

# Minutes of a meeting of the **Planning Committee** held at the **New Council Chamber - Town Hall, Reigate** on **Wednesday, 27 July 2022 at 7.30 pm.**

**Present:** Councillors S.Parnall (Chair), M. S. Blacker (Vice-Chair), J. Baker, P. Chandler, Z. Cooper, P. Harp, A. King, S. A. Kulka, S. McKenna, C. Stevens, S. T. Walsh, V. Chester (Substitute), N. D. Harrison (Substitute) and R. S. Turner (Substitute)

**Attended remotely:** No Councillors attended remotely

## **24 Minutes**

The Minutes of the last meeting on 6 July 2022 were approved.

It was noted that the Minute from Agenda Item 10 (Planning Committee 6 July 2022, 22/00939/F – 103B High Street Banstead) was not included. This item had been deferred due to lack of time at the meeting and was considered at Agenda Item 9 (Minute 32) at this Planning Committee (27 July 2022). The draft Minutes would be corrected online.

## **25 Apologies for absence**

Apologies for absence were received from Councillor Bray (Substituted by Councillor Harrison); Councillor James King (with no substitute), Councillor Michalowski (Substituted by Councillor Turner) and Councillor Torra (Substituted by Councillor Chester).

## **26 Declarations of interest**

There were no declarations of interest.

## **27 Addendum to the agenda**

**RESOLVED:** that the Addendum be noted.

The Chairman, Councillor Parnall, thanked those Members who had attended site visits to Titan House (Salfords), Shelveys Way (Tadworth) and 80 Croydon Road, Reigate.

## **28 21/03303/F - Titan House, Crossoak Lane, Salfords**

The Committee considered an application at Titan House, Crossoak Lane, Salfords for the demolition of existing buildings (2) and the erection of two any industrial processes



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(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.

Mr Robert Jeffery, a local resident, spoke in objection to the development, asking that the Committee refuse the application. The following points were made:

- Planning Policy DES1 of the Council's Management Plan supported residents' view that permission should not be granted in that: "Planning permission will be granted for new development where it provides an appropriate environment for future occupants whilst not adversely impacting upon the amenity of occupants of existing nearby buildings, including by way of overbearing, obtrusiveness, overshadowing, overlooking and loss of privacy." Two further measurements were highlighted which proved it was 'overbearing and overshadowing'. The 'overbearing' nature of the application which would be 25 metres from the living room window of 11 Empire Villas.
- A recent site visit to the road showed the light penetrating through the boundary trees, not just over the top of them. The proposed building would overshadow and block out the light throughout the year regardless of where the sun might be in the sky and regardless of any daylight or sunlight report and the 25 and 45 degree measurements.
- In addition to the height, the width of the proposed building was more than 127 metres long, (ie 22 metres longer than a Premier League football pitch), running along the length of the Empire Villas residential road, from 28 Beechwood Villas on the corner of Bonehurst Road, right up to 11 Empire Villas. Regardless of the height of the trees and bushes, the objector said this would block out light from the eastern edge by the railway line to the western edge of Bonehurst Road.
- The objector referred to the nearby Goya Developments buildings on the south side of Cross Oak Lane which he said were 15.4 metres from the edge of Bonehurst Road, the A23. He said this proposal was only about 7 metres from the edge of the Empire Villas' residential road. The Goya units nearest the A23 have a parapet height of 12 metres which was 1.2 metres lower than this proposal of 13.2 metres. This did not have any other buildings, such as private homes, next to or close to that neighbouring site.
- The objector argued for permission not to be granted for this new development as it would adversely impact the amenity of occupants of the existing buildings due to its height, its width and its proximity to Empire Villas residential road. In his view this did not meet planning policy outlined in DES1.

Paul Stoodley, the Applicant and CEO of Salmon Property (Horley), spoke in support of the application. The following points were made:

- Planning Officers' reports to the Planning Committee on each of two previous occasions (8 June 2022 and 6 July 2022) and to this Committee (27 July 2022) had supported the application and recommended it for approval. The applicant had looked carefully and objectively at the application following the previous two Committee meetings.
- The applicant's Counsel (leading planning barrister) had critically reviewed the approach; a leading daylight and sunlight specialist had assessed the application using accepted modelling techniques. Both of these reports had been shared with officers and extended to Committee Members. Counsel opinion did not view how the application could be refused on a rational basis.

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- A daylight/sunlight practitioner had confirmed that the scheme accorded with all the relevant standards (with or without the trees) for the scheme (before the height had been reduced as a concession). It was a technically compliant scheme.
- The site was an allocated major employment site which was suitable in terms of what such sites need to deliver currently for employers. The developers were seeking to provide what companies needed to operate successfully to be able to provide jobs and salaries. The applicants' investment on this site, of many millions of pounds, was coming at a time when the economy was hesitating.
- Alternatives to this proposal needed to be considered fully by the Committee. Any future development would encapsulate buildings up against the boundary of Empire Villas to meet planning policy requirements to efficiently reuse a brownfield site. The proposal was a good design scheme.
- The proposal was supported by environmental health officers in terms of shielding the residents from an active service yard.
- A package of concessions was put before Members in the report to the Committee. The height had been reduced twice and the applicant had offered a no left turn on the road. The application was currently within control of the council. If it was refused, the applicant would take it to appeal. The applicant confirmed that the property company would then revert to the original scheme.
- Two companies were interested in taking space in the units. One of them had supported the application with written support with over 50 skilled jobs available; similarly a larger organisation that wanted to relocate from London.
- This was a final opportunity to support recommendations to approve the application and avoid the waste and cost of an appeal, set against legal opinion that in Counsel's view it will be unreasonable to refuse it.

Salfords and Sidlow Parish Councillor, Jim Blackmore, asked to speak on behalf of the residents but this was not agreed by the Chairman.

A point of order was then raised by Committee Member, Councillor Harrison. He said the applicant had referred in his comments to the Committee to legal opinion from their Counsel that had been provided to Committee Members. However this same advice had not been made available to the objectors.

Committee Chairman, Councillor Parnall, confirmed that the legal advice had been made available to Committee Members as decision makers. The Council's Planning Solicitor confirmed that legal opinion had been made available to all Planning Committee Members as decision makers; objectors had not been disadvantaged.

A motion setting out two Reasons for Refusal were put forward to the Committee, proposed by Councillor McKenna and seconded by Councillor Chester which was as follows:

1.The proposed development by reason of its poor relationship to neighbouring housing in terms of the large size and industrial scale of the proposed unit and its close proximity to the northern boundary with Empire Villas would fail to respect the character of the adjoining residential area, including its street scene, in particular the height of the proposed unit being greater than existing vegetation will have an overpowering and dominating effect on houses in Empire Villas. This is contrary to Policy CS10 of the Reigate and Banstead core strategy and contrary to Policy DES1 of the Reigate and Banstead DMP 2019 and provisions within the National Policy Framework.

2. The proposed development by reason of the close proximity to the northern boundary, its width which extends development across almost the entire length of the northern boundary and its substantial height would adversely impact the amenity of occupants of Empire Villas and nearby dwellings by way of overbearing impact and obtrusiveness contrary to policy DES1 of the Reigate and Banstead Development Management Plan 2019 and provisions within the National Policy Framework.

Following a vote by Members of the Committee, the tabled motion at the meeting giving reasons to refuse planning permission, set out above, was defeated.

It was then **RESOLVED** to proceed to a vote on the report recommendation to Approve the application.

The proposal was then voted on by Members of the Committee. Following the vote, the application was **APPROVED**.

It was **RESOLVED** that planning permission be **GRANTED** subject to conditions set out in the report to Committee:

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.

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).

## **29 22/00557/F - 80 Croydon Road, Reigate**

The Committee considered an application for Demolition of existing single-storey permanent structures (used as garages and storage) and the erection of 2 No. self-built semi-detached 3-bedroom family dwellings with associated access, external amenity spaces, refuse storage and car and cycle parking.

This application was deferred from the Planning Committee meeting of 6 July.

Mr Alex Maunders, speaking on behalf of the resident in the neighbouring property, in objection to the application, asked that the Committee refuse the application. The following points were made:

- The letter from daylight/sunlight consultants, Rapleys LLP, referred to in the addendum was a desktop-based study. He disagreed that this three storey

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- development would not have any notable impact. This would be overbearing on the back garden and was an inconsistent building line on Croydon Road.
- He focused on overdevelopment; the proposed site for two houses was built up to the boundary of the neighbouring property at 84 Croydon Road on a site in his view was fit for one house.
  - On parking, Annex 4 of Parking Standards policy, states that this is a guide and may be varied at the discretion of the council to take into account specific local circumstances. Developments in high accessibility areas are encouraged to have some unallocated parking. This site was a few metres away from a medium accessibility area. If it was in that area, it would require 2 parking spaces per development and 4 parking spaces in total.
  - The extended drop curb would remove more parking from the road itself. Parking on the road was already strained as it was unrestricted parking. Commuters used parking for Reigate train station and residents have had driveways blocked numerous times.
  - A development with two parking spaces relied on each house having only one car which was unrealistic.
  - No amendments to the proposed scheme had been made by the architects.
  - Planning permission had been granted for one 2-storey detached dwelling in 2003 which had been proportionate, sympathetic and consummate to fit the size of the plot.

Stephen Bickford-Sawkings, applicant, from Sawkings Architects, spoke in support of the application.

- He referred to the previous Planning Committee on 6 July 2022. He corrected previous comments made at Committee by Members and said there were five mixed age schools within 700 metres from the proposed houses and 700 metres from Reigate station.
- The houses are located within the high accessibility area whether being on the border or not.
- The two houses were designed as the modern equivalent of the adjacent Victorian semi-detached houses which are between 3 and 4 storey dwellings with the design having lower heights to both ridge and eaves. The eaves were not dissimilar to those of 84 Croydon Road. The design was covered in depth in the report to Committee.
- The objector was incorrect as previous planning applications on this site related to the house now accessed via Doods Road at the very rear of the original overall site.
- This was not a speculative development. It was a self-build opportunity for two brothers who have lived in the borough for all their lives and were excited to create their own houses on land owned by their immediate family
- The application was in full compliance with the Council's Planning Policies and the questions of overbearing, daylight, sunlight and car parking had been fully addressed within the report to committee which recommended the application for approval.
- The Committee should not ignore the comprehensive report and not commit the Council to further cost and time of defending an appeal.

A motion setting out two Reasons for Refusal were put forward to the Committee, proposed by Councillor Blacker and seconded by Councillor Cooper, which was:

1. The proposed dwellings, by virtue of their height, scale and proximity to the shared north side boundary, and the depth of the ground and first floor rear projections, would result in an unacceptable overbearing presence and impact on 84 Croydon Road, and would cause harmful overshadowing to the rear garden. The proposal would therefore be contrary to Policies CS1 and CS10 of the Reigate and Banstead Local Plan Core Strategy and Policy DES1 of the Development Management Plan 2019 and the Householder Extensions and Alterations Supplementary Planning Guidance.
2. The location of the proposed development is considered to fall within an area of medium accessibility as defined within the Reigate and Banstead Development Management Plan 2019, for which two parking spaces would be required per dwelling. The proposed shortfall in parking provision would result in an increased demand for on-street parking on Croydon Road, to the detriment of the amenities of the local area. The proposal would therefore be contrary to Policies CS1 and CS10 of the Reigate and Banstead Local Plan Core Strategy and Policies DES1, TAP1 and Annexe 4 of the Reigate and Banstead Local Plan Development Management Plan 2019.

Following a vote by Members of the Committee, it was **RESOLVED** that planning permission be **REFUSED**.

**30 21/03215/F - Redhill Ambulance Station, Pendleton Road, Redhill**

The Committee considered an application at Redhill Ambulance Station, Pendleton Road, Redhill for demolition of existing ambulance station and ancillary buildings, construction of 8 dwelling houses with associated access and parking. As amended on 31/01/2022 and on 30/05/2022. The item was deferred from 6 July Planning Committee for consideration of Reasons for Refusal.

A motion setting out Reasons for Refusal was put forward to the Committee, proposed by Councillor Kulka and seconded by Councillor Cooper, which was:

1. The proposed development has a significant level of hardstanding, a narrow access road, limited space for meaningful soft landscaping and impractical tandem parking for the larger units which include three tandem spaces when including the required garage space (units 1, 6, 7 and 8). The proposed layout would therefore appear cramped, would fail to respect the character of the surrounding area which does not include such parking layout and would fail to make adequate provision for parking, resulting in potential overspill and impact on local character and residential amenity contrary to policy DES1 of the Reigate and Banstead Development Management Plan and Section 9 of the NPPF 2021.

Following a vote by Members of the Committee, it was **RESOLVED** that planning permission be **REFUSED**.

**31 21/02108/F - 64 & Rear of 62 Shelveys Way, Tadworth**

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The Committee considered the application relating to 64 & Rear of 62 Shelveys Way, Tadworth – Demolition of 64 Shelveys Way and the erection of 3 x 4 bedroom dwellings and 1 x 3 bedroom dwelling. As amended on 08/02/2022 and on 23/05/2022. The item was deferred from 6 July Planning Committee as there was not enough time to hear the item. The addendum item had been included in the report.

A motion setting out Reasons for Refusal was put to the Committee, tabled by Councillor Cooper and seconded by Councillor Turner as follows:

1. The proposal, by virtue of the proximity of the access road with plot 1 and No. 62 Shelveys Way, would give rise to a level of noise and disturbance which would be harmful to the amenity and living conditions of the occupants of these dwellings, including the enjoyment of their gardens, contrary to DES1 of the Development Management Plan 2019.
2. The proposal, by virtue of the size and design of the dwelling at plot 1, together with the small plot size, would appear out of keeping with the established pattern of development and harmful to the character of the local area, contrary to policy DES1 of the Reigate and Banstead Development Management Plan 2019 and guidance contained within the Local Distinctiveness Design Guide SPD 2020.

Following a vote by Members of the Committee, it was **RESOLVED** that planning permission be **REFUSED**.

#### **32 22/00939/F - 103B High Street, Banstead**

The Committee considered the application relating to 103B High Street, Banstead – Extension of first floor at rear to form 2 self-contained units of accommodation.

The proposal was then voted on by Members of the Committee and following the vote it was **RESOLVED** that planning permission be **GRANTED**, subject to conditions set out in the report recommendations.

#### **33 21/03311/F - Alvis House, Park Road, Banstead**

The Committee considered the application relating to Alvis House Park Road, Banstead – A change of use of land to class c3, the removal of the existing areas of hardstanding, retention and restoration of bunker 4, the demolition of the remaining structures, and redevelopment to provide ten detached dwellings accessed via an internal circuit road framing a central water body. To include associated works for the purpose of landscaping. As amended on 25/03/2022 and on 12/04/2022.

The proposal was then voted on by Members of the Committee and following the vote it was **RESOLVED** that planning permission be **GRANTED** as set out in the report recommendations subject to the addendum changes and the inclusion of Tree Condition 32 and further informative 13 (Heritage open days).

*Clerk's Note - After this item, Members agreed to continue sitting after 10.30pm to consider Agenda Item 11.*

**34 22/00791/F - Heysham Church Lane, Hooley**

The Committee considered Heysham Church Lane, Hooley – Demolition of existing substantial 1.5 Storey dwelling and replacement with 3x new dwellings with associated car parking and private amenity space. As amended on 22/06/2022

The proposal was then voted on by Members of the Committee. Following the vote, it was **RESOLVED** that planning permission be **GRANTED** as set out in the report recommendations subject to the addendum changes and the amendment of condition 7 (tree protection plan).

**35 Any other urgent business**

There was no other urgent business.

The meeting finished at 10.35 pm