouring properties. The proposal would require building regulations approval
Property devalue	Not a material planning consideration
Concern about the retention of the Philips Research Laboratories Plaque	See paragraph 6.51

## 1.0 Site and Character Appraisal

- 1.1 The site is located on the eastern side of the A23 and at the southern end of the urban area of Salfords. The site was previously occupied by Titan Travel. To the east of the site is the railway line. To the north of the site are residential properties accessed along Empire Villas. The site accesses onto Cross Oak Lane, close to the signalised junction with the A23. To the east, is a restricted height bridge which runs beneath the railway line. There are trees and boundary vegetation on most boundaries of the site, notably the boundaries with the A23, with the existing buildings set well back from the A23 and Cross Oak Lane and Empire Villas and this is a feature which prevails along much of this stretch of the A23.
- 1.2 The site is designated as a Principal Employment Area – Salfords, it is also within the designated urban area and the site adjoins Flood Zone 2 and 3 to the south of the site.

## 2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: A pre-application submission was made to the Council regarding this development (PAM/21/00190). This has given the Council the opportunity to set out the key areas of consideration and areas where further information would be required and also to highlight areas of concerns.
- 2.2 Improvements secured during the course of the application: Additional contamination information, tree reports, ecology information, additional information regarding highway/parking concerns and amended plans lowering parapet on northern elevation. Details of location of temporary school also provided.
- 2.3 Further improvements to be secured through conditions or legal agreement: Further details of Materials, CTMP, CMS, Travel Plan, Ecology, Trees and landscaping, noise and use, sustainable construction.

## 3.0 Relevant Planning and Enforcement History

- |     |              |   |         |
|-----|--------------|---|---------|
| 3.1 | 07/01810/OUT | Outline planning application for the phased redevelopment of the site to form an office | Granted |
|-----|--------------|---|---------|

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campus for Titan Travel comprising 2 x 2 storey, 2 x 3 storey and 1 x 4 storey building, associated parking and landscaping. Additional/amended plans received on 13/11/2007 showing parking and landscaping. (Drwg No. 210 Rev C, 203 (Additional Plan), SUDS Assessment (received 13.11.07)) Additional/Amended plans received on 15/04/2008 to show Site plans, elevations, phasing and demolition plans (Drwg no (Amended plans 884 200C, 884 201C, 884 202, 884 203B, 884 210G, 884 211C, 884 212D, 884 220D, 884 222C, 884 230D, 884 232D) (Additional plans MV01, MV02, MV03, MV04)) Amended plans received on 12/05/2008 to show Amended site layout plan (Drwg no 210 H).

- |     |              |   |              |
|-----|--------------|---|--------------|
| 3.2 | 22/00486/DED | Demolition of titan house, gate house, electricity house. As amended on 16/03/2022, 23/03/2022 and on 06/04/2022. | No objection |
|-----|--------------|---|--------------|

Site to south of Cross Oak Lane - Goya Developments Former Philips Research Laboratories South Site Crossoak Lane Salfords Surrey RH1 5HA:

- |     |              |  |         |
|-----|--------------|--|---------|
| 3.3 | 18/01180/F   | The redevelopment of the site to include four employment buildings incorporating 5 units for open B1(b), B1(c), B2 and B8 use comprising 15,831sqm GEA with associated parking and landscape planting. As amended on 30/07/2018, 15/08/2018 and on 04/10/2018. As amended on 19/10/2018 and on 23/10/2018.                                 | Granted |
| 3.4 | 19/01370/S73 | The redevelopment of the site to include four employment buildings incorporating 5 units for open B1(b), B1(c), B2 and B8 use comprising 15,831sqm GEA with associated parking and landscape planting. - Application to remove condition 23 of permission 18/01180/F which restricts the amount of B8 floorspace. As amended on 06/09/2019 | Granted |
| 3.5 | 19/02199/S73 | The redevelopment of the site to include four employment buildings incorporating 5 units for open B1(b), B1(c), B2 and B8 use comprising 15,831sqm GEA with associated parking and landscape planting. - Application to remove condition 23 of   | Granted |



permission 18/01180/F which restricts the amount of B8 floorspace. Variation of conditions 1, 7, 11 and 15 of permission 19/01370/S73. Amendment to approved plans.

## 4.0 Proposal and design approach

- 4.1 This is a full application seeking permission for the demolition of existing buildings and the erection of two industrial processes (class e (g) (iii)), general industrial (use class b2) storage and/or distribution (use class b8) units with ancillary office accommodation, together with other associated parking, servicing landscape and infrastructure.'
- 4.2 The proposed development comprises
- 8,152.3 sq.m (GEA) across two (2) industrial process, general industrial and/or storage and distribution units, these units (A and B) would be positioned at the northern end of the site and would spread across the majority of the width of the site;
  - The proposal includes 892 sq.m (GIA) ancillary office in mezzanines (12% of space) across the two units and contained in two storeys;
  - Unit A will provide two loading bays with 3 dock levellers, Unit B will provide 2 loading bays
  - Core parking at 88 staff and visitor car parking spaces located to the south of units A and B, with 28 additional flexible shared parking) taking total to 119 spaces if required;
  - 5 (or 6%) accessible car parking spaces;
  - 5% (or 4 double posts, 2 per unit) electric vehicle charging points (EVCP) with the car parking areas with the remainder of the staff car parking prepared with duct work for future EVCP upgrade;
  - Policy compliant secure cycle spaces (20 spaces);
  - 11 individual trees are to be removed (with 1 small tree in the groups) of 42 existing individual trees (4 are advised to be removed regardless of development – Category U), and replaced with 37 native trees and native ornamental (21 extra heavy standard, 5 conifer/pines and 6 x 1+1 transplants) that will be replanted in the new remodelling landscaping areas (this replaces 11+1 trees to be removed) this represent above a 3:1 ratio and results in an increase level of native trees on site;
  - The proposed tree planting will result in a 60% increase in overall tree coverage from 42 mixed species trees to 67 native and native ornamental trees;
  - Delivering minimum BREEAM Very Good rated buildings;
  - Retention and reposition of the 'Phillips Laboratories' Blue Plaque celebrating the world leading research and development that took place at the site post war; and
  - Photovoltaic solar panels are proposed on the roofs of the two units and the level of provision will exceed Part L of the Building Regulations and the Energy Strategy.

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- 4.3 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a four-stage design process comprising:  
Assessment;  
Involvement;  
Evaluation; and  
Design.
- 4.4 Evidence of the applicant's design approach is set out below:

Assessment	Section 2.0, 2.1 and 3.0 set out the context of the location, existing site and setting of the site.
Involvement	The design and access statement is silent on this matter but the Planning Statement at para. 6.63 and 6.64 and submitted Statement of Community Involvement (December 2021) outline the consultation process with identified stakeholders and the outcome of the process.
Evaluation	The proposed design has been led by the needs of the applicant, pre-application discussion, advice from the tree officer and stakeholders such as commercial property agents
Design	<p>Section 4.0 to 10.0 set out the design proposals. The site layout has been developed to respond to the site constraints and the practical considerations of a development of this nature. The sizes and arrangements of the units have been developed with the design team and commercial property agents to meet local demands and prospective tenant's requirements.</p> <p>Great care has been taken in positioning the building to best screen the residential properties to the north from the site activities and light spillage. The building frontages face onto Cross Oak Lane making them clearly visible for the access road. The office accommodation provides feature on the frontage and, as they face south, allows for good daylight and sunlight to the office areas.</p> <p>The elevations submitted with this application indicate general appearance of the proposed building. The forms are simple and well-proportioned suited to buildings of this nature, with clear internal volumes to the warehouses and three storey offices to the front keeping the warehouses free of any intrusions.</p>

- 4.5 Further details of the development are as follows:

Site area	1.64 hectares
Existing use	Office and general industry buildings
Proposed use	Class E (g) iii, B2 B8
Existing parking spaces	168 cars spaces, 68 Light goods vehicles / public carrier vehicles
Proposed parking spaces	88 car parking space (with potential for additional 31 spaces – total 119), 10 HGV loading/parking spaces.
Existing floor area	4786 m2
Proposed floor area	7805 m2 (net gain 3142m2)

## 5.0 Policy Context

### 5.1 Designation

Urban Area

Principal Employment Area - Salfords

Flood Zone 2 and 3 - to south of site

### 5.2 Reigate and Banstead Core Strategy

CS1 (Sustainable Development)

CS2 (Valued landscapes and the natural environment)

CS5 (Valued people and economic development)

CS10 (Sustainable Development)

CS11 (Sustainable Construction)

CS12 (Infrastructure Delivery)

CS17 (Travel options and accessibility)

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

EMP4 (safeguarding employment land and premises),

EMP5 Local Skills and training opportunities),

DES1 (Design of new development),

DES8 (Construction Management),

DES9 (Pollution and contaminated land),

TAP1 (Access, parking and servicing),

CCF1 (Climate change mitigation),

CCF2 (Flood Risk),

NHE2 (Protecting and enhancing biodiversity and areas of geological importance),

NHE3 (Protecting trees, woodland areas and natural habitats),

INF3 (Electronic communication networks),

EMP4 (safeguarding employment land and premises),

EMP5 Local Skills and training opportunities),

DES1 (Design of new development),

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DES8 (Construction Management),  
DES9 (Pollution and contaminated land),  
TAP1 (Access, parking and servicing),  
CCF1 (Climate change mitigation),  
CCF2 (Flood Risk),  
NHE2 (Protecting and enhancing biodiversity and areas of geological importance),  
NHE3 (Protecting trees, woodland areas and natural habitats),  
INF3 (Electronic communication networks)

## 5.4 Other Material Considerations

National Planning Policy Framework

National Planning Practice Guidance

Supplementary Planning Guidance

A Parking Strategy for Surrey  
Parking Standards for Development  
Local Character and Distinctiveness  
Design Guide SPD  
Climate Change and Sustainable  
Construction SPD

Other

Human Rights Act 1998  
Community Infrastructure Levy  
Regulations 2010  
The List of Historic Parks and  
Gardens

## 6.0 **Assessment**

6.1 The main issues to consider are:

- Principle of development
- Design and impact on character of the area
- Neighbour amenity
- Access, parking and traffic generation
- Trees
- Ecology
- Sustainable construction
- Flooding and Drainage matters
- Crime
- Community Infrastructure Levy (CIL) and requested contributions
- Other matters

### Principle of development

6.2 The site is located within the Salfords Principal Employment Area. Policy EMP1 states that "Planning permission will be granted for change of use to

offices, industrial, and storage and distribution, and for the development of new, upgraded or extended floor space within these uses.”

- 6.3 The existing site and buildings is not statutory or locally listed and therefore there is no objection to its demolition, which has already been allowed under a prior approval application.
- 6.4 There is an identified need for all employment uses within the available evidence and therefore the proposal to re-develop the site for employment uses is acceptable in principle.

### Design and impact on character of the area

- 6.5 It is acknowledged that the proposed redevelopment of the site is significant in scale. Units A and B would measure 13.7m to top of parapet and approximately 15.2m at highest point (in centre of roof). Together unit A and B would spread across almost the full width of the site at approximately 127.5. remainder of the site would be made up of hardstanding and landscaping, including the retention of the tree buffer along the western boundary with the main road. The proposed development would therefore result in a significant change to the quantum of development on the site.
- 6.6 However, the proposal needs to be assessed in the context of the fact that the site is designated as a Principal Employment Area and its brownfield status where it is important to make efficient use of the site. The character and land uses in the surrounding area which are of industrial and commercial developments, particularly the recently developed site to the south of the site and the nature of the proposed use, which necessitates buildings of a certain scale and design.
- 6.7 In terms of the layout and scale of the buildings this is considered typical for a modern industrial/commercial development with large buildings measuring up to 15m tall and a significant area of hardstanding for both HGV and car parking. The density study submitted by the applicant shows the proposal site in the context of the wider Salfords Industrial Estate to the north and south of the site, as well as comparison with the recently development site (Goya site) immediately to the south. The Density study clearly shows that the scale and density of the proposal is in line with the general pattern of development within the Industrial Estate. In terms of the comparison with the Goya site the proposed density would be 48.2% compared to 48.8%, the proposed site coverage would be 44% compared to 43% and the proposed heights (clear internal height) would be in keeping with the site to south which ranges from 10.5m to 12.5m. It is therefore considered that considered in this context the proposal would not be out of keeping with the general character of the wider industrial estate.
- 6.8 The proposed design of the units would be fairly simple and utilitarian but this is the nature of such buildings and given the location of the site within a designated industrial estate it is considered that the proposed buildings could not be refused on this ground. Officers have asked the applicant to consider

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ways in which they could add interest and break up the elevations. The applicant has indicated that they are willing to review the finish of the elevations in terms of cladding and colours proposed. It is considered that were the application approved a condition could be added to secure further details.

- 6.9 Another important factor on this site is the existing treed nature of the western boundary and south-western corner of the site. The impact on trees is discussed in more detail below but in terms of the location of the building the closest part of the proposal would be approximately 15.3m from Bonehurst Road, which is commensurate with the spacing left by the development to the south (approx. 15.5m). This spacing ensures that the trees along the western boundary can be retained and provides an adequate set back from the road to limit the visual impact of the proposal on the streetscene.
- 6.10 In terms of the potential impact on the wider landscape the application is accompanied with a Strategic Landscape and Visual Impact Assessment (SLVIA). Regarding potential landscape impacts, the SLVIA confirms that there are no known registered or designated heritage assets on the site, and that its current landscape quality and condition is classified as 'Poor', with no protective landscape designations. Accordingly, the SLVIA concludes that the proposed site design would result in a negligible to slight beneficial effect on the landscape features and character and a negligible effect on the land value, hydrology, cultural heritage, land use and topography.
- 6.11 The SLVIA also considers the visual effects of the proposals by identifying viewpoints and the potential impact on the surrounding residential properties, motorists and surrounding industrial development, referred to as visual receptors. In summary, the SLVIA concludes that, the proposals will result in negligible impacts on the residential and employment development and motorists in the vicinity of the site.
- 6.12 Overall, the SLVIA concludes that, through the management and enhancement of the existing vegetation will help screen the development and integrate it within the surrounding landscape to the east and west, whilst improving the landscape value to the north and south.
- 6.13 Therefore, whilst the scheme would result in a significant change to the existing character and nature of the site it is considered that the proposal achieves a good standard of design and a development which is in keeping with the scale and character of surrounding industrial developments and would not have a detrimental impact on the character of the area.
- 6.14 Conditions are recommended to secure finalised levels details, and further details of the proposed external materials, boundary treatments and hard landscaping.

## Neighbour amenity

- 6.15 Development Management Policy DES1 expects all new development to provide an appropriate environment for future occupants whilst not adversely impacting upon the amenity of occupants of existing nearby buildings, including by way or overbearing, obtrusiveness, overshadowing, overlooking and loss of privacy.
- 6.16 The site borders a road to the west, the railway to the east and a road with industrial/commercial units to the south. As such there would be no concerns with the relationship to these neighbouring land uses.
- 6.17 To the north is a residential road known as Empire Villas which has the potential to be impacted by the proposal in terms of overbearing impact, loss of light and loss of privacy. In terms of privacy there would be no north facing windows to the building ensuring no opportunity for overlooking.
- 6.18 In terms of overbearing impact and loss of light to the nearest properties no. 1 to 8 Empire Villas would be located a minimum of approximately 25m from the closest part of the building and these properties front on to Empire Villas so the rear of their properties would be unaffected in terms of outlook. The applicant has demonstrated that the new building would pass the 25 degree test which indicates that the impact on light would be acceptable. Given this and the distance between these dwellings and the proposed building and the retained screening it is not considered that the proposal would result in an unacceptable loss of light or overbearing impact.
- 6.19 No.11 Empire Villas, located at the eastern end of Empire Villas would be the nearest dwelling, at approximately 11.9m from the proposed building. The house is however orientated east-west and therefore the main outlook for this property is not towards the building. When a 45 degree line is made from the top of the proposed building the line would not conflict with any of the nearest east or west facing windows indicating that there would not be an unacceptable loss of light. There is a side window facing the proposed building which would fail the 25 degree test however from a site visit it was clear that this window was a secondary window and therefore the room it serves would not be unacceptably impacted. Whilst the proposed building would be significant in height it is considered that the distance of over 10metres to the side of no.11 combined with the east – west orientation would ensure that there is not an unacceptable loss of outlook or overbearing impact.
- 6.20 No.28 Beechwood Villas would have a similar relationship to no.11 but the spacing would be greater. As such for similar reasons as no.11 the impact is considered to be acceptable.
- 6.21 In terms of the possible impact of the proposal on the dwellings to north from matters such as noise and light spill the Council has consulted its Environmental Health consultants Regulatory Support Services (RSS). They have reviewed the proposed plans and submitted technical reports and has

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raised no objection subject to conditions to limits impact on the residential properties to the north in terms of noise and lighting. One of the recommended conditions relates to Construction and Environmental Management Plan. These requirements will be added in to the Construction Management Statement (CMS) as discussed further below.

- 6.22 In terms of contamination the applicant has submitted a Phase 1 and Phase 2 report. The contamination officer has reviewed the information and has advised that "For the sites redevelopment application, the contaminated land conditions would still apply as further Phase 2 intrusive investigations reporting would need to be submitted in relation to that application". As such conditions are recommended to secure further information.
- 6.23 With regard to Air Quality the Council's Environmental Health Officer has raised no concern having reviewed the submitted Air Quality Assessment in terms of the proposed use of the site. They have asked that a suitable dust management scheme during construction is secured by condition. This will be covered within the CMS as set out below.
- 6.24 In terms of inconvenience during the construction period due to the proximity of the site to the residential dwellings to the north of the site it is accepted that there is potential for noise and disruption to these properties. It is not a reason to refuse an application given the temporary nature of the construction but it is considered that the potential impact could be minimised through the inclusion of a Construction Management Statement (CMS) which can secure further information in relation to matters such as working hours and procedures in place to reduce dust and noise emissions. The CMS can be secured by condition. As set out in the below transport section a condition is also recommended to secure further details of construction traffic, parking and storage management through a Construction Transport Management Plan (CTMP).
- 6.25 Taking the above into account, whilst neighbouring properties would experience a significant change as a result of the development, the proposals would not give rise to a serious detriment to their living conditions and thus comply with policy DES1 of the DMP and the general provisions of the NPPF (para 127) which seeks to ensure that developments provide a high standard of amenity for existing and future occupants.

## Access, parking and traffic generation

- 6.26 Development Management Plan Policy TAP1 requires all types of development to provide safe and convenient access for all road users taking account of cumulative impacts, which would not unnecessarily impede the free flow of traffic, or compromise pedestrians or other transport modes. Traffic resulting from a development must not materially impede traffic congestion on the highway network or increase the risk of accidents.
- 6.27 The National Planning Policy Framework at paragraph 109 confirms that "Development should only be prevented or refused on highways grounds if



there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

6.28 There would be new access proposed as part of the development and the parking provision would change from 168 cars spaces, 68 Light goods vehicles / public carrier vehicles to 88 car parking space (with potential for additional 31 spaces – total 119), and 10 HGV loading/parking spaces, reflecting the lower on site employment generating potential of the proposed use.

6.29 Surrey County Council as the County Highway Authority (CHA) has considered this additional information and has provided the following comments:

*“The proposed development would lead to a reduction in existing two way movements from 136 movements in the am peak and 142 movements in the pm peak and 752 during the day to 31 two way movements in the am peak and 28 two way movement in the pm peak and 374 movements during the day. As such there has been no junction assessment carried out due to the reduction in movements.*

*The reduction is due to the proposed change of use from a predominantly office based use with some workshops to a Use Class E (g) (iii) and B2 and B8. It is recommend that a condition is imposed that the site does not become an office based development as this has not been proposed and therefore assessed.*

*The proposed quantum of parking for any use applied for is adequate and comparable to what historically has occurred on the site. In addition there are parking restrictions on Cross Oak Lane between its junction with Bonehurst Road and the rail bridge to the east of the access. Those parking restrictions would prevent inappropriate parking on the highway.*

*The layout of the site would be able to accommodate large vehicles likely to use the site, such vehicles would be able to enter and leave the site in forward gear.*

*The proposed access has been subject to a road safety audit, which recommended some modifications to the purposed access that can be incorporated into the access at the detailed design stage for subsequent Section 278 agreement works to build the access. One such concern at the safety audit is tall vehicles colliding with the bridge to the east. I have recommended a condition for the developer to submit a routing strategy to be submitted to and agreed in writing with the Local Planning Authority.”*

6.30 In light of the above comments from the CHA the application is considered to have an acceptable highways and parking impact and is therefore considered to be compliant with policy TAP1.

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## Impact on trees

- 6.31 The applicant has included an Arboricultural Impact Assessment and Landscape Plan. The Tree Officer provided the following initial comments:  
*“The Arboricultural Impact Assessment from Landmark Trees is well detailed and thorough and explains how the majority of site trees can be retained during the proposed development and explains the removal of those trees that will need to be taken out.*

*The Tree Protection Plan demonstrates the protection of the retained trees. The line of Tree Protection Fencing seems to stop though before the eastern end of the line along the north side boundary and misses off the eastern part of G3 – this must be either rectified or justified before the plan can be approved.*

*The Tree Protection Plan also shows parts of the root protection area of some retained trees that are outside of the protective fence line. These areas are shown to be protected by ‘Ground Protection’ with the finished surface explained as of a ‘no-dig’ construction in the AIA. This is briefly and generally explained in the AIA and it looks to be proposed that the ‘no-dig’ base will be laid down as initial ground protection with the surface renewed when construction is completed. This sounds like a useful proposal, but it is not clear how this will work as part of the whole site – for example there may be level changes – also, the demolition and construction machinery and the post-development site traffic is likely to be heavy. It is suggested that the details on this could be provided via a conditioned AMS – which is so, however, if this detail is critical to the proposal, then it would be better to have a final specification up front with validation from an engineer and arboriculturist to ensure that it will all work and fit together on the ground.*

*The proposed landscape plan is detailed and extensive and should provide landscape screening and habitat value to the site. There is a concern that the new planting along the northwest and north side boundaries may struggle to establish in such proximity to the proposed building.”*

- 6.32 Following the submission of additional information the Tree Officer has provided the following comments:  
“In respect to earlier comments the ground protection position and function is now clear. However, it is what comes next that doesn’t yet seem to be finalized. The AIA document says at 8.2.5 that ‘Where sections of hard surfacing are required in close proximity to trees, it is recommended that ‘No Dig’ surfacing be employed in accordance with BS5837...and AAIS 1996[APN1]’. It also says at 8.2.6 that ‘If the RPA of a tree is encroached by underground service routes then BS5837...and NJUG Volume 4 provisions should be employed. If it is deemed necessary, further arboricultural advice must be sought’.

These are commonplace issue with trees and development, and it looks as though the ‘no-dig’ surfacing could be quite extensive given the amount of ground protection over areas of RPA not within the protective fencing. The

above are not Method Statements though and it is therefore not clear how this will work on site. The above points are understood – it is known what it means – but it is general and therefore it is not certain what will be done. It is common for the specifics of these matters to be designed post consent; however, these operations can be the most disruptive and can lead to irreparable damage to the roots systems of retained trees and their rooting environment if not properly carried out, and sometimes it just doesn't work.

As per my previous comments: 'It is suggested that the details on this could be provided via a conditioned AMS – which is so, however, if this detail is critical to the proposal, then it would be better to have a final specification up front with validation from an engineer and arboriculturist to ensure that it will all work and fit together on the ground'."

- 6.33 In light of the above comments from the Tree Officer and subject to conditions the application is considered to have an acceptable impact on the existing site and surrounding trees and the proposal is therefore compliant with policy NHE3 of the Development Management Plan 2019.

## Ecology

- 6.34 The planning application is supported by a Preliminary Ecological Appraisal (PEA). The report concludes that the site has relatively low ecological significance with no impact on statutory or non-statutory site and unlikely to be any impact on protected species. Surrey Wildlife Trust (SWT) has considered the submitted report and following further information regarding bats has advised that the reports and surveys have been produced in line with best practice and therefore subject to a condition securing a Construction Environmental Management Plan (CEMP) and Landscape Ecological Management Plan (LEMP) they consider that the impact would be acceptable.
- 6.35 In terms of net gain in biodiversity the submitted documents show that the scheme will not provide a net gain. In such circumstances policy NHE2(b) does allow for a contribution towards off site provision to off-set this impact. The applicant has made clear that they are willing to agree to such a contribution however the Council currently has no mechanism to allow for an off-site contribution, with no projects or sites currently identified for this. It is noted that the NPPF (para 180 d) requires that when determining planning application Local Planning Authorities should apply the following principle "development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate." However the NPPF does not require a measurable net gain and policy NHE2 5b. states that schemes will be expected to "be designed, wherever possible, to achieve a net gain in biodiversity." In this case the applicant has set out that it is not possible to achieve a net gain in biodiversity and given the national and local policy position it is not considered that this could form a reasonable reason for

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refusal. The proposal does however include a number of on-site enhancement measures and the LEMP condition recommend by SWT would secure further details of these measures as well as future maintenance.

- 6.36 Subject to the conditions discussed it is considered that the scheme would comply with policy NHE2 of the DMP.

## Sustainable Construction

- 6.37 The proposal is required to meet policy CS11 of the Core Strategy and policy CCF1 of Development Management Plan. This requires the development to meet BREEAM 'very good' and to include renewable or low-carbon energy generation to provide 10% of the expected energy usage of the development.
- 6.38 The submitted reports confirm that the building is aiming to meet the BREEAM 'very good' rating and that it would be able to achieve a 19.9% reduction in carbon emissions through PV panels. Conditions are recommended to secure implementation.

## Flooding and Drainage matters

- 6.39 The site is in Flood Zone 1 and is therefore at a low risk of fluvial flooding but the road and land to the south of the site is within flood zone 1 and 2. The site is designated at being at risk of surface water flooding. A Flood Risk Assessment and Drainage strategy document has been submitted with the application.
- 6.40 The Flood Risk Assessment has been assessed by the Environment Agency who has raised no objection to the proposals and has not recommended any conditions.
- 6.41 The drainage strategy has been considered by Surrey County Council as the Lead Local Flood Authority who has concluded that it meets the requirements of national technical standards. They therefore raise no objection subject to a condition securing finalised details of the drainage strategy and implementation.

## Crime

- 6.42 Policy DES1 requires that development: "Creates a safe environment, incorporating measures to reduce opportunities for crime and maximising opportunities for natural surveillance of public places. Developments should incorporate measures and principles recommended by Secured by Design."
- 6.43 The submitted Design and Access Statement has a section on security which states that the following have been designed into the scheme:
- Access and movement has been well considered to create well-defined routes and entrances that provide convenient movement throughout the development, without compromising security.
  - The layout has been developed so different uses do not cause conflict.

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- All publicly accessible spaces have been orientated in a way that they are all overlooked.
  - A sense of safety will be achieved through the level of human activity that will be present throughout the day.
- 6.44 The development has only one access point into the site, thus providing a secure entrance point and visibility for each of the units, offering natural surveillance for the proposed building units.
- 6.45 The sides and rear of the site, as well as the yard areas will be enclosed by the use of 2.4m high secure weld mesh fencing, which will help mitigate the risk of crime, providing safety for employers and employees, thus preventing the intrusion of trespassers.
- 6.46 In order to secure further information a condition in relation to Secure by Design is recommended.

#### Community Infrastructure Levy (CIL) and requested contributions

- 6.47 The proposal, being for new industrial and distribution premises, falls outside of the uses which attract a charge based on the Council's adopted Charging Schedule and as such the development would not be liable to pay CIL.
- 6.48 The Community Infrastructure Levy (CIL) Regulations were introduced in April 2010 and state that it is unlawful to take a planning obligation into account unless its requirements are (i) relevant to planning; (ii) necessary to make the proposed development acceptable in planning terms; and (iii) directly related to the proposed development. As such only contributions that are directly required as a consequence of development can be requested and such requests must be fully justified with evidence including costed spending plans to demonstrate what the money requested would be spent on.
- 6.49 In this case, as above, the County Council has requested contributions towards travel plan monitoring (£6,150). These contributions are considered necessary to address and avoid potential unacceptable highways impacts and are proportionate in their scale and kind to the development proposed. A clear justification has been provided by the County Highway Authority. These will be secured through a legal agreement.

#### Other matters

- 6.50 The site is close to Gatwick airport and therefore it has been examined by Gatwick Airport from an aerodrome safeguarding perspective. No objection has been raised subject to a condition to secure a Bird Hazard Management Plan and details of the proposed solar panels.
- 6.51 Representations have been received asking that the existing commemorative plaque regarding the historic use of the site for the Philips Research Laboratory. The applicant has confirmed they are happy to protect the

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plaque during construction and retain it on site. A condition is recommended to secure this.

## 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	2105-SK-20220301-003-001	A	21.04.2022
Site Layout Plan	2105-SK-20220301-003-002	A	21.04.2022
Section Plan	2105-PL-0020	P2	21.04.2022
Elevation Plan	2105-PL-0021	P2	21.04.2022
Roof Plan	2105-PL-1002	P2	21.04.2022
Roof Plan	2105-PL-1006	P2	21.04.2022
Elevation Plan	2105-PL-1015	P2	21.04.2022
Elevation Plan	2105-PL-1016	P2	21.04.2022
Section Plan	2105-PL-1020	P2	21.04.2022
Section Plan	2105-SK-0023		21.04.2022
Site Layout Plan	2105-PL-0001	P3	06.05.2022
Site Layout Plan	2105-PL-0003	P3	06.05.2022
Landscaping Plan	21-120-P-01	A	10.01.2022
Location Plan	2105-EX-0001	P1	29.12.2021
Site Layout Plan	2105-EX-0001	P1	29.12.2021
Section Plan	2105-EX-0020	P1	29.12.2021
Elevation Plan	2105-EX-0021	P1	29.12.2021
Other Plan	2105-PL-0002	P1	29.12.2021
Section Plan	2105-PL-0020	P1	29.12.2021
Floor Plan	2105-PL-1001	P1	29.12.2021
Floor Plan	2105-PL-1005	P1	29.12.2021

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

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

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

3. No development shall commence, excluding demolition and enabling works, until a Construction Management Statement (CMS), to include details of:
  - a) An introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;
  - b) A description of management responsibilities;
  - c) A description of the construction programme which identifies activities likely to cause high levels of noise or dust;

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- d) Prediction of potential impacts with regard to water, waste, vibration, emissions and odours. Where potential impacts are identified, mitigation measures should be identified to address these impacts.
- e) Information about the measures that will be used to protect privacy and the amenity of surrounding sensitive uses; including provision of appropriate boundary protection.
- f) Means of communication and liaison with LPA, neighbouring residents and businesses.
- g) Site working hours and a named person for residents to contact;
- h) Detailed Site logistics arrangements;
- i) Details regarding parking, deliveries, and storage;
- j) Details regarding dust and noise mitigation measures to be deployed including identification of sensitive receptors and ongoing monitoring;
- k) Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area

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

Reason: The condition above is required in order that the development is managed in a safe and considerate manner to help mitigate potential impact on the amenity and safety of neighbours and to accord with Reigate and Banstead Development Management Plan 2019 policy DES8.

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

Reason: To ensure the Local Planning Authority are satisfied with the details of the proposal and its relationship with adjoining buildings and to safeguard the visual amenities of the locality including heritage assets with regard to Reigate and Banstead Development Management Plan DES1 and NHE9.

5. Prior to commencement of development, excluding demolition and enabling works, in follow-up to the contamination information already supplied, 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.

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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 Local Plan Development Management Plan 2019 (Policy DES9 Pollution and contaminated Land) and the NPPF.

6. Prior to commencement of the development, excluding demolition and enabling works, 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 in line 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 Local Plan Development Management Plan 2019 (Policy DES9 Pollution and contaminated Land) and the NPPF.

7. a. Prior to commencement of the development, excluding demolition and enabling works, 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 Local Plan Development Management Plan 2019 (Policy DES9 Pollution and contaminated Land) and the NPPF.

8. 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 Local Plan Development Management Plan 2019 (Policy DES9 Pollution and contaminated Land) and the NPPF.

9. Prior to the commencement of any development works, including demolition and all construction activities, all tree protection measures shall be undertaken in strict accordance with the approved details contained in the submitted Arboricultural Impact Assessment Report ref. WRA/COL/AIA/01e and Arboricultural Method Statement – Demolition Stage ref. WRA/COL/AMS/01 from Landmark Trees. All arboricultural matters will then follow that described in these approved details.

Reason: To ensure good arboricultural practice in the interests of the maintenance of the character and appearance of the area and to comply with policies NHE3 and DES1 of the Reigate and Banstead Development Management Plan 2019 and the recommendations within British Standard BS 5837:2012 'Trees in relation to design, demolition and construction – Recommendations'

10. No development shall commence, excluding demolition works, until a detailed, scaled and finalized Tree Protection Plan (TPP) and the related Arboricultural Method Statement for the Construction Stage (AMS) is submitted to and approved in writing by the Local Planning Authority (LPA). These shall include details of the specification and location of exclusion fencing, ground protection and any construction activity that may take place within the Root Protection Areas (RPAs) of trees, shown to scale on the TPP. This must include details of all service routes, materials and methodology for any excavation and construction within the RPA of retained trees and a schedule of arboricultural supervision and reporting. All works must be carried out in strict accordance with these details when approved.

Reason: To ensure good arboricultural practice in the interests of the maintenance of the character and appearance of the area and to comply with

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British Standard 5837:2012 'Trees in Relation to Design, demolition and Construction – Recommendations' and reason: To ensure good landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies NHE3, DES1 and DES3 of the Reigate and Banstead Development Management Plan 2019 and the recommendations within British Standard 5837:2012 Trees in relation to design, demolition and construction.

11. The development hereby permitted shall not commence, excluding demolition and enabling works, 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 further 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. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 8.3l/s.
  - 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 technical standards for SuDs and the final drainage design does not increase flood risk on or off site in accordance with, Policy CS10 of the Core Strategy 2014, Policies DES9 and CCF2 of the Development Management Plan 2019 and the 2019 NPPF.

12. 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

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attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

The drainage system shall therefore be retained and maintained in accordance with the agreed details.

Reason: To ensure the drainage system is constructed to the national Non-Statutory Technical Standards for SuDs in order to mitigate against the risk of surface water flooding with regard to policy INF1 and CCF2 of the Reigate and Banstead Development Management Plan 2019.

13. No development shall commence on site, excluding demolition and enabling works, until a scheme for the soft and hard landscaping (including hard surfacing and any street furniture), including details of existing landscape features to be retained or pruned, has been submitted and approved in writing by the local planning authority. The landscaping scheme shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme.

All hard and soft landscaping work shall be completed in full accordance with the approved scheme, prior to first occupation 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 or retained 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 Reigate and Banstead Borough Development Management Plan 2019 policies NHE3 and DES1, British Standards including BS8545:2014 and British Standard 5837:2012.

14. No pruning, removal or other works to the retained trees and hedges located both within and overhanging the site, shall take place during construction, or for 5 years after completion except with the prior written approval of the Local Planning Authority. Any tree works already approved as part of this consent and any other work undertaken should be done in accordance with British Standard BS 3998:2010 'Tree Work - Recommendations'. If any of the retained trees or hedges, within the site, controlled by this condition, are removed, die, or become damaged or diseased within five years of completion, they shall be replaced before the expiry of one calendar year by

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tree/s or hedge/s to a planting specification agreed in writing by the Local Planning Authority.

Reason: To ensure good landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies NHE3 and DES1 of the Reigate and Banstead Development Management Plan 2019 and the recommendations within British Standard BS 5837:2012 'Trees in relation to design, demolition and construction – Recommendations'

15. The development hereby permitted shall not commence, excluding demolition and enabling works, until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:
- Management of any flat/shallow pitched roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds.

The Bird Hazard Management plan shall be implemented as approved upon completion of the roofs and shall remain in force for the life of the buildings. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: To manage the roofs in order to minimise their attractiveness to birds which could endanger the safe movement of aircraft and the operation of Gatwick Airport.

16. No solar panels are to be installed until full details of the proposed PV scheme has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall be implemented as approved and no subsequent alterations to the approved scheme are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: to ensure the development does not endanger the safe movement of aircraft or the operation of Gatwick Airport through interference with communication, navigational aids and surveillance equipment and glare issues,

17. 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 and the type and colour of walls and any cladding, have been submitted to and approved in writing by the Local Planning Authority, and on development shall be carried out in accordance with the approved details.

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

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

Reason: In the interest of maintaining the historic and architectural character of the listed building, historic gardens and the visual amenities of the area with regard to Reigate and Banstead Development Management Plan 2019 policies DES1.

19. The development hereby approved shall not be commenced, excluding demolition and enabling works, unless and until a scheme for the protection and retention/reinstatement of the existing commemorative Philips Research Laboratory plaque has been submitted to and approved in writing by the Local Planning Authority. This shall include any necessary report works and details of its proposed location within the site.

Reason: In order to secure a realistic strategy for the preservation of this non-designated heritage asset with regard to policy CS4 of the Reigate and Banstead Core Strategy 2014 and the provisions of the NPPF.

20. No development shall commence, excluding demolition and enabling works, until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) programme of works (including measures for traffic management)
  - (e) provision of boundary hoarding behind any visibility zones
  - (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
  - (k) on-site turning for construction vehicles
- has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2021 and Policy DES8 Construction Management of the Reigate and Banstead Local Plan Development Management Plan September 2019.

21. The development shall not be occupied until the proposed belmouth vehicular access to Cross Oak Lane has been constructed in accordance with the approved plan numbered TPHS/276/DR/12.

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

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highway users, and to accord with the National Planning Policy Framework 2021 and Policy TAP1 Parking, access, and Servicing of the Reigate and Banstead Local Plan Development Management Plan September 2019.

22. 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 2105 PL 001 Rev3 and 2105 PL 0003 Rev 3 for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and Policy TAP1 Parking, access, and Servicing of the Reigate and Banstead Local Plan Development Management Plan September 2019.

23. The development hereby approved shall not be occupied unless and until each of the proposed parking spaces are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) and an electrical supply for future fast charge sockets in accordance with the approved plans numbered 2105 PL 001 Rev3 and 2105 PL 0003 Rev 3 and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and Reigate and Banstead Core Strategy 2014 Policy CS17 (Travel Options and Accessibility).

24. Notwithstanding the submitted April 2022 Framework Travel Plan (Draft) prior to the occupation of the development a revised Travel Plan shall be submitted taking account of the occupants of the site for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, and Surrey County Council's "Travel Plans Good Practice Guide". And then the approved Travel Plan shall be implemented upon occupation of the site and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2021 and Reigate and Banstead Core Strategy 2014 Policy CS17 (Travel Options and Accessibility).

25. The proposed development shall not be occupied until a routing strategy to prevent tall vehicles heading east from the access and to access the site from

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the east has been submitted to and approved in writing with the Local Planning Authority.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and Policy TAP1 Parking, access, and Servicing of the Reigate and Banstead Local Plan Development Management Plan September 2019.

26. The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing for:
- (a) The secure parking for bicycles within the development site in line with the minimum number required by the Development Management Plan Annex 4.

And thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2021 and Reigate and Banstead Core Strategy 2014 Policy CS17 (Travel Options and Accessibility).

27. No development shall commence until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority (LPA). The CEMP shall include, but not be limited to:
- a) Map showing the location of all of the ecological features
  - b) Risk assessment of the potentially damaging construction activities
  - c) Practical measures to avoid and reduce impacts during construction
  - d) Location and timing of works to avoid harm to biodiversity features
  - e) Responsible persons and lines of communication
  - f) Use of protected fences, exclusion barriers and warning signs.
  - g) Tree Removal and Bats Strategy and Method Statement

The development shall only be carried out in accordance with the agreed mitigation measures.

Reason: To ensure that any potential impact to protected species is adequately mitigated in accordance with the provisions of the National Planning Policy Framework and policy NHE2 of the Development Management Plan 2019.

28. No development shall commence, excluding demolition, enabling works and above ground works, until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority (LPA). The LEMP should be based on the proposed impact avoidance, mitigation and enhancement measures specified in the submitted ecology reports and shall include, but not be limited to following:

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- a) Description and evaluation of features to be managed
- b) Ecological trends and constraints on site that might influence management
- c) Aims and objectives of management
- d) Appropriate management options for achieving aims and objectives
- e) Prescriptions for management actions, together with a plan of management compartments
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period
- g) Details of the body or organisation responsible for implementation of the plan
- h) Ongoing monitoring and remedial measures
- i) Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery.
- j) Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.
- k) Sensitive lighting plan

The agreed details shall be implemented before occupation of this development, unless otherwise agreed in writing by the LPA, and maintained/monitored in accordance with the agreed details.

Reason: To provide enhancements to the biodiversity of the site in accordance with the provisions of the National Planning Policy Framework and Reigate and Banstead Development Management Plan 2019 policy NHE2.

29. The development hereby approved shall not be first occupied unless and until the renewable energy measures detailed in the submitted Energy Assessment Report by Stroma ref 08-21-88654ES1, dated 13/12/2021, have been implemented, installed and made operational to ensure that the proposal includes renewable or low-carbon energy generation to provide 10% of the expected energy usage of the development.

Any change to the Energy Strategy and timing of implementation shall only be made once an updated report has been submitted to and agreed in writing by the LPA.

Thereafter the scheme development shall be maintained in accordance with the agreed details.

Reason: To ensure that the development supports the efficient use of resources and minimises carbon emissions with regard to Policy CS11 of the Reigate & Banstead Core Strategy 2014 and Policy CCF1 of the Reigate & Banstead Development Management Plan 2019.



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30. The development hereby approved shall not be first occupied unless and until evidence has been provided that the development has met a minimum of BREEAM 'very good'.

Reason: To ensure that the development supports the efficient use of resources and minimises carbon emissions with regard to Policy CS11 of the Reigate & Banstead Core Strategy 2014.

31. Full details of the measure taken to implement the recommendations detailed in the Noise Assessment report prepared by Stroma reference SBE Ref: 08-21-88654 – NC 01 and dated 27/10/2021 shall be submitted to and approved in writing the local planning authority. The details as approved by the local planning authority shall be fully installed before the development is occupied and thereafter be permanently retained.

Reason: To protect the amenities of adjoining occupiers and the surrounding area (Policy CS10 Sustainable Development of RBBC Core Strategy (2014)).

32. Prior to occupation of any unit a noise assessment shall be carried out to confirm the unit performs in accordance with the approved noise targets. Any additional steps required to mitigate noise shall be detailed and implemented, as necessary. The post completion noise assessment shall be submitted to and approved in writing by the local planning authority. The details as approved shall thereafter be permanently retained.

Reason: To protect the amenities of adjoining occupiers and the surrounding area (Policy CS10 Sustainable Development of RBBC Core Strategy (2014)).

33. No externally located plant or equipment shall be installed or operated without the prior written approval of the Local Planning Authority.

Reason: To protect the amenities of adjoining occupiers and the surrounding area (Policy CS10 Sustainable Development of RBBC Core Strategy (2014)).

34. The use hereby permitted, or the operation of any plant, machinery equipment or building services plant, shall not commence until an assessment of the cumulative acoustic impact arising from the operation all the plant, machinery or equipment 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 cumulative rating level of noise emitted from the proposed plant, machinery equipment or building services plant is 5 dB less than background.

Reason: To protect the amenities of adjoining occupiers and the surrounding area (Policy CS10 Sustainable Development of RBBC Core Strategy (2014)).

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35. The use hereby permitted, or the operation of any plant, machinery, equipment or 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.

Reason: To protect the amenities of adjoining occupiers and the surrounding area (Policy CS10 Sustainable Development of RBBC Core Strategy (2014)).

36. No activities, including loading or unloading, shall be undertaken in the open air after 23:00 hours or before 07:00 hours on any day.

Reason: To protect the amenities of adjoining occupiers and the surrounding area (Policy CS10 Sustainable Development of RBBC Core Strategy (2014)).

37. No externally located storage of any materials or waste is permitted.

Reason: To protect the amenities of adjoining occupiers and the surrounding area (Policy CS10 Sustainable Development of RBBC Core Strategy (2014)).

38. Prior to occupation a lighting scheme must be submitted for the approval of the Local Planning Authority in accordance with the Institute of Lighting Professional's Guidance notes for the reduction of obstructive light. The scheme must be designed by a suitably qualified person in accordance with the recommendations for environmental zone E3 in the ILP document "Guidance Notes for the Reduction of Obtrusive Light GN01:20.

Before commencement of operation of the approved lighting scheme the applicant shall appoint a suitably qualified member of the institute of lighting professionals (ILP) to validate that the lighting scheme as installed conforms to the recommendations for environmental zone E3 in the ILP document "Guidance Notes for the Reduction of Obtrusive Light GN01:20 the validation report shall be submitted to and approved by the local planning authority and the approved details and attenuation measures shall be permanently retained and maintained in working order for the duration of the use and their operation.

Reason: To protect the amenities of adjoining occupiers and the surrounding area (Policy CS10 Sustainable Development of RBBC Core Strategy (2014)).

39. The development shall not be occupied until a scheme demonstrating compliance with the principles of 'Secured by Design' has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed before the occupation of the development hereby permitted and shall be permanently maintained as such thereafter. Reason: To ensure that the development provides a secure environment for future residents in accordance with Policy DES1 of the Reigate & Banstead Development Management Plan 2019.

40. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking and re-enacting that Order with or without modification), and Use Classes Order (or any Order revoking and re-enacting that Order with or without modification) the units hereby approved shall be occupied for purposes falling within Use Class E (g) (iii) (any industrial processes) B2 (general industrial and/or B8 (storage and/or distribution) only and shall not be subdivided or used within any other use without the prior written consent of the Local Planning Authority.

Reason: To control the use of the premises in the interests of maintaining an adequate supply of industrial, storage and distribution uses within the designated employment area and with respect to the adequacy of parking provision and potential impacts on the surrounding highway network.

## 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 included in the above CMS condition 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.

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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).

4. The applicant is advised that the essential requirements for an acceptable communication plan forming part of the CMS are viewed as: (i) how those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme; (ii) how neighbours will be notified prior to any noisy/disruptive work or of any significant changes to site activity that may affect them; (iii) the arrangements that will be in place to ensure a reasonable telephone response during working hours; (iv) the name and contact details of the site manager who will be able to deal with complaints; and (v) how those who are interested in or affected will be routinely advised regarding the progress of the work. Registration and operation of the site to the standards set by the Considerate Constructors Scheme (<http://www.ccscheme.org.uk/>) would help fulfil these requirements.
5. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see: <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see: [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice).
6. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
7. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

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8. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
9. 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.
10. The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.
11. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
12. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
13. Network rail - Due to the close proximity of the proposed development to Network Rail's land and the operational railway, Network Rail requests the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team via [AssetProtectionLondonSouthEast@networkrail.co.uk](mailto:AssetProtectionLondonSouthEast@networkrail.co.uk) prior to works commencing.
14. Thames Water - A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer.
15. Thames Water - The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could

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cause the assets to fail if appropriate measures are not taken. Please read our guide "working near our assets" to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures

16. Gatwick Safeguarding - Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please email: [lgwcranes@gatwickairport.com](mailto:lgwcranes@gatwickairport.com)

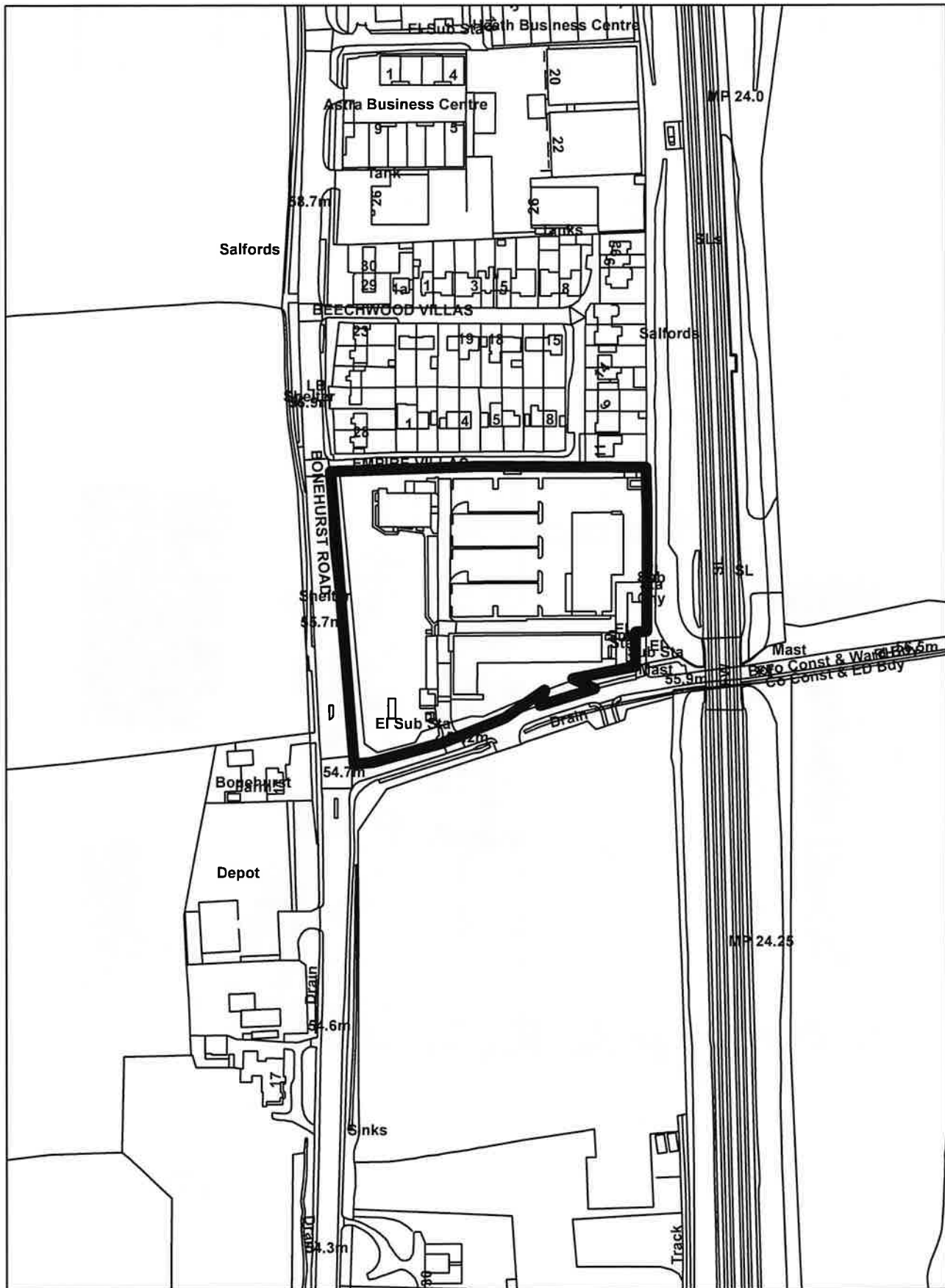
## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against the relevant development plan policies as set out in the report 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.

21/03303/F - Titan House, Crossoak Lane, Salfords



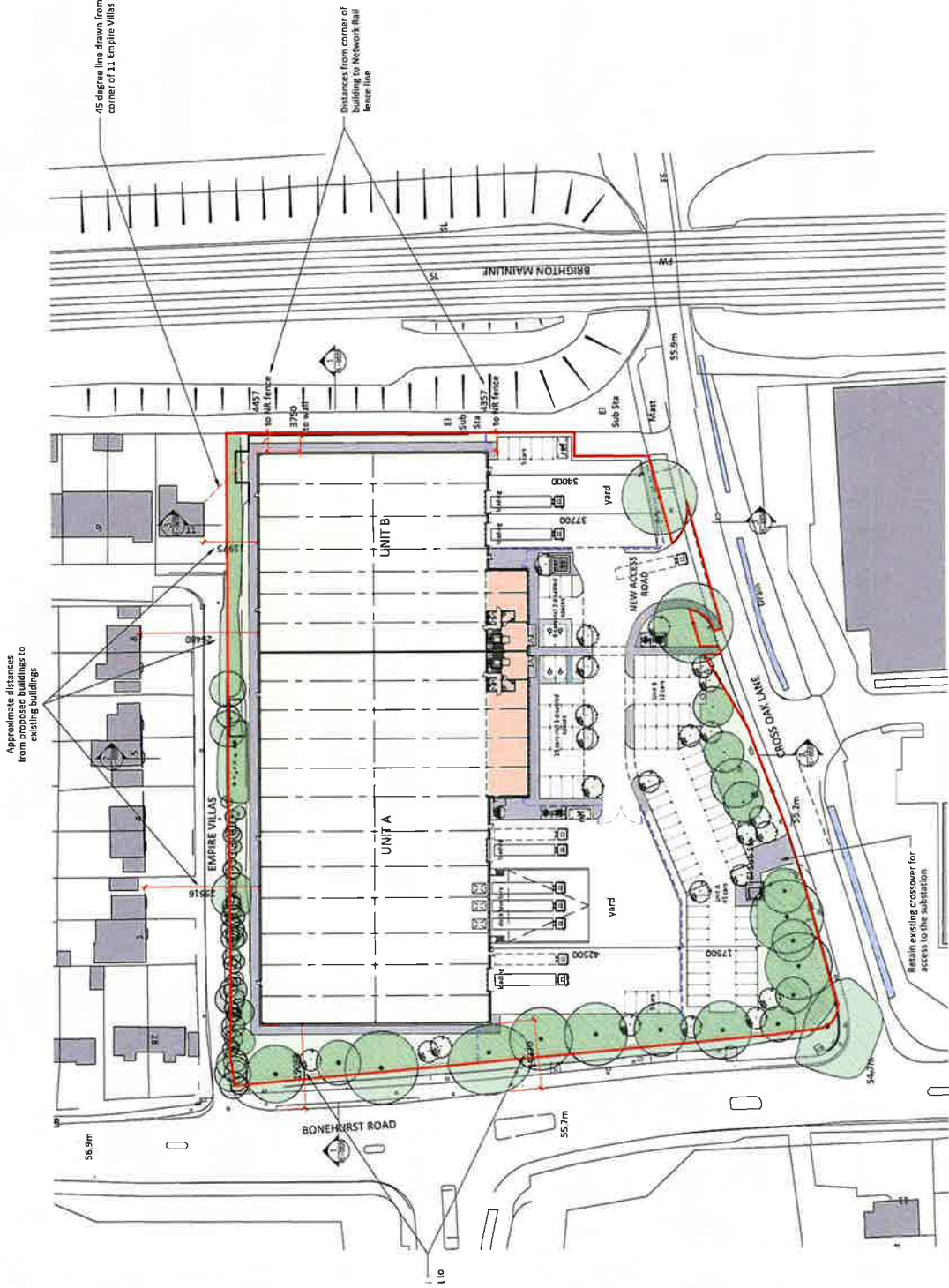
Crown Copyright Reserved. Reigate and Banstead Borough Council.  
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Scale 1:2,500





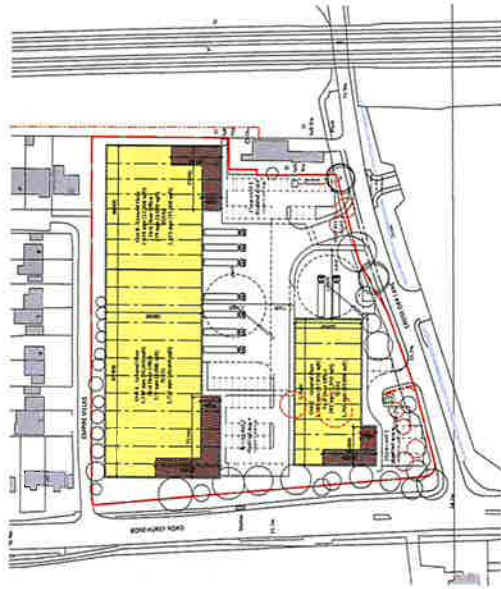
SITE LAYOUT OPTIONS STUDY  
SUBMITTED SITE LAYOUT FOR REFERENCE



## SITE LAYOUT OPTIONS STUDY EARLIER SITE LAYOUT STUDIES PRIOR TO SUBMITTING THE PLANNING APPLICATION



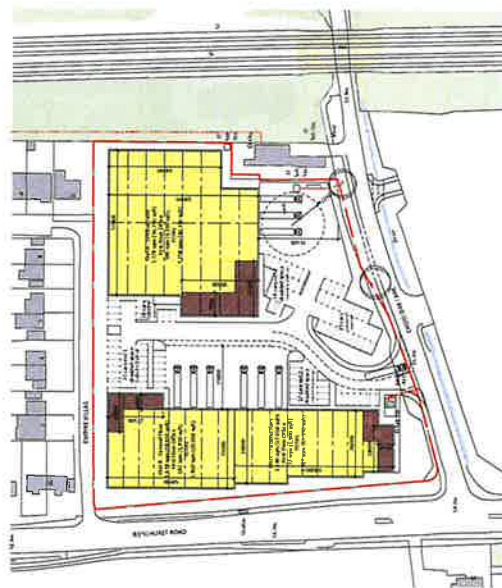
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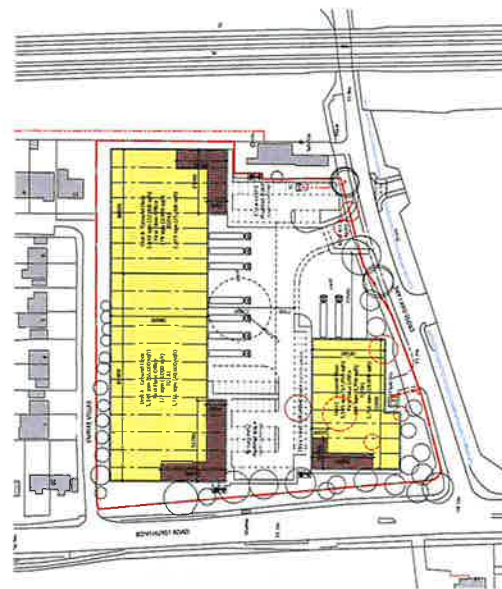
24 February 2021: TWO BUILDINGS - 3 UNITS, 2 ACCESS ROADS, CLOSER TO EMPIRE VILLAS BOUNDARY  
LOSS OF TREES TO CROSS OAK LANE



09 July 2021: TWO BUILDINGS - 2 UNITS, NEW ACCESS ROAD, CLOSER TO EMPIRE VILLAS BOUNDARY  
RETAIN MORE TO CROSS OAK LANE, CAR PARK ADJACENT EMPIRE VILLAS



11 February 2021: TWO BUILDINGS - 3 UNITS, RETAIN EXISTING ACCESS, GAP TO EMPIRE VILLAS & CLOSER TO BOUNDARY, LOSS OF TREES TO CROSS OAK LANE & BONEHURST ROAD



18 March 2021: TWO BUILDINGS - 3 UNITS, NEW ACCESS ROAD, CLOSER TO EMPIRE VILLAS BOUNDARY, RETAIN MOST OF THE TREES TO CROSS OAK LANE & BONEHURST ROAD



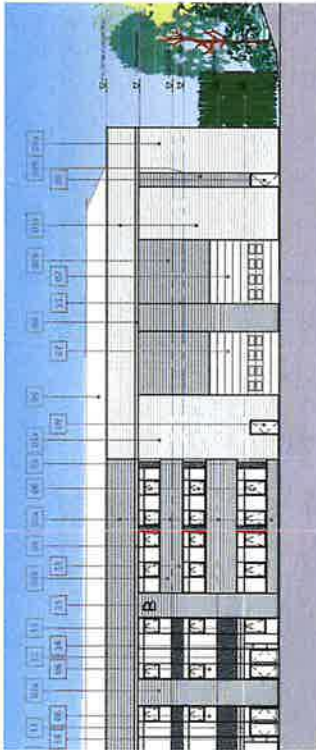
09 July 2021: THREE BUILDINGS - 3 UNITS, NEW ACCESS ROAD, GAP TO EMPIRE VILLAS &, LOSS OF FEWER TREES TO CROSS OAK LANE



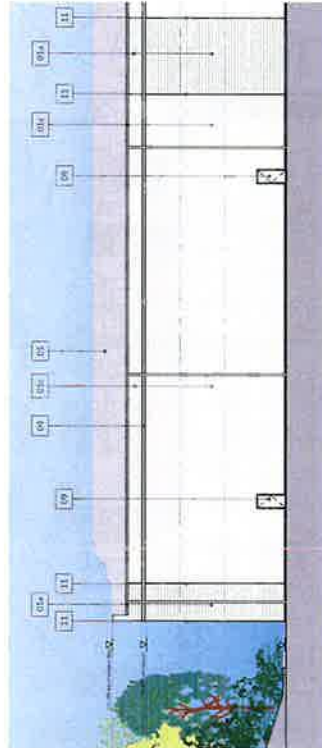
# Agenda Item 7

**MATERIALS KEY:**

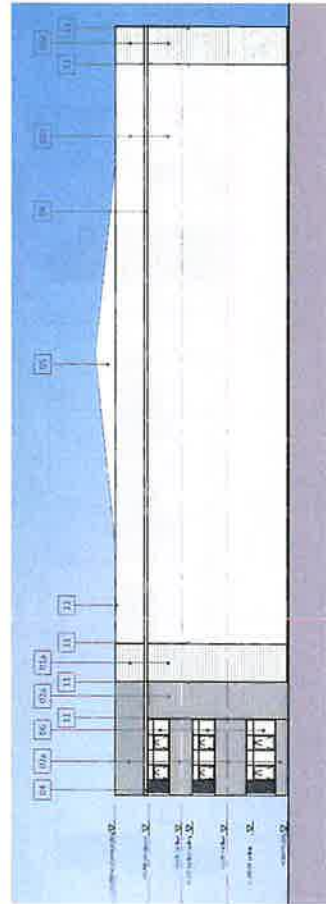
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- 03 Wall cladding - Embossed Empress composite cladding - colour Primea Atlantis (bc)
- 04 Fresh air channel finishing - Colour bc
- 05 Roof cladding - Profiled built up steel cladding - colour Goosewing Grey
- 06 Strip windows & curtain walling - Frame Colour Animate (RAL 7016)
- 07 Level boarding above - Colour bc
- 08 Deck finish above - Colour bc
- 09 Metal escape & entrance door - Colour to match adjacent cladding
- 10 Galvanized steel spiral escape stair and roof
- 11 Metal flashing - Colour bc
- 12 Glazed entrance canopy on pole metal supports
- 13 Lockable sliding specialist panels
- 14 Metal (panel) paint to match lighting with later box
- 15 Unit & door numbers
- 16 Concrete deck retaining walls



**SOUTH ELEVATION - UNIT B**



**NORTH ELEVATION- UNIT B**



**EAST ELEVATION - UNIT B**

RF1	Issue 1: Final approved and returned plan set	14/12/2021	10/12/2021	10/12/2021	10/12/2021
RF2	Issue 2: For Planning Approval	10/12/2021	10/12/2021	10/12/2021	10/12/2021
RF3	Issue 3: For Planning Approval	10/12/2021	10/12/2021	10/12/2021	10/12/2021

**PLANNING**

SCALE BAR (M) 0 100 200

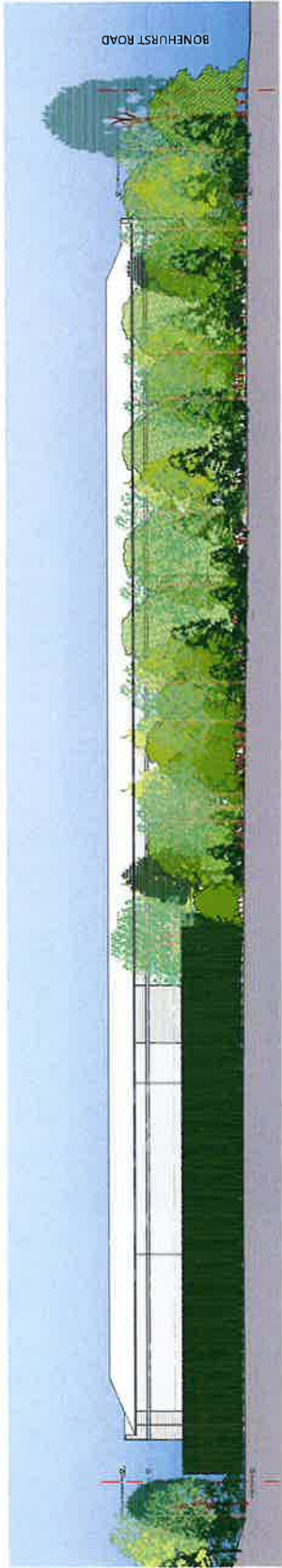
**WARREN ROSING ARCHITECTS**  
 ARCHITECTURE | INTERIORS | DESIGN  
 Unit 18a Inilgate Place, 19-20 Balham Hill,  
 London SW12 9BT  
 020 7993 8547, info@warrenrosing.com, www.warrenrosing.com

**Cross Oak Lane**  
**Redhill RH1 5EX**

**Unit B**  
**Elevations**

Drawing No.: 2105-PL-1016      Rev: P2  
 scale: 1:400 @ A1 (1:200 @ A1)  
 10 December 2021

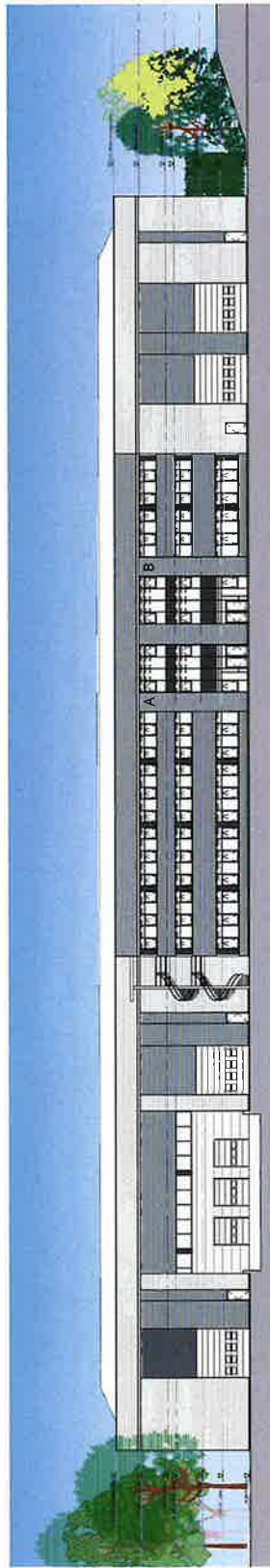
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1. SITE BOUNDARY ELEVATION - NORTH BOUNDARY (EMPIRE VILLAS)



2. SITE BOUNDARY ELEVATION - WEST BOUNDARY (BONEHURST ROAD)



3. FRONT ELEVATION UNITS A & B

DATE	DESCRIPTION	BY	APP'D
14.02.2022	ISSUE FOR PERMIT	WVA	WVA
15.12.2021	ISSUE FOR PERMIT	WVA	WVA
14.02.2022	ISSUE FOR PERMIT	WVA	WVA

SCALE BAR IN mm

0 500 1000 1500 2000 2500

PLANNING

WARREN ROSING ARCHITECTS  
ARCHITECTURE INTERIORS DESIGN  
Unit 134 Millgate Parade, 18-20 Ashburn Hill,  
London W20 7BQ, UK. 020 8996 2221. www.warrenrosing.co.uk

Cross Oak Lane  
Redhill RH1 5EX  
Site Boundary & Full Front Elevations

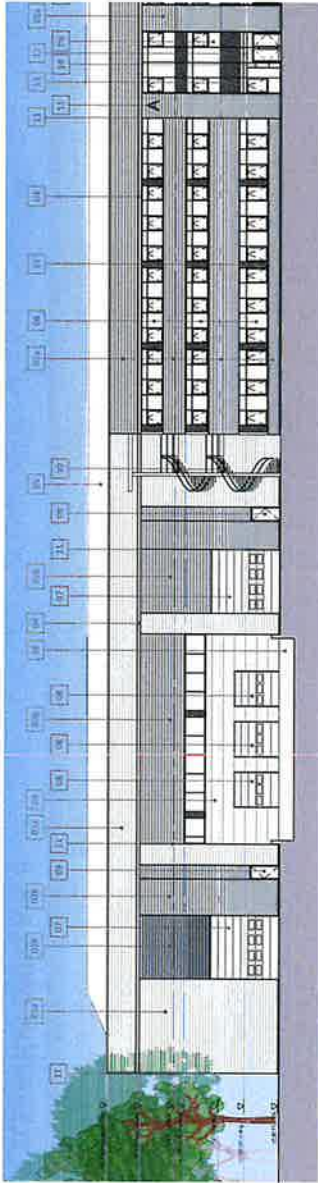
Drawing No.: 2105-PL-0021 Rev: P2  
Scale: 1:500 @ A3 / 1:250 @ A1  
10 December 2021

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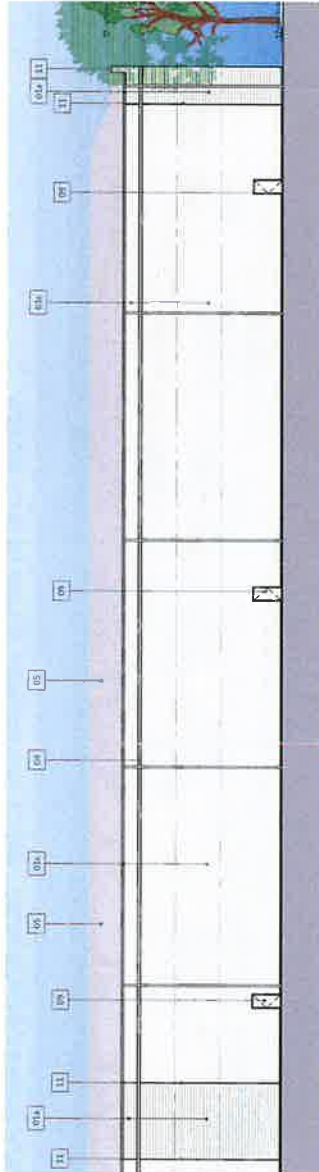
# Agenda Item 7

**MATERIALS KEY:**

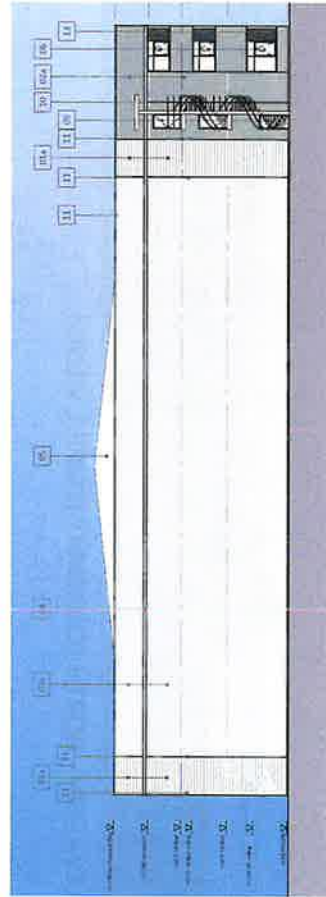
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- 01c Wall cladding - Horizontal (horizontal) profiled but up steel cladding - colour Prima Avance (bc)
- 01d Wall cladding - Horizontal (horizontal) profiled but up steel cladding - colour Prima Sma (bc)
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- 02b Wall cladding - Horizontal (horizontal) profiled but up steel cladding - colour Prima Atlas (bc)
- 03 Wall cladding - Horizontal (horizontal) profiled but up steel cladding - colour Prima Avance (bc)
- 04 Freize element finishing Colour bc
- 05 Strip windows & curtain walling Frame Colour Avance (D/L 70 B)
- 07 Level finishing element Colour bc
- 08 Oak timber slats Colour bc
- 09 Metal escape & recessed door Colour to match adjacent cladding
- 10 Galvanized steel spiral escape (slat and roof)
- 11 Metal finishing Colour bc
- 12 Glazed entrance canopy on ppc wall supports
- 13 Look-to-the-glazing structural panels
- 14 Metal (horizontal) panels to match glazing with water tank
- 15 Unit & door numbers
- 19 Concrete door retaining walls



**SOUTH ELEVATION - UNIT A**



**NORTH ELEVATION - UNIT A**



**WEST ELEVATION - UNIT A**

DATE	Issue prepared	DATE	14.04.2022	BY	WRS
DATE	Revised for Planning Approval	DATE	13.12.2021	BY	WRS
DATE	Issue	DATE	14.04.2022	BY	WRS

SCALE BAR (M) mm

0 500 1000 1500 2000

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ARCHITECTURE | INTERIORS | DESIGN  
Unit 18a Hillgate Place, 18-20 Bahaim Hill,  
Canton, SW2 8EP  
020 7993 9347; info@warrenrosing.co.uk; www.warrenrosing.co.uk

**Cross Oak Lane  
Redhill RH1 5EX**

Unit A  
Elevations

Drawing No.: 2105-PL-1015 Rev: P2


Scale: 1:500 @ A3 / 1:200 @ A1 10 December 2021

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# Agenda Item 8

Planning Committee  
8th June 2022

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21/03185/F

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

<b>APPLICATION NUMBER:</b>	21/03185/F	<b>VALID:</b>	21/12/2021
<b>APPLICANT:</b>	Apples Properties Ltd	<b>AGENT:</b>	Full Circle Planning Solutions
<b>LOCATION:</b>	<b>OLDBURY ENGINEERING LTD, 8-12 BALCOMBE ROAD HORLEY RH6 9HT</b>		
<b>DESCRIPTION:</b>	<b>Demolition of all existing building and erection of a detached building containing 6 apartments with associated access, parking for car and cycles, refuse storage and amenity space. As amended on 22/02/2022 and on 16/05/2022.</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 all existing buildings on site and the erection of a detached residential building containing six flats. The site is located to the south of the borough in Horley, and forms part of the Bridge Industrial Estate Local Employment Area, approx.. 130m from the edge of the Horley Town Centre Boundary, to the western side of Balcombe Road. The immediate vicinity of the site features a mix of land uses, from residential to a range of commercial and industrial uses. Residential dwellings can be found on the opposite side of the road. They are semi-detached, pitched roof 1930s-50s style dwellings.

The application has been accompanied by a marketing exercise which demonstrates that the existing buildings are no longer viable for employment use and unlikely to attract such occupiers, particularly in the current climate, therefore the loss of the existing use is considered to be acceptable.

The proposed development would be three storeys in height, and would be of a contemporary design, being a flat roof building in a broadly L shaped form. The design and scale of the building would be in keeping with that of the rest the row of properties. The building would be located to the end of the row and would seek to provide a contemporary reflection of the former bank building to the south in terms of height and scale, bookending the row with a contemporary building. The site is on the edge of an industrial estate where a more functional, uncomplicated architectural style is

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considered appropriate. The building would be in brick of differing shades which would reflect the palette of materials of other buildings in the area.

The development proposes 3x1 bed, 2x2 bed and 1x3 bed flats. Each of the proposed flats would meet the relevant internal space standards for living space and would be appropriately laid out with habitable rooms well served by windows providing light and outlook. Each flat would have access to a balcony area, providing outdoor private amenity space. The proposed housing mix is considered to be acceptable and would meet the aims of Policy DES4 of the DMP in this regard.

With regard to impact on the amenity of neighbouring properties, the nearest residential dwellings are located on the opposite side of Balcombe Road to the proposed development. Whilst the presence of the building would result in a change in relationship and outlook, it would not result in harm to the amenity of these properties. The building would be an acceptable distance away from the neighbour's front windows not to impact on light and it would not be overbearing in nature.

On highway matters, the County Highway Authority has reviewed the application and has raised no objection on highway safety or capacity grounds. Amendments have been received during the course of the application to provide a greater space for the turning of vehicles to access three proposed parking spaces to the side of the building. Vehicle tracking plans have been provided to demonstrate that these spaces can be accessed, and cars can enter and leave the site in a forward gear. It is proposed to provide a total of 4 parking spaces. A total of 7 spaces would be required by the DMP parking standards unless otherwise justified. The site is designated as being in a highly accessible location. Whilst the level of parking provision would represent a shortfall against standards, the site is in a highly sustainable location with close access to rail and bus networks, as well as within easy walking distance to Horley Town centre, which provides a range of services and facilities. Provision will be made for cycle storage in order to further encourage sustainable modes of transport.

## **RECOMMENDATION(S)**

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



## **Consultations:**

County Highway Authority: No objection on safety and capacity grounds subject to conditions and informatives.

Contaminated Land Officer: No objection has been raised subject to the imposition of conditions and informatives requiring the submission of pre-demolition and refurbishment asbestos survey prior to commencement of development. Further conditions relating to contaminated land.

Environmental Health: No concerns have been raised with regard to air quality impact on the development.

Horley Town Council: No objections have been raised.

## **Representations:**

Letters were sent to neighbouring properties on the 22<sup>nd</sup> December 2021. No responses have been received.

### **1.0 Site and Character Appraisal**

- 1.1 The site is located on the west side of Balcombe Road, located on the edge of Horley town centre and located in an area with a wide variety of uses including commercial, light industrial and residential which make up the Bridge Industrial Estate, which is sited around the proposal site, and is a designated employment area within the DMP.
- 1.2 The application site itself is comprised of three properties, a pair of semi-detached houses and a third detached house. Although all of the properties were built as and continue to have the appearance of residential dwellings, most recently no.'s 8 and 10 have been used as ancillary office space and no.12 was last used for residential but is now vacant and in a state of disrepair.
- 1.3 There are no statutory listed buildings on or near the site however there is a locally listed building to the west, which was a former brewery. There are no trees within the site. Property design varies in the road, from traditional small, pitched roof Victorian style, to larger flat roof buildings to the south. Building heights increase in height along the west side of Balcombe Road.

### **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. Concerns were raised with regard to aspects of the design and the potential impact of neighbouring land uses of residential amenity of future occupants.

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- 2.2 Improvements secured during the course of the application: Improvements have been sought during the course of the application to improve window placement. Further amendments have been received to address issues relating to the parking and access.
- 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**

19/00668/CLE Existing office use (B1[a] with ancillary storage at No's 10-12 Balcombe Road, Horley; associated with the existing light industrial use at adjoining Bridge Works, Balcombe Road, Horley - Approved

### **4.0 Proposal and Design Approach**

- 4.1 This is a full application for the demolition of all existing buildings and erection of a detached building containing 6 apartments with associated access, parking for car and cycles, refuse storage and amenity space. The existing buildings on site comprise a terrace of three properties which were historically built as houses (circa 1890), however numbers 10-12 Balcombe Road have most recently been used as offices associated with an engineering company, whilst number 8 was last occupied as a residential dwelling, however is currently uninhabitable.
- 4.2 The replacement building would be exclusively residential, adopting a contemporary design approach, being flat roofed and broadly L shaped, the tallest element of the building being located to the northern end of the site. The maximum height of the building would be 11m, decreasing to 9.2m to the south, and dropping again to the rear to a depth of 7.4m. The building would be 18.3m in depth. The top portion of the building would be set in from the front elevation to form a terrace serving two of the proposed units.
- 4.3 Regarding materials, the lower scale element of the building would be realised in facing brickwork, whilst the upper floor would be formed of standing seam zinc panels. The larger scale element would also comprise of brick of a lighter hue to provide visual contrast
- 4.4 Parking would largely be contained to the side of the existing building in an undercroft, reached via the existing access off Balcombe Road. It is proposed to provide a total of 4 parking spaces, three within the undercroft and a further space to the front of the building. Each space would be provided with an electric vehicle charging point. Secure cycle storage would be provided within the building to the rear for 12 bicycles. Refuse storage would be located to the front of the site in the south-east corner.

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- 4.5 The development proposes a total of 6 self-contained flats. The mix would comprise 3x1 bed, 2x2 bed and 1x3 bed flats. Each flat would be provided with an element of outside amenity space in the form of either a private garden/terrace area or balcony.
- 4.6 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.
- 4.7 Evidence of the applicant's design approach is set out below:

Assessment	The site is identified as being located on the edge of Horley Town Centre, located within an area comprised of a mix of commercial, light industrial and residential uses, and is identified as being within a designated employment area. The site is noted as not being within a conservation nor are there any listed buildings within 500m of the site. The site is located within flood zone 1 and there are no tree preservation orders within the site. It is stated that there is a good level of access to public transport, being located in close proximity to Horley railway station and a number of bus stops.
Involvement	It is not stated that any public consultation/ involvement took place in the development of the current proposal.
Evaluation	Section 5 of the submitted planning statement sets out how the feedback received from pre-application enquiries has informed the design of the current proposal.
Design	The building has been designed to form two distinct elements in order to reduce the sense of scale. The lower scale element respects the scale and fenestration of adjacent properties to the south, whilst the taller northern section reflects that of the former bank building at the opposite end of this row of the road, acting as a 'bookend' to the row of buildings. It is stated that the building seeks to emulate the pattern of development at the opposite end of the terrace, forming a sculptural end to the ad hoc row of structures.

- 4.8 Further details of the development are as follows:

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Site Area	0.04Ha
Existing Use	Office (Use Class E, currently vacant)
Proposed Use	Residential (Use Class C3) 6 units
Site Density	150dph
Parking Standard	Accessibility level – High – 7 spaces required
Proposed Parking Spaces	4

## 5.0 Policy Context

### 5.1 Designation

Urban Area  
Employment Area (Balcombe Road Industrial area)  
Regeneration Area

### 5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)  
CS10 (Sustainable Development),

### 5.3 Reigate & Banstead Development Management Plan 2019

Design	DES1, DES5, DES6, DES8, DES9
Housing Mix	DES4
Local Employment Area	EMP2
Natural and historic environment	NHE3
Transport, access and parking	TAP1
Climate Change resilience and flooding	CCF1
Infrastructure	INF1

### 5.4 Other Material Considerations

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide

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 for the demolition of all existing buildings and the erection of a detached building containing 6 apartments with associated access, parking for car and cycles, refuse storage and amenity space.
- Principle of the development
  - Design and character assessment
  - Neighbouring Amenity
  - Amenity for future occupiers and housing mix
  - Transport matters
  - Sustainability, Infrastructure and Climate change
  - CIL
  - Affordable Housing

#### Principle of the development

- 6.2 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 accepted. The area is comprised of a mix of residential, commercial and industrial uses. There is therefore no objection to the principle of residential development in this location.
- 6.3 The site is located just north of Horley town centre along the western side of Balcombe road. The site is located within a local employment area and just north of the Station Road local centre. The proposed development comprises of the demolition of all existing building on the site and the replacement with a 3 storey apartment block contained 6 self-contained apartments.
- 6.4 As the site is located within a local employment area, Balcombe Road Industrial area (DMP Policy EMP2), it is safeguarded land for employment that will grant planning permission for the following uses:
- a. Industrial and distribution uses
  - b. Offices
  - c. Financial and professional services
  - d. Any other employment-generating uses (excluding all Class A uses other than A2).

Para 1.1.11 of the DMP states that: "The Employment Area Review (2017) identifies that a large proportion of businesses in the borough are small businesses, and that these areas provide a valuable stock of smaller, more affordable accommodation suited to their needs. Policy EMP2 recognises this, and seeks to reinforce this small business role and the importance of protecting and maintaining a ready supply of appropriate small business premises to support their growth". Para 1.1.12 then states: "Policy EMP2 introduces a greater degree of flexibility in these areas than in Principal Employment Areas in order to encourage and support small businesses, respond to existing

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business needs and improve the viability of these areas.” As the application is for a dwellinghouse, it will not necessarily be granted planning permission according to the criteria within Policy EMP2. However, para 1.1.12 of the explanatory text explains the greater degree of flexibility for the policy in order to respond to existing business needs and improving the viability of the areas.

- 6.5 Under DMP Policy EMP4: ‘Safeguarded employment land and premises’, there is a criteria for loss of employment land which is as follows:

*“1. The loss of employment land and premises will only be permitted if:  
a. it can be clearly demonstrated that there is no reasonable prospect of (or demand for) the retention or redevelopment of the site for employment use (see Annex 3 for information on what will be required to demonstrate this); or  
b. the loss of employment floorspace is necessary to enable a demonstrable improvement in the quality and suitability of employment accommodation; or  
c. the proposal would provide a public benefit which would outweigh the loss of the employment floorspace.”*

The application for dwellinghouses will not provide a public benefit nor does it meet the requirements of criterion b. However, criterion a. states that loss of employment land and premises will be permitted if there is a clear demonstration that there is no prospect of (or demand for) the retention of the site for employment use, where Annex 3 gives further requirements. Annex 3 from the DMP provides the detailed marketing requirements which apply for policy EMP4. Within the applicant’s planning statement (November 2021) contains a marketing report (Appendix 1). The marketing report completed by White and Sons states that since 12th November 2020 the property had been marketed for a 9 month period with the use of a visible advertising board and accessible website advertising. The report goes on to state that 19 enquiries were received, but only 2 viewings were held and no offers received. Overall, it is evident that the marketing for the site has failed and therefore the prospect of securing employment is unfavourable in this current market. Based on the above, the requirements set out in annex 3 and the DMP Policies EMP2 and EMP4 will be deemed acceptable for the application.

- 6.6 In light of the above it is considered that it has been reasonably demonstrated that the loss of the existing employment use would be acceptable, and would accord with Policies EMP2 and EMP4 of the DMP 2019.

## Design and character assessment

- 6.3 The design of the proposed building would be contemporary which, while differing in appearance to other properties within the road, is considered to be acceptable within the wider context of the site. The building would provide a modern reflection of the of the former bank building to the southern end of the road. The application site is in a location that transitions to an area more industrial in character, where a building of a less traditional residential form would not be unacceptable. It would serve to ‘bookend’ the road, with the two tallest buildings located in the middle of the row of properties, with the smaller properties remaining between them. Whilst the flat roof form may be different to the style of buildings in the area it would also not be entirely alien. It is noted

that the site is on the edge of an industrial estate where a more functional, uncomplicated architectural style may be considered appropriate. The building would be of an appropriate scale within the wider context of the street, the eaves heights corresponding with those of the neighbouring properties. The proposed differing colours of brick would be appropriate, where there is a mix of both brick and render in the road and would add visual interest to a street which is somewhat devoid of high quality character and design. On this basis it is considered that the design of the building would be acceptable and would accord with Policy DES1 of the DMP 2019.

#### Impact on neighbouring amenity

- 6.4 To the south are a small row of buildings which at one stage were likely residential however at present these serve a commercial office use. The proposed building would be similar in scale to these adjacent properties at the closest point, having a similar relationship as the existing arrangement. To the rear of these buildings is an area of car parking associated with the existing neighbouring uses, which would not be impacted by the proposed development, and access would be maintained to this area via the existing access from Balcombe Road. To the north and west of the site are industrial properties that would not be impacted by the presence of a residential building. There are a number of residential properties on the opposite side of the road. Whilst the new building would result in a change to the outlook from these properties, the distance between buildings would be some 25m, which would be sufficient to avoid being overbearing, and the height and scale of the building would not result in loss of light to front facing windows. The proposal is considered to be acceptable with regard to harm to neighbouring amenity.

#### Amenity for future occupiers and housing mix

- 6.5 It is a fundamental objective of planning policy and stated within the National Planning Policy Framework that we provide high quality housing that is well designed and built to a high standard. The advice is amplified further by policies DES2 and DES5 of the Development Management Plan, which requires developments to demonstrate that dwellings have been designed to ensure that a good standard of amenity for all existing and future occupants and meet the minimum relevant nationally described space standards and be arranged to ensure that habitable rooms are arranged to have an acceptable outlook and where possible receive direct sunlight.
- 6.6 The scheme proposes 6 flats, 3x1 bedroom, 2x2 bedroom and 1x 3 bedroom flats. The proposed plans demonstrated that the required space standards for living space would be met and exceeded by the proposed development. Habitable rooms would be well served by windows and doors, providing acceptable outlook and levels of light. Each flat would be well laid out, devoid of awkwardly shaped rooms. External amenity space would take the form of private balconies, as well as a shared amenity space to the rear south corner. The site is within an edge of centre location. The provision of balconies would be acceptable for a flatted development in a location such as this.

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- 6.7 Regarding housing mix, Policy DES4 requires that on sites within town and local centres, at least half of all homes provided should be one and two bedroom homes. As stated above the scheme proposes 6 flats ranging from 1 to 3 bedrooms. This would contribute to meeting the need for smaller homes within the borough, for which there is an identified shortage.
- 6.8 In light of the above it is considered that the scheme would be acceptable with regard to the amenity of future occupiers as well as achieving an appropriate housing mix. The scheme would therefore comply with policies DES4 and DES5 of the DMP 2019.

## Transport Matters

- 6.9 The site is within a high accessibility location as defined within Annex 3 of the Development Management Plan. In accordance with the Councils standards, based on the number of bedrooms proposed, a total of 8 parking spaces would be required. Policy TAP1 is clear that developments should be sited so as to link with the wider sustainable transport network (for example bus stops and rail) in order to provide a range of options for sustainable travel. The policy also recognises that car travel will continue and therefore an appropriate level of parking provision is necessary to ensure that parking does not detract from character, make roads unsafe for other road users, nor put pressure on local roads.
- 6.10 It is proposed to provide a total of 4 parking space, representing a shortfall of 4 spaces. Covered cycle store is provided with 12 cycle spaces allowing 2 spaces per dwelling. This exceeds the policy requirement of 7 spaces and further demonstrates the sustainable nature of the development. Policy TAP1 requires that parking be provided in accordance with these standards unless it can be justified that not doing so would not result in unacceptable harm. Development should not result in unacceptable levels of on-street parking demand in existing or new streets. The site is very clearly in a sustainable location on the edge of Horley Town Centre, where a range of convenience and goods services are located within walking distance of the proposed development. The site is also in close proximity to Horley Railway Station is located approx.. 0.6km (0.4mi) to the south within easy walking distance, providing services to Gatwick Airport to the South and frequent services to Central London. The nearest bus stops are on Balcombe Road (180m) and Smallfield Road (110m). In view of this a lesser parking provision would be acceptable. The County Highway Authority, who have been consulted on the application, share this view. It is not considered that the shortfall in parking provision would give rise to issues of highway safety. Balcombe Road and Smallfield Road are subject to double yellow line restrictions; therefore parking could not take place on the highway. Whilst Station Road to the south provides a small number of designated on street parking spaces, these are restricted to 1hour, therefore the amount of on-street parking created would be minimal. Therefore it is considered that justification is made in accordance with Policy TAP1 for a parking provision below standard.



- 6.11 The existing access is shared with adjoining land owners of the employment site to the rear. This access is not in the applicant's ownership, but the applicant has rights of way across this land, and the land is included within the red line boundary for this application. This access will be retained ensuring the rights of way of the neighbouring landowner are maintained at all times. The existing access and crossover to Balcombe Road will also be retained as existing to serve both the proposed development and the existing development to the rear.
- 6.12 The CHA initially raised concerns regarding the substandard aisle width for vehicles accessing the parking spaces off the shared access, and the substandard size of the proposed parallel parking space, in order to allow for safe turning on-site and parking respectively. Following a revision of the proposed site plan, and subsequent tracking drawings demonstrating that vehicles can access and egress the site safely in forward gear, the CHA is now satisfied that the proposed access and parking arrangements would have no significant impact on the safe operation of the Balcombe Road highway.
- 6.13 In view of the above considerations, it is considered that the application would be acceptable on highway safety and capacity grounds and would therefore comply with Policy TAP1 of the DMP 2019.

#### Sustainability, Infrastructure and Climate change

- 6.14 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 were to be 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. A further condition requiring the provision of broadband connection, in accordance with Policy INF3 of the DMP 2019, would also be attached to any grant of planning permission.

#### CIL

- 6.15 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.

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## CONDITIONS

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

Plan Type	Reference	Version	Date Received
Other Plan	2793-001	A	16.05.2022
Floor Plan	009	D	16.05.2022
Other Plan	019	C	16.05.2022
Location Plan	001		13.12.2021
Block Plan	002		13.12.2021
Floor Plan	003		13.12.2021
Floor Plan	004		13.12.2021
Roof Plan	005		13.12.2021
Street Scene	006		13.12.2021
Elevation Plan	007		13.12.2021
Elevation Plan	008		13.12.2021
Floor Plan	010		13.12.2021
Floor Plan	011		13.12.2021
Roof Plan	012		13.12.2021
Elevation Plan	014		13.12.2021
Elevation Plan	016		13.12.2021
Section Plan	017		13.12.2021
Section Plan	018		13.12.2021
Street Scene	013	A	22.02.2022
Elevation Plan	015	A	22.02.2022
Elevation Plan	016	A	22.02.2022

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

2. The 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 space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning area shall be retained and maintained for their designated purposes.

Reason: in order that the development should not prejudice highway safety

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nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework (2021) as well as Policy TAP1 for Parking, Access, and Servicing and Policy DES8 Construction Management of the Reigate and Banstead Local Plan Development Management Plan September 2019.

4. No development shall commence until a Construction Transport Management Plan, to include details of:
  - (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) programme of works (including measures for traffic management)
  - (e) provision of boundary hoarding behind any visibility zones
  - (f) measures to prevent the deposit of materials on the highway
  - (g) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
  - (h) on-site turning for construction vehicles or equivalent traffic management.

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 (2021) as well as Policy TAP1 for Parking, Access, and Servicing and Policy DES8 Construction Management of the Reigate and Banstead Local Plan Development Management Plan September 2019.

5. 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 bicycles to be parked. Thereafter the parking area shall be retained and maintained for its designated purposes.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and Reigate and Banstead Core Strategy 2014 Policy CS17 (Travel Options and Accessibility).

6. The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

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

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and Banstead Core Strategy 2014 Policy CS17 (Travel Options and Accessibility).

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

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land before development commences and to make the land suitable for the development without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment with regard to the Reigate and Banstead Local Plan Development Management Plan 2019 and the NPPF.

8. 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 Local Plan Development Management Plan 2019 (Policy DES9 Pollution and contaminated Land) and the NPPF.

9. 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

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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 Local Plan Development Management Plan 2019 (Policy DES9 Pollution and contaminated Land) and the NPPF.

10. 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 in line 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 Local Plan Development Management Plan 2019 (Policy DES9 Pollution and contaminated Land) and the NPPF.

11. 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.

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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 Local Plan Development Management Plan 2019 (Policy DES9 Pollution and contaminated Land) and the NPPF.

12. 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 Local Plan Development Management Plan 2019 (Policy DES9 Pollution and contaminated Land) and the NPPF.

## INFORMATIVES

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at [www.firesprinklers.info](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 included in the above CMS condition 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;

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- (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).

4. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
5. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
6. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
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.
8. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
9. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.

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

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

## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against the NPPF 2021 and Development Management Plan policies DES1 NHE1 NHE3 NHE5 and OSR3 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.

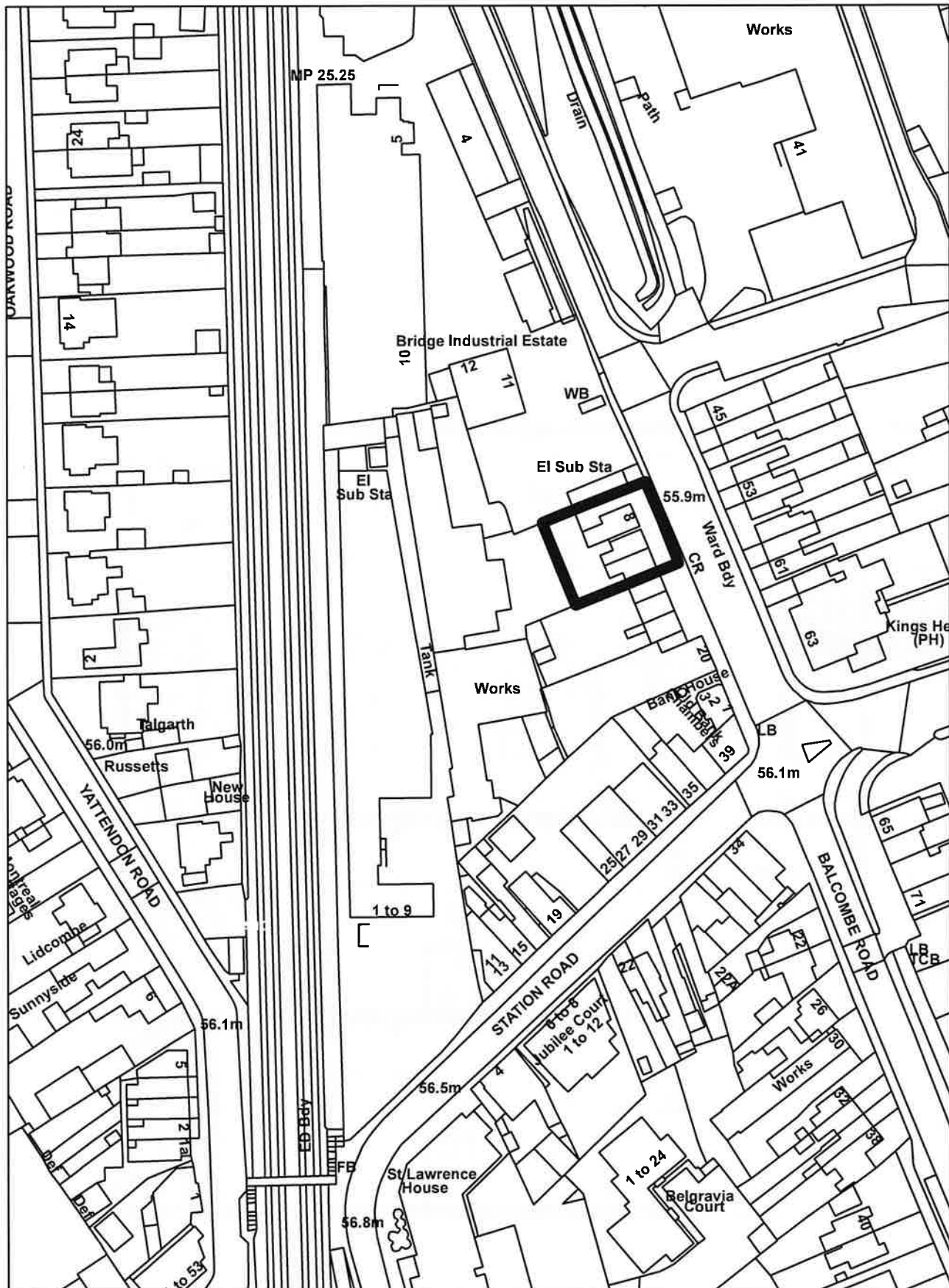
## **Proactive and Positive Statements**

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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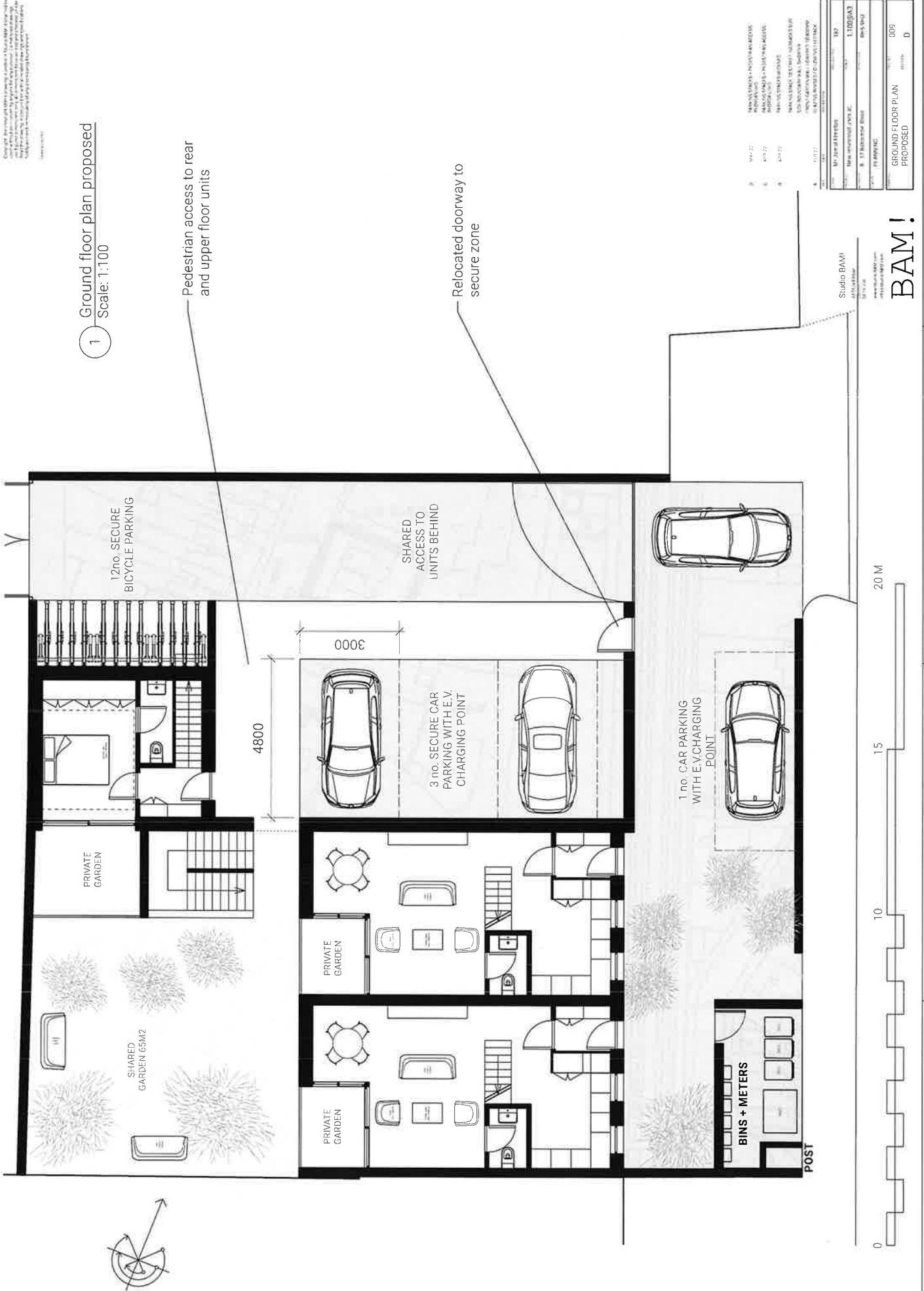
21/03185/F - Oldbury Engineering Ltd, 8 - 12 Balcombe Road, Horley



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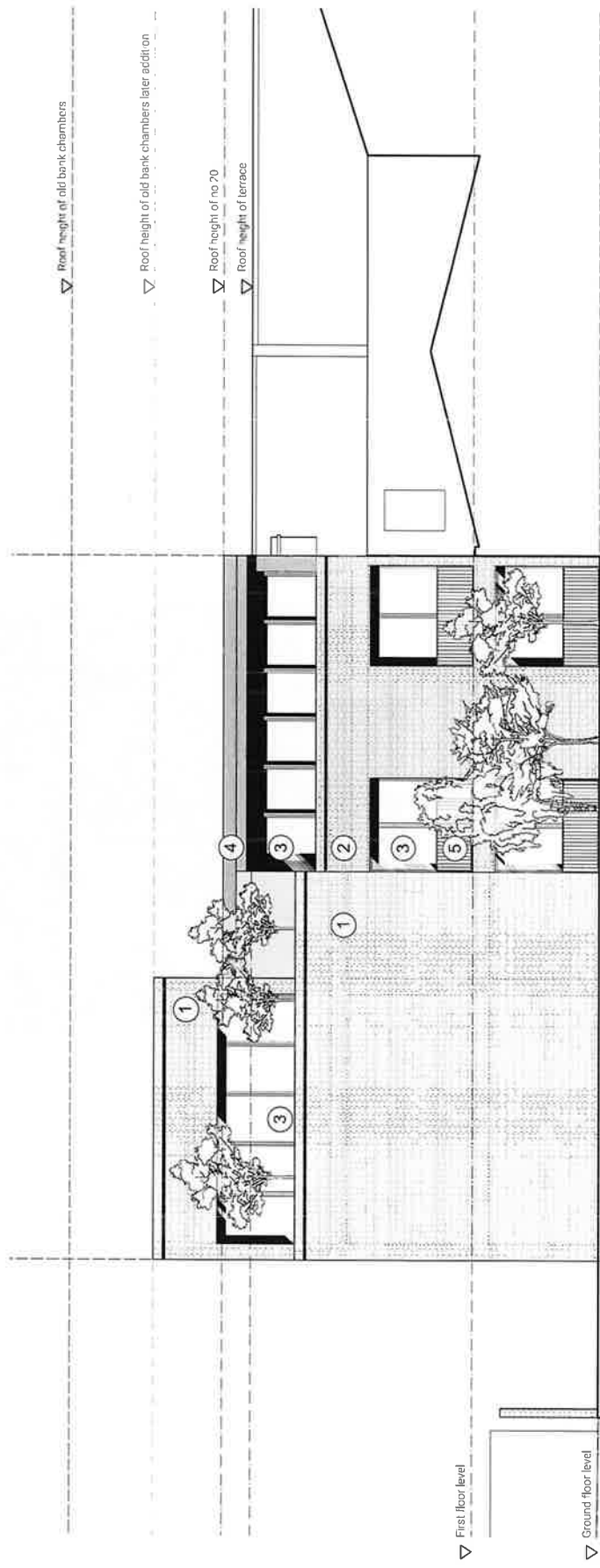




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- ① Light coloured buff brick - stretcher bond
- ② Dark coloured buff brick - stretcher bond
- ③ Powder coated metal/slim framed glazing
- ④ Dark coloured standing seam zinc fascia/cladding
- ⑤ Vertical stainless steel framed gate/railings



▽ Roof height of old bank chambers

▽ Roof height of old bank chambers later addition

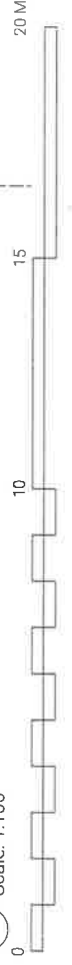
▽ Roof height of no 70

▽ Roof height of terrace

▽ First floor level

▽ Ground floor level

① Proposed rear elevation  
Scale: 1:100



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Architect	BAM!
Structural Engineer	PI ANNING
Proposed Rear Elevation	01/14




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# Agenda Item 9

Planning Committee  
8<sup>th</sup> June 2022

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21/02438/F

 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	<b>TO:</b>	PLANNING COMMITTEE	
	<b>DATE:</b>	8 <sup>th</sup> June 2022	
	<b>REPORT OF:</b>	HEAD OF PLACES & PLANNING	
	<b>AUTHOR:</b>	Rosie Baker	
	<b>TELEPHONE:</b>	01737 276173	
	<b>EMAIL:</b>	rosie.baker@reigate-banstead.gov.uk	
<b>AGENDA ITEM:</b>	9	<b>WARD:</b>	<i>Horley East and Salfords</i>

<b>APPLICATION NUMBER:</b>	21/02438/F	<b>VALID:</b>	22/09/2021
<b>APPLICANT:</b>	Littlerock Developments Ltd	<b>AGENT:</b>	Vail Williams
<b>LOCATION:</b>	<b>SALFORDS VILLAGE STORE, 21 BRIGHTON ROAD, SALFORDS</b>		
<b>DESCRIPTION:</b>	<b>Demolition of existing convenience store building and redevelopment involving the erection of a convenience store (Class E) with associated parking and landscaping. As amended on 15/03/2022, 16/03/2022 and on 28/04/2022.</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 an existing vacant and dilapidated retail store with dwelling at first floor and the erection of a new two storey convenience store (Class E) with associated parking and landscaping on as site at the corner of Honeycrook Land and Brighton Road in Salfords.

This application follows one for demolition and replacement with six flats (20/01624/F) approved in September 2021.

The site is located within an identified local centre and as such the proposal would form a policy compliant use. The proposed store would be of a suitable scale and function to the Local Centre and would form a positive addition to the local community which the development would serve, bringing regeneration, employment and economic benefits together with the potential to encourage sustainable travel patterns. The principle of development is considered acceptable.

The proposed design of the building would result in an improvement over the existing building providing frontages to both Brighton Road and Honeycrook Lane and would be of a similar scale, massing and bulk to the existing store with dwelling above. The proposed traditional design is considered acceptable and responds to the local context as are the proposed materials. As such it is considered the proposal would not result in harm to the character or appearance of the surrounding area. The proposal is considered to have an acceptable impact on residential amenity, noting the previous use of the site as a convenience store.

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The proposal has been assessed by the County Highway Authority with respect to the new access arrangements, traffic generation, parking etc. Particular regard has been had to highway safety with the proposal being subject to a Stage 1 Road Safety Audit. Following amendment and the adoption of all the recommendations of the Road Safety Audit the County Highway Authority has no objection to the proposal subject to a number of conditions. The proposal is considered to have an acceptable impact in regard to trip generation and highway safety and would provide sufficient car parking and disabled car parking in accordance with the council's car parking standards.

The proposal also would provide sustainability measures which would ensure that any flood risk is suitably mitigated and that the development would provide a satisfactory sustainable drainage system.

As such the proposal is considered to accord with the Development Plan.

## **RECOMMENDATION(S)**

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



## Consultations:

Highway Authority: The County Highway Authority has assessed the application on safety, capacity and policy grounds. Initial concerns were raised. Following the submission of additional information and following amendment which included alterations to widen the pavement and change the servicing arrangements the Highways Authority has raised no objection subject to condition. See further comment in transport section of the report.

Environmental Health (Contaminated Land): There is potential for asbestos to be present within the existing building as such a condition is recommended.

Salfords and Sidlow Parish Council: Objection raising concerns in relation to the suitability of the site for a busy convenience store, highway safety concerns in relation to vehicle movements associated with deliveries, accident record in proximity to site and noise and disturbance to neighbours associated with deliveries.

Surrey County Council Lead Local Flood Authority: Response confirming no comment

## Representations:

Letters were sent to neighbouring properties on 13 October 2021, a site notice was posted 12 October 2021 and advertised in local press on 7 October 2021.

3 responses have been received supporting the application raising the following issues:

### Issue

Support – Community / regeneration benefit

Support – Economic growth / jobs

Support – Provision of local services

Support – Encourage use of sustainable travel / walking

## 1.0 Site and Character Appraisal

1.1 The application site is located on the north east side of the junction of Brighton Road (A217) and Honeycrock Lane. The site comprises a part single, part two storey building which was formerly a village convenience store and post office with dwelling at first floor but is now vacant. To the northern boundary is a single storey garage building and a further single storey outbuilding is located in south-east corner. Vehicular access is currently gained via a dropped kerb off Brighton Road to the north east of the site. The site is currently overgrown and has an unkept appearance.

1.2 The surrounding area is of mixed character, comprising some commercial and residential uses along Brighton Road. Predominantly building forms are

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two storey with some examples of development within the roof (2 ½ storey forms.)

- 1.3 The site is located within the Salford's Local Centre and the villages Built Up Area. The Mill House Beefeater, a Grade II listed building is located approximately 100m to the north of the site. The majority of the site is located within Flood Zone 2, with the remainder of the site within Flood zone 1.

## 2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: The applicant did not approach the Borough Council for pre-application advice therefore the opportunity to secure improvements did not arise in relation to the design of the proposed building. The applicant did however undertake separate pre-application discussions with the Highway Authority (SCC) in relation to the proposed access arrangements.

- 2.2 Improvements secured during the course of the application:

- Sequential Test for Flooding has been submitted.
- Road Safety Audit has been submitted and assessed by the County Highways Authority in respect to the provision of the new access and proposed alterations to the highway.
- Relocation of loading bay to northeast corner of the site.
- Provision of cycle parking to the northwest corner of the site.
- Southern elevation has been stepped in, increasing pavement width to Honeycrock Lane and maximising visibility around the corner along the A23 and to the southern access.
- Minor increases to the pedestrian paving to the east and north of the proposed store.
- Signage and road markings added to discourage right-turn manoeuvres from the A23 access
- Extension of the northern kerb line of the traffic island adjacent the A23 access
- Amended traffic island at the A23 access that is clear of the pedestrian route across that access (details of the traffic island to be agreed at detailed design stage)
- Relocated post box behind the visibility splay
- Added a 0.5m wide mountable margin to the eastern side of the Honeycrock Lane access
- Added road markings to the Honeycrock Lane access
- Added 'KEEP CLEAR' markings opposite the new access on Honeycrock Lane.
- Moved tactile paving at Honeycrock Lane access to direct pedestrians away from inadvertently staying onto the Honeycrock Lane carriageway.

- 2.3 Further improvements to be secured through the use of conditions.

## 3.0 Relevant Planning and Enforcement History

3.1	83P/0119	Extension to the existing shop	Granted
3.2	90/06070/F	First floor extension to existing store building	Refused 20 August 1990
3.3	20/01624/F	Demolition of existing buildings and erection of a building comprising 6 flats with parking and a new access.	Granted subject to S106 3 September 2021

## 4.0 Proposal and Design Approach

- 4.1 This is a full application for the demolition of the existing vacant and dilapidated retail store and associated single storey buildings and the erection of a new two storey convenience store (Class E).
- 4.2 The building which would be situated on the south west corner of the site would provide a sales floorspace at ground floor and back of house and plant at first floor. The customer entrance is proposed at the Honeycrook/Brighton Road corner with servicing taking place within the site with the service stores being located on the eastern elevation and at first floor and a goods lift in the north east corner of the building.
- 4.3 The new store would be two storeys with a traditional gabled appearance with barn hipped roof. The materials palette comprises traditional red brick, clay tile hanging to gables, interlocking red/brown concrete tiles and a glazed frontage in keeping with the proposed retail use. Brick recesses are proposed along 3 facades to break up the rear and flank elevations. Zinc vented louvres are proposed to screen plant at first floor, together with timber box cladding to the rear. Building signage would require advertisement consent but is shown indicatively to comprise signage typical of the Co-op chain.
- 4.4 A widened vehicle access is proposed to Brighton Road restricted to left in / left out manoeuvres, whilst a new vehicle access is proposed to Honeycrook Lane. Seven car parking spaces (including one disabled space) are proposed for customers to the rear together with a loading bay for delivery vehicles. Two cycle storage spaces would be available to customers in the northwest corner of the site. The parking court is proposed in permeable brick block pavers with contrast to delineate spaces. A retaining wall is provided along the eastern boundary to respond to changes in land levels adjacent to 1 Honeycrook Lane. A 1.8m close boarded fence is proposed to the north and eastern boundaries. The proposal includes for secure refuse management within the site, undertaken by the store provider with collections as part of the servicing regime of the store. A replacement post box facility is incorporated within the proposal to replace an existing post box on site.
- 4.5 Limited landscaping is proposed in the small areas available to the north of the parking bays and around the frontage entrance from Brighton Road. Lighting is proposed to illuminate access points and parking areas, it is

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proposed to use focussed and targeted down lights to avoid overspill and light disturbance to surrounding residents.

- 4.6 The proposal is anticipated to result in the creation of the equivalent of 16 new full time jobs (provided as a mix of full and part time job opportunities). Opening hours are indicated as 0600-2300 every day of the week.
- 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 comprising a mix of largely residential and retail uses with the site located within Brighton Road local centre. Architectural styles are typically traditional with building heights of 2/2.5 storeys.
	No site features worthy of retention were identified.
Involvement	No community consultation took place.
Evaluation	The statement does not include any evidence of other development options being considered.
Design	The two storey form responds to local character and utilises traditional building forms, materials and detailing found within the locality.

- 4.9 Further details of the development are as follows:

Site area	680 Sqm
Existing use	Post office/ convenience store with dwelling at first floor
Proposed use	Convenience store (Class E)
Existing parking spaces	1
Proposed parking spaces	7
Parking standard	1 space per 30m <sup>2</sup> of retail floorspace (Groundfloor GIA=197sqm = 7 spaces)

## 5.0 Policy Context

## 5.1 Designation

Urban Area  
Brighton Road, Salfords - Local Centre

## 5.2 Reigate and Banstead Core Strategy

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

## 5.3 Reigate & Banstead Development Management Plan 2019

Design, Character and Amenity	DES1, DES8, DES9, DES10
Retail	RET1
Community Facilities	INF2
Infrastructure	INF1
Transport, Access and Parking	TAP1
Climate Change Resilience and Flooding	CCF1, CCF2

## 5.4 Other Material Considerations

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

## 6.0 **Assessment**

### 6.1 The main issues to consider are:

- Principle of development and retail use
- Design appraisal
- Neighbour amenity
- Highway matters
- Sustainable construction
- Drainage
- Community Infrastructure Levy

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## Principle of development and retail use

- 6.2 The application site is situated within the urban area and within the Brighton Road, Salfords Local Centre where there is a presumption in favour of sustainable development and where the principle of retail development is acceptable in land use terms. Policy RET 1 seeks to ensure that new development continues to make a positive contribution to the retail areas within which it is located whilst minimising the impact on other surrounding uses and on users of the retail areas.
- 6.3 In this case there is an existing (albeit vacant) retail use on the site and as such there would be no material change of use of the land. The proposed development would result in a replacement convenience store that would remain appropriately sized to serve the local community, encouraging sustainable travel and helping to support the viability and vitality of the Salfords local centre. The proposal would result in economic benefits through the provision of jobs, spend within the local area and have a regeneration benefit in rejuvenating this vacant site. The loss of the residential unit associated with the previous post office/convenience store is considered acceptable.
- 6.4 Given the size of the proposed retail use which is considered suitable for the role and function of the local centre and its siting within the local centre, there is no requirement for a retail sequential test assessment.
- 6.5 The proposal would make efficient use of land by utilising a previously developed brownfield site, within a settlement boundary. As such the principle of development and use of the land is considered acceptable and considered to accord with paragraph 120 of the NPPF, policies CS1, CS5 and CS7 of the Core Strategy and policy RET1 of the Reigate and Banstead Development Management Plan 2019.

## Design appraisal

- 6.6 The proposal would provide a convenience store which would be of a similar footprint to the existing building found on site. Whilst there would be a modest increase in the overall height and mass of the building it would still be commensurate with the scale and height of buildings found along Brighton Road and Honeycrock Lane. The proposal maintains an active frontage with new shop windows along both Brighton Road and Honeycrock Lane and a new entrance in a logical and legible location. The proposal consists of traditional massing elements found in the locality, including use of gables. The design of the store also includes proportionate space for fascia signage. The materials proposed are considered appropriate and reflect both the proposed use of the site and materials readily found in the local area.
- 6.7 As such the scale, massing and appearance of the proposed store is considered to be suitable for the site and the local centre and would not result in harm to the character or appearance of the surrounding area. Instead resulting in an improvement to the overall appearance of the site when

compared to existing, noting also the removal of dilapidated outbuildings. Whilst the level of hardstanding would increase to the rear this would provide space for necessary car parking associated with the store use and while space for landscaping is limited this will allow for the appearance to be softened.

- 6.8 Overall the development would not result in harm to the character or appearance of the surrounding area and would be in accordance with Policy DES1 of the Development Management Plan 2019

### Neighbour amenity

- 6.9 The nearest neighbouring residential properties of those found at 19A Brighton Road to the north of the site and 1 Honeycrock Lane located to the east of the site.
- 6.10 The proposed store would be sited away from the neighbouring residential occupiers to the southwest corner of the site. This would result in a separation distance of approximately 16 metres to 19A Brighton Road. This separation is sufficient to prevent any loss of outlook, and due to the modest scale of the proposed development this separation would also prevent any significant loss of sunlight/daylight to the side facing windows of this particular property.
- 6.11 1 Honeycrock Lane is set back within its site. The proposal would result in the loss of the single story outbuilding adjacent to this properties entrance, which would improve the outlook from the front facing windows of this property. 1 Honeycrock Lane has a single side facing window which is small in nature. Given the siting of the proposed store to the southwest of the application site, and the proposed building being of a similar scale and massing to the existing store it is considered that the proposal would not result in any significant harm to the outlook of this neighbouring occupier or result in a significant loss of sunlight daylight to the detriment of their amenity.
- 6.12 No first floor windows are proposed within the store and as such no opportunity would arise for overlooking or loss of privacy to the neighbouring residential occupiers.
- 6.13 The proposed store would have the plant contained within the fabric of the building with louvres providing ventilation located in the southern facing gable end. Due to this arrangement, it is considered that the proposed plant would not result in noise and disturbance to the detriment of the neighbouring residential occupiers amenity. The car park and delivery movements will result in some noise however given the existing use of the site as a convenience store and the sites location within a local centre this is not considered to give rise to unacceptable harm.
- 6.14 As such it is considered that proposal would result in the neighbouring occupiers retaining a good level of amenity and would be in accordance with policy DES1 and DES29 of the Development Management Plan 2019.

### Highway matters

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- 6.15 As described in section 4 of the report the proposed access arrangements include a relocated and widened access on Brighton Road that would comprise of a left in/ left out arrangement and a new all movements access on Honeycrock Lane. A small car park comprising 7 spaces (including one disabled) is proposed to the rear of the site together with a delivery and servicing bay which would also occupy car park space 7.
- 6.16 Swept path analysis has been used to ensure vehicles can move safely throughout the site, this includes the passing of 2 cars around the car park and accesses, a car passing a 10.35 rigid vehicle at both accesses and movements of the rigid vehicle to manoeuvre into and out of the proposed delivery bay. The proposals have also been subject to a Road Safety Audit to ensure the proposed development has an acceptable impact with respect to highway safety. Surface water drainage has also been considered as part of the Road Safety Audit noting that standing water can cause highway safety issues and pedestrian slip hazards. The proposed conditions would ensure matters relating to surface water drainage are satisfactory dealt with at detailed design stage by ensuring both the carriageway and footway drainage is provided to acceptable design standards. All the recommendations of the highway safety audit have been encompassed within the revised proposal.
- 6.17 The proposal has been accompanied by a Transport Statement which highlights that the proposed access via Honeycrock Lane would not result in any adverse highway safety issues. It also demonstrates that the trip generation of the proposed store would not be significant as to result in a cumulative adverse impact to the public highway network and that the Brighton Road access to the site could be safely used by the future customers of the store and delivery vehicles.
- 6.18 The proposed parking provision including the provision of 2 secure cycle spaces would accord with the Council's car parking and cycle parking standards contained in annex 4 of the Development Management Plan 2019.
- 6.19 The application has been accompanied by Delivery and Service Management Plan, which would be secured by condition. It is proposed that the delivery vehicles would access the site via the Honeycrock Lane access, driving forward into the delivery bay. The vehicle would then reverse to exit the delivery bay and then drive forward exiting the site via the Brighton Road exit where it would turn left. Delivery vehicles will only be permitted to enter and exit the site in a forward gear.
- 6.20 This would result in a maximum of 4 deliveries a day by larger rigid or articulated delivery vehicles and 2 deliveries a day by vans. The larger vehicles delivery times would be between 8am to 10pm, with the vans which would delivery newspapers and magazines scheduled between 6am to 10am.
- 6.21 The application has been subject to extensive discussion with the Highways Authority both pre-application and following submission. Various amendments have been made to the scheme in response to the comments of the County Highway Authority (CHA), these are set out at paragraph 2.2. The Stage 1



Road Safety Audit has also been reviewed by the CHA and considered acceptable.

- 6.22 The CHA propose a number of conditions relating to highway access design, visibility splays and surface water mitigation, design of the extension to the central island on the A23 to prevent right turn movements, parking provision, bike storage, provision of a construction management plan, provision of electric charging sockets, staff sustainable travel welcome pack, and a document to control and manage the delivery bay. I consider all these conditions to be necessary and appropriate to secure an acceptable scheme and would suggest an updated version of the delivery management plan should also be conditioned reflecting the revised servicing arrangements.
- 6.23 The NPPF states at Paragraph 109 that “*Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*”. In this case the CHA has reviewed the application and assessed it on safety capacity and policy grounds. Following amendment and subject to the conditions identified above it is considered to have an acceptable impact on highway safety and is considered to accord with policy CS17 of the Core Planning Strategy 2014 and policy TAP1 of the Development Management Plan 2019.

### Drainage matters

- 6.24 The site is largely located in Flood Zone 2 and is accompanied by a Flood Risk Assessment (FRA) and sequential test.
- 6.25 As set out in the Framework (paragraphs 100 and 103) and associated technical guidance inappropriate development in areas at risk of flooding should be avoided. Development classified as 'less vulnerable' (which includes retail development) is only appropriate in flood zones 2 following the application of the Sequential Test. The aim of the sequential test being to steer new development to areas with the lowest probability of flooding. Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. If the sequential test is passed there is no further need for the exceptions test as less vulnerable development (which includes retail development) is considered compatible and an appropriate use with flood zone 2.
- 6.26 The above national policy position is reflected in Policy Ut4 of the Borough Local Plan (2005) which states that new development will not normally be permitted in areas at risk of flooding and Policy CS10 of the Core Strategy which states that development will 'be located to minimise flood risk, through the application of the Sequential Test and where necessary the Exception Test, taking account of all sources of flooding including fluvial, surface water, sewer and pluvial flooding, and reservoir failure, and manage flood risk through the use of SuDS and flood resistant/resilient design features, and where necessary provide floodplain compensation.'

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- 6.27 The sequential test submitted by the applicant identifies that the site is located within Brighton Road, Salfords local centre (a town centre for the purposes of retail policy). The NPPF and local policy RET1 directs retail uses to town centres first. As such given the modest size of the proposed store which is designed to serve the local community, the applicant has limited the alternative sites search to land falling within flood zone 1 within Salfords local centre, as this would provide a policy compliant location for such a store. The search is also based on the availability of a similar sized sites (circa 6801 sqm) to provide the necessary space for the store and associated parking and servicing. I concur with this methodology. A search was undertaken on estate agents websites to find properties on the market and available within the search area. The search revealed there are no properties available within half a mile of the site. In light of the above I consider the sequential test to have been passed.
- 6.28 The FRA also includes an analysis of the likelihood of flooding of the site and demonstrates that whilst there is a low likelihood of flooding of the site mitigation can be provided by providing a raised finish floor level of the proposed store (by 300mm above the modelled flood level) to ensure the ground floor does not flood. This would be a minimum finished floor level for the new building of 55.52 AOD.
- 6.29 In addition a SUDS scheme has been included with the application which would minimise surface water flooding as close to the source as possible and would not result in flooding of neighbouring sites in accordance with policy CS10 of the Core Planning Strategy 2014, and policy CCF2 of the Development Management Plan 2019. A condition is proposed to secure the flooding mitigation and drainage strategy.

## Community Infrastructure Levy (CIL)

- 6.30 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 although the exact amount would be determined and collected after the grant of planning permission.

## Infrastructure Contributions

- 6.31 In terms of other contributions and planning obligations, The Community Infrastructure Levy (CIL) Regulations were introduced in April 2010 which state that it is unlawful to take a planning obligation into account unless its requirements are (i) relevant to planning; (ii) necessary to make the proposed development acceptable in planning terms; and (iii) directly related to the proposed development. As such only contributions, works or other obligations that are directly required as a consequence of development can be requested and such requests must be fully justified with evidence. In this case, no such contributions or requirements have been requested or identified. Accordingly,

any request for an infrastructure contribution would be contrary to CIL Regulation 122.

Ground conditions

- 6.32 A ground conditions report has been submitted, following a site investigation and assessment to identify and ground contamination issues that might affect the proposed development. The site investigation (and associated desk top study) concluded that no potentially significant sources of contamination have been identified. Therefore the risk of impact to receptors in the context of the proposed development from contamination is considered to be negligible. As such further investigation, assessment and remediation are not considered to be necessary for this site.
- 6.33 In light of the above it is recommended conditions on this matter are limited to a condition to deal with any as yet unidentified contamination that may be identified during construction. The Environmental Health Officer is also proposing a condition to deal with potential asbestos within the existing building.

**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</b>
Elevation Plan	1531 - PL 1310	A	16.03.2022
Elevation Plan	1531 - PL 1311	A	16.03.2022
Street Scene	1531 - PL 1312	A	16.03.2022
Site Layout Plan	1531 - PL 1110-V2	A	16.03.2022
Site Layout Plan	1531 - PL 1111	A	16.03.2022
Floor Plan	1531 - PL 1210-V2	A	16.03.2022
Location Plan	1506-PL 1000		13.09.2021
Block Plan	1531 - PL 1101		13.09.2021
Survey Plan	1531 - PL 1102		13.09.2021
Roof Plan	1531 - PL 1201		13.09.2021
Floor Plan	1531 - PL 1200		13.09.2021
Elevation Plan	1531 - PL 1300		13.09.2021
Elevation Plan	1531 - PL 1301		13.09.2021
Street Scene	1531 - PL 1302		13.09.2021
Section Plan	1531 - PL 1410		13.09.2021

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

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

Reason: To ensure the Local Planning Authority are satisfied with the details of the proposal, its relationship with adjoining development and to safeguard the visual amenities of the locality, and ensure the development does not increase flood risk on or off the site in accordance with Policy CS10 of the Core Strategy and Reigate and Banstead Development Management Plan policies DES1, DES9, and CCF2.

Informative: In accordance with the submitted flood risk assessment prepared by Mayer Brown and dated August 2021 the building shall be set at a finished floor level 300mm above the modelled flood level, the minimum finished floor level is calculated within the report as 55.52m AOD.

4. No development shall commence until a Construction Transport Management Plan, to include details of:
  - (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) programme of works (including measures for traffic management)
  - (e) provision of boundary hoarding behind any visibility zones
  - (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
  - (k) on-site turning for construction vehicleshas 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 September 2019 policies TAP1 and DES8

5. No development shall commence until a Construction Management Statement, to include details of:
  - a) Prediction of potential impacts with regard to water, waste, noise and vibration, dust, emissions and odours, wildlife. Where potential impacts are identified, mitigation measures should be identified to address these impacts.
  - b) Information about the measures that will be used to protect privacy and the amenity of surrounding sensitive uses; including provision of appropriate boundary protection.

c) Means of communication and liaison with neighbouring residents and businesses.

d) Hours of work.

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

Reason: The condition above is required in order that the development is managed in a safe and considerate manner to help mitigate potential impact on the amenity and safety of neighbours and to accord with Reigate and Banstead Development Management Plan 2019 policy DES8.

6. No development shall commence on site until a scheme for the soft and hard landscaping (including hard surfacing and any street furniture), has been submitted and approved in writing by the local planning authority. The landscaping scheme shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme.

All hard and soft landscaping work shall be completed in full accordance with the approved scheme, prior to first occupation 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 or any existing plants/hedging retained 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 Meath Green Conservation Area, and to comply with Reigate and Banstead Borough Development Management Plan 2019 policies NHE3 and DES1, British Standards including BS8545:2014 and British Standard 5837:2012.

7. 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.

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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.

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

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land before development commences and to make the land suitable for the development without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment with regard to the Reigate and Banstead Local Plan Development Management Plan 2019 and the NPPF

9. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme has been submitted to and approved in writing by the local planning authority. The 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 there is no risk of contamination through the infiltration SuDs
  - b) Evidence that the proposed final solution will effectively manage the 1 in 30 and 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development (Pre, Post and during), associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 37.8l/s.
  - 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, inspections chambers etc)
  - d) 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

- e) Details of drainage management responsibilities and maintenance regimes for the drainage system
- f) A plan showing exceedance flows (ie during rainfall greater than design events or during blockage) and how property on and offsite will be protected. This should include details of how surface water run-off entering the site from the bunded northern boundary will be intercepted.

The development shall be completed in accordance with the approved details and thereafter maintained.

Reason: To ensure the design meets the technical standards for SuDs and the final drainage design does not increase flood risk on or off site in accordance with, Policy CS10 of the Core Strategy 2014, Policies DES9 and CCF2 of the Development Management Plan 2019 and the 2019 NPPF.

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

11. Notwithstanding the submitted plan MBSK211117-03 Rev 4 no part of the development shall be commenced unless and until the proposed vehicular access to Honeycrook Lane has been constructed and provided with sight lines and a means at the back edge of highway of preventing highway water from entering the private land and water from the private land entering the highway in accordance with a revised scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6 metres high above the ground.

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 National Planning Policy Framework and Reigate and Banstead Development Management Plan policy TAP1

12. Notwithstanding the submitted plans MBSK211117-02 Rev 3 and MBSK211117-08 Rev 4 no part of the development shall be commenced unless and until the proposed vehicular access to Brighton Road and extension to the central island on the A23 to prevent on right turn movements has been constructed and provided with sight lines and a means at the back edge of highway of preventing highway water from entering the private land and water from the private land entering the highway in accordance with a revised scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6 metres high above the ground.

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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 National Planning Policy Framework and Reigate and Banstead Development Management Plan policy TAP1

13. 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 numbered MBSK211117-04 Rev 3 for vehicles to be parked and for vehicles to 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 National Planning Policy Framework and Reigate and Banstead Development Management Plan policy TAP1

14. Notwithstanding the submitted plan MBSK211117-04 Rev 3 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 numbered for a minimum of 2\_bicycles to be stored in a sheltered location in accordance with a revised scheme to be submitted to and approved in writing with the Local Planning Authority. Thereafter the approved bike 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 National Planning Policy Framework 2019 and Reigate and Banstead Core Strategy 2014 Policy CS17.

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

Reason: To preserve the visual amenity of the area and protect neighbouring residential amenities with regard to the Reigate and Banstead Development Management Plan 2019 policy DES1 and NHE3

16. The development hereby approved shall not be occupied unless and until two 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 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 accord with the National Planning Policy Framework 2019 and Reigate and Banstead Core Strategy 2014 Policy CS17 (Travel Options and Accessibility).



17. No development shall be occupied until details of a Welcome Pack containing information to staff on the nearest bus and rail services to the site to be submitted to and approved in writing with the Local Planning Authority. The approved Welcome Packs shall be distributed to each member of staff upon occupation of the development.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2021 and Reigate and Banstead Core Strategy 2014 Policy CS17 (Travel Options and Accessibility).

18. Before occupation of the development a "Control and Management of the Delivery Bay" document shall be submitted for the approval of the Local planning Authority. The approved details shall be implemented upon first occupation of the site.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2021 and Policy TAP1 of the Reigate and Banstead Local Plan Development Management Plan September 2019.

## INFORMATIVES

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at [www.firesprinklers.info](http://www.firesprinklers.info).
2. 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.

# Agenda Item 9

Planning Committee  
8<sup>th</sup> June 2022

Agenda Item: 9  
21/02438/F

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).

3. The applicant is advised that the essential requirements for an acceptable communication plan forming part of a Method of Construction Statement are viewed as: (i) how those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme; (ii) how neighbours will be notified prior to any noisy/disruptive work or of any significant changes to site activity that may affect them; (iii) the arrangements that will be in place to ensure a reasonable telephone response during working hours; (iv) the name and contact details of the site manager who will be able to deal with complaints; and (v) how those who are interested in or affected will be routinely advised regarding the progress of the work. Registration and operation of the site to the standards set by the Considerate Constructors Scheme (<http://www.ccscheme.org.uk/>) would help fulfil these requirements.
4. 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).
5. 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.
6. 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.
7. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
8. The developer should note that the land across which the western sight line from the Honeycrook Lane access crosses shall be dedicated to the County Highway Authority in order to protect the sight line. This can be agreed at the

detailed design stage for the Section 278 Works for the proposed access points.

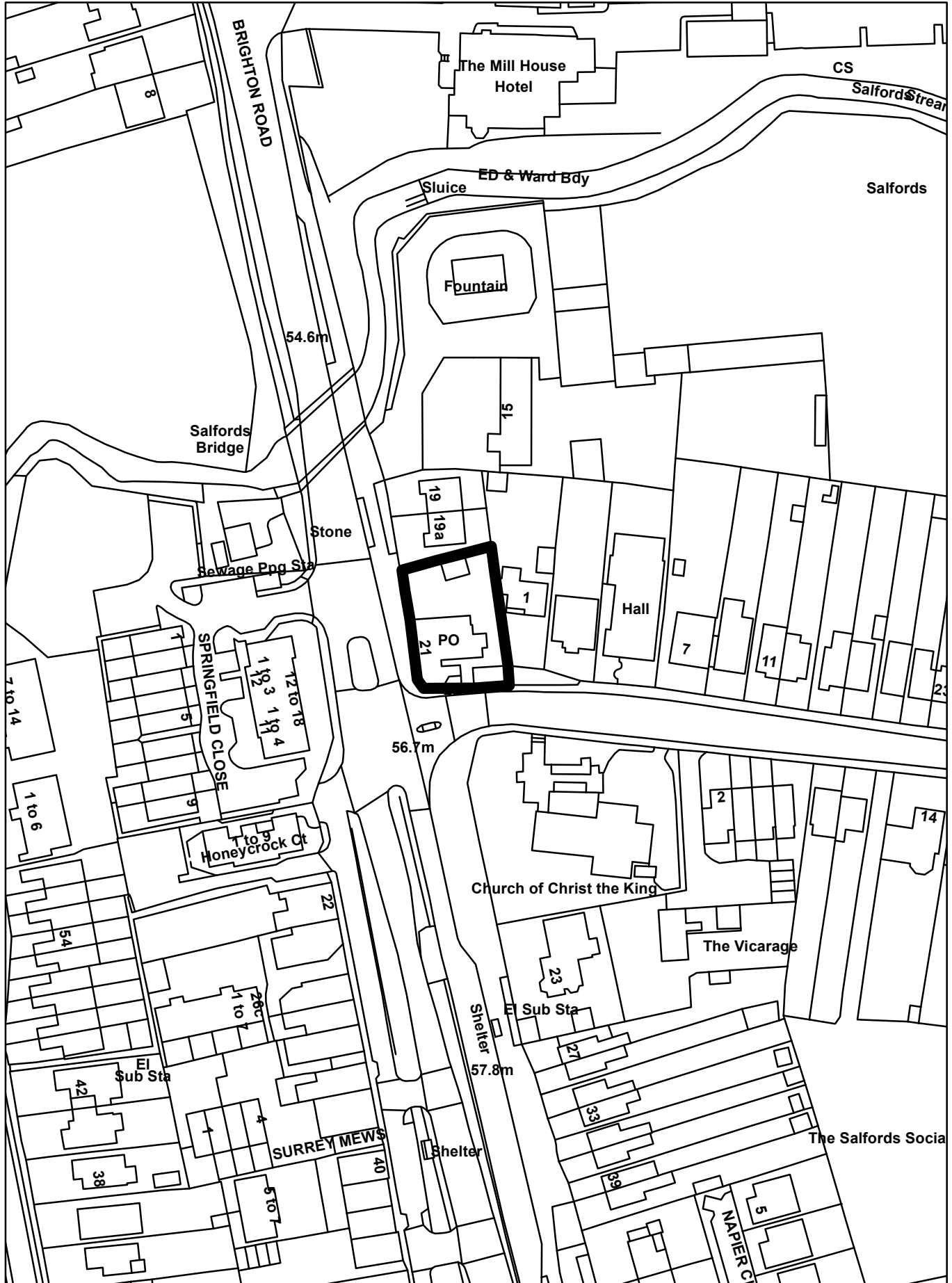
## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against development plan policies CS1, CS5, CS7, CS10, CS11, CS17 and DES1, DES8, DES9, DES10, RE1, INF2, INF1, TAP1, CCF1, CCF2 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 9  
21/02438/F - Salfords Village Store, 21 Brighton Road,  
Salfords



Stone

19a



NOTES  
Use figured dimensions only. Scale drawing only when a scale bar is present. All dimensions to be checked by user and any discrepancies, error or omissions to be reported to the architect before work commences. Read this drawing with all relevant materials.

- Site Boundary**
  
- Lighting**
  
- Car Park**  
Permeable brick block pavings with contrast delineation to space edge.
  
- Road**  
Main Roadway to be tarmac finish with edge kerb function (to allow access for all).
  
- Footpath**  
Paving slab finish with contrast edge block lines. Flush to allow shared surface access for all.
  
- Grass**

101

New 1.8m close board fence to side boundary edge

Low level (900mm) frontage wall line with small planting level.

Low level bollard lighting to car parking area.

Focal up / down lighting to shop front & facade. (Path finder lighting to entrance)

Key shop front lighting to entrance area - down lights from signage parapet.

New 1.8m close board fence to rear site boundary

Boundary wall lighting to be focal down lights to roadway to avoid light pollution to neighbours.



### Proposed Site Plan - Landscape and Lighting

Scale 1:200 @ A3

A 11.11.21 TL AT Site layout amended to take on board highway discussions with LPA

Rev Date	Dim	Chgd	Description
Purpose of Issue: <b>PLANNING</b>			
client: <b>Littlerock Developments 15 Ltd</b>			
project: <b>21 Brighton Road, Salfords</b>			
drawing title: <b>Proposed Site Plan - Landscape and Lighting</b>			
drawn at A3:	date:	drawn by:	checked by:
1:200	July 2021	TL	AT
drawing number:	reason:		
1531 - PL 1111	A		

Agenda Item 9

Stone

19a



NOTES  
Use figured dimensions only. Scale drawing only when a scale bar is present. All dimensions to be checked by user and any discrepancies, error or omissions to be reported to the architect before work commences. Read this drawing with all relevant materials.

— Site Boundary

Agenda Item 9



New 1.8m close board fence to side boundary edge

Secured public cycle storage hoops (2x)

Low level (900mm) frontage wall line with small planting level.

Car parking entrance (left in / left out arrangement).

Rear store pavement zone to allow access across the site.

Frontage ramp and steps to allow clear access for all with site level changes.

Frontage pavement area retained (ramped pavement).

New focal store entrance to corner.

Upgrade site landscape to be added to boundary line to neighbours.

Loading bay drop off area and servicing bay to access into rear of store / BOH zone (temporarily use of space 7 - under site management plan).

New 1.8m close board fence to rear site boundary

Rear site boundary wall to be retained and upgraded to provide secure site and protection to neighbours.

New entrance roadway.

New in-built post box within store wall (relocated post box provision from site).

Existing telephone pole.

102

Proposed Site Plan  
Scale 1:200 @ A3

A 11.11.21 TL AT Site layout amended to take on board highway discussions with LPA.

Rev Date	Dim	Chkd	Description
Purpose of Issue: <b>PLANNING</b>			
client: <b>Littlerock Developments 15 Ltd</b>			
project: <b>21 Brighton Road, Salfords</b>			
drawing title: <b>Proposed Site Plan</b>			
scale at A3: <b>1:200</b>	date: <b>July 2021</b>	drawn by: <b>TL</b>	checked by: <b>AT</b>
drawing number: <b>1531 - PL 1110 - V2</b>	revision: <b>A</b>		

# Honeycrook Lane

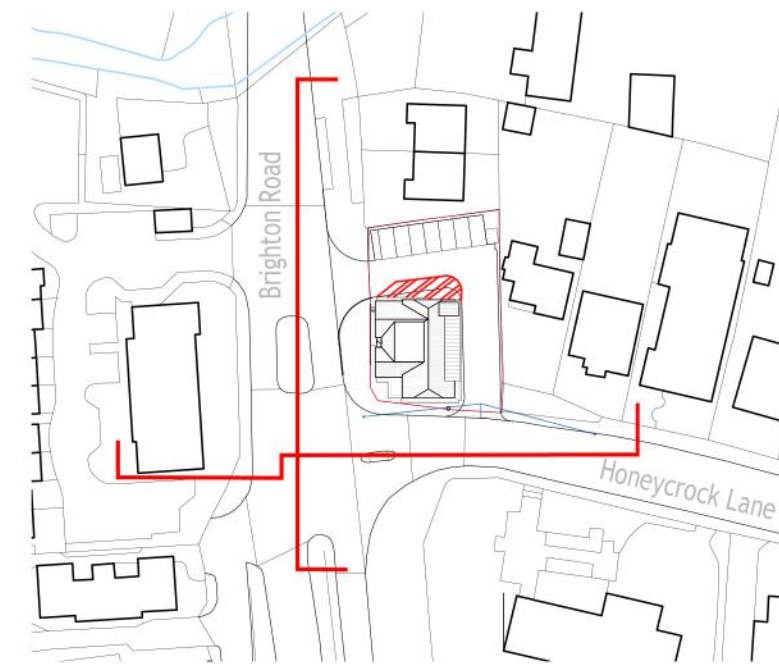


**NOTES**  
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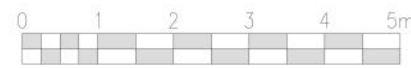
**Site Boundary**

# Brighton Road

103



**Proposed Streetscenes**  
 Scale 1:250 @ A3



A 28.01.22 TL AT Site layout amended to take on board highway discussions with LPA.

Rev Date	Rev	Chk'd	Description

Purpose of issue:  
**PLANNING**

client:  
**Littlerock Developments 15 Ltd**

project:  
**21 Brighton Road, Salfords**

drawing title:  
**Proposed Streetscenes  
 Honeycrook Lane and Brighton Road**

scale of A3:	date:	drawn by:	checked by:
1:250	Jan 2022	TL	AT

drawing number:  
**1531 - PL 1312**

revision:  
**A**

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Agenda Item 9

NOTES

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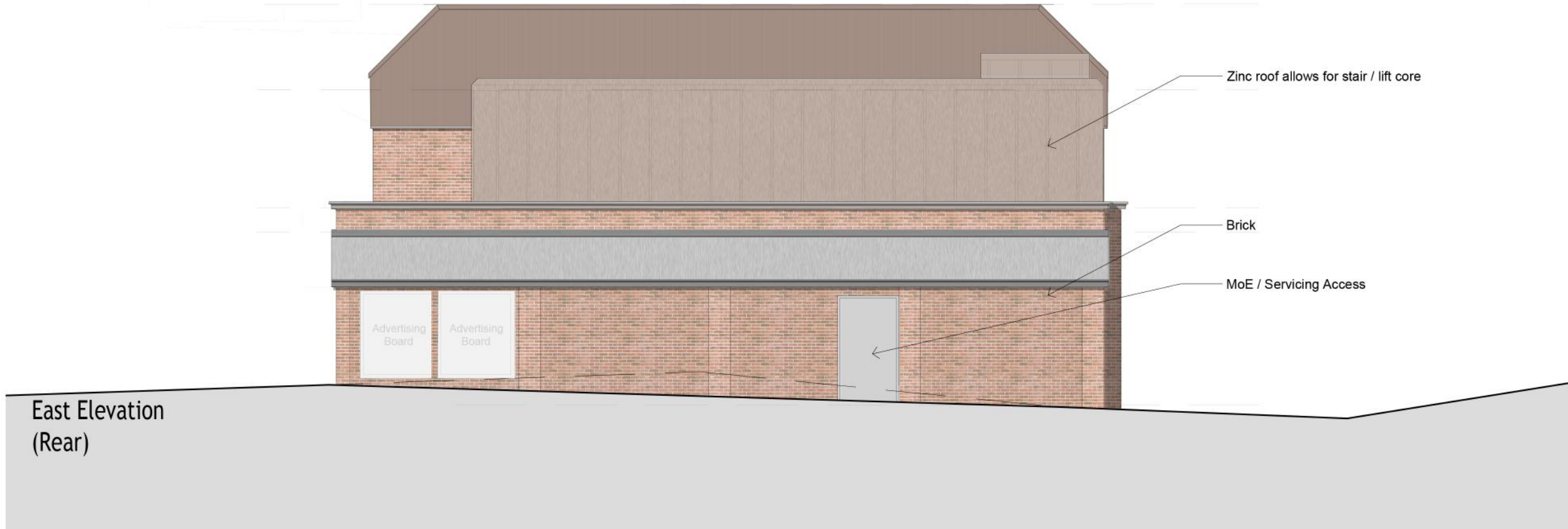
— Site Boundary

North Elevation (Car Park)



104

East Elevation (Rear)



Proposed Elevations North and East  
Scale 1:100 @ A3



A 28.01.22 TL AT Site layout amended to take on board highway discussions with LPA.

Rev Date Dm Chkd Description

Purpose of Issue: PLANNING

client: Littlerock Developments Ltd

project: 21 Brighton Road, Salfords

drawing title: Proposed Elevations North and East

scale of A3: 1:100 date: Jan 2022 drawn by: TL checked by: AT

drawing number: 1531 - PL 1311 revision: A

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NOTES

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— Site Boundary

North Elevation (Car Park)



105

East Elevation (Rear)



Proposed Elevations North and East  
Scale 1:100 @ A3



A 28.01.22 TL AT Site layout amended to take on board highway discussions with LPA

Rev Date Dm Chkd Description

Purpose of Issue: PLANNING

client: Littlerock Developments Ltd

project: 21 Brighton Road, Salfords

drawing title: Proposed Elevations North and East

scale of A3: 1:100 date: Jan 2022 drawn by: TL checked by: AT

drawing number: 1531 - PL 1311 reason: A

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Agenda Item 9

NOTES

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-  Site Boundary
-  Existing Mass

South Elevation  
(Honeycrock Ln)



106

West Elevation  
(Brighton Road)



Proposed Elevations South and West  
Scale 1:100 @ A3



A 28.01.22 TL AT Site layout amended to take on board highway discussions with LPA.

Rev Date Dm Chkd Description

Purpose of Issue:  
**PLANNING**

client:  
**Littlerock Developments 15 Ltd**

project:  
**21 Brighton Road, Salfords**

drawing title:  
**Proposed Elevations  
West and South**

scale of A3: 1:100 date: Jan 2022 drawn by: TL checked by: AT

drawing number: 1531 - PL 1310 revision: A

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architecture  
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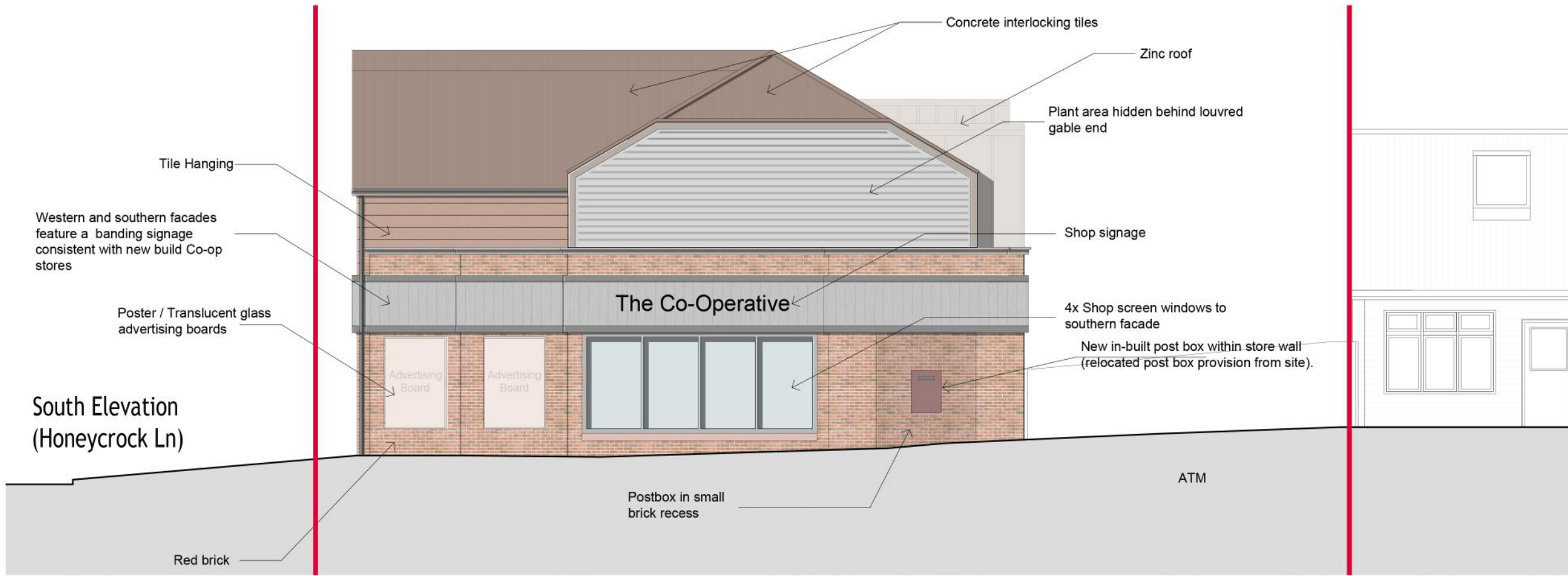
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NOTES

Use figured dimensions only. Scale drawing only when a scale bar is present. All dimensions to be checked by user and any discrepancies, error or omissions to be reported to the architect before work commences. Read this drawing with all relevant materials.

— Site Boundary

- - - Existing Mass



South Elevation (Honeycrock Ln)

West Elevation (Brighton Road)



Proposed Elevations South and West  
Scale 1:100 @ A3



A 28.01.22 TL AT Site layout amended to take on board highway discussions with LPA

Rev	Date	Des	Chkd	Description
Purpose of Issue: <b>PLANNING</b>				
Client: <b>Littlerock Developments 15 Ltd</b>				
Project: <b>21 Brighton Road, Salfords</b>				
Drawing Title: <b>Proposed Elevations West and South</b>				
Scale of A3:	1:100	Date:	Jan 2022	Drawn by:
				TL
				AT
Drawing Number:	1531 - PL 1310			Revision:
				A

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## Reigate and Banstead Borough Council

### First Homes Interim Policy Statement

8 June 2022

#### Summary

- 1.1 This statement, to be presented to the Council's Planning Committee, and subsequently published online, summarises the national First Homes policy, implications of the national policy for tenure mix of affordable housing in the borough to meet local needs, and how the Council will implement the new policy, including local criteria.
- 1.2 First Homes were introduced into national planning policy by a Written Ministerial Statement made in May 2021. Planning Guidance on the implementation of First Homes national policy has been provided in the Planning Practice Guidance (PPG). This includes encouragement for local planning authorities to make the development requirements for "First Homes" clear for their area. It recognises that the most appropriate tool will depend on individual circumstances for each local planning authority but may be through publishing an interim statement or updating relevant local plan policies.
- 1.3 Whilst this Interim Policy Statement does not set statutory local planning policy nor guidance, as a policy statement that will be published in accordance with the national planning guidance recommendation (PPG "First Homes" Paragraph: 009 Reference ID: 70-009-20210524), the local criteria set out here will be a material consideration where relevant to the consideration of planning applications and appeals.
- 1.4 The Council's 5 year plan seeks to address the issue of the generally high property prices in the borough relative to local wages and to national property prices through its objective to "secure the delivery of homes that can be afforded by local people and which provide a wider choice of tenure, type and size". Helping people who would like to own their own home but whose incomes put them beyond the reach of home ownership in the open market is one way to work towards achieving this objective.

#### Recommendation

- 1.5 It is recommended that the Planning Committee:
  - Note the requirements of this new national planning housing policy, and the need to apply it in the borough as set out in this Interim Policy Statement;
  - Agree the recommended local eligibility criteria; and
  - Authorise the relevant Heads of Service alongside portfolio-holder to amend this Interim Policy Statement as required to reflect lessons learnt through implementing the policy.

Reason: To comply with the national First Homes policy, whilst minimising any negative impact on other tenures of affordable housing in the borough to ensure that new affordable housing in the borough supports the borough's local housing needs.

## First Homes National Policy

- 2.1 The “First Homes” policy aims to promote home ownership. The policy was introduced into national planning policy by a Written Ministerial Statement (MS) by Minister of State for Housing Mr Christopher Pincher on 24 May 2021, with effect from 28 June 2021. It sets out requirements for developer contributions
- 2.2 This is a move away from “Starter Homes” which are specifically included within the definition of Affordable Housing in the 2021 National Planning Policy Framework (“the Framework”), which although similar to First Homes, also required applicants to be no older than 40 years (unless in Armed Forces). Secondary legislation to implement Starter Homes were not issued, as anecdotally mortgage companies found the market for Starter Homes too limiting for lenders to offer a working mortgage product.
- 2.3 The First Homes MS establishes that from 28 June 2021, a home meeting the criteria of a First Home will be considered to meet the definition of ‘affordable housing’ for planning purposes, although the NPPF / the “Framework” has not yet been updated to include this. “First Homes” tenure is a form of discounted market sales housing.
- 2.4 From the end of December 2021, the Government’s policy on First Homes, as set out in the Written Ministerial Statement and Planning Practice Guidance, will be a material consideration for the Council when determining planning applications and in relation to the provision and type of affordable housing on market-led sites. An exception can be made for development proposals determined before 28 March 2022 where there has been significant pre-application engagement.
- 2.5 The new national policy requires local planning authorities (not subject to the transitional arrangements set out in the MS and the PPG) “to make clear how existing policies should be interpreted in the light of First Homes requirements using the most appropriate tool available to them.” As summarised below, this is the situation for R&B Borough Council.
- 2.6 For reasons explained later in this Statement, it is not possible at this time for the Council to revise its current Affordable Housing SPD 2020 to include First Homes policy requirement without contravening the Local Planning Regulations requirement for SPDs not to conflict with the development plan. Nor is it practical to update just DMP Policy DES6 “Affordable Housing” in the fairly recently adopted (Sept 2019) development plan, which requires affordable homes to be provided within market developments, due to the time and resources involved in an independent examination which is required of a new development plan policy.
- 2.7 This Interim Policy Statement therefore sets out the Council’s policy position, which it will follow, and consider when dealing with applications until such time as it is appropriate to incorporate the new national planning policy and any local First Homes criteria into R&B Borough’s development plan.
- 2.8 The First Homes planning policy requires at least 25% of the affordable homes provided by developer contributions to be secured by a s106 planning obligation as “First Homes”. The remaining 75% of affordable housing should be prioritised by securing the Council’s adopted policy requirements for social rented housing, with other affordable homes being secured in the proportions set out in the development plan, viability permitting. The new national policy also provides some scope for councils to influence

how First Homes are implemented locally by introducing local eligibility criteria, should evidence justify it.

## What are First Homes?

2.9 “First Homes” are a new affordable housing tenure of discounted market sales housing which are:

- Discounted by at least 30% against the market sales value; the discount may be greater than 30% if the Local Authority justifies that it is needed it with evidence. The same percentage discount must be retained on each subsequent sale (secured in perpetuity by a s106 planning obligation and title restriction).
- Sold at no more than £250,000 after the discount has been applied (or £420,000 in Greater London), this price cap applies to the initial sale only, and does not apply to re-sales;
- Sold to a person or persons meeting the First Homes eligibility criteria.
- Restricted by a section 106 planning obligation to secure restrictions on the use and sale of the property, as well as a legal restriction on the title of the property (HM Land Registry) to ensure that these restrictions are applied to the property at each future sale and title transfer.

## National Eligibility Criteria

2.10 National policy sets certain requirements about who can purchase First Homes. To purchase a First Home at first and all future sales, buyers must:

- Be a first-time buyer as defined in paragraph 6 of schedule 6ZA of the Finance Act 2003 for the purposes of Stamp Duty Relief for first time buyers’. Joint purchasers must both be First Time Buyers as set out in paragraph 6 of Scheduled 6ZA of the Finance Act 2003 for the purposes of stamp duty;
- Have an annual household income of less than £80,000 in the tax year immediately preceding the year of purchase (the “income cap”); and
- Have a mortgage or home purchase plan (if required to comply with Islamic law) to fund a minimum of 50% of the discounted purchase price.

2.11 The PPG advises that as part of their plan-making process, local planning authorities should undertake a housing need assessment to take into account the need for a range of housing types and tenures, including various affordable housing tenures (such as First Homes). The assessment will enable an evidence-based planning judgement to be made about the need for a higher minimum discount level in the area, and how it can meet the needs of different demographic and social groups. In these circumstances, the minimum discount level should be fixed at either 40% or 50% below market value and should not be set at any other value.

2.12 In 2019, RBBC Planning Policy Service commissioned specialist consultants Icenl Projects Limited to prepare a “Housing Needs Assessment” (November 2019) to inform its revised Affordable Housing SPD 2020. This has also informed First Homes local eligibility criteria.

2.13 The same level of discount below market value (which nationally is 30%) must apply to

the home each time it is sold in perpetuity (subject to certain specific exclusions), so that communities continue to benefit from the homes for years to come. The discount in perpetuity is to be secured through a planning obligation. However, the price cap of £250,000 is only applied to the initial sale of each First Home.

## Local Eligibility Criteria

- 3.1 The national Planning Policy Guidance, PPG advises that “First Homes are designed to allow people to get on the housing ladder in their local area“. Reflecting this aim, First Homes national policy therefore permits councils to apply local eligibility criteria to First Homes in addition to the national requirements. This is dependent on the specific needs of the borough, where evidence supports them and they will not compromise site development viability.
- 3.2 Local eligibility criteria may include:
  - setting a discount greater than 30% below market value (where evidence justifies it and it is progressed through a local plan or SPD);
  - setting a local connection requirements; and / or
  - setting a lower “income cap” (if this can be justified with reference to local average first-time buyer incomes),
- 3.3 First Homes will be available to buy on a first come, first served basis. Local eligibility criteria can be applied for the first 3 months, after which unsold homes will be made available to all households meeting the national First Homes eligibility criteria for a further 3-month period, to widen the pool of potential purchasers. Any local criteria must be applied carefully to ensure they do not limit the eligible consumer base to the point that homes become difficult to sell.

## Sales discount level

- 3.4 In considering the most suitable discount level for the borough, we have analysed Land Registry data sold price data for new build homes sold in 2020/21. From this we have calculated the average cost of new builds in R&B Borough over the year Jan 2020-Jan 2021.
- 3.5 Sales of second hand properties were excluded as this would skew the proportion of new build homes that households could afford; second-hand properties generally selling for less than their new build equivalents .
- 3.6 Although the value of First Homes will likely increase over time with subsequent sales, it is likely that the sales values of First Homes will increase less rapidly than similar sized and aged market housing in the area due to their restricted selling pool.
- 3.7 First Homes must be new build homes sold on the open market with an in-perpetuity discount of 30% (or 40% or 50% if justified by local evidence).



**Table 1: New Build sales values in R&B Borough 2020**  
**Source data: Land Registry**

	Number of new build properties sold	Median sale price for each new build home by size 1 Jan 2020 – 31 Jan 2021	Discounted by 30% (required minimum discount)	Discounted by 40%	Discounted by 50%
1 bed	15	£295,980.13	£207,186.09	£177,588.98	£147,995.06
2 bed	13	£356,972.54	£249,880.78	£214,183.52	£178,486.27
3 bed	57	£480,392.11	£336,274.48	£288,235.27	£240,196.06
4 bed	39	£633,165.26	£443,215.68	£379,899.16	£316,582.63

The following conclusions can be drawn from the data presented above -

- One bed-flats:  
73% (11 of the 15) of the one-bed flats would comply with the maximum £250,000 cap with a 30% discount. This increases to 100% with a 40% discount.
  - Two-bed homes:  
84.6% (11 of the 13) of the two-bed homes would comply with the maximum £250,000 cap after discount. This increases to 92.2% (12 of the 13 homes) with a 40% discount or 50% discount. The only property that would not be possible to secure as a First Home with a 50% discount would be a luxury, top specification penthouse flat, which sold for £742,500, and which would have needed a 66% discount to qualify.
  - Three-bed homes:  
Only 1.75% (one of the 57 three-bed homes) would comply with the maximum £250,000 cap with a 30% discount. This increases to 19.3% with a 40% discount, to and 65% of the new-build three-bedroom homes with a 50% discount.
  - None of the 39 four-bed homes sold would comply with the maximum £250,000 cap after discounts of 30% or 40%. With a 50% discount, only 24.45% (11 of the 45 four-bed homes) would comply with the criteria.
- 3.8 Given the sales values for new build homes in the borough, applying the national discount of 30% below market value would mainly secure one-bedroom flats. Some two-bedroom flats could be secured as First Homes, depending on values, although possibly not in the highest value areas of the borough. The national guidance advises that the same level (%) of discount below market value should apply to the whole local plan area.
- 3.9 The Council could require a greater discount below market value for larger-sized First Homes in the borough, but this would then likely be at the expense of other homes ownership tenures such as shared ownership or even affordable rented housing, given the need for the First Homes Policy to be financially neutral for the developer. A 40% discount would be needed on most two-bedroom homes, and a 50% discount below

market values on 3-bed homes to bring them below the price cap for this area. It is unlikely to be possible to secure any four bed homes in the borough as First Homes due to values.

- 3.10 On sites with larger homes, for example of development of 3 and 4 bedroom homes, developers will not be able to provide First Homes on site, due to the national cap of £250,000 after the discount. The Council would instead receive a financial contribution towards facilitating the provision of First Homes on other sites in the borough. In many developments in higher value areas with lower density housing, accepting a financial contribution in lieu of lower value homes may reinforce areas of high value housing, further prohibiting first time buyers from entering the housing market in their local area.
- 3.11 DMP Policy DES6 requires provision of affordable housing as part of developments to be on site, unless in exceptional circumstances, where it can be robustly justified and the Council considers on-site provision not to be suitable or practical. This policy wording is consistent with the Framework (paragraph 63) which specifies that “Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required and expect it to be met on site unless a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and b) the agreed approach contributes to the objective of creating mixed and balanced communities.
- 3.12 For such developments in which the house / flat size and location means that with a 30% discount the homes would be above the national First Homes value limit, it may well be suitable to give less weight in balancing material planning considerations application to First Homes policy, and more to the Council’s fairly recently adopted Affordable Housing development plan policy and SPD, so that on such sites, Shared Ownership tenure is favoured over First Homes as the affordable homes ownership tenure on these sites. The weight to give to each material consideration will be considered on a case by case basis.
- 3.13 Not introducing a greater local discount of 50% or even 60% below market value, will also help to “protect” the affordable rented housing contributions, as First Homes national guidance advises that a “policy compliant planning application should seek to capture the same amount of value as would be captured under the local authority’s up-to-date published policy”.
- 3.14 DMP Policy DES4 “Housing Mix” requires that “All new residential developments should provide homes of an appropriate type, size and tenure to meet the needs of the local community.” The requirements of the Affordable Housing SPD are included at DES4 criteria 1c.
- 3.15 In assessing planning applications, depending on the specifics of the development proposal (the location and size of the homes proposed, and therefore their value), the Council and developer will agree the First Homes contribution (25% of the affordable homes required, to be secured by section 106 planning obligation), either on site or via a financial payment (to be ringfenced). Once First Homes has been accounted for, national planning guidance advises that social rent should be delivered in the same percentage as set out in the local plan. The remainder of the affordable housing tenures should be delivered in line with the proportions set out in the local plan policy. This will result in shared ownership, in particular, being reduced across the borough, and potentially, although unlikely, some reduction in affordable rented homes.

- 3.16 To support the continued delivery of other affordable housing tenures in the borough particularly rented homes, it is proposed that the nationally stipulated discount of 30 percent is applied to all First Homes in the borough

## **Local connection criteria**

- 3.17 National guidance on First Homes allows the inclusion of local eligibility criteria in addition to the national criteria and makes clear that local criteria should ‘not limit the eligible consumer base to the point that homes become difficult to sell’ (“First Homes”: Paragraph: 008 Reference ID: 70-008020210524).
- 3.18 In order to ensure that First Homes policy help local people to access the housing market in the borough, the following local connection criteria is proposed on initial sale and re-sales.
- 3.19 At least one purchaser must meet one or more of the following:
- Currently live or be employed in the borough continuously for a period of 12 months prior to the exchange of contracts; and / or
  - Have a close relative residing in the borough (one of a mother, father, adult sibling, adult son or daughter); or
  - Be a member of the Royal Navy, Royal Marines, British Army or Royal Air Force; or a former member who was a member 5 years prior to purchase, or in the last five years became a divorced or separated spouse or civil partner of a member, or a spouse or civil partner of a deceased member or former member whose death was caused wholly or partly by their service.
- 3.20 To comply with First Homes Policy and ensure that homes do not remain unsold if suitable buyers in the local area cannot be found locally-based criteria will only apply to the first three months of marketing. If there is no sale or reservation in the first three months, the local criteria fall away and the default national criteria will apply for a further three months. After the second period of three months, if there are no potential buyers meeting the national eligibility criteria, it can be sold at the market sale value, and the difference between that and the First Homes discounted value (i.e. 30% of the market value) will be given to the Council. This would be held as a developer contribution and 25% would be required to use to facilitate the provision of First Homes on other sites in the borough.
- 3.21 If no local criteria are imposed, under the national First Homes policy, these homes would be available for anyone in the country meeting the national First Homes eligibility requirements. Whilst this would potentially help lower paid households who wish to buy a property in the borough, it would not be in the spirit of the government’s intention for First Homes to help local people to buy a suitable home in their local area.

## **Securing First Homes and other affordable housing contributions**

- 4.1 National Planning policy requires First Homes to be secured in perpetuity through a s106 planning obligation. Government has published model section 106 obligation that local authorities can use to secure First Homes at the planning permission stage, and

also wording for a model title restriction, which will be recognised by HM Land Registry and will ensure the homes retain their discount in perpetuity.

4.2 To qualify as a First Home, there must be a section 106 agreement between the land owner(s) so that the Council can secure the necessary restrictions on the use and sale of the property, along with a legal restriction on the title of the property to ensure that the restrictions are applied to the property at each future sale. The government's model s106 planning obligation includes the following provisions:

- National and local eligibility criteria
- Requirement for a market valuation from an independent registered valuer following RICS valuation standards;
- Requirements relating to the marketing of First Homes for first and subsequent sales to ensure they are marketed in an appropriate manner and for suitable timescales;
- Requirement that a legal restriction is registered onto a First Home's title on its first sale;
- Setting out requirements to ensure the council can recover the value of the affordable housing in the event of a mortgagee enforcing their security against a property, or a First Home not being sold after it has been marketed for six months; and
- Use of the First Home as the main residence of the owner unless specified provisions apply.

4.3 When a First Home is sold by the developer to the first owner, a restriction must be entered onto the Title Register identifying the dwelling as a First Home. This restriction will ensure that the title cannot be transferred to another owner unless the local authority certifies to HM Land Registry that the First Homes criteria and eligibility criteria have been met, including the discounted sale price. This will likely be the responsibility of the Council's Legal Service, including Land Charges. A model title restriction has been published by the Department for Levelling Up, Housing and Communities (DLUHC) for this purpose.

4.4 To ensure that suitable mortgages are available for First Homes, the national policy requires local authorities to provide for a mortgage lender enforcing its security over a First Homes to be able to realise the full market value of the property, returning any surplus up to the value of the First Homes discount to the local authority. The local authority will need to hold that money and use a minimum of 25% of the financial contributions in lieu of on-site provision to secure First Homes elsewhere in the borough.

4.5 The valuations and financial implications of First Homes to developers are not yet fully clear. Developers may therefore prefer flexibility in s106 permission, permitting either First Homes or Shared Ownership. It may be that developers prefer Shared Ownership homes as they can sell them to an RP at a fairly reliable discount below market price (about 60 - 70% of market value) that they are used to and to sell them earlier in the build out (golden brick), which will improve the cash-flow and therefore the value of the site, by having a reduced sales risk.

4.6 First Homes are still a bit of an unknown to developers. As developers will only realise their return later in the build process compared to Shared Ownership, which is purchased by a Registered Provider. They may well therefore potentially have unsold First Homes for longer than Shared Ownership, if the First homes do not attract a buyer who meets the national First Homes criteria (and any local criteria introduced in the borough).

## First Homes Exception Sites

- 5.1 First Home Exception sites should be on land which is not already allocated for housing in a development plan; in effect a “windfall site” (which are defined in the Framework Glossary as “Sites not specifically identified in the development plan”).
- 5.2 First Homes exception sites should be on land which is not already allocated for housing and should:
  - Comprise First Homes (as defined within this statement)
  - Be adjacent to existing settlements, proportionate in size to them, not compromise the protection given to areas or assets of particular importance in the NPPF, and comply with any local design policies
- 5.3 First Homes exception sites can deliver a small proportion of market housing, provided that it can be demonstrated as necessary to ensure the overall viability of the scheme. Local authorities can set policies that specify the proportions of market housing that would be considered acceptable, and under what circumstances. Similarly, the guidance indicates that applicants can include small quantities of other types of affordable housing on First Homes exception sites, where there is clear evidence of significant local need.

## Implementing First Homes in the Borough

- 6.1 The Reigate & Banstead Local Plan comprises the Core Strategy (adopted 3 July 2014 and reviewed and found not to need updating on 2 July 2019) and the Development Management Plan (DMP) (adopted September 2019). The Core Strategy provides the spatial strategy for the borough over the plan period 2012-2027 and the DMP provides the detailed policies and site allocations. Both plans are up to date.
- 6.2 Planning law (Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990) requires planning applications and appeals to be determined in accordance with the development plan, where there are relevant policies, unless material considerations indicate otherwise. As national planning policy, the “First Homes” MS is one such material consideration. This is confirmed in the Framework itself (paragraph 2), which as national planning policy, has the same status as the “First Homes” MS; as it advises that “*Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions.*”
- 6.3 This approach to the interaction of adopted development plan policy and subsequent national planning policy was confirmed by the judgement of the Court of Appeal in R

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(West Berkshire DC v SSCLG [2016] 1 WLR 3923. As confirmed in R (Sainsbury's Supermarkets Ltd) v First Secretary of State [2005] EWCA, government policy is a material consideration where relevant to determinations, rather than a legal requirement.

- 6.4 The statutory requirement is to consider all national planning policy relevant to the application being considered, but the weight to give each material consideration in the planning balance is for the decision maker to determine on the merits of each application and will vary depending on the specifics of the application.
- 6.5 There will be situations where material considerations, and even national planning policy itself, will pull in opposite directions, and the decision maker will need to weigh up how much weight to give to each consideration based on the specifics of the case. Likewise, appeal decisions are not binding upon subsequent appeals, but must be considered where relevant and given appropriate weight by each decision maker.
- 6.6 National planning policy included in the Framework (paragraph 62) also advises that *“the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing..)”*
- 6.7 R&B's DMP Policy DES6 criterion 3 requires *“the tenure mix* of the affordable housing provided on each qualifying site to contribute (to the Council's satisfaction) towards meeting the latest assessment of affordable housing needs.”
- 6.8 DMP Policy DES6 itself does not provide detailed requirements for the size and tenure of affordable housing to be provided cumulatively on all sites, as this detail changes and is therefore more suitably included as supplementary guidance, which can be more responsive than a Local Plan to such changes.
- 6.9 Policy DES6 criterion 4 requires that *“the size mix* of the affordable housing provided on each qualifying site, expressed as number of bedrooms and bed spaces, should take into account the affordable housing needs in the borough at that time, the size of the market homes provided on the site, and the prevailing type of housing in the area.”
- 6.10 The explanatory text to DMP Policy DES6 (paragraph 2.1.32) notes 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 also encourages developers and agents to discuss the local affordable housing needs at the time with the Council's Housing Service and/or a locally-active registered provider.
- 6.11 The Council's most recent Housing Needs Assessment is the [R&B's "Housing Needs Assessment" \(November 2019\)](#) prepared for the Council by specialist consultants Icen Projects Limited. This evidence study informed the [Affordable Housing Supplementary Planning Document \(SPD\)](#), adopted in April 2020, which amplifies DMP Policy DES6.
- 6.12 The R&B Affordable Housing SPD 2020 is a material consideration where relevant to determinations. The SPD sets out the local affordable housing needs, based on recent evidence, to be **62% rented** and **38% other forms of affordable housing products**. The 25% of affordable homes to be provided as First Homes, can be included within this 38%, with the remaining 13% being shared ownership and other low-cost home ownership products (subject to viability once the social housing requirement policy has

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been met). The precise affordable housing tenures and the unit sizes / bedspaces of affordable homes would need to be specified and secured in a s106 planning obligation.

- 6.13 The Council’s 2019 “Housing Needs Assessment” analysed the relative cost of housing to buy and rent in the borough relative to wages and identified that there are a number of households earning between £31,500 and £60,000 falling within a rent or to buy gap (i.e. able to afford to private rent but not to buy a property to meet their needs in the borough). The 2019 Assessment therefore recommended that affordable home ownership products should be pitched at such households. This now includes First Homes.
- 6.14 **Table 1 of the 2020 Affordable Housing SPD 2020** confirms the size of sizes of affordable homes needed in the borough as:

Number of bedrooms	Affordable Rented Accommodation (Social rented, affordable rent or affordable private rent)	Affordable Home Ownership Accommodation
1-bedroom properties	20%	20%
2-bedroom properties	40%	45%
3-bedroom properties	30%	25%
4+-bedroom properties	10%	10%

- 6.15 The Council’s AH SPD cannot therefore require an affordable housing mix that conflicts with the development plan, Policy DES6 (criteria 3).
- 6.16 DMP Policy DES6 requires the tenure mix of affordable housing provided on each qualifying site to contribute, subject to the Council’s satisfaction, towards meeting the latest assessment of affordable housing needs.
- 6.17 The smallest schemes required to provide on-site affordable housing under Policy DES6 (i.e. 11 homes) would require at least 2.75 (rounded up to 3 in line with Policy DES6) to be provided as First Homes.
- 6.18 It should be noted that a further change since the preparation of the DMP (which was examined under transitional arrangements using the 2012 Framework), is the addition in 2019 of the policy requirement (paragraph 65) for “major” development proposals providing at least 10 homes (or sites of at least 0.5ha) to provide at least 10% of the total number of homes in the scheme as affordable home ownership tenures (First Homes are included within this requirement), with a few exemptions. Such exemptions are if this would exceed the level of affordable housing required in the area or would significantly prejudice the ability to meet the identified affordable housing needs of specific groups (my emphasis).
- 6.19 The First Homes national policy requires planning applications including First Homes to capture the same value as would be captured under the local authority’s up-to-date published policy (which has been tested and shown to be viable through independent examination).

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- 6.20 As shown in Table 1 of the 2020 SPD, the greatest need for affordable home ownership in the borough is for 2-bedroom homes. In considering the price cap on the initial sale of a First Homes (of no more than £250,000 with the 30% discount from market value), it will be important to ensure that developers do not over supply one-bedroom First Homes flats in the borough, as although in some areas First Homes sales will approach the national price cap, the greatest need for affordable home ownership is for 2-bedroom homes.
- 6.21 This is different to the requirement for new Local Plans, which is to be consistent with national policy and other relevant statements of national planning policy.
- 6.22 Within the borough, affordable housing is required (by the NPPF paragraph 62 and DMP Policy DES6) to be delivered on-site unless off-site provision or an appropriate financial contribution in lieu can be robustly justified; and the agreed approach contributes to the objective of creating mixed and balanced communities. The MS requires that a policy compliant planning application should capture the same amount of value as would be captured under the local authority's up-to-date published policy. The First Homes policy should therefore in effect be "cost neutral" to the developer. This value can then be reallocated to a different affordable housing mix, potentially a higher proportion of social rented homes.
- 6.23 In the exceptional circumstances where the Council accepts a payment in lieu of on-site provision under Policy DES1, a minimum of 25% of these contributions should be used to secure First Homes.
- 6.24 The same level of discount as a percentage below market value must apply to the home each time it is sold in perpetuity (subject to certain specific exclusions).
- 6.25 The Development Management Plan (DMP) 2019, part of the borough's Local Plan, will need to be reviewed within 5 years of its adoption, so before 29 September 2024. As part of its review, the consistency of its policies (including DES6) with national planning policy (the Framework and relevant Written Ministerial Statements) will be considered. Where there is significant difference, these policies may then need to be updated to be consistent with later national planning policy.
- 6.26 The national policy requirement for 25% of affordable homes to be provided as First Homes will not apply to sites where a right to appeal against non-determination has arisen before 28 March 2022 if there has been significant pre-application engagement, although local authorities should allow developers to introduce First Homes to the tenure mix if they wish to do so.
- 6.27 Implementing First Homes policy in the borough will impose greater workloads compared to the process of securing affordable housing as shared ownership and affordable rented housing. This will fall mainly to Housing Services and Legal Services, and will include screening / approving prospective purchasers, checking sales and ongoing administration in relation to the restrictions on title.
- 6.28 It is likely the administration of First Homes will be monitored by various council services, including Planning, Housing and Legal. This will have resource implications, particularly for Housing and Legal, although the number of development schemes in the borough where affordable housing is required is limited by the size threshold for



application of affordable housing contributions.

## Community Infrastructure Levy

- 7.1 The Community Infrastructure Levy (CIL) Regulations 2010 allow the developers of First Homes to obtain an exemption from the requirement to pay CIL, in line with other affordable housing products.
- 7.2 Mandatory social housing relief can apply in respect of dwellings where the first and subsequent sales are for no more than 70% of their market value. To be eligible, a planning obligation must be entered into prior to the first sale of the dwelling designed to ensure that any subsequent sale of the dwelling is for no more than 70% of its market value. If, following the required marketing period, the dwelling does not then sell to someone meeting the First Homes eligibility criteria, but instead ends up being sold as a market home, the home would no longer be exempt, and would be liable to pay CIL.
- 7.3 As other affordable housing tenures are eligible for social housing relief, this is unlikely to provide a viability advantage to the developer, or to the Council with regards CIL receipts.

## Legal Implications

- 8.1 As new national planning policy the Council must consider this national First Homes Policy as a material consideration where relevant to a planning determination.
- 8.2 The procedure which will need to be followed for First Homes initial sales, subsequent sales, and mortgage repossession are set out in officer working documents.

## Financial Implications

- 8.3 There are no anticipated budget implications for RBBC from the proposals in the report.

## Equalities Implications

- 8.4 The Government published an Equality Impact Assessment on First Homes in September 2020. This identified that the substitution of the delivery of First Homes in place of other types of affordable housing would likely have a negative impact on certain protected groups, in terms of their access to affordable housing.
- 8.5 Some borough residents and employees who have a desire to purchase a home but cannot afford to do so on the open market may benefit from the new national policy, however, for residents who want to rent an affordable home it could be considered negative as it may impact the supply of new affordable homes for affordable rent *and shared ownership*. These people are more likely to be households with dependent children, households with long-term health issues and disabilities.

## Conclusion

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- 9.1 Subject to adoption of this Interim Policy Statement, the Council will apply the national policy set out in the “First Homes” Written Ministerial Statement with its agreed Local Eligibility criteria, alongside other relevant material considerations, including other affordable housing national planning policy, adopted Local Plan Policy DES6, and its Affordable Housing SPD 2020.
- 9.2 First Homes will be a housing tenure product that in R&B Borough can make smaller (1 and 2-bed) homes cheaper for purchase, and therefore help meet local housing needs on their initial sale. Although First Homes implementation is still in early days nationally, it appears that they may be slightly cheaper as monthly outgoing for the purchaser than Shared Ownership. However, due to the nationally-set price cap of £25,000 after discount, the cost of new-build 3-bed homes in the borough prohibits their delivery as First Homes without a discount of 50%, even higher in some areas of the borough. Such a discount would come at the expense of other affordable housing tenure types, including social and affordable rented housing, and is not therefore suitable of this borough to help meet its identified housing needs.
- 9.3 The £250,000 price cap (after discount) will be monitored with house price increases. Should implementation of the Interim Policy Statement require a change to local eligibility criteria, a further report will be provided to Planning Committee, setting out details of First Homes delivery in the borough and an update on the operation of local legibility criteria.

## Background documents:

[Written Ministerial Statement](#) – “Affordable Homes Update: First Homes” 24th May 2021 by Christopher Pincher, Minister of Housing, Communities and Local Government

[Planning Practice Guidance – “First Homes”](#)

[R&B “Development Management Plan”, Sept 2019](#) – In particular Policies DES6 and DES4

[R&B “Affordable Housing” Supplementary Planning Document 2020](#)

[First Homes: Model Section 106 Agreement \(for developer contributions\)](#)

## Contacts:

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