

# Agenda

## Planning Committee

Wednesday, 8 March 2023 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.

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### Members:

#### S. Parnall (Chairman)

M. S. Blacker  
J. Baker  
J. S. Bray  
P. Chandler  
Z. Cooper  
P. Harp  
A. King

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

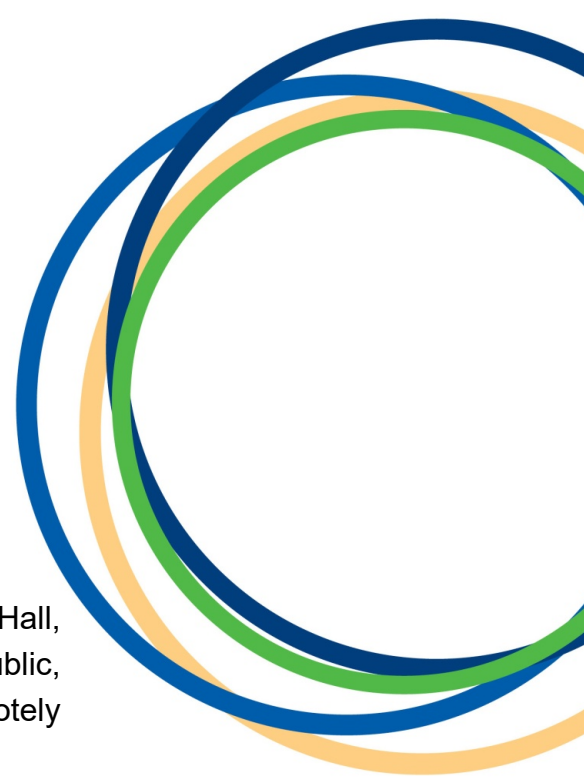
For enquiries regarding this agenda;

Contact: 01737 276182

Email: [democratic@reigate-banstead.gov.uk](mailto:democratic@reigate-banstead.gov.uk)

Published 28 February 2023

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



## **Substitutes:**

**Conservatives:** R. Absalom, H. Avery, J. Hudson, N. C. Moses, M. Tary and R. S. Turner

**Residents Group:** G. Adamson, R. Harper, N. D. Harrison and G. Hinton

**Green Party:** J. Booton, V. Chester, J. C. S. Essex, A. Proudfoot, S. Sinden and R. Ritter

**Liberal Democrats** M. Elbourne

**Mari Roberts-Wood**  
Managing Director

**1. Minutes** (Pages 5 - 10)

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

**2. Apologies for absence**

To receive any apologies for absence.

**3. Declarations of interest**

To receive any declarations of interest.

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

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

**PLANNING APPLICATIONS:**

**NOTES:**

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

To consider the following applications :

**5. 21/00720/F - Horley Place, 17 Bonehurst Road, Horley** (Pages 11 - 46)

Demolition of existing buildings and rection of a Class E retail unit with access, car parking and associated works as amended 14/10/21, and 19/10/21.

**6. 22/02450/F - Saxley Court, 121-129 Victoria Road, Horley** (Pages 47 - 92)

Construction of a 6-storey building for residential use (class c3) connected to the existing building at 121-129 Victoria Road, including car parking, cycle parking, plant room and refuse store, landscaping, installation of pv panels to the roof of the existing and proposed building, and associated works.

**7. 22/02709/F - Farm Corner, 15 The Avenue, Tadworth** (Pages 93 - 122)

Construction of two detached houses and a detached garage. As amended on 26/01/2023.

**8. 22/02391/F - Roebuck House, Bancroft Road, Reigate** (Pages 123 - 150)

Full planning application for the partial infill of the existing undercroft car park to form five new apartments (2 x 2 Bed 4 Person and 3 x 1 Bed 2 Person) together with waste and cycle storage, the addition of 8 new balconies at first floor level, the addition of a new front entrance from Roebuck Close to the existing ground floor office unit and the retention of 25 car parking spaces.

**9. 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.



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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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## Minutes of a meeting of the **Planning Committee** held at the **New Council Chamber - Town Hall, Reigate** on **Wednesday, 8 February 2023** at **7.30 pm**.

**Present:** Councillors S. Parnall (Chairman); M. S. Blacker (Vice-Chair), J. Baker, J. S. Bray, P. Chandler, Z. Cooper, P. Harp, A. King, J. P. King, S. A. Kulka, S. McKenna, R. Michalowski, C. Stevens, D. Torra and S. T. Walsh

**Visiting Members present:** R. Absalom

### **88 Minutes**

**RESOLVED** that the minutes of the previous meeting held on 11 January 2023 be approved as a correct record.

### **89 Apologies for absence**

There were none.

### **90 Declarations of interest**

There were none.

### **91 Addendum to the agenda**

It was noted that plans referenced in the addendum had not been provided for item 5 (22/00885/F - 5 - 13 West Street, Reigate) and these were shown at the meeting.

**RESOLVED** that the addendum be noted.

### **92 22/00885/F - 5 - 13 West Street, Reigate**

The Committee considered an application at 5-13 West Street, Reigate for the facility amounting to an additional 186 sq m. Creation of one office unit (Class E) at ground floor level; three additional residential units; extensions and alterations to four units already approved through prior approval ref: 21/01323/PAP3O (room refs: 11a\_1, 11a\_3, 11a\_8 and 13a\_3). New bin store, cycle store, parking and associated works. (All other flats are per the prior approval consent ref: 21/01323/PAP3O.) As amended on 09/11/2022.

Mr Philip Green, the developer, spoke in support of the application stating that originally this was going to just be a residential scheme, however the brewery, being so well regarded by the community, did not want to seek the brewery's removal. Many supporters wanted this to be a community asset. In order to make this a viable option the flattened development was required. The development proposed a modest number of units. One remaining issue was the roof. It was possible to introduce a slope to the roof to reduce its potentially overbearing appearance and a request was made to consent the scheme subject to a condition to control that part of the process.

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Mr James Pearson, a local resident, spoke in objection to the application, stating that his main concern was regarding noise and the potential for the increase in noise if the brewery was to expand. If there was an additional forklift truck in operation, then perhaps there could be a doubling in noise.

Councillor Absalom, a visiting member, explained that there was a lot of support for the brewery element of the application, however it was clear from various drawings, that from the public realm, bulk and massing of the residential scheme was overbearing. Despite the developers stating this evening that they would be able to change the roofline of the residential element, the Committee was considering the application as it stood. An overview of the proposal was given, and it was explained that the new residential part would be overly dominant, therefore this was not a suitable application and should be refused on the grounds given in the report, however she would welcome a further application on this site.

The following reasons for deferring the application were proposed by Councillor Blacker and seconded by Councillor Stevens:

1. New plans were worthy of consideration; and
2. One element of the development may be reliant on the other element.

Following a vote by Members of the Committee, on the reasons set out above, the motion to defer the application was defeated.

It was then **RESOLVED** to proceed to a vote on the report's recommendation to refuse the application.

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

Following the meeting Councillor Stevens requested that it be noted that he voted against the recommendation to refuse this application.

## 93 22/02228/S73 - Land to the North of Merrywood Park, Reigate

Having taken legal advice, Councillor Blacker withdrew from the Chamber and took no part in the speaking or voting on this item due to concerns that he may have predetermined this application prior to this being considered at the Committee.

The Committee considered an application at Land to the North of Merrywood Park, Reigate for the variation of conditions relating to an approved scheme for the construction of a three storey building comprising 8no. two bedroom dwellings and associated parking provision for both the proposed building and for residents of Merrywood Park. Variation of condition 1 of permission 15/02914/F. Amendment to approved plans. Variation of conditions 1, 5, 6, 8 and 10 of permission 17/01757/S73. Amendment to alter the site layout and landscaping design to incorporate a turning head for a refuse vehicle and fire vehicle as required by condition 8 of the original decision notice and building regulations. The introduction of this turning head requires the relocation of a number of parking spaces to the south-eastern corner of the site. Variation of Conditions 1, 5 and 8 of 18/01877/S73. Condition 1: Revised plans to remove car parking at grass verge. Condition 5: Amended wording to update Tree Protection Plan for clarity. There is no development at the grass verge that requires

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tree protection. Condition 8: Amended wording to remove plan that is no longer required by removing car parking. As amended on 01/11/2022 and on 17/11/2022.

Lisa Katsiaris, from Merrywood Residents' Association, spoke in objection to the application stating that the 7 spaces provisioned under the Section 106 Agreement were necessary to ease parking congestion within Merrywood Park. The 7 spaces had been promised to residents for many years and it was felt that the developer was now making excuses not to construct them. The parking stress test carried out by Surrey Highways in April 2022 was not a true reflection of reality nor did it represent the situation 10 months on and complaints about this had been levied at Surrey Highways. Since the survey, there has been a material change in parking circumstances. At the time of the survey 25% of properties in Merrywood Park were either vacant or occupied by people without a vehicle. At the time of the survey 3 properties were vacant and the new owners of these 3 properties had 5 vehicles between them. The total number of vehicles now numbered 34. The public highway could accommodate up to 26 vehicles. This included the turning circle which made manoeuvring difficult. Vehicles had been forced to park on the pavement obstructing pedestrians. If these vehicles were to park on the road, it could seriously restrict access for emergency vehicles. The 7 promised spaces would alleviate this situation. There were currently 11 off-road spaces on the developer's site. These were behind an entry barrier, albeit not yet activated, but it could be activated at any time preventing access to residents. These spaces were also being used by residents of the new development. Users of Reigate station also parked in the 26 spaces on the public highway. The Committee was asked to refuse this application and requested that the developer fulfilled its obligation in the Section 106 Agreement to provide the 7 spaces.

Mark Thompson, the Agent, spoke in support of the application, explaining that the application sought to remove 7 car parking spaces from a grass verge that could not be delivered without the loss of established TPO trees. The application had been overseen by a leading environmental and planning Barrister. Extensive discussions regarding the application had taken place between a number of bodies including Surrey Highways. The parking stress survey was scoped with the County Highways Authority to ensure it met their needs and this demonstrated that there was sufficient car parking on-street and within the development. County Highways confirmed that they had no objection to this application in respect of traffic, highway safety or parking provision. Objections to the survey have been addressed by County Highways Authority. The proposal was acceptable in all respects as it retained acceptable parking provision, resulting in no adverse highway impact and retained protected trees. The Tree officer raised no objections to the application. The reduction in the spaces contributed to a more sustainable development, given the climate emergency being faced, less car use should be promoted. Based on the evidence there were no grounds to refuse this application.

Councillor Absalom, a visiting member, stated that car parking was very variable at this location at varying times. Having visited the site in the evening there were 28 vehicles in the public area. Some of the paperwork received did not show that many residents parked on both sides of the road. Vehicles parked on the west side of the access road had to park fully on the pavement. It was felt that the parking survey undertaken in April 2022 did not provide a realistic view of the parking situation currently, noting that the parking situation could fluctuate over time. Many vehicles parked here were work vehicles. Overtime, with the loss of the garages, parking was being whittled away. Consideration should be given to defer the application in order that an independent survey be carried out and this needed to take place in the

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evening when residents were in their homes. Concern was raised that the barrier could be activated to prevent access to the 11 spaces on the developer's site and clarification was requested as to whether these spaces would remain accessible.

The following reason for deferring the application was proposed by Councillor Bray and seconded by Councillor Walsh:

1. To commission and conduct a parking survey.

**RESOLVED** that the application be **DEFERRED**.

## **94 22/02650/F - Land R/O 43-49 High Street, Horley**

The Committee considered an application at Land R/O 43-49 High Street, Horley for the proposed erection of 3 no. dwellinghouses.

**RESOLVED** that planning permission be **GRANTED** with the additional condition and informative:

- I. Condition to remove permitted development rights classes A – E; and
- II. An informative to ask the developer to engage with Surrey Highways to improve the lines and signs around the one-way system adjacent to the development.

## **95 22/00062/F - 1 Trowers Way, Redhill**

The Committee considered an application at 1 Trowers Way, Redhill for the demolition of an existing light industrial building and the erection of a replacement light industrial building (Class E). As amended on 10/05/2022, 18/08/2022 and on 16/11/2022.

**RESOLVED** that planning permission be **GRANTED**.

## **96 22/01974/S73 - Dormer Cottage, The Chase, Kingswood**

It was **NOTED** that this item was deferred prior to the meeting in order to gather further information.

## **97 Development Management Quarter 3 2022-23 Performance**

The Development Manager explained that there had been challenges in quarter 3 relating to some shortages in staffing, however performance for major and non-major applications continued to be good.

It was explained that 100% of major applications and 84% of non-major applications were determined within the targeted timeframe and these were above the targets set.

There had been no major appeals to note in this quarter. In respect of non-major appeals 80% had been dismissed in this quarter, with 82% overall for the year; this was well in excess of the 70% target set.

The enforcement service continued to see a high volume of work with numbers of reported breeches remaining high. Further to last quarter where the number of cases

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over 6 months old had crept up, work to reduce these had taken place and had reduced by 20%, as well as the number of overall cases on hand having reduced.

Table 2 in the report showed performance in the time taken from receipt to registration of new applications. The performance was good for October and November but dipped in December and that could continue into January. This was due to the departure of two Officers in the Technical Support team in November, on the top of an existing vacancy and a further long-term absence. The latest recruitment attempt to fill this post was unsuccessful and so other options to resource the TSU team were being explored including temporary contract staff, but such measures would not have an immediate positive impact, hence there could be a continued impact into January. In addition to the one Planning Officer on maternity leave, another Planning Officer departed after Christmas meaning the Case Officer team was down two Officers from its summer staffing level.

Despite the lower number of applications in this quarter, two vacancies within the Case Officer team could not be sustained without affecting performance and the team had been seeking to recruit to this post as a result. Following interviews, one of the Planning Technicians was successful and the team would be seeking to backfill a Technician post. This continued the internal development of Officers that has proved successful in recent years. In the meantime, the team employed an agency Planner to provide cover.

Finally, as reported at the December Full Council meeting, one of the Council's Tree Officers, Jim Mellor, tragically passed away last month. Following a recruitment campaign, a new Tree Officer was recruited who should start in around a month after his current notice period.

## **98 Any other urgent business**

There was none.

The meeting finished at 9.29 pm


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# Agenda Item 5

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 <p><b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate</p>	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	8 <sup>th</sup> March 2023
	<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>	5	<b>WARD:</b> Horley East and Salfords

<b>APPLICATION NUMBER:</b>	21/00720/F	<b>VALID:</b>	14.04.21
<b>APPLICANT:</b>	Aldi Stores Ltd	<b>AGENT:</b>	Planning Potential Ltd
<b>LOCATION:</b>	<b>HORLEY PLACE, 17 BONEHURST ROAD, HORLEY SURREY RH6 8PP</b>		
<b>DESCRIPTION:</b>	<b>Demolition of existing buildings and rection of a Class E retail unit with access, car parking and associated works as amended 14/10/21, and 19/10/21.</b>		
<b>All plans in this report have been reproduced, are not to scale, and are for illustrative purposes only. The original plans should be viewed/referenced for detail.</b>			

**This application is referred to planning committee due to the level of public interest expressed in the application.**

## SUMMARY

This is a full application for the demolition of existing buildings on site and the construction of a new Class E convenience retail store with associated access, parking, landscaping and other associated works. The site is located to the west side of Bonehurst Road in Salfords, facing the A23 between the main centres of Redhill and Horley, and is currently occupied by a former guest house building and residential dwelling to the rear. The area is comprised of mixed land uses, including commercial/ industrial, storage and distribution and lesser amount of residential to the north.

The site is located entirely within the Metropolitan Green Belt. The proposed development would constitute the development of previously developed land within the Green Belt. Such development is not considered inappropriate provided that the use would not result in a greater impact on openness than the existing use. In this case it is considered that the scheme would constitute a significant overdevelopment, by virtue of the footprint and scale of the proposed building and hardstanding along with the increased intensity of the proposed store, with associated vehicular movements, traffic generation and increased external lighting. The development would have a significant impact on the openness of the Green

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Belt. The proposed development could only be justified therefore by very special circumstances.

There are considered to be no very special circumstances that would outweigh the harm to the openness of the Green Belt.

The proposed store would be a large, rectangular building with a flat roof that is functional in design and typical of retail stores of this kind. It would feature a green roof and brown colour palette attempting to reflect the rural character of the area beyond the site. The design and form of the building would not be significantly harmful within the context of the overall character of the area. The locality is typified to a degree by large industrial units and commercial land uses against which the proposed store, would not appear odds. The building would be sited well away from any residential properties, and the amenities of the neighbouring properties would not be substantially harmed. Conditions requiring the submission of noise and light assessments, as well as serving and management plans for deliveries to and from the site could be required to be approved in the event of planning permission being granted, in order to manage any undue noise and disturbance that may arise.

The scheme proposes the removal of vegetation across the site, which would be replaced as part of a proposed landscaping scheme. However the development would result in the loss of a number of trees on site, including veteran trees. Veteran trees are considered to be irreplaceable within the National Planning Policy Framework (NPPF) 2021. Their removal has not been justified within the submission. Whilst it is intended to incorporate new planting within the site as part of the future landscaping, veteran trees cannot be replaced by new planting, therefore the proposed removal of these trees would be unacceptable.

The existing site has good ecological potential due to its current overgrown nature and the dilapidated state of the existing building. The site and existing buildings have been surveyed at numerous stages and found that there would be acceptable impacts on bat populations. Biodiversity enhancements could be secured by condition, including the placement of bird and bat boxes. A bat hotel is to be located to the south of the site. Impacts from lighting could be secured by condition in the form of a lighting scheme.

The frontage of the site along Bonehurst Road falls partly within flood zones 2 and 3, however much of the site is within flood zone 1. The submitted flood risk assessments and drainage strategy have been reviewed by Surrey County Council as the lead local flood authority, who have raised no objection subject to the submission of a finalised surface water drainage scheme, to be secured by condition.

Very special circumstances' will not exist unless the potential harm to the green belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. In this case it is the Councils' view that, whilst taking into account the above aspects of the proposal, including some benefit relating employment, meeting retail needs and consumer choice, such considerations do not amount to very special circumstances to justify the proposal. Whilst it is accepted that there are not other sequentially preferable sites within the

borough that could realistically house the proposed development, it is the view that there is at present no substantial need for such retail provision at this time, as demonstrated within the Councils' Retail Needs Assessment 2016. Whilst there is a small amount of need on a centre by centre basis this need could be met by the improvement and/or extension of existing retail units or the occupation of vacant units. Whilst it is acknowledged that the scheme would create additional jobs within the borough and is supported by a large number of residents within the borough, this would be a fairly small number of jobs and would not be sufficient to justify the harm to the openness of the green belt. It is not considered that reduction in traffic movements would justify the development within the green belt, as at present the site is for the most part unused, therefore the substantial increase in volume of traffic would be noticeable and harmful to the green belt. The design of the building in and of itself would not be objectionable however this would not be sufficient enough reason to justify the harm to the openness of the green belt.

In conclusion the proposed development would be an inappropriate form of development for which it is not considered that there would be very special circumstances. On this basis the application is recommended for refusal.

## RECOMMENDATION(S)

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

1. The proposed development of the proposed retail store, by virtue of its height, scale mass, and associated hardstanding and increased intensification of use in the form vehicle movements, would result in significant harm to the openness of the Metropolitan Green Belt and would therefore, in the absence of very special circumstances, be an unacceptable form of development within the Metropolitan Green Belt. The development would therefore be contrary to Part 13 of the National Planning Policy Framework 2021, Policies CS1 and CS3 of the Reigate and Banstead Core Strategy 2014, and Policies DES1 and NHE5 of the Reigate and Banstead Development Management Plan 2019.
2. It has not been satisfactorily demonstrated that the loss of veteran trees within the site as a result of the proposed development has been fully justified. The proposal would therefore be contrary to planning practice guidance and paragraph 175 (c) of the National Planning Policy Framework with regard to Veteran tree and Policies NHE2 and NHE3 of the Reigate and Banstead Development Management Plan 2019.

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## Consultations:

Highway Authority: The County Highway Authority has assessed the application on safety, capacity and policy grounds and has, on balance, concluded that the development is unlikely to have significant impact on the free flow of traffic or the safety of the local highway network. As such the view of the highway authority is that the scheme should not be refused on the grounds of transport impact as set out within the National Planning Policy Framework 2021 (NPPF). The scheme has been comprehensively assessed with regard to the impact of the development on the junction of Bonehurst Road, Cross Oak Lane and Hoadley Road, as well as the safety of the site access and opportunities for sustainable travel.

This is discussed in greater detail in section 6.26-6.42 of this report.

Contaminated Land Officer: No objection subject to conditions and informatives related to land contamination and mitigation.

Reigate & Banstead Planning Policy Team: Objection raised on the grounds that the development would represent overdevelopment within the Green Belt for which it is not considered there would be very special circumstances with regard to their being substantial need for additional retail provision to justify the development.

Surrey Wildlife Trust: Objection raised on the grounds of lack of justification for the loss of veteran trees contrary to the National Planning Policy Framework 2021.

Salfords & Sidlow Parish Council: Objection is raised on the following grounds:

- The site is in the Green Belt and there are insufficient grounds to outweigh the identified harms to the Green Belt: the scheme being larger and more intrusive than the existing building
- Loss of natural habitat and openness and bio diversity
- Loss of mature trees
- The site is not designated employment land
- Loss of potential housing on this site
- Concern about the level of traffic that this scheme would create and the impacts upon an already heavily congested highways network
- Concern about additional congestion caused by the proposed new bus stops
- Concern about the safety of pedestrians when crossing the A23 to reach the store with the nearest traffic light junction some 250 m's to the north of the site
- Not a strong need for this store in this area
- Potential restrictions to the free movement of emergency services vehicles
- Concern about the additional traffic and the impact upon the free flow of traffic in this area which already experiences near capacity levels of traffic at times
- The levels of traffic encourage rat running in the nearby rural lanes which we fear would be made worse by this scheme

Horley Town Council (HTC): No objections in principle to the proposed development however do have considerable concerns about traffic in the area and the impact that any new development would have in this already congested area. HTC have written jointly with Salfords and Sidlow PC to request a full Highways Area Traffic Survey. HTC would like to propose that any decision on the application be deferred pending

the outcome of the Highways Area Traffic Survey and for the full impact of the development of the Gatwick Gateway on traffic in the area to become known.

Lead Local Flood Authority: Are satisfied that the proposed drainage scheme meets the relevant requirements and are content with the development subject to the need for further information that could be secured by condition relating to:

- Details of the design of a surface water drainage scheme.
- Prior to first occupation a verification report to demonstrate that the surface water drainage scheme has been carried out in accordance with the agreed details.

### Representations:

Letters were sent to neighbouring properties on the 21<sup>st</sup> April 2021, site notice was posted 28 April 2021, and an advertisement placed in the local press on 6 May 2021. Further consultation took place on 19<sup>th</sup> October 2021 following the submission of additional and amended information. Over 250 responses have been received, including from the East Surrey disability Empowerment Network, Lidl Supermarket, Tesco Stores and Waitrose. A significant number of letters have been received in support of the application citing benefits to retail provision, employment and consumer choice.

The following issues were raised in objection:

<b>Issue</b>	<b>Response</b>
Inadequate parking	See paragraph 6.41-6.57
Increase in traffic and congestion	See paragraph 6.41-6.57
Hazard to highway safety	See paragraph 6.41-6.57
Inconvenience during construction	See paragraph 6.78
Out of character with surrounding area	See paragraph 6.17-6.77
Overdevelopment	See paragraph 6.17-6.77
Overbearing relationship and loss of outlook	See paragraph 6.22-6.29
Overshadowing	See paragraph 6.22-6.29
Overlooking and loss of privacy	See paragraph 6.22-6.29
Loss of / harm to trees	See paragraph 6.30-6.40
Flooding	See paragraph 6.71-6.77
Harm to wildlife habitat	See paragraph 6.58-6.70
Harm to green belt / countryside	See paragraph 6.12-6.16 & 6.80-6.85
Harm to Conservation Area	See paragraph 6.78

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Noise & disturbance	See paragraph 6.22-6.29 & 6.78
No need for the development	Each scheme must be assessed on its own planning merits
Alternative scheme preferred	Submitted scheme must be assessed on its own planning merits
Loss of private view	Not a material planning consideration

## 1.0 Site and Character Appraisal

- 1.1 The site is approximately 0.9 hectares and lies to the north of Horley and on the boundary of Salfords. At present it comprises a range of hotel and self-catering accommodation buildings, outbuildings, workshops and storage. Behind these is 17A Bonehurst Road, a two storey detached residential dwelling. The site was most recently used as a guest house and hotel and currently only the residential building at the rear of the site is occupied in some capacity.
- 1.2 The southern part of the site comprises an area of woodland which appears to have been largely unmanaged for some time.
- 1.3 The site lies within the Green Belt, in a gap of some 1.15km of Green Belt between Horley and Salfords. The commercial development on the opposite side of Bonehurst Road occupied by the existing Titan Travel site and Polar Drive lies within the identified urban area of Salfords, between the Green Belt gap between Salfords and Horley, on the eastern side of Bonehurst Road. It lies within an area with a mixture of building types and uses, with a timber yard immediately to the north, housing to the south-west and south, a petrol filling station approx. 0.5km to the south, commercial buildings on the opposite side of Bonehurst Road to the east, and residential (Empire Villas) and commercial (Salfords Industrial Estate) on the eastern side of Bonehurst Road to the north of the site. The new access road to Westvale lies approx.. 210m to the north.
- 1.4 The surrounding area also encompasses undeveloped fields and land, and between the site and the northernmost boundary of Horley Town the area has a very mixed character: although the land lies in the Green Belt individual developments are sited in an irregular fashion along both sides of the Bonehurst Road. The Green Belt in this location does not have a wholly undeveloped green and open character due primarily to this site and the timber yard to the north.

- 1.5 The Horley centre is approx. 2.7km to the south, whilst the local centre at Salfords, where a modest level of service provision can be found, is approx. 1.2km to the north.

## 2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: Three pre-application enquiries were submitted to the Council prior to the submission of this application. The initial pre-application response dated 26<sup>th</sup> February 2020 advised that the proposed re-development of the site to provide a new store would result in harm to the openness of the Green Belt by virtue of its built form and level of associated activity for which very special circumstances would be needed. A follow-up pre-application response issued 3<sup>rd</sup> June 2020 was held to discuss the very special circumstances argument. It was the Councils' view that there is not an identifiable need for additional convenience floor space within the borough. The applicant was advised of the need to carry out and submit a sequential test in accordance with the NPPF to justify an out of town centre location.
- 2.2 Improvements secured during the course of the application: Further information has been submitted throughout the course of the application in order to address issues/ concerns related to matters of retail need, trees and landscaping, ecology, drainage and highway matters.
- 2.3 Further improvements to be secured: The application is to be recommended for refusal and it is not considered that improvements or additional benefits that could be secured by conditions would overcome the harm identified in this case.

## 3.0 Relevant Planning and Enforcement History

- |     |            |   |                                       |
|-----|------------|---|---------------------------------------|
| 3.1 | 18/02622/F | Demolition of Guest House / Hotel, new build residential flats (9Nos).  | Awaiting determination                |
| 3.2 | 18/00494/F | Demolition of guest house/hotel, new build residential flats (9no).   | Withdrawn                             |
| 3.3 | 16/00612/F | Redevelop the guest house and demolition of existing attached residential wing (Coach House 1 bedroom dwelling ) and erection of 2-storey side and rear extensions to provide 9 flats (4x2bedroom flats and 5x1 bedroom flats). | Approved with conditions<br>15/02/207 |

## 4.0 Proposal and Design Approach

- 4.1 This is a full application for the demolition of all buildings on the site and the erection of a single building to be used as a Class E retail unit (Aldi supermarket) with associated access, car parking and associated works.

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- 4.2 The proposed supermarket would lie at the northern end of the site close to the northern and western boundaries. It would comprise a rectangular building set across the site with the length of building being 64m across the main bulk of the building (i.e. the shop floor) whilst the width would be 36.9m. The maximum height of the building would be 6.2m. Along the northern elevation the warehouse, loading bay, plant room and staff facilities would be sited, resulting in a 'wing' projecting approximately a further 12.6m in in a northerly direction. The freezer store and night-chiller would be located immediately to the north of the building in the north-west corner. Loading would take place to the west site of the building.
- 4.3 The elevations propose a single span building with a flat, green roof, with facing materials comprised of a mix of light and dark brown coloured cladding panels, Ibstock Birtley Olde English Buff brick, with dark brown Mortar, and specialised graphics depicting woodland scenes to reflect the countryside character. The green roof would comprise a vegetation mat with wildflower mix.
- 4.4 The vehicular access would comprise a two way priority junction lying approx. 45m to the south of the proposed building and the west of Bonehurst Road, providing a ghost island right hand turn lane on the A23 and pedestrian refuge islands with dropped kerbs and tactile paving sited to the north and south of the access to enable pedestrians to cross the A23. This is some 54m further south than the originally proposed location of the access. This will provide single access for customers and service traffic. The scheme would involve the repositioning of a pedestrian refuge island such that it is level with a pedestrian site access point close to the store entrance, as well as the relocation of the proposed bus stops where the northbound bus stop is situated north of the refuge island and the southbound bus stop is situated south of the refuge island. The site access will continue to be served by a ghost island right turn lane and an additional refuge island is positioned south of the access.
- 4.5 The access would lead immediately to the store car park, with the majority of spaced located to the north of the access, with 12 spaces located to the south of the access. There would be a total of 98 spaces, including 6 disabled spaces located immediately outside the store, 7 parent and child spaces, and 4 electric vehicle spaces. A total of 10 cycle spaces would be located to the east side of the store. A buffer of existing trees and shrubs would be retained around the edge of the car park with a new cycle path also proposed. To accommodate the new development the existing adjacent highway would be widened to include new visibility splays.
- 4.6 The scheme would result in the removal of a number of trees (30) to enable the development including a number that are currently subject to a preservation Order (5 single or group TPO'S). Of those highlighted for removal 3 are considered of high quality, 7 of moderate quality and the rest of low quality. In addition, remaining trees would need to be protected to facilitate parking for instance, beneath the canopy of or in near proximity to



trees that are proposed for retention. Trees proposed for removal would lie approximately in the position of the access road, the car park, as part of the road widening scheme and around the south west corner of the building, to facilitate the building itself and the access road to the loading bay at the rear of the site. The cycle path and footpath within the site alongside the car park would require the removal of a number of unprotected trees. New planting is proposed along the northern, eastern and western boundaries where adjacent to the building. The submitted arboricultural assessment advises that there is a risk that retained trees could be affected by the installation of new services, although the details are currently unknown, and this is a precautionary advice.

- 4.7 Whilst the site would result, on its own, in a net bio-diversity loss, the applicant has been in discussion with the Surrey Wildlife Trust with regard to providing mitigation elsewhere to offset the loss on this site. It is noted that a bat hotel is proposed to the south west corner of the site.
- 4.8 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.
- 4.9 Evidence of the applicant’s design approach is set out below:

Assessment	<p>The application site is identified as being within the Salfords area of the borough and currently occupied by a range of hotel and self-catering accommodation buildings, outbuildings, workshops and storage. The site was most recently used as a guest house and hotel and previously had been part of a farm complex. The scale of development across the site is identified as being between two and three storey, with buildings and hardstanding accounting for some 13% of total coverage. Buildings are Victorian in character, with materials being red facing brickwork, natural slate tiles on a steeply pitched roof, white painted timber supports and plain white painted timber bargeboards, with white replacement UPVC window frames. The south end of the site is identified as primarily gardens, containing hard and soft landscaping elements, which have in recent years been left unmanaged and now are overgrown, with many of the ornamental specimens in a poor state or fallen. Trees and mature landscaping are notified as being characteristic of site frontages along Bonehurst Road.</p> <p>The wider locality is identified as containing a mix of land</p>
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	<p>uses, from commercial (Lawsons timber yard to the north, and more recent warehouse development to the east) which are of utilitarian or functional appearance, and residential further afield, with open countryside and farmland mainly to the west (rear) of the site. The site is identified as being in close proximity to public transport, including two bus stops providing services north and south, with Horley and Salfords stations approx.. 1.5mi away, and Gatwick Airport 2.8 mi away. Route 21 of the national cycle network is near to the site, accessed via Cross Oak Lane.</p> <p>A number of protected and non-protected trees within the site have been identified, and the scheme looks to retain as much of the existing trees as possible. Opportunities and constraints are set out as:</p> <ul style="list-style-type: none"> <li>• Protect and enhance the existing established tree lines.</li> <li>• Enhance existing landscaping and ecology.</li> <li>• Opportunity to enhance the appearance of this prominent site.</li> <li>• Reuse of existing site entrances, limited options to move this due the electrical easement, substation and other entrances.</li> <li>• protect the existing long distance views by screening the site.</li> </ul>
Involvement	<p>A community leaflet with hardcopy feedback form and freepost return envelope was issued to c. 4,800 residential properties which are local to the development site. A dedicated website was also set up to allow people to complete an online feedback form. A dedicated email and phone number also provided to allow people to provide feedback or ask questions. Contact was also made to the following stakeholders:</p> <ul style="list-style-type: none"> <li>• Reigate and Banstead Councillors</li> <li>• Salford &amp; Sidlow Parish Council</li> <li>• Horley Town Council</li> </ul>
Evaluation	<p>The scheme has evolved following a number of pre-application meetings and discussions with the Local Planning Authority.</p>
Design	<p>The design of the proposal has been informed following extensive pre-application discussions, and the design, appearance, height, scale and siting of the development has been designed to fit in with and reflect the semi-rural</p>

	<p>character of the wider surrounding area.</p> <p>The new Aldi unit has been positioned at the north of the site, to minimise the impact on the existing landscape and ecology on the site and to maintain the built form element adjacent to the existing commercial development within the Lawsons Timber Site. The proposed scheme strive to produce a design which does not try to replicate existing buildings or styles but is a more innovative and distinctive design of a high standard, making a positive contribution to the visual quality of the built environment, as well as regenerating the site with a development that fits both visually and functionally into the surroundings.</p>
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4.10 Further details of the development are as follows:

Site area	0.9Ha
Existing use	Guest House/ Hotel (Use Class C1)
Proposed use	Supermarket (Use Class E)
Existing parking spaces	Unclear (informal parking arrangement approx. 6-8)
Proposed parking spaces	98
Parking standard	1 space per 14sqm gross floor area (maximum)

**5.0 Policy Context**

5.1 Designation

Rural Area  
Tree Preservation Order RE41  
Metropolitan Green Belt  
Urban area on the east side of Bonehurst Road  
Flood Zones 2 and 3 (partial – site frontage only)

5.2 Reigate and Banstead Core Strategy

CS1: Presumption in favour of sustainable development  
CS2: Valued landscapes and the natural environment  
CS3: Green Belt  
CS5: Town Centres  
CS8: Area 3 (Low Weald)  
CS10: sustainable Development  
CS11: Sustainable Construction  
CS17: Travel options and accessibility

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## 5.3 Reigate & Banstead Development Management Plan 2019

EMP3: Employment Development Outside Employment Areas  
EMP5: Local skills and training opportunities  
RET5: Development of Town Centre Uses Outside Town and Local Centres  
DES1: Design of new development  
DES8: Construction management  
DES9: Pollution and contaminated land  
DES10: Advertisements and shop front design  
TAP1: Access, parking and servicing  
CCF1 Climate Change mitigation  
CCF2: Flood risk  
NHE1: Landscape protection  
NHE2: Protecting and Enhancing Bio diversity and areas of Geological Importance  
NHE3: Protecting trees, woodland areas and Natural Habitats  
NHE5: Development in the Green Belt

## 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

Householder Extensions and

Alterations

Horley Design Guide 2006

Other

Human Rights Act 1998

Community Infrastructure Levy

Regulations 2010

Conservation of Habitats and

Species Regulations 2010

## 6.0 **Assessment**

The main issues are considered to be as follows:

- Retail Matters
- Principle of the development within the Metropolitan Green Belt
- Design appraisal
- Impact on neighbour amenity
- Trees and landscaping

- Highway matters
- Ecology
- Flooding and drainage
- Very Special Circumstances

## Retail Matters

- 6.1 The proposed development would constitute the creation of a town centre retail use outside of a town centre location. The National Planning Policy Framework (para. 87) is clear that main town centre uses should be located in town centres first, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.
- 6.2 Proposals to site such uses in out of centre locations are required to carry out a sequential test to demonstrate that there are no suitable sites within a more central location that could accommodate the proposed development. This is echoed within Policy RET5 of the Councils' Development Management Plan 2019, which states that retail and other main town centre uses (other than small scale rural development) should be directed to the most sequentially preferable and sustainable locations in accordance with the national policy 'town centre first' principle. Proposals that seek to locate or expand retail and other town centre uses in edge of centre or out of centre locations must demonstrate that:
- a. Having applied the sequential test there are no suitable sequentially preferable sites available to accommodate the proposed development on more central sites.
  - b. The proposal would not have a significant adverse impact on:
    - i. the vitality and viability of, or consumer choice and trade within, existing nearby town or local centres;
    - ii. existing, committed and planned public and private investment in those centres.
- 6.3 In order to satisfy (a) the applicants have carried out a sequential test, which is set out within the submitted planning statement and is also appended to this report for reference. This was reviewed by the Councils' Planning Policy Team, who made the initial following comments:
- 6.4 'I think possibly the only sequentially-preferable sites (in or on the edge of town centres) large enough to accommodate the proposal, and therefore to be suitable are: 1) the vacant Mercedes garage at 12 Brighton Road, Redhill, which is an "edge of centre" location for retail uses (the application being for an out of town site, which is less preferable sequentially). However, although that site is suitable for the proposed development, it is understood that it is not available for the proposed development (LAD convenience retail), as B&Q

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have an option on it (see planning application 21/00185/CU). I understand that Aldi did approach the Mercedes Garage owners but did not end up with an option (application 21/00185/CU has subsequently been approved and is now occupied by B&Q therefore is no longer available as a site). 2) Redhill Railway station site - this site had permission (now expired) for convenience retail (a Waitrose store), residential and car parking. I am not aware of the availability of the site to accommodate the proposed development. I would therefore not object to the proposed development on grounds of there being a sequentially preferable site that is / will be available to accommodate the proposed retail floorspace.

- 6.5 The applicant provided a supplementary assessment of two further sites with respect to the sequential test, namely the site of the Air Balloon Public House at 60 Brighton Road Horley, and the site of Gloucester Road car park in Redhill. Further comment on Redhill Station site has also been provided.
- 6.6 Starting with the Air Balloon site, the applicants have contended that Lidl have clearly stated that their existing store in Horley town centre is no longer suitable for a limited assortment discounter, and they have identified a site to relocate their store. They have entered into a contract with the owners of the site and a planning application has now been submitted to develop the site, which will be assessed on its planning merits. The agents representing Lidl suggest that the Air Balloon site is available to Aldi until such time as a Lidl store opens. The applicants contend that this position does not reflect commercial reality and that a sites availability is a matter of planning judgement. Officers would agree with this view. As it is the case that Lidl has a conditional contract to buy this site, it is difficult to argue that the site is sequentially available. Therefore it is officers view that this edge of centre site is not available to Aldi.
- 6.7 Turning to the Gloucester Road car park site, this is currently active and in use as a car park. The site is allocated within the Councils' DMP (Policy RTC6) for either mixed residential and office use, residential use only or office use only. As the site is clearly not allocated for a retail development of the kind proposed, the site is not considered to be sequentially available.
- 6.8 With regard to Redhill Station, this is not a site allocated for development within the DMP. Planning permission was granted in May 2013 (application Ref: 13/00848/F to redevelop the station site of the existing station building, a new food store, 150 residential units and associated accommodation. However this permission has now elapsed. A scheme to develop the site in to a mixed residential and commercial scheme, including ground floor retail units, has been subject to public consultation and it is understood that a planning application is to be submitted imminently. The proposed retail units are smaller than the proposed store subject of this application, therefore it is officers view that site could not accommodate the proposed development and is therefore not an available site.
- 6.9 In view of the above considerations it is officers view that there are no sequentially preferable sites within the borough that could accommodate the

proposed development, and therefore part 2 (a) of Policy RET5 have been met.

- 6.10 Part 3 of Policy RET5 requires an impact assessment be submitted to support applications for edge-of-centre or out- of centre development proposals for convenience retail development exceeding 250sqm. In considering the proposal, the councils' Planning Policy team made the following initial comments with regards to the likely impact of the proposed out of town Aldi store on the vitality and viability of Horley, Redhill and Reigate town centres and on the designated local centres within the catchment of the proposed store. The applicants have Retail Impact Assessment and have raised no objections to its findings.
- 6.11 It is therefore considered that the proposed development of a new retail store would meet the requirements of Policy RET5 of the DMP and NPPF 2021 with regards to the sequential test.

### Principle of development within the Metropolitan Green Belt

- 6.12 The site is located within the Metropolitan Green Belt. The National Planning Policy Framework 2021 (NPPF) states at paragraph 147 that there is a presumption against inappropriate development, unless justified by very special circumstances. The NPPF goes on to state that certain forms of development are considered not inappropriate including 'limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would:
- not have a greater impact on the openness of the Green Belt than the existing development; or
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority (paragraph 149 (g)).
- 6.13 The application site is located entirely within the Green Belt land as defined within the Councils' Policies Map under Policy NHE5 of the Development Management Plan 2019 (DMP). The site as existing would meet the definition of previously developed land (PDL) as set out within the NPPF. This proposal would involve the erection of a food retail unit with car parking on PDL within the Green Belt. Therefore, consideration needs to be had as to whether the proposed development would result in a greater impact on openness.
- 6.14 Advice on the factors that can be considered when assessing the potential impact of a proposed development on the openness of the Green Belt is provided in the Planning Practice Guidance (PPG) (Green Belt: Paragraph: 001 Reference ID: 64-001-20190722). It requires a judgment based on the circumstances of the case, but the courts have identified a number of matters which may need to be taken into account, including "openness" (capable of having spatial and visual aspects, including its volume and visual impact);

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and the degree of activity likely to be generated (for example, traffic generation).

- 6.15 The proposed retail development would clearly be significantly larger both in terms of its footprint and volume of built form than existing development on the site, and the use of the site would be significantly more intense, in terms of the number of people and vehicles visiting the site, than the hotel currently on the site. The proposed new buildings would have a greater impact on openness (one of the “essential characteristics of Green Belts) than existing development. As a result, it is considered that the proposed development would not qualify as an “exception” under NPPF paragraph 145. The proposal would therefore represent inappropriate development which is, by definition, harmful to the Green Belt. The additional built form, the building and the car park’s hard surface, over that which currently exists, would clearly erode the openness of the Green Belt and therefore undermine one of the essential characteristics identified in national policy (NPPF paragraph 137). These physical changes associated with the retail use would represent a further encroachment into the countryside. This increase in development would be emphasised further through the extensive use of external lighting, which would serve to highlight the developments presence within the Green Belt. It is the view that the proposed store would represent significant harm to the openness of the Green Belt and would therefore be an inappropriate form of development, which is by definition harmful, requiring justification by Very Special Circumstances.
- 6.16 The NPPF (paragraph 148) advises that when considering any planning application, substantial weight should be given to any harm caused to the Green Belt. “Very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and “any other harm”, resulting from the proposal is clearly outweighed by other considerations. Case law (Redhill Aerodrome High Court decision 2014; Redhill Aerodrome v. SSCLG) clarifies that “any other harm” is not limited to harm to Green Belt but extends to harm relevant to planning purposes. This is emphasised locally by development plan policies CS3 and NHE5. The consideration of Very Special Circumstances is discussed at the end of this report, following consideration of other matters.

## Design Assessment

- 6.17 The proposed development is located on the edge of more open countryside to the west side of Bonehurst Road, where the character transitions to a more rural appearance. This site is in the green belt and forms an important countryside gap between Horley and Salfords to avoid the coalescence of settlements.
- 6.18 The Reigate and Banstead Character and & Distinctiveness Design Guide Supplementary Planning Document (2021) seeks to achieve a soft edge or green corridor to the countryside and retention of a green corridor to the A23 as much as possible. Soft edges are important as they help prevent the urbanisation of the countryside and are achieved by setting development



behind existing hedges and the tree backdrop, which form the enclosure, so the soft landscape is the dominant character, and has been an important planning tool in the borough since the early 20th century. To achieve a green corridor, it would be expected that development should be at least 15 metres (25 metres where possible) back from the hedge line with a tree backdrop provided to soften the silhouette of any housing behind and be of a design that is reduced in scale, bulk and mass, and less utilitarian in appearance.

- 6.19 It is noted that the revised proposed site layout and landscaping plan show that the existing belt of trees and vegetation along the east side of the site has been strengthened by additional planting, particularly to the north east corner of the site immediately in front of the proposed store. Additionally much of the existing planting to the south of this, where the vegetation is denser, would be retained with some additional trees planted. The width of this belt of vegetation would range between 14m and 20m. This would provide a significant amount of screening to the proposed carpark, with the proposed access providing the greatest amount of view into the site.
- 6.20 Regarding the scale of the building, it has been designed to keep eaves low (6.2m) for such a use to reduce impact. The choice of materials, particularly their colour, which would be varying shades of brown and grey, have been specifically chosen to be recessive, again to reduce visual impact. The front elevation proposes a minimal amount of glazing, which would largely be restricted to the side (east) elevation, which would address the highway. Plant and servicing areas would be restricted to the rear of the building where visual impact on surrounding character would be minimal. Whilst the size of the development compared to the existing building, particularly in view of the increase in external lighting, would increase its visual presence, the design in and of itself would not be sufficiently harmful enough to warrant refusal. The level of impact would not be dissimilar to that of the recent developments at Polar Drive to the north-east, where three large research and distribution units have been built in close proximity to the road and are quite visually prominent.
- 6.21 In view of the above, whilst the proposed development would result in a change to the visual character of the area, overall the design and scale of the building and ancillary works would have an acceptable level and would not be sufficiently harmful to warrant refusal on this basis. Therefore the scheme would comply with Policy DES1 of the Councils DMP 2019 in regard to design and impact on the character of the area.

#### Impact on neighbouring amenity

- 6.22 The location of the proposed store would be immediately to the south of Lawsons timber merchants. This is a commercial site that generates a significant amount of vehicle movement and noise disturbance. It is not considered that the presence of a new store, despite its size, would be harmful to any sort of amenity associated with this property, which would be little.

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- 6.23 The nearest residential properties would be 30 Bonehurst Road approx. 40m to the south east on the opposite side of the road. This property is set back from the road by approx. 40m and is in any case derelict at present (though it is noted that planning permission has been granted under application 20/00409/F to construct a dwelling on the site). The proposed access would be sited to the south of the dwelling at a distance of approx. 9.5m. Number 11 Bonehurst Road is also residential in nature and houses people with special needs requirements. It is located approx.. 120m to the north of the site opposite the junction with Crossoak Lane and the former Titan Travel site. Empire Villas, a small development comprised of small semi-detached dwellings, is located approx.. 300m to the north west of the application site.
- 6.24 Beginning with 30 Bonehurst Road, the introduction of a store would undoubtedly result in a change in the relationship between the two sites. The separation distance between the main store building is such that it would not generate a substantial amount of harm with regards to being overbearing in nature. Much of the building would be obscured by mature tree cover, which would be enhanced by additional planting along the eastern side of the site between the road and the store.
- 6.25 The use of the proposed store, as well as the carpark, would require the installation of a greater amount of lighting across the site, both in the form of signage as well as lighting columns throughout the car park, of which there would be 18 separate lights in total. This has the potential to cause disturbance to residential amenity. Additional disturbance may arise from the increase in activity at the site for a greater portion of the day, particularly from customer vehicles along with delivery vehicles. It is noted that the application is not supported by detailed noise or light assessments to consider the level of impact that these elements may have on neighbouring properties.
- 6.26 With regard to number 30 Bonehurst Road it is not considered that the level of lighting proposed would give rise to substantial harm. Much of the lighting would be contained within the site mitigated by existing and proposed vegetation/ planting. It is noted that the front boundary of 30 Bonehurst Road is also heavily treed, meaning that much of the planting would not be overly discernible. In the event that planning permission were to be granted a condition requiring the submission of an external lighting scheme in accordance with the Institute of Lighting Professionals Guidance notes for the reduction of obstructive light. Noise surveys could also be required to be submitted as part of a condition prior to commencement of development.
- 6.27 An operational management plan can be secured by way of a condition. This would set out management responsibilities during opening hours, measures to control noise, as well as measures to minimise disturbance from personnel and patrons coming and going from the site. Where practices give rise to reported concerns, these would need to be brought to the attention of the local authority. Combined with this a delivery and servicing plan could also be required by condition for approval prior to commencement. This would set out the intended frequency of deliveries and other service vehicles such as refuse collection, dimensions of delivery vehicles, proposed locations of loading/

unloading of delivery vehicles, as well as a strategy to manage vehicles servicing the site. Hours during which deliveries can take place could also be secured by condition.

- 6.28 With regard to 11 Bonehurst Road and properties occupying Empire Villas to the north, it is not considered that these properties would be substantially harmed by the proposed development. Whilst there would likely be a perceptible increase in the volume of traffic along Bonehurst Road, this would not result in a level of harm or inconvenience that would warrant refusal.
- 6.29 In light of the above considerations it is the view that the development would have an acceptable level of impact on the amenity of surrounding properties and would therefore comply with Policy DES1 of the DMP in this regard.

### Trees and landscaping

- 6.30 The proposed development would involve the removal of 30 trees from the site. A mixed species TPO (RE41) effects a number of the trees within the site (not all), the majority of which are found along the east boundary with Bonehurst Road. The remaining trees are proposed to be supplemented by additional planting. The trees to be removed are a mix of category A (high quality), B (medium quality) and C (low quality) trees.
- 6.31 The category A trees are G14, T51, T52, category B trees are T6, G16, T19, T40, T41, T54, T55, and category C trees are T7, T9, T10, T11, T12, G13, T15, T17, G18 (part), G20, T21, T37, T38, T42, T56, T57, T59, T60, G61 (part), G62 as shown on **proposed site layout plan No. 16443\_110 Rev W**.
- 6.32 Some site investigation has been undertaken by developers which result in some removal of low-grade vegetation and some heavy machinery movements within the site prior to submission of the application. The matter was investigated, and no long-lasting damage has resulted from these investigation works.
- 6.33 The application has been supported by detailed and thorough arboricultural information which has been compiled by an arboricultural consultancy practice. The supplied information is from a reliable source and has been compiled in accordance with the guidelines, advice and recommendations detailed and contained within British Standard 5837:2012 Trees in relation to design, demolition, and construction -Recommendations. Trees on site, groups of trees and significant vegetation have been surveyed and assessed adopting the methodology and criteria of section 4 and table 1 of the above standard. Trees have been allocated a category classification which Identifies their condition suitability and presence within the landscape.
- 6.34 The Councils' Tree Officers have been consulted on the application and the following initial comments were made:

*The current layout and design result in a number of trees losses which are internal to the site and which are not easily visible when viewed from*

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*external public viewpoints. The losses involve a number of 'B' category Trees and 1 group comprising of three oak trees which have a combined crown system which have been categorised 'A', These losses in the higher categories are T6, G14, G16, T22, T26, T40 and T41. The remaining losses consist of trees within the lower categories C and U which should not place a constraint on development.*

- 6.35 Policy NHE3 of the DMP relates specifically to the protection of trees, woodland areas and natural habitats, and provides criteria against which development that impacts on trees will be assessed. Paragraph 2 of Policy NHE3 states:

*Development resulting in the loss of or the deterioration in the quality of a protected tree or hedgerow (including trees covered by protection orders, protected hedgerows, trees in Conservation Areas, Ancient Woodlands, aged and veteran trees outside Ancient Woodland and trees classified as being of categories A or B in value), will be refused unless the need for, and benefits of, development in that location clearly outweigh the loss. This will be assessed on a case by case basis commensurate with the value of the feature.*

The Policy goes on to state:

*Unprotected but important trees, woodland or hedgerows with ecological, amenity or other value should be retained as an integral part of the design of development except where their long-term survival would be compromised by their age or physical condition or there are overriding benefits of their removal.*

*Where loss of features described above are permitted, this will be subject to adequate compensatory provision commensurate to that which is lost. This should be provided on site where possible, but off site provision will also be considered in exceptional circumstances.*

- 6.36 The majority of tree losses are mainly internal and are not easily visible from the public viewpoint. This may be a case where extensive large semi mature replacement planting stock could be incorporated into the design to compensate for the losses and to make provision for long term continued tree cover and visual amenity in this locality. This planting could be secured by way of a landscaping condition.
- 6.37 It is noted that the revised access further south would result in a great loss of TPO trees to the south east corner of the site. However TPO trees originally proposed to be removed further north are now being retained with a greater amount of supplementary planting along the east side of the site.
- 6.38 A large number of mature specimens will remain on along the southern boundary which would maintain the verdant appearance of the site when approaching from the south. Therefore it is not the view that the loss of

these trees would result in a level of harm to character that would warrant refusal.

- 6.39 Any character harm could be suitably compensated for by replacement planting. This would also be secured by a condition for a revised landscaping scheme. Detail would be required in respect of the selected species and sizes, bearing in mind the tree losses in the upper categories mentioned above and the requirement of NHE3 for appropriate replacement planting, some species proposed such as *Pyrus Calleryana* 'Chanticleer', *Sorbus aria* and others would need to be reconsidered, particularly the replacement trees on the western boundary. Trees sizes would also need to be reviewed and a minimum of Advanced Nursery Stock sizes used in conjunction with a number of semi mature specimens also to form part of the requirements of the landscaping condition.
- 6.40 In strict character assessment terms, an appropriate tree and landscape strategy may therefore be acceptable however there are ecological concerns relating to the loss of veteran trees as detailed below.

### Highway Matters

- 6.41 The site is located within an area of low accessibility as defined within the Councils DMP 2019. For food retail stores, these standards require 1 car parking space for every 14sq. metre of gross retail floor area. The proposed area of retail space would total 1315sq. metres. This would require a total of 94 spaces to be provided. A total of 98 spaces are to be provided, including 6 disability access spaces and 7 parent and child spaces. In terms of parking provision the Councils' standards are considered to have been met. The County Highway Authority (CHA) has extensively reviewed the application and is satisfied that sufficient car parking has been proposed as part of the application. A parking accumulation assessment has been undertaken and submitted as part of the application which estimates that on an average weekday or Saturday, parking space demand would likely be comfortably within the proposed supply of spaces. The layout of the car park is considered acceptable and given the volume of spaces, it is unlikely that drivers would be compelled to wait in close proximity of the site access for a parking space. On that basis, the parking provision is deemed acceptable and is unlikely to have any specific impact on highway safety or the flow of traffic on Bonehurst Road.
- 6.42 The CHA have concluded that, on balance, the development is unlikely to have a significant impact on the free flow of traffic or the safety of the local highway network. As such, as set out in the National Planning Policy Framework, the development should not be refused on the grounds of transport impact. A comprehensive assessment has been undertaken of the impact of the development on the junction of Bonehurst Road, Cross Oak Lane and Hoadley Road (Horley North West Sector), as well as the safety of the site access proposals and opportunities for sustainable travel. The County Council considers that the location of the site is not ideal to promote trips by sustainable modes – owing to the density of residential and

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commercial properties within walking distance of the site. However, the development will contribute to local improvements to local bus and pedestrian infrastructure and will benefit from the newly constructed cycleway on the A23 that passes the site.

## Impact on Bonehurst Road, Cross Oak Lane, Hoadley Road Junction

- 6.43 Drivers at the junction of Bonehurst Road, Cross Oak Lane and Hoadley Road currently experience queuing and delay on all arms of the junction in certain peak periods. This situation is likely to be intensified when the Westvale Park residential development (application ref 04/02120/OUT) is fully occupied, and it is noted that the site subject to Planning Application ref 21/03303/F (Titan Travel site) is also likely to have a greater trip generation in the future as it is currently vacant and may come forward for redevelopment. The proposed food retail unit would lead to an increase in traffic through the junction, so the potential impact of this additional traffic has been considered closely.
- 6.44 Traffic Modelling undertaken using the LinSig modelling software has been submitted as part of the Planning Application. This model has demonstrated that the junction of Bonehurst Road with Cross Oak Lane and Hoadley Road is likely to operate close to absolute capacity with significant queuing in the peak periods by 2026, even without the development. In particular, the Northbound Bonehurst Road arm and the westbound Cross Oak Lane lane are likely to experience significant capacity issues. Two modelling scenarios have been tested: one with no background traffic growth from flows recorded in 2018, and another with background growth added up to 2026 in accordance with the Department for Transport's TEMPRO methodology. The County Highway Authority recognises that growth in line with the TEMPRO estimate may not occur in practice given the existing levels of congestion on the network would likely deter growth, however it is likely that some increase could occur.
- 6.45 As the Westvale Park residential development is yet to be fully occupied, and the route between A217 and A23 through the site yet to open, estimates of the likely traffic generation of the residential development and through-route have been accounted for in the modelling of Hoadley Road and Bonehurst Road. These estimates have been taken from the Transport Assessment for the Horley North West Sector development, which have then been sense-checked as part of this assessment. The CHA considers that this is the best approach available to estimating the future operation of the Hoadley Road/ Bonehurst Road/ Cross Oak Lane junctions at the present time.
- 6.46 A summary of the LinSig outputs from the lanes of the junction with the highest Degree of Saturation (DoS) and Mean Max Queue (MMQ) have been summarised in the table, which can be found at the end of this report. With DoS greater than 85%, junctions are likely to experience significant queuing. The Northbound arm of the junction is estimated to experience its

greatest period of congestion in the AM Peak, with a mean maximum queue between 24.3 and 34.5 Passenger Car Units (PCUs) depending on the level of traffic growth between 2018 flows and 2026. On Cross Oak Lane, the westbound queues are estimated to peak in the PM peak, with the estimated Mean Max Queues ranging from 16.8 to 21.8 PCUs.

- 6.47 In both the without growth and with growth scenarios, the submitted modelling suggests that there will be a relatively minor increase in DoS and queue length on each of these arms of each arm of the junction in both the AM and PM peaks.
- 6.48 The submitted information estimates that in the AM peak hour the development would generate approximately 18 arrivals and 10 departures. The Transport Assessment estimates that 40% of trips across the day will be pass-by or diverted trips – i.e. trips that are not brand new to the local highway network. On that basis, the additional number of vehicle movements going through the Cross Oak Lane/ A23 junction would be fewer than 28 in the peak hour. Whilst the CHA considers that the exact percentage allowance for pass-by and diverted trips has not been fully justified, it is accepted that it is likely to make up a significant proportion of trips to the site. This is particularly true of the peak hours where local congestion already exists, as it is unlikely that many potential customers of the development would make dedicated trips to the site at this time given the expectation of traffic. The CHA are therefore satisfied that the assessment of the impact of additional traffic on the Cross Oak Lane/ A23 junction is robust, and that peak hour congestion is unlikely to be materially worse as a result of the development. Whilst acknowledging that there would be some worsening of congestion this would not be materially sufficient to warrant refusal.
- 6.49 The proposed sustainable travel measures – new bus stops outside the site; cycle parking facilities; pedestrian improvements to Footpath 409; and a contribution to bus priority measures on the A23 are likely to reduce the number of vehicles on the A23 corridor – both from customers of the proposed retail unit and existing highway users who may switch to more sustainable travel modes as a result of the development.

### Operation of the Site Access Junction

- 6.50 The operation of the site junction has been modelled using Junctions 9 and the model demonstrates that the proposed geometry would be adequate to facilitate the likely movements to and from the site with the estimated Bonehurst Road traffic flows for 2026. An assessment has been undertaken to determine whether the operation of the site access junction would be affected by queuing back from the Cross Oak Lane/ Hoadley Road/ A23 junction. As a result of this assessment, the access has been moved 54 metres further south than initially proposed in earlier iterations of the site layout designs. As a result, the proposed access is now approximately 210 metres south of the Cross Oak Lane junction.

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- 6.51 The modelled queuing and saturation at the Bonehurst Road/ Cross Oak Lane/ Hoadley Road junction suggests that the average (mean) maximum queue (MMQ) in the peak hours will tail back approximately 138 metres (24 vehicles) if there is no background traffic growth between 2018 and 2026 (within vehicles of the access). This would be well short of the proposed access, and therefore significant access blocking is not predicted to occur.
- 6.52 In the modelled scenario with background traffic growth – a scenario that is likely to be an overly robust assessment -, the MMQ is estimated to be 34.5 passenger car units long, which would equate to approximately 198.5 metres. Whilst this is a mean maximum queue – meaning that there are likely to be occasions where the queue is longer than 198.5m – it is considered unlikely based on the submitted modelling that movements in and out of the access will regularly be significantly hampered by traffic queuing back from the Cross Oak Lane junction.
- 6.53 It is therefore predicted that the proposed site access will operate safely and without significant capacity issues. Should it be required, there may be scope to provide keep clear markings around the access to discourage vehicles waiting in locations that impede drivers exiting or entering the site, but it is not anticipated that this will be needed.

## Sustainable Travel

- 6.54 In addition to the impact of vehicular impact on the safety and operation of the highway, the County Highway Authority considers that the location of the proposed development is likely to discourage customers from undertaking their journey by sustainable modes. The section of the A23 corridor that the site fronts on to is relatively industrial in nature, and there are relatively few residential properties within a comfortable walking distance, particularly given the need to carry shopping. There are very few properties within a kilometre walking distance to the west, north or east of the site, with a relatively low number of properties to the south.
- 6.55 Surrey County Council have recently installed a cycleway facility along the A23 that goes directly past the site, which would provide a good standard cycle connection, and the proposal to add bus stops outside the site would result in a good standard of bus service to the development. Improvements to footpath 409 would increase the number of residents who have good pedestrian access to the proposed development.
- 6.56 The financial contribution towards bus priority measures would be used towards the delivery of bus priority measures on the A23 corridor, which would promote buses as a mode of travel for potential customers of the retail unit, but also for highway users on this corridor who may be encouraged to switch from private vehicles to public transport. SCC's current proposals for bus priority on this route is to provide a southbound bus lane on the A23, with sections being considered both north and south of the Cross Oak Lane junction. These schemes will be subject to further



design and feasibility work prior to public consultation separate to this planning application.

- 6.57 To conclude, the development would, if permitted, result in a small increase in traffic congestion on the local highway network, but this increase is unlikely to have a significant impact on the operation of local junctions. The proposed site access is anticipated to operate safely and within capacity, and the assessment of likely parking demand has demonstrated that an appropriate level of car parking space is proposed. The development is therefore unlikely to have a significant impact on the safety or operation of the highway and would comply with Policy TAP1 of the DMP 2019. Should the application be approved, the CHA have recommended that an appropriate agreement be secured prior to the grant of permission. This agreement should include:
- 1) An obligation to either a) provide a financial contribution to the County Council of £50,000 towards pedestrian improvements in the vicinity of the site OR b) carry out improvement works to footpath 409 in accordance with a specification to be agreed.
  - 2) A contribution of £100,000 to the County Council for the provision of bus priority measures on the A23 in the vicinity of the site.
  - 3) Provision of new bus shelters on Bonehurst Road to include: a) shelters with 3 enclosed sides in accordance with a specification to be agreed with the County Council b) seating C) Real time passenger information boards.
  - 4) Highway works in accordance with drawing number 20127-SK20221011.1

In addition conditions relating to the construction of the proposed access, visibility zones, parking, the submission of a construction transport management plan, a deliveries management plan, and the provision of charging points and secure cycle storage have been recommended. Subject to compliance with these conditions and the requirements of the above planning obligations the scheme would be acceptable on transport grounds and would comply with policy TAP1 of the DMP 2019

### Ecology

- 6.58 There are no specific ecological designations within or in close proximity to the site, however, as has already been described, the site benefits from a reasonable amount of vegetation and landscaping which in this semi-rural location has the potential to be of ecological value. An Ecological Assessment (dated March 2021), with accompanying addendum (dated November 2021) and briefing note (2022) has been submitted in support of the application, which has been assessed by Surrey Wildlife Trust throughout, and contains a number of findings which are set out below.
- 6.59 The assessment identifies that four of the existing buildings (B1-B4) and three mature/veteran Oak trees have roosting opportunities for bats. Emergence surveys have been carried out. These identified the presence of Pipistrelle and Brown Long-eared bats within one of the buildings (B1). Further emergence surveys were carried out and confirmed that building B1

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supports a maternity roost for Brown Long Eared bats and a day roost for common pipistrelle. The demolition of the building would therefore result in the loss of active roosts. This would be contrary to both the Conservation of Habitats and Species Regulations 2017 and Wildlife and Countryside Act 1981 in the absence of derogation licensing. Should the application be approved the applicant would be required to obtain a mitigation licence from Natural England and carryout all actions detailed within the method statement as set out within the Ecological Survey.

- 6.60 With regard to tree surveys for bats, it is noted that not all trees that are due to be felled had been surveyed at the time of submission. The ecology report acknowledges that many of these trees support ‘medium’ or ‘high’ potential for roosting bats. The report goes on to state that ‘the habitats on site present some interest for foraging bats, particularly the woodland and scrub. These features are likely to support foraging and commuting bats as part of a network of natural habitats present in the wider landscape. It is unlikely that foraging resources on site would be of material significance to maintaining local bat populations at a favourable conservation status.’
- 6.61 Surrey Wildlife Trust have commented that preliminary ground level roost assessments should have carried out to determine the impact, therefore following initial assessment there was insufficient information to determine whether the proposed development would be acceptable or not with regard to impact on bats. Should further bat presence/likely absence surveys be required, then SWT advise that these should be completed prior to determination.
- 6.62 SWT further commented that in the absence of detailed assessments and survey of the Veteran oak trees, the ecological value of the trees was not fully understood. Section 5.3.2 of the Ecological Assessment states “Three Oak trees near the western boundary of the site (BP1, BP2 and BP3) were noted as supporting ‘high’ potential for roosting bats owing to several potential roost featured...including loose bark, branch splits and woodpecker holes being present. A former avenue of mature Oak and occasionally Beech standards is present within the woodland W1, near the eastern boundary of the site. Many of these trees support medium or high potential for roosting bats”.
- 6.63 In addition, in the Ecological Assessment Addendum it states, “Four mature / veteran Oak trees near the western boundary of the site were noted as supporting ‘high’ potential for roosting bats owing to several potential roost features (PRFs) including loose bark, branch splits and woodpecker holes being present” and “A former avenue of mature Oak and occasionally Beech *Fagus sylvatica* standards is present within the woodland, near the eastern boundary of the site. Many of these trees support ‘medium’ or ‘high’ potential for roosting bats”. Therefore, it was concluded that the proposed development site supports trees of high and moderate suitability for roosting bats. The submission was sufficient in providing a detailed bat preliminary ground level roost assessment for trees that will be impacted. Bats are known to be present on site and given the number of moderate and high

suitability trees present, it is reasonable to suggest that bats may be roosting in trees on site.

- 6.64 In February 2023 a further briefing note was submitted by the applicants, in which it is clarified that throughout 2022 a series of tree climbing, and emergence / re-entry surveys were undertaken. The majority of survey activity was carried out through aerial surveys. It is traditional that presence/likely absence surveys would be carried out, however, SWT acknowledge and respect that the applicants' ecologists have designed a bespoke survey methodology based on specific site conditions. SWT has reviewed the results of the surveys and are satisfied that the scheme would not result in harm to bats and would therefore be acceptable in this regard.
- 6.65 Paragraph 5.2.7 states that the proposed development would result in the loss of four veteran Oak trees near the western boundary of the site. Paragraph 175 of the NPPF states that planning permission should be refused for developments resulting in the loss or deterioration of irreplaceable habitats, including veteran trees, unless there are wholly exceptional reasons and a suitable compensation strategy exists. The applicants survey states that any losses would be compensated by additional/ replacement planting and habitat improvements elsewhere. However it is clear within the NPPF that veteran trees are considered irreplaceable therefore their loss cannot be compensated for in this way. As set out elsewhere in this report there is not considered to be a need for the proposed store therefore this would not justify the loss of these veteran trees. This would form a further reason for refusal on the grounds of being contrary to paragraph 175 of the NPPF and policies NHE2 and NHE3 of the DMP 2019.
- 6.66 Surveys have been carried out into the presence of Hazel Dormouse and Great Crested Newt. These have identified that the presence of both species is negligible therefore they would not be a constraint to the development of the site. However suitable habitat for the species does exist within the site therefore should any presence be identified then works should cease and advice sought from Natural England or a qualified specialist.
- 6.67 It is noted that artificial lighting would feature across the proposed development site. In order to ensure that any lighting scheme is suitably designed so as to avoid harmful impact on bat foraging and commuting routes, a condition, should permission be granted, requiring the submission of a Sensitive Lighting Management Plan for approval has been recommended. Further suggested conditions include the requirement to submit a Construction Environment Management Plan (CEMP) and Ecological Enhancement Plan.
- 6.68 In terms of net gain in biodiversity the submitted Ecology Survey shows that the scheme will not provide a net gain. The applicant has offered to offset this through providing a contribution towards off site provision as allowed under policy NHE2(b). Currently the Council has no mechanism to allow for

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such a 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.”

- 6.69 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 refusal. The proposal does however include a number of on-site enhancement measures, including the provision of bat boxes and bat hotel, and the LEMP condition recommend by SWT would secure further details of these measures as well as future maintenance.
- 6.70 In light of the above considerations it is the view that, whilst the scheme would result in an acceptable level of impact on existing species present, insufficient information has been submitted to justify the loss of veteran trees on site. The proposal would therefore fail to meet the aims and requirements of the NPPF 2021 with regard to conserving and enhancing the natural environment and Policies NHE2 and NHE3 of the DMP 2019.

## Flooding and drainage

- 6.71 The majority of the site lies in Flood Zone 1 and is not susceptible to surface water flooding. The western boundary of the site falls within Flood Zones 2 (1 in 1000) and 3 (1 in 100) and is susceptible to high, medium and low levels of surface water flooding in isolated areas. The footprint of the development, including the areas of car parking, would sit outside of these restricted areas. The flood map for surface water shows the majority of the site lies within the very low likelihood classification.
- 6.72 A Flood Risk Assessment (FRA) and Sustainable Drainage Strategy has been submitted in support of the application. This identifies that an Environment Agency designated main river is culverted along the east side of Bonehurst Road. Environment Agency flood mapping and the Surrey County Council’s Preliminary Flood Risk Assessments (PFRA) 2011 have been used to assess the flood risk to the site. With regard to fluvial flooding, the submitted FRA identifies that the general area is within a high risk zone with an annual probability of flooding but mainly from main river (Burstow Stream) which lies at a distance of 194m south of the site and the flow direction of which is indicated to be from east to west. The site itself is in Flood Zone 1 and is not within the 1-100 year flood plain. With regard to risk from ground and surface water flooding this is considered to be low.

- 6.73 In order to ensure that the proposed development will not worsen flood risk elsewhere, particularly with respect to surface water by increasing the rate of run-off, a surface water drainage scheme has been developed that follows the NPPF drainage hierarchy and makes use of SuDS features as much as possible on the site. The surface water run off rate will be restricted to that of greenfield, 5.02/s, estimated using HR Wallingford UKSuDS Greenfield Runoff Estimation tool. Attenuation will be provided for all storm events up to the 100 year including climate change.
- 6.74 The FRA states that infiltration testing has been carried out on the site which concluded that infiltration rates encountered on the site mean that the use of soakaways is not feasible. On this basis it would be reasonable to consider discharge to a waterbody. The FRA identifies that there is a small drainage ditch along the eastern boundary of the site which currently takes overland flows for the existing site. It is therefore proposed to discharge the surface water from the development into this ditch at the estimated Qbar rate (value of the average annual flood event recorded in a river) of 5.02 l/s for all events, therefore the proposed development will provide a betterment to the downstream situation for all events greater than the 1 in 2 year rainfall event (Qbar rate). The FRA concludes that as the existing site drains towards the ditch already, therefore taking the existing sites flows and with no historical evidence of the area flooding from this ditch, it can be assumed there is connectivity downstream.
- 6.75 The green roof of the proposed store will absorb much of the rainfall on the building, however this would likely meet saturation point during the winter months. The parking area will be constructed of permeable block paving, collecting and storing surface water run off before filtering it and conveying it to buried attenuation tanks. Due to levels on site, there will be some need for traditional drainage components such as gullies and channel drainage. Where possible, subject to levels, these components will discharge via a SuDS feature before entering the attenuation crates. Surface water discharge from the site will be restricted to 5l/s
- 6.76 The drainage strategy for the site has been reviewed by Surrey County Councils' Senior Flood Risk Resilience Officer who has confirmed that the information provided within the FRA is acceptable. A condition has been recommended requiring the submission of the detailed designed of the surface water drainage scheme for approval prior to commencement of development should permission be granted.
- 6.77 In light of the above considerations the development would be acceptable with regard to flooding and drainage matters and would comply with the NPPF and Policy CCF2 of the DMP 2019.

## Other Matters

- 6.78 Comments have been made with regard to the impact of the development on a Conservation Area. The application site is not in a Conservation Area therefore this matter has not been considered. Additional concern has been

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made regarding noise and disturbance during construction. Whilst the construction process does generate noise and associated inconvenience, this would not constitute a reason to refuse the application. Statutory noise legislation is in place to deal with unacceptable levels of noise and certain aspects of the construction process can be controlled via a construction management plan condition should planning permission be granted.

## Very Special Circumstances

- 6.79 As stated in paragraphs 6.5-6.6 the proposed store is considered to be an inappropriate form of development within the Green Belt by reason of its harm to openness. The proposed development would therefore only be justified by very special circumstances that clearly outweigh the identified harm. Within the applicants planning statement the following are listed as being very special circumstances that need to be considered:
- Significant retail need
  - Substantial community support/ demand
  - Reduction in transport movement/ and supporting low carbon future
  - Economic benefits and employment opportunities
  - Lack of available sites
  - High standard of this design
- 6.80 The applicant contends that “only 34% of the convenience good expenditure arising in Zone 3 (Horley) is retained in Horley, demonstrating a high level of convenience goods leakage from the zone”. It also suggests that the Council’s 2016 Retail Needs Assessment (RNA) concluded there was scope to expand the convenience offer in Horley.
- 6.81 With regards to retail need within Horley, the Councils’ Retail Needs Assessment 2016 (RNA) para. 8.20 confirms that borough wide there is no significant quantitative need for further development in the convenience sector and indeed there is a theoretical surplus provision, ‘in the event that all committed development comes forward.’
- 6.82 It is acknowledged that there is some modest need on a centre by centre basis, including 200sqm of convenience floor space in Horley Town Centre, however this is appropriate since it is likely that the floorspace can be achieved through minor extensions, reoccupation of vacant floorspace or through the development opportunities that already exist. Para. 8.21 of the RNA acknowledges evidence of qualitative need demonstrated by apparent overtrading of existing town centre stores. However para. 8.22 emphasises that ‘due to the important role of convenience floorspace within existing centres, the distribution of any qualitative needs should be directed to town centres first in order to promote vitality and viability of centres.
- 6.83 The Council’s Retail Needs Assessment (2016) shows that only 34.3% of the convenience goods expenditure within Zone 3 is retained within Horley town centre (which includes the Town Centre Lidl, Iceland and Waitrose

stores), and not from Horley (as the applicant contends at para 7.13 of its Planning Statement) with the remainder (the majority) of Zone 3 convenience expenditure spent outside of Horley Town Centre:

- 48.8% of the remainder is spent at the out of centre Tesco Extra in Hookwood in Mole Valley district (in Zone 3) outside the borough;
- with a further 2.2% “other outside R&B borough; and
- 6.2% “other inside R&B borough” within Zone 3 (i.e. Outside of Horley Town Centre).

6.84 The leakage of convenience spending from Zone 3 is therefore only 8.8%. This is not considered a justification for a new out of town convenience store in Zone 3.

6.85 In light of the above it is not considered that there is substantial retail need for the proposed store and therefore this should be given limited weight.

6.86 Whilst it is noted from the level of representations in favour of the proposed store from residents of the borough, both in response to the current application and the applicants own public consultation, this would not override the impact of the proposed development on the openness of the Green Belt, and this should be given little to no weight.

6.87 With regard the suggested reduction in transport movements, the existing site is currently vacant and has historically been used as a guest house with modest levels of parking. The proposed development would significantly increase the number of vehicle trips to and from a site located within the Green Belt. Whilst it is noted that there are bus stops in the vicinity, the majority of trips would rely on private vehicle, that would represent an intensification of the site that would be inappropriate. Whilst the installation of electric vehicle charging points and improvements to public transport networks would go some way to meeting national and local aims of reducing carbon emissions and encouraging sustainable travel, this would not be sufficient to outweigh the harm to the openness of the Green Belt.

6.88 With regards to a lack of available sites, the sequential test demonstrated that there would not be available sites within the borough to accommodate the proposed development, however as has already been explained there is not a requirement for a retail unit of this size within the borough and any modest requirement for additional retail use within the borough can be met by improving the offer within existing centres, either through the occupation of existing vacant units or through extension and/ or improvement of existing convenience stores within the borough. Therefore the lack of available sites within the borough for a store of this size should be given little to no weight.

6.89 With regards to the quality of the proposed design, whilst the design in an of itself would not be reason to object to the scheme, this would not serve to off-set the identified harm caused to the openness of the green belt given

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the significant increase in size/ scale, bulk and overall visual presence of the development which, as has already been identified, would be harmful to the openness of the green belt.

- 6.90 Whilst the scheme would create additional job opportunities within the borough, it is anticipated within the application form that this would be a total of 50 full time jobs. This would be a modest number and would not be sufficiently meaningful to justify the identified harm to the openness to the green belt in this case.
- 6.91 In conclusion the proposed development would be an inappropriate form of development for which it is not considered that there would be very special circumstances. The scheme would fail to meet the requirements of the National Planning Policy Framework 2021 and Policy NHE5 of the Councils Development Management Plan 2019.

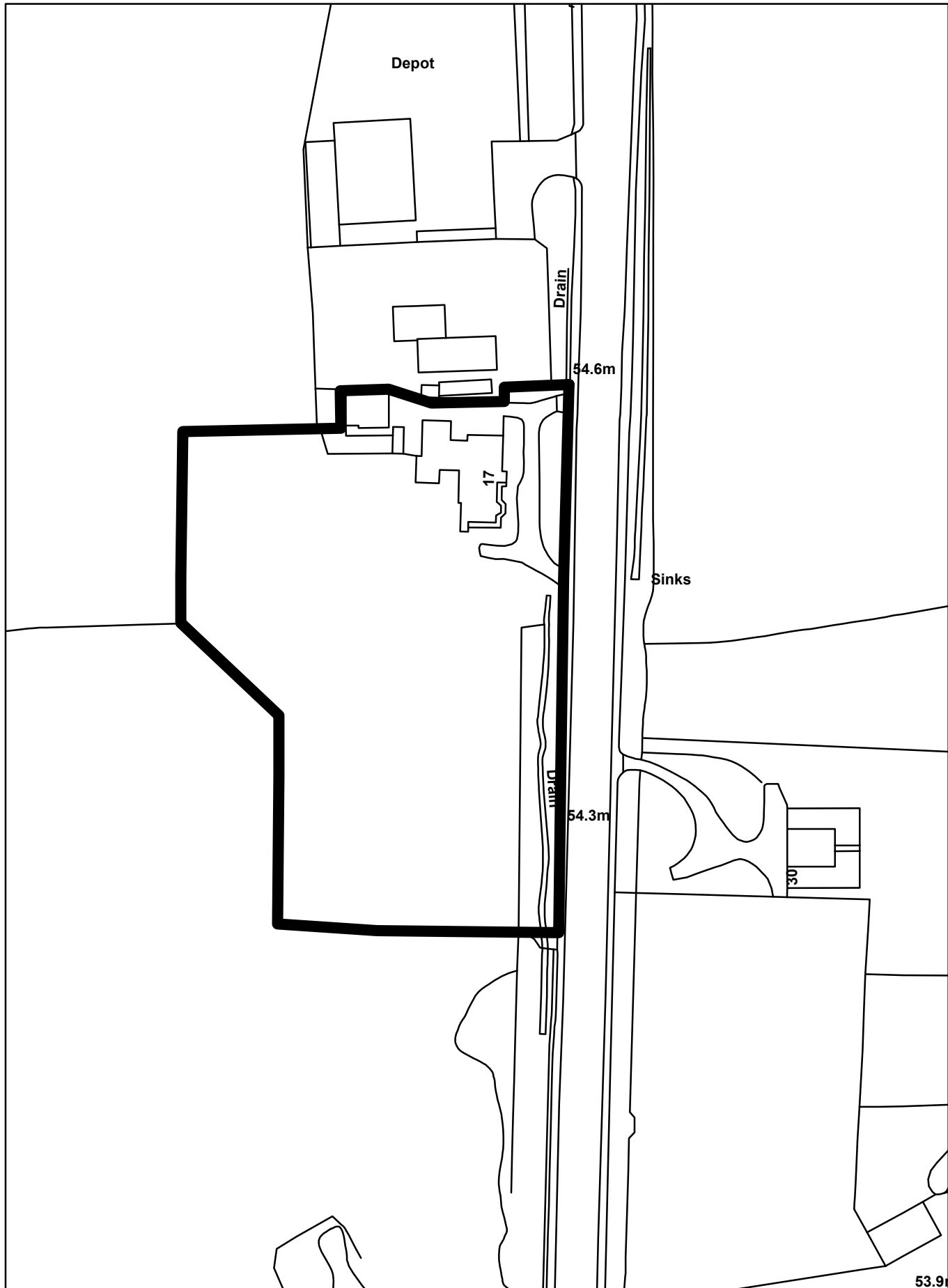
## Reason for refusal

1. The proposed development of the proposed retail store, by virtue of its height, scale mass, and associated hardstanding and increased intensification of use in the form vehicle movements, would result in significant harm to the openness of the Metropolitan Green Belt and would therefore, in the absence of very special circumstances, be an unacceptable form of development within the Metropolitan Green Belt. The development would therefore be contrary to Part 13 of the National Planning Policy Framework 2021, Policies CS1 and CS3 of the Reigate and Banstead Core Strategy 2014, and Policies DES1 and NHE5 of the Reigate and Banstead Development Management Plan 2019.
2. It has not been satisfactorily demonstrated that the loss of veteran trees within the site as a result of the proposed development has been fully justified. The proposal would therefore be contrary to planning practice guidance and paragraph 175 (c) of the National Planning Policy Framework with regard to Veteran tree and Policies NHE2 and NHE3 of the Reigate and Banstead Development Management Plan 2019.

## Proactive and Positive Statements

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







- NOTES:**
- Contractors must check all dimensions on site. Only figured dimensions are to be worked from. Discrepancies must be reported to the Architect or Engineer before proceeding.
  - subject to site survey, confirmation of legal boundaries, site constraints, highways.
  - The Harris Group does not accept any liability for any deviation drawings or specification.
  - This drawing has been based on the following consultants drawings: topographical survey, Barrell tree detail information, Vector Lands Designers, Connect Highways: JPP 21842Y\_01A (2d) Barrell 20161-4 16443-VL\_L01K - Landscape Plan Connect: 20127 - SK22101.1
  - © This drawing is copyright

**ALDI FOOD STORE:**

GROUND FLOOR	
proposed	1865m <sup>2</sup> (GEA)
proposed	1804m <sup>2</sup> (GIA)
retail area	1315m <sup>2</sup>
warehouse	340m <sup>2</sup>
amenity area	121.5m <sup>2</sup>
lobby	17.5m <sup>2</sup>
wall and circulation	10m <sup>2</sup>

EXTERNAL AREAS:	
parking aisles	6m & 7m
parking spaces	2.5m x 5.0m
98 customer parking spaces	
inc. 6dda, 7p&c & 4 ev (+16 passive EV)	

- KEY:**
- site area (red line) 2.41 acres; 0.98 hectares
  - existing trees to be retained
  - TPO trees to be retained
  - proposed trees
  - proposed landscape
  - proposed Tree Root Protection parking spaces

Rev	Date	Description	Rev By	Chk'd By
W	19.10.2022	revised arboricultural overlay and revised landscape	ERJ	ROD
V	12.10.2022	extended footpath following safety audit comments	ERJ	ROD
U	12.10.2022	amendment to junction details as per CC drawing 20127-SK220902.1	ERJ	ROD
M	10.06.2021	standard parking removed from front area, additional highways works incorporated	ERJ	ROD
L	10.06.2021	standard parking removed from front area, additional highways works incorporated	ERJ	ROD



Project Title	PROPOSED ALDI FOODSTORE			
	BONEHURST ROAD HORLEY RH6 8PP			
Client	ALDI STORES LIMITED   SHEPPEY			
Status	PLANNING			
Scale	1:500	Drawing Size	A3	
Date	09-10-2020	Drawn By	ERJ	Checked ROD
Drawing Title	PROPOSED SITE LAYOUT			
Job-Dwg No	16443_111	Rev	W	

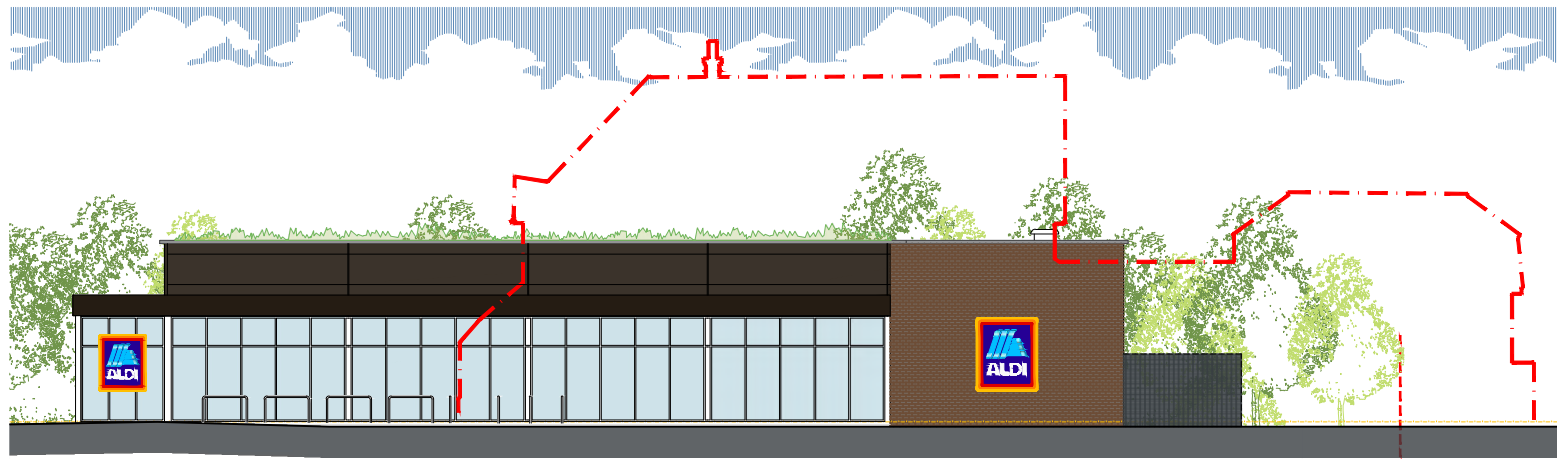
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- Carvers Warehouse, 77 Dale Street, Manchester, M1 2HG t. 0161 2388555
- The Old Rectory, 79 High Street, Newport Pagnell, MK16 8AB t. 01908 211377
- 101 London Road, Reading, RG1 5BY t. 0118 9507700
- 10 Gees Court, St Christophers Place, London, W1U 1JJ t. 0207 4091215





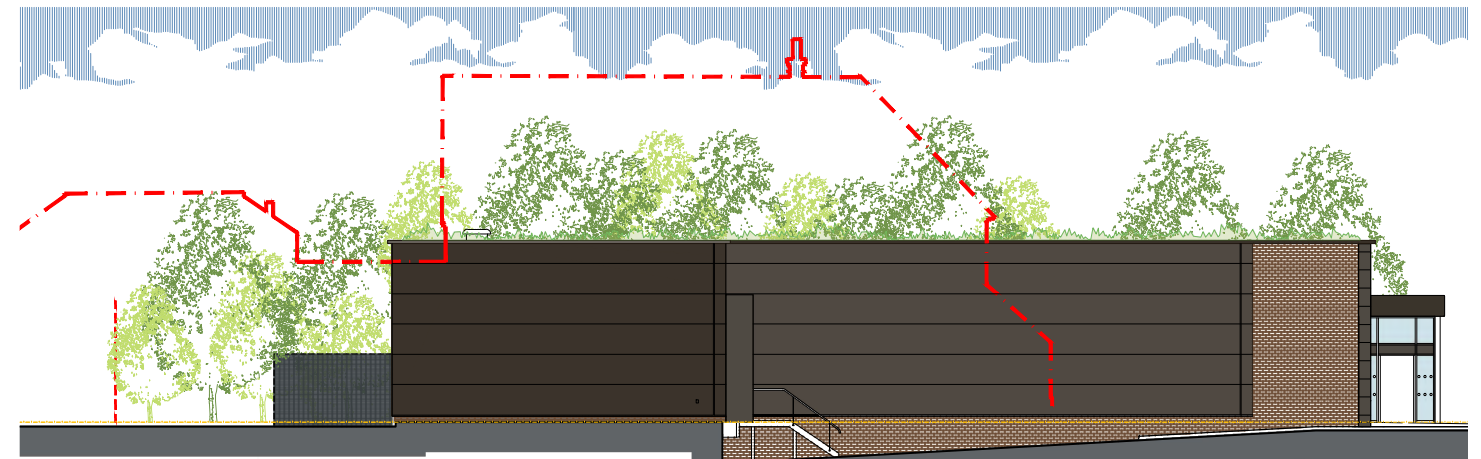
NOTES:

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2. The Harris Group does not accept any liability for any deviation to our drawings or specification.
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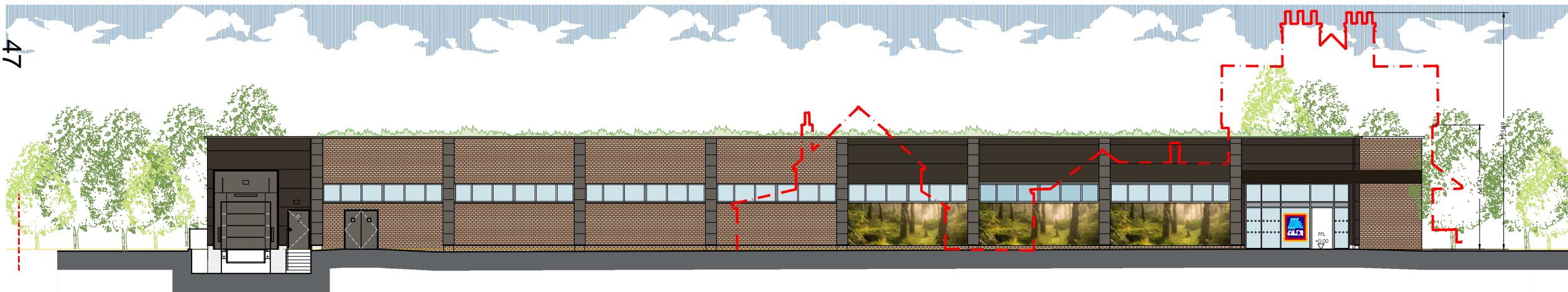
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scale 1:250



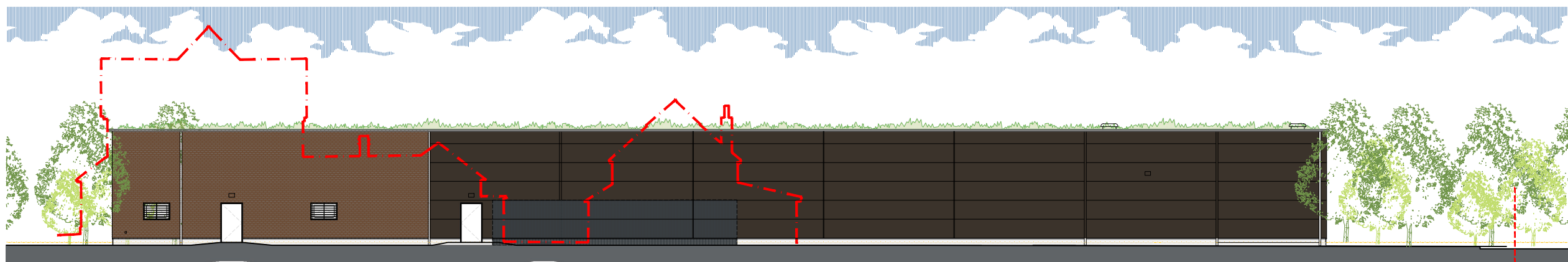
02: WEST ELEVATION

scale 1:250



03: SOUTH ELEVATION

scale 1:250



04: NORTH ELEVATION

scale 1:250

Rev	Date	Description	Rev By	Chk'd By
B	12.10.2022	amendment to store positions, following changes to site layout	ERJ	ROD
A	23.02.2021	removal of brise soleil and cedar cladding	ERJ	ROD



Project Title	PROPOSED ALDI FOODSTORE BONEHURST ROAD HORLEY RH6 8PP
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Client	ALDI STORES LIMITED   SHEPPEY
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Status	PLANNING
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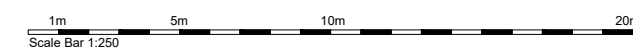
Scale	1:250	Drawing Size	A3
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Date	17-02-2021	Drawn By	ERJ	Checked	ROD
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Drawing Title	PROPOSED ELEVATIONS   OVERLAY
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Job-Dwg No	16443_115	Rev	
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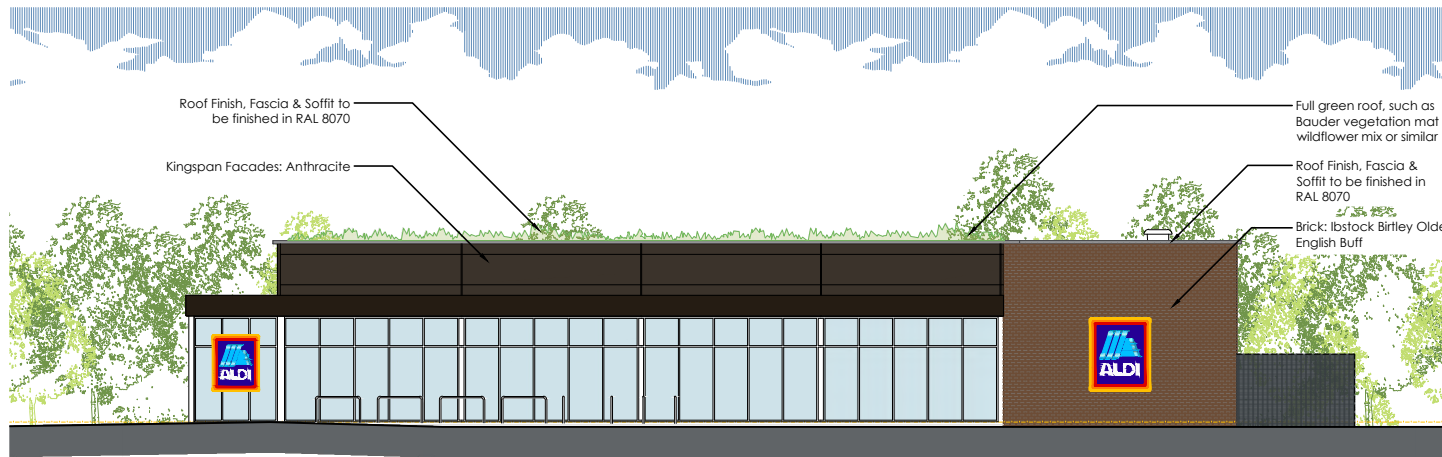
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- Carvers Warehouse, 77 Dale Street, Manchester, M1 2HG t. 0161 2388555
- The Old Rectory, 79 High Street, Newport Pagnell, MK16 8AB t. 01908 211377
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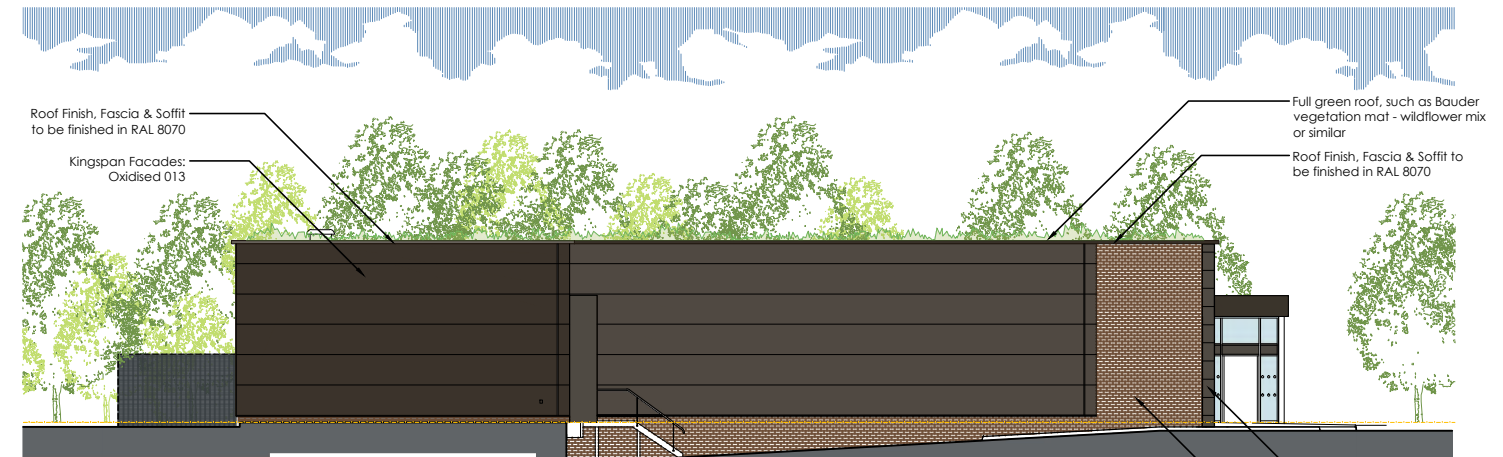
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01: EAST ELEVATION | BONEHURST ROAD

scale 1:250



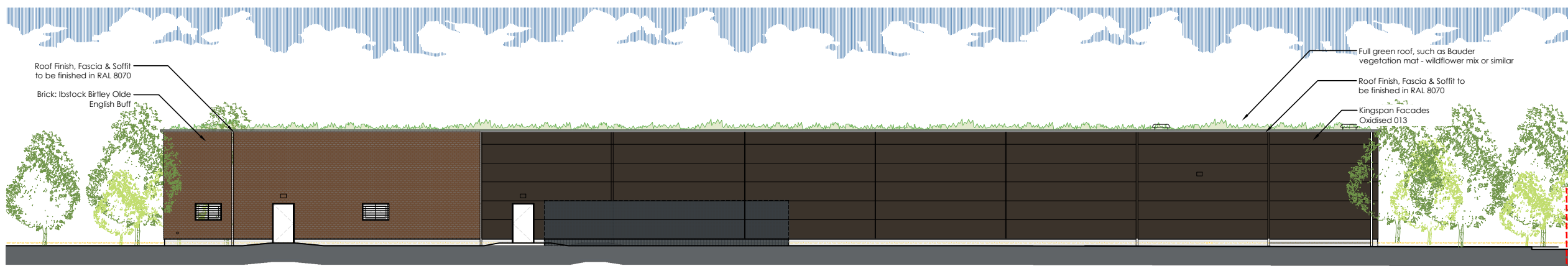
02: WEST ELEVATION

scale 1:250



03: SOUTH ELEVATION

scale 1:250



04: NORTH ELEVATION

scale 1:250

Rev	Date	Description	Rev By	Chk'd By
J	12.10.2022	amendments to elevations following site layout changes	ERJ	ROD
F	08.01.2021	revised numbering	ERJ	ROD
E	05.01.2021	revised front elevation	ERJ	ROD
D	05.01.2021	roof redesign - flat roof and parapet	ERJ	ROD
C	15.12.2020	roof redesign and green roof	ERJ	ROD
B	19.10.2020	removal of perforated vinyl text and change to vinyl	ERJ	ROD

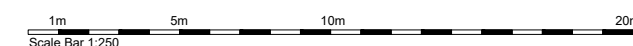



Project Title	PROPOSED ALDI FOODSTORE		
	BONEHURST ROAD HORLEY RH6 8PP		
Client	ALDI STORES LIMITED   SHEPPEY		
Status	PLANNING		
Scale	1:250	Drawing Size	A3
Date	07-10-2020	Drawn By	ERJ
		Checked	ROD
Drawing Title	PROPOSED ELEVATIONS		
Job-Dwg No	16443_114	Rev	J

- 2 St. Johns North, Wakefield, WF1 3QA t. 01924 291800
- Carvers Warehouse, 77 Dale Street, Manchester, M1 2HG t. 0161 2388555
- The Old Rectory, 79 High Street, Newport Pagnell, MK16 8AB t. 01908 211377
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 <b>Reigate &amp; Banstead</b> <b>BOROUGH COUNCIL</b> Banstead   Horley   Redhill   Reigate	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	8 <sup>th</sup> March 2023
	<b>REPORT OF:</b>	HEAD OF PLACES & PLANNING
	<b>AUTHOR:</b>	Michael Parker
	<b>TELEPHONE:</b>	01737 276339
	<b>EMAIL:</b>	Michael.parker@reigate-banstead.gov.uk
<b>AGENDA ITEM:</b>	6	<b>WARD:</b> <i>Horley Central and South</i>

<b>APPLICATION NUMBER:</b>	22/02450/F	<b>VALID:</b>	30/11/2023
<b>APPLICANT:</b>	Seagrave Holdings 2 Limited	<b>AGENT:</b>	Avison Young
<b>LOCATION:</b>	<b>SAXLEY COURT 121 - 129 VICTORIA ROAD HORLEY SURREY RH6 7LT</b>		
<b>DESCRIPTION:</b>	<b>Construction of a 6-storey building for residential use (class c3) connected to the existing building at 121-129 Victoria road, including car parking, cycle parking, plant room and refuse store, landscaping, installation of pv panels to the roof of the existing and proposed building, and associated works.</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 site is located within Horley Town centre and comprises a partially developed site (front part of development implemented from application 14/02653/S73) with ground floor retail units and residential dwellings above. The rear part of the site is currently cleared. There are various trees located to the front and side of the property which are on Council-owned land. The site fronts on to Victoria Road with a side access road leading onto a surface public car park to the rear of the application site.

This is a full application for the construction of a 6-storey building for residential use (class C3) connected to the existing building at 121-129 Victoria road (known as Saxley Court), including car parking, cycle parking, plant room and refuse store, landscaping, and installation of PV panels to the roof of the existing and proposed building.

This proposal follows on from the approval of a previous scheme, under the application reference 14/00317/F, and subsequent S73 applications, which was for the Part demolition of existing building, conversion of upper floors of existing building to residential with additional floor, connected 5 storey new build residential building. To provide a total 43 flats. As well as a further full application, under the application reference 18/02441/F, for an additional 1 Bedroom apartment being

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applied for against the original consent ref. 14/02653S73 dated 23.03.15). This resulted in a total of 44 flats being approved on the site.

The approved applications have been implemented through the works undertaken to the front, northern, part of the site which fronts on to Victoria Road. The front building is therefore in existence as approved and accommodates 502sqm of retail space at ground floor and 15 residential flats on the floors above.

The remainder of the site to the rear is a cleared and vacant following the demolition of the rear building prior to its substantial completion due to deficiencies associated with its construction.

The proposals are for a revised design of the previously approved development comprising a residential building to be connected to the completed 4-storey retail and residential building, which fronts Victoria Road.

The proposed new building will provide 29 residential units, comprising one and two-bedroom accommodation, all designed to meet national space standards for residential dwellings. The proposals involve a change of 33sqm GIA of existing retail space within the existing building to residential plant room. The proposed new building will provide 2,480sqm GIA of residential floorspace, inclusive of 147sqm GIA ancillary floorspace, including parking, plant rooms and refuse.

The overall site, including the existing building, will comprise 469sqm GIA of retail sqm of existing retail use, 3,688sqm GIA of residential floorspace inclusive of 147sqm GIA ancillary residential area, providing 44 residential units across the two linked buildings. The total number of residential units will therefore be the same as the approved applications. The mix would be 10 x 1 bedroom units and 19 x 2 bedroom units (overall across whole site 13 x 1 bedroom units and 31 x 2 bedroom units). The extant permission and additional permission provided 9 x 1 bedroom units and 35 x 2 bedroom units.

The layout of the proposed building has changed from the previously approved scheme, which was in the form of a U-shape. This has been partially infilled in the new proposals and the building has been set in from the site boundaries and set back from the existing building where it was closest.

The proposed development is considered to be of a commensurate scale and bulk when compared to the extant 2014 permission. In fact the footprint of the rear block would be smaller than approved and further away from the front block. The design and external materials of the proposal are considered to be an improvement on the extant scheme. The additional 5<sup>th</sup> floor would result in a higher building than approved but this element would have limited visual impact in both short and longer views of the building due to its subservient size. When compared to the extant scheme the townscape impact and impact on the setting of heritage assets would not be materially more harmful and as such the impact is considered to be acceptable.

The scale and location of the development is such that no adverse harm is considered to occur to the amenity of neighbouring properties, particularly when considering the proposal against the extant scheme.

With regards to the units themselves, these are considered to be of an adequate size and overall would afford an acceptable level of outlook and day light provision. The occupants would also not be affected by adverse levels of noise or air pollution. The relationship between the proposal and the already built front block whilst tight is not considered to be materially worse than the extant scheme in terms of overbearing impact, loss of light and loss of privacy and when viewed in this town centre context is not considered to be unacceptable.

The proposed development does underprovide in terms of car parking when considered against the Council's adopted parking standards but when taking in to account the town centre location of the application and the positive comments from Surrey County Council and the extant scheme which proposed a similar level of parking it is considered that the under provision is acceptable in this case.

Subject to conditions the scheme is considered to be acceptable with regard to water efficiency, crime, Gatwick Safeguarding, drainage, ecology and trees. Conditions are also recommended to help mitigate the impact on neighbouring occupants during construction.

## **RECOMMENDATION**

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

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## Consultations:

Environmental Health Air Quality Officer: recommends a condition to secure the air quality mitigation of construction activities

Environmental Protection Officer: recommends a contaminated land informative

Gatwick Airport: no objection subject to condition to secure submission of a Bird Hazard Management Plan

Highway Authority: The County Highway Authority has assessed the application on safety, capacity and policy grounds and raise no objection subject to conditions.

Horley Town Council: Objects on the grounds of loss of light to the properties in the rear of the existing Saxley Court.

UK Power Networks: consideration needs to be given to the proximity of their substation.

Regulatory Support Services (Council's Noise Consultants): no objection subject to conditions

Surrey County Council Lead Local Flood Authority: satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents [NPPF, accompanying PPG and non-statutory technical standards for sustainable drainage systems] and are content with the development proposed, subject to the imposition of conditions requiring the submission of a detailed drainage scheme and a verification report.

Surrey Police: Request that a condition be imposed for require Secured by Design accreditation for the development.

Surrey Wildlife Trust: further bat information recommended, conditions to secure mitigation measures during construction and bio-diversity net gain recommended.

## Representations:

56 Notification letters were originally sent to neighbouring properties on 2<sup>nd</sup> December 2022 and a site notice was posted 16<sup>th</sup> December 2022 and advertised in local press on 15<sup>th</sup> December 2022.

To date 9 responses have been received objecting to the proposal. The following issues have been raised:

<b>Issue</b>	<b>Response</b>
Property devaluation	This is not a material planning consideration
Noise & disturbance	See paragraphs 6.19 to 6.40



Overshadowing	See paragraphs 6.19 to 6.40
Overlooking and loss of privacy	See paragraphs 6.19 to 6.40
Out of character with surrounding area	See paragraphs 6.5 to 6.10
Overdevelopment	See paragraphs 6.5 to 6.10
Impact on future occupants from existing uses – included the Horley Delivery Office at 107 Victoria Road	See paragraphs 6.19 to 6.32
Inconvenience during construction	See paragraphs 6.33 to 6.40
Increase in traffic and congestion	See paragraphs 6.41 to 6.52
Hazard to highway safety	See paragraphs 6.41 to 6.52
Inadequate parking	See paragraphs 6.41 to 6.52
Drainage and sewage capacity	See paragraphs 6.62 to 6.63
Flooding	See paragraphs 6.62 to 6.63
Loss of/harm to trees	See paragraphs 6.53 to 6.57
Loss of private view	Not a material planning consideration
Health fears	See paragraphs 6.19 to 6.40

## **1.0 Site and Character Appraisal**

- 1.1 The application site is located within Horley Town centre and comprises a partially developed site (front part of development implemented from application 14/02653/S73) with ground floor retail units and residential dwellings above. The rear part of the site is currently cleared. There are various trees located to the front and side of the property which are on Council-owned land. The site fronts on to Victoria Road with a side access road leading onto a surface public car park to the rear of the application site.
- 1.2 The town centre is characterised by a range of different styles of building. They have predominately retail uses at ground floor with residential or commercial uses above. Newer developments within the town include the Quadrangle at the corner of Lumley Road and Albert Road and Russell Square further along Victoria Road which are both larger flatted schemes with ground floor retail.

## **2.0 Added Value**

- 2.1 Improvements secured at the pre-application stage: two pre-application submissions were made by the applicant prior to submission (PAM/21/00117 and PAM/21/00264). This gave both parties opportunity to discuss the key considerations. Amendments were made throughout the process which

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improved the scheme including inseting and reduction in size of the top floors and change in layout to address amenity concerns.

- 2.2 Improvements secured during the course of the application: Additional noise and surface water drainage information submitted to address initial matters raised by consultants and third parties.
- 2.3 Further improvements could be secured: Conditions will be applied regarding materials. Also conditions recommended regarding drainage, parking and highways, ecology, air quality, Gatwick Airport and water/energy efficiency.

## 3.0 Relevant Planning and Enforcement History

- |     |              |  |  |
|-----|--------------|--|--|
| 3.1 | 14/00317/F   | Part demolition of existing building, conversion of upper floors of existing building to residential with additional floor, connected 5 storey new build residential building. To provide total 43 apartments.   | Approved with conditions<br>04.08.2014 |
| 3.2 | 14/02653/S73 | Variation of Conditions 1, 5 and 14 of 14/00317/F - Conditions 1, 5 and 14 will need to be changed to reflect the requirement for the site access to remain as existing (i.e. one vehicular access only)   | Approved with conditions<br>23.03.2015 |
| 3.3 | 15/02877/S73 | Variation of Condition 1 of 14/00317/F - Alteration to front entrance - low boundary wall to be raised to form new post boxes and Dry Riser intake to left hand side of existing entrance off Victoria Rd  | Approved with conditions<br>17.03.2016 |
| 3.4 | 16/00945/S73 | Variation of Conditions 1 and 3 of 15/02877/S73 - Changes required to the external design to change the proposed brick slips to K-rend brick effect render   | Approved with conditions<br>02.07.2016 |
| 3.5 | 18/00865/S73 | Variation of condition 1 of 14/00317/f - the approved plans will need to be changed to reflect the modifications as highlighted above to reflect the application for variation shown on the revised drawings. Variation of condition 1 of permission 15/02877/s73. Amendment to replace entrance | Approved with conditions<br>14.08.2018 |

canopy.

- |     |              |   |  |
|-----|--------------|---|--|
| 3.6 | 18/02441/F   | Additional 1 Bedroom apartment being applied for against the original consent ref. 14/02653S73 dated 23.03.15) for the redevelopment and extension of the existing 3 storey Retail and Office Building at 121-129 Victoria Rd, Horley and provision of a high quality mixed use development. The approved development currently comprises of 43 apartments and 502 sqm retail space. Change of vehicular access security to gates (to match the carpark enclosure) instead of an access controlled barrier  | Approved with conditions<br>21.01.2019 |
| 3.7 | 20/02017/S73 | Variation of Conditions 5,6, and 8 of permission 14/02653/S73. For the refurbishment block to be fully functional we are proposing temporary measures to overcome cycling and parking provision, whilst the new block is being built and completed. Change wording from 'prior to occupation' to 'prior to completion' to enable the 15 apartments to be occupied with temporary provisions for cycle and vehicle parking as listed below :<br>Condition 5 - Any residents with vehicles and/ or deliveries can utilise Victoria Road car park temporarily. Condition 6 - Any residents/ visitors with vehicles can utilise Victoria Road car park temporarily. Condition 8 - The Ground floor cycle hoops have been installed enabling 4 cycle spaces as the attached photo. The First, Second and Third Floor apartments have 5 lockable storage areas on each floor as per the attached floor plans and photo. These enable a minimum of 15 cycle spaces and maximum of 30 spaces. | Approved with conditions<br>30.12.2020 |

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## 4.0 Proposal and Design Approach

- 4.1 This is a full application for the construction of a 6-storey building for residential use (class C3) connected to the existing building at 121-129 Victoria road (known as Saxley Court), including car parking, cycle parking, plant room and refuse store, landscaping, and installation of photo voltaic panels to the roof of the existing and proposed building.
- 4.2 This proposal follows on from the approval of a previous scheme, under the application reference 14/00317/F, and subsequent S73 applications, which was for the Part demolition of existing building, conversion of upper floors of existing building to residential with additional floor, connected 5 storey new build residential building. To provide a total 43 flats. As well as a further full application, under the application reference 18/02441/F, for an additional 1 Bedroom apartment being applied for against the original consent ref. 14/02653S73 dated 23.03.15). This resulted in a total of 44 flats being approved on the site.
- 4.3 The 2014 application has been implemented through the works undertaken to the front, northern, part of the site which fronts on to Victoria Road - conversion of the upper floors of existing building to residential with additional floor. The front building is therefore in existence as approved and accommodates 502sqm of retail space at ground floor and 15 residential flats on the floors above.
- 4.4 The remainder of the site to the rear is a cleared and vacant, following the demolition of the rear building prior to its substantial completion due to deficiencies associated with its construction.
- 4.5 The proposals are for a revised design of the previously approved development comprising a residential building to be connected to the completed 4-storey retail and residential building, which fronts Victoria Road.
- 4.6 The proposed new building will provide 29 residential units, comprising one and two-bedroom accommodation, all designed to meet national space standards for residential dwellings. The proposals involve a change of 33sqm GIA of existing retail space within the existing building to residential plant room. The proposed new building will provide 2,480sqm GIA of residential floorspace, inclusive of 147sqm GIA ancillary floorspace, including parking, plant rooms and refuse.
- 4.7 The overall site, including the existing building, will comprise 469sqm GIA of retail sqm of existing retail use, 3,688sqm GIA of residential floorspace inclusive of 147sqm GIA ancillary residential area, providing 44 residential units across the two linked buildings. The total number of residential units will therefore be the same as the extant proposals. The mix would be 10 x 1 bedroom units and 19 x 2 bedroom units (overall across whole site 13 x 1 bedroom units and 31 x 2 bedroom units). The extant permission and additional permission provided 9 x 1 bedroom units and 35 x 2 bedroom units.

- 4.8 The proposed building comprises residential units at first to fifth floors, over ground floor parking, plant, waste and recycling storage. The units are arranged around a central core. The ground floor connects with the existing building allowing access to the parking and storage areas and to the landscaped amenity space at first floor level, situated between the two buildings. The layout of the proposed building has changed from the previously approved scheme, which was in the form of a U-block around. This has been partially infilled in the new proposals and the building has been set in from the site boundaries and set back from the existing building where it was closest.
- 4.9 Access is proposed to make use of the existing access from the entrance road to Victoria Road car park. The proposals include 17 car parking spaces at ground level including 1 blue badge wheelchair parking bay. This is the same number of parking spaces as proposed under the extant scheme. The proposal also includes 48 cycle parking spaces in a combination of Sheffield stands and within a secure cycle store at ground level, which provide ease of access for all users.
- 4.10 The proposed materials are set out in the Design and Access Statement, and these have been selected to respond to the context of the completed block to the front and the surrounding area. The elevations will feature a limited palette of red and buff brickwork, with grey windows, balustrades, and fencing.
- 4.11 The approved applications on this site, given that the 2014 permission is an extant development which is part built, are a significant material consideration in the assessment of this application.
- 4.12 A design and access statement (DAS) 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.
- 4.13 Evidence of the applicant’s design approach is set out below:

Assessment	Section A of the submitted DAS sets out the site location and context, details of the previously implemented permission and site analysis including site boundaries, trees, access arrangements, and flood maps.
Involvement	No details have been provided of any community consultation prior to submission.
Evaluation	The statement does not include any evidence of other development options being considered. But in Section B

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	section 4 sets out how the proposals have evolved from the consented scheme including evolution through the pre-application process with particular attention given to building massing, distance and relationship with the existing front building and impact of the changes on the amenity of the existing residents in the front block.
Design	The applicant's reasons for choosing the design and materials are set out within sections 4 and 5 of the DAS.

4.14 Further details of the development are as follows:

Site area	0.14ha
Existing use	Retail (502 sqm) and residential (15 flats) at front of site (before retail and offices). Rear of site is vacant
Proposed use	Proposal for 29 residential units. Overall use of site retail (469 sqm) and residential (44 flats)
Existing parking spaces	0 (Previously 35 car parking spaces which serviced the office use and retail uses)
Proposed parking spaces	17
Parking standard	44
Number of affordable units	0 (although S106 payment for affordable housing made under extant permission for same number of units)
Net increase in dwellings	29 (total on site 44 flats when adding in the 15 already built)
Net retail floorspace	-33 (loss of part of 1 retail unit (121 Victoria Road to allow space for plant rooms)
Existing site density	107 dph
Proposed site density	314 dph (the same as extant scheme density)

## 5.0 Policy Context

### 5.1 Designation

Urban area  
Horley Town Centre  
Primary Shopping area

Primary Shopping Frontage  
Parking Standards Score – 11 (High Accessibility)  
Tree Preservation Order to trees adjacent to the north-west corner of the existing building at the front of the site

5.2 Reigate and Banstead Core Strategy (CS)

CS1(Sustainable Development)  
CS4 (Valued townscapes and the historic environment)  
CS5 (Valued People/Economic Development),  
CS7 (Town/Local Centres),  
CS10 (Sustainable Development),  
CS11 (Sustainable Construction),  
CS14 (Housing Needs)  
CS17 (Travel Options and accessibility)

5.3 Reigate and Banstead Development Management Plan 2019 (DMP)

RET1 (Development within identified retail frontages and local centre)  
RET2 (Town centre frontages)  
DES1 (Design of new development)  
DES4 (Housing mix)  
DES5 (Delivering high quality homes)  
DES8 (Construction Management)  
DES9 (Pollution and contamination land)  
TAP1 (Access, Parking and Servicing)  
CCF1 (Climate Change Mitigation)  
INF3 (Electronic communication networks)  
NHE9 (Heritage Assets)

5.4 Other Material Considerations

National Planning Policy Framework  
(NPPF)

National Planning Practice Guidance  
(NPPG)

Supplementary Planning Guidance

Local Character and Distinctiveness  
Design Guide SPD 2021  
Climate Change and Construction  
SPD 2021  
Affordable Housing SPD 2020  
Development Contributions SPD  
2016  
Horley Town Centre SPD 2006  
Horley Town Centre SPD 2006

Other

Human Rights Act 1998

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## Community Infrastructure Levy Regulations 2010

### 6.0 Assessment

- 6.1 The application site is within the urban area, where there is a presumption in favour of sustainable development and where the principle of residential development is acceptable.
- 6.2 Policy RET1 relates specifically to development within identified retail frontages and RET2 relates specifically to sites within Town Centre and Primary shopping areas. Whilst there is a net loss of retail space, this is only part of one of the existing retail units, to provide plant for the proposed rear residential building, and does not affect the retail frontage and does not result in the complete loss of the retail unit. The proposal relates to changes to the approved rear section of the original scheme - which was solely for car parking and flats. The use of the ground floor of the front building would therefore remain in retail use and would retain the existing active frontage. Part 2 of policy RET1 offers encouragement to the provision of a range of uses, including residential flats to upper floors.
- 6.3 There is therefore no objection in principle to the development of the site and such a proposal would help the Council meet some of the Borough's identified housing need and furthermore would be welcomed as a contribution to housing supply.
- 6.4 The main issues to consider are:
- Design appraisal
  - Affordable Housing, Housing Mix and Accessible and adaptable homes
  - Standard of Accommodation
  - Neighbour amenity
  - Highway matters
  - Trees and ecology
  - Energy, Sustainability and Broadband
  - Flooding and drainage
  - Crime
  - Gatwick Airport
  - Community Infrastructure Levy

#### Design appraisal

- 6.5 DMP Policy DES1 relates to the Design of New Development and requires new development to be of a high quality design that makes a positive contribution to the character and appearance of its surroundings. New development should promote and reinforce local distinctiveness and should respect the character of the surrounding area. The policy states that new development will be expected to use high quality materials, landscaping and



building detailing and have due regard to the layout, density, plot sizes, building siting, scale, massing, height, and roofscapes of the surrounding area, the relationship to neighbouring buildings, and important views into and out of the site.

- 6.6 In this case due to the scale of the development the potential impact on the setting of the Massetts Road Conservation Area is a consideration and potential impact of nearby locally listed buildings. Policy NHE9 relates to heritage assets. Policy NHE9 1. states that “Development will be required to protect, preserve, and wherever possible enhance, the Borough’s designated and non-designated heritage assets and historic environment including special features, area character or settings of statutory and locally listed buildings.”
- 6.7 In terms of the scale of the proposal this would be very similar when compared to the extant 2014 scheme in terms of footprint and overall bulk. The proposed footprint of the rear building is in fact smaller in width and depth compared to the extant scheme as it is now set in from the east, south and western boundaries. The height of the majority of the building (the first 5 stories) would be close to the height of the extant scheme, with it only marginally higher. The 5<sup>th</sup> floor would extend a further storey above the extant scheme. However this element is significant smaller in width and depth compared to the remainder of the building and relatively centrally located which ensures that the top floor is subservient and does not dominate the scale of the building. The verified views and CGIs demonstrate that the top level will not be visible from many view points within Horley and when visible does appear visually dominant. The use of the inset at both the 4<sup>th</sup> and 5<sup>th</sup> floors and the change in material on those floors to a lighter buff also serves to break up the bulk of the building and limit the visual prominence of the top two floors.
- 6.8 The design of the proposed rear block is considered to be a better quality design when compared to the extant scheme with a more contemporary facing brick work finish with good vertical emphasis created by the windows, inset balconies and brick detailing to give it interest. The use of red brick and buff bricks also reflects the palette within the town centre area. Whilst different in design approach to the front block it is also considered to successfully integrate with it, by matching the height of the roof and following the red brick finish of the front block along up to the 3<sup>rd</sup> floor.
- 6.9 In terms of the wider townscape impact and setting of the Conservation Area and any locally listed buildings as evidenced by the verified views the development will only be visible from a limited number of vantage points. The scheme will not be visible from north or east of the site – i.e. not along Victoria Road or Consort Way. The view of the building from anywhere west of the access to Victoria Road would be extremely limited. There are some views of it from Massetts Road and Ringley Avenue looking from within the Conservation Area. But these views are minor and do not dominate the skyline and are seen in the context of the existing large scale buildings near to the application site such as the Telephone Exchange and York House.

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Crucially the verified views show that the top floor which is the only element that is higher than the extant scheme is not visible. Therefore it can be confidently concluded that the impact on the wider townscape and setting of the Conservation Area would be materially very similar to the extant scheme. The nearest locally listed buildings, which are undesignated heritage assets, are the Forester's Public House, 88 Victoria Road and 13 Massetts Road. Given their location relative to the site, the proposal would not give rise to any harm to these heritage assets, in terms of impact on their setting. The Conservation Officer has raised no objection to the scheme on this basis and is satisfied that there would not be material harm to the designated heritage asset.

- 6.10 The proposed development is considered to be of an acceptable design and scale which would respect the character, density and scale of the surrounding area and would not have a materially harmful impact on the setting of the designated heritage asset. As such, the proposal would comply with policies DES1 and NHE9 of the Development Management Plan 2019. Conditions are recommended to secure the finalised details of the proposed external facing materials and gates/external doors and details of the proposed design and siting of the solar panels.

## Affordable Housing, Housing Mix and Accessible and adaptable homes

- 6.11 In relation to affordable housing the provision of affordable housing was considered in detail during the consideration of the extant scheme. The proposal did not provide affordable housing on site but a contribution of £145,000 towards off site affordable housing was agreed. This contribution was paid on commencement of the development and given that a contribution has already been paid and on the basis that the proposed scheme results in the same number of units on the site as has already been approved by the Council it is considered that the scheme does not trigger the need to seek further on site or off site affordable housing contributions.
- 6.12 For Town Centre applications Policy DES4 criteria 2 requires that (iii) on all schemes, at least half of all homes provided should be one and two bedroom homes and that (iv) On schemes of 20 or more homes, at least 10% of homes must have three or more bedrooms.
- 6.13 The mix would be 10 x 1 bedroom units and 19 x 2 bedroom units (overall across whole site 13 x 1 bedroom units and 31 x 2 bedroom units).
- 6.14 This scheme would therefore meet criteria iii. But would not accord with criteria iv. Criteria 2 of DES4 does however state that the market housing should meet the aforementioned requirements unless it can be demonstrated that it is not financially viable or technically feasible to do so, that there would be no need or market demand for a particular size of homes (as may be the case for certain types of specialist accommodation), or that doing so would have an adverse impact on the character of the surrounding area.

- 6.15 The applicant in their Planning Statement says that “in this case the site-specific circumstances of this constrained town centre site and the challenges for accommodating larger family sized homes are considered to justify the provision of smaller units to meet the likely demand in this location. This is consistent with the previously approved scheme. The proposed development will provide a large proportion of two-bedroom units and seeks to optimise the provision of high-quality new homes to maintain the same number of units as has previously been approved by the Council.” The extant permission and additional permission provided 9 x 1 bedroom units and 35 x 2 bedroom units.
- 6.16 Given the context of the existing permissions on the site where no 3 bedroom units were provided either, the financial constraints of this proposal and the known lack of market demand for 3 bedroom units in this area (as demonstrated on other recent schemes) it is considered that the proposal complies with policy DES4.
- 6.17 Policy DES7 of the DMP requires that on sites of 5 or more homes at least 20% of homes should meet the Building Regulations requirements for ‘accessible and adaptable dwellings’ and that on sites of 25 or more homes, at least 4% of homes should be designed to be adaptable for wheelchair users in accordance with the Building Regulations requirements for ‘wheelchair user dwellings’.
- 6.18 The applicant’s Planning Statement advises that “The proposals are designed to meet the policy requirements for provision of accessible and adaptable dwellings, thereby promoting inclusiveness.” A condition is therefore recommended to secure compliance.

#### Standard of Accommodation

- 6.19 Policy DES5 requires that all new residential development must provide high quality adaptable accommodation and provide good living conditions for future occupants. New accommodation must meet the relevant nationally prescribed internal space standard for each individual unit unless the council considers that an exception should be made. Sufficient space must be included for storage, clothes drying and the provision of waste and recycling bins in the home. Adequate outdoor amenity space including balconies and terraces and /or communal outdoor space should be provided.
- 6.20 The proposal is considered a good improvement from the already approved schemes and extant development. Concentrating on the proposed rear block each flat would accord with the appropriate space standard and each unit is provided with sufficient storage space in line with the standards. The typical ceiling height of 2.4m would also be improved on the extant scheme. The majority of the proposed units will receive direct sunlight, as set out in the Daylight and Sunlight Assessment. The scheme with its amended layout would prevent overlooking between the units, unlike the extant scheme. The proposal will provide a good level of private and communal amenity space for residents, which is an improvement upon the implemented permission. With exception of 4 units, the accommodation will have balconies providing private

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amenity space with good outlook. The fifth floor unit includes a roof terrace and the central courtyard area will be accessible to all residents (including the existing occupants of the front block). In total, the scheme will provide 488sqm of private and communal amenity space for residents, which is considered to be a good level of amenity within a constrained town centre location and no worse than the extant scheme's level of communal space. Furthermore, the future occupants for the completed scheme will have good access to surrounding amenity space within the Town Centre.

- 6.21 The relationship between the existing front block and proposed amended rear block is also important. It is noted that some objections have been received from occupants of these flats. Whilst a significant change for the existing occupants will occur it is important to note that the front block was approved in combination with a 5 storey rear block under the extant permission. It was therefore always the intention to erect a flatted block to the rear of the site and this relationship was considered and assessed as acceptable under the 2014 application. The consideration is whether the proposed amended scheme being considered now is any worse or comparable to the extant scheme.
- 6.22 In terms of the distance between the front and back block the amended rear block is actually larger at 5.5 metres compared to 4.7metres. Further the active stair, lift and walkways under the extant scheme all overlooked the south facing units of the front block. In this case there would be no communal areas which face towards the south elevation of the front block or any north facing windows on the nearest flats. The amended scheme does however introduce north facing flats in the centre of the rear block which face towards the south facing flats in the front block effectively infilling some of the void which the extant scheme proposed.
- 6.23 In order to address this relationship the central flats (nos. 2, 9 and 16 on the proposed plans) have been designed so that the windows directly facing the northern block are angled oriel style windows with obscure glazing to one side. This restricts the outlook by making the angle of sight more oblique and a further distance. So that the distance to between windows would be between 12.5m and 15m. This is further than the 10m under the approved scheme. 4<sup>th</sup> and 5<sup>th</sup> floor flats which face towards the northern block have standard rear facing windows but as demonstrated by the submitted cross section the set-back nature of these units and their higher level ensures that any overlooking would be limited.
- 6.24 In terms of the impact on light caused by the rear block the applicant has submitted a Daylight and Sunlight Assessment. In relation to the impact on the existing front block the assessment concludes:
- The daylight analysis of the existing building show that half of the windows achieve a better VSC% with the proposed building in place compared with the previous development.
  - Of the windows which do not achieve better VSC%, the reductions are relatively minimal and are within 20%.

- The results show that all the windows on the existing block of flats achieve the recommended APSH (annual probable sunlight hours) annually with the proposed building in place.
- Most of the windows assessed on the existing building achieve the BR 209 sunlight recommendations with the proposed building in place.
- There are two windows (serving apartment 2) which do not meet the BR 209 sunlight recommendations in the winter months however the results show that the levels are close to meeting the criterion target.

- 6.25 Based on the above considerations the relationship between the two blocks whilst tight would not be materially worse than the extant scheme in terms of overbearing impact, loss of light and loss of privacy and when viewed in this town centre context is not considered to be unacceptable. A condition is recommended to secure clearer, finalised details of the proposed oriel style angled windows to ensure that the windows will do what is intended.
- 6.26 The submitted noise and air quality reports also demonstrate that the occupants would not be adversely impacted by noise and air pollution. In terms of noise impacts the noise report has considered the potential impact from the town centre location, which includes a car park to the south, the adjacent retail uses and also the Royal Mail Delivery Office to the east of the site.
- 6.27 In response to the concerns raised by Royal Mail regarding the potential impact on the future occupants from its operations at the Delivery Office at 107 Victoria Road and at the request of officers the applicant's Noise Consultant has reviewed the matter. The Consultant has made the following comments:
1. The Stroma noise survey was undertaken over a 5 day period between Thursday 1st September and Monday 5th September 2022. The noise monitoring position chosen was selected because it covers noise sources from the adjacent road, car park, and other uses around the vicinity (including the BT exchange which also has vans and cars accessing the site 24 hours a day).
  2. Noise monitoring included continuous audio recording. Audio recordings and noise survey data have been reviewed by Stroma and as such we would have discovered any potential issues given that we measured for a number of days. We understand that the Royal Mail Delivery Office was operating as usual during the noise monitoring period.
  3. The LAFmax (Maximum noise level) events during the operational hours quoted by Royal Mail have been reviewed and not resulted in any noise associated with the activities described in the Royal Mail Letter. The noise climate during these periods is controlled by traffic noise, aircraft noise, and local vehicle movements.
  4. The context of the site is that a great deal of the noise sources associated with the Royal Mail car park are already surrounding the site with the public car park and other nearby uses including frequent vehicle movements and commercial operations.

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- 6.28 The Council's Noise Consultants Regulatory Support Services (RSS) has further reviewed this matter and advise the following:  
"I have discussed the issue of noise from the Royal Mail Depot with the acoustic consultants. At my request they have revisited their monitoring data and audio recordings of the peak noise events. No significant peak noise events attributable to the Royal Mail depot were measured or recorded. I did ask if the monitoring period included any strike days and it didn't. I can appreciate the concerns expressed by Royal Mail but the consultants are clear in their Technical Note they consider the likelihood of adverse impact to be low. The character of the locality is that it is a mixed business and residential area and some impacts from commercial activities are inevitable."
- 6.29 Based on the additional information from the applicant's noise consultants and the comments of RSS the proposed occupants are unlikely to be unacceptably impacted by the Royal Mail operations given the town centre location. This proposal also has to be seen in the context of the extant scheme and the fact that permission has already been granted for 29 flats in this same location with the same relationship. The current proposal would be no worse in this respect. RSS is also satisfied that the future occupants will not suffer from unacceptable noise levels from the other noise generators in the town centre. The fact that ventilation will be provided by mechanical MVHR system means that occupants will not have to rely solely on openable windows for ventilation and this offers additional protection against noise disturbance. The applicant has confirmed that there would be no external plant which would impact on the future occupants.
- 6.30 It is noted that UK Power Networks has raised the issue of the proximity of one of their substations. The advice is that if the substation is too close it can cause noise and vibration nuisance due to the low level hum. They advise that the distance between a substation and building should be greater than 7 metres and that efforts should be made to limit the number of windows facing the substation. In this case the applicant has confirmed that the substation is just under 10 metres away. There will be windows facing the substation but given the above analysis regarding the noise impacts, which would have taken in to account the noise from the substation and measures proposed it is considered unlikely that the substation would cause unacceptable harm to the future occupants.
- 6.31 In terms of air quality the report demonstrates that the impact from vehicle emissions on future occupants from Nitrogen Dioxide and Particulate Matter would not exceed the regulations. The Council's Air Quality Officer has raised no concerns with the findings. They have recommended that electric charging points are added for all parking space. This is to be conditioned as per the further details set out below.
- 6.32 It is therefore considered that the scheme would provide good living conditions for future occupants and would comply with the requirements of DMP Policy DES5.

Neighbour amenity

- 6.33 In addition to the comments noted above DMP Policy DES1 also requires new development to provide an appropriate environment for future occupants whilst not adversely impacting upon the amenity of occupants of existing nearby buildings, including by way of overbearing, obtrusiveness, overshadowing, overlooking and loss of privacy.
- 6.34 As set out above the scheme is very similar in scale when compared to the extant scheme which was considered acceptable from a neighbouring amenity point of view. There have not been any material changes to the surrounding area since the 2014 scheme was approved. Therefore the level of impact will be very similar to that of the approved applications.
- 6.35 The telephone exchange is to the west, which would not be impacted by the proposed residential development given its current use and the distance away. The nearest residential properties to the west are those in Regents Mews over 80 metres away. The proposed scheme even with the additional floor would not cause material harm to these occupants.
- 6.36 To the east and south-east in close proximity to the site are commercial/retail properties which again would not be adversely impacted by the proposed residential development. The closest residential properties would be those that front on to Massetts Road over 40 metres away. Sufficient to ensure there would be no adverse impact to the occupants in terms of overbearing impact, loss of light and loss of privacy. The only additional height proposed on the building compared to the approved scheme is the 5<sup>th</sup> floor flat which is set well away from the eastern elevation and which would cause no greater impact than the lower floors.
- 6.37 To the south the closest building would be Mitchell Court, a retirement home, which would be over 40 metres from the proposed southern elevation. Sufficient to ensure there would be no adverse impact to the occupants in terms of overbearing impact, loss of light and loss of privacy. The only additional height proposed on the building compared to the approved scheme is the 5<sup>th</sup> floor flat which is set well away from the southern elevation and which would cause no greater impact than the lower floors.
- 6.38 The scheme, given the residential nature of the proposal and potential traffic movements, would not result in unacceptable levels of noise or air pollution.
- 6.39 In terms of inconvenience during the construction period. Whilst it is acknowledged there may be a degree of disruption during the construction phase, the proposal would not warrant refusal on this basis and statutory nuisance legislation exists to control any significant disturbance caused during the construction of the proposal. To ensure that the impacts of construction are reduced a condition is recommended to secure a construction management statement (CMS) which would require further information regarding working hours and methods to reduce impacts of matters such as noise, working hours, vibrations and other potential impacts.

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In terms of the potential impact on air quality during construction the Council's Air Quality Officer has assessed the submitted Air Quality report and is satisfied that as long as the recommended measures are followed there would not be an unacceptable impact during construction. This will be included in the CMS condition.

- 6.40 As a result, it is considered that the proposals would not have an unacceptable impact on the amenities of neighbouring properties and would accord with the provisions of DMP Policy DES1, DES8 and DES9 in this regard.

## Highway matters

- 6.41 Policy TAP1 of the Development Management Plan 2019 requires new development to demonstrate that it would not adversely affect highways safety or the free flow of traffic, that it would provide sufficient off-street parking in accordance with published standards and that it would constitute development in a sustainable location
- 6.42 In terms of the access the proposal will utilise the existing vehicular access point on the access road providing access to the ground floor car park. There will be a sliding gate, which will be secure for residents use only. Car parking would be provided for 17 vehicles. Servicing for the retail units would take place on street as is the case at the moment and historically. In terms of trip generation the submitted Transport Statement advises that the proposal would generate approximately 7 two way vehicular trips during the AM Peak Hour and 10 two way trips during the PM Peak Hour, which equates to one additional movement every 6-8 minutes. On this basis it is considered that this development would have a negligible impact on the operation of the local highway network.
- 6.43 This also has to be considered in the context of the previous office use of the site which had 30 parking spaces and the extant permission where the proposed 18 parking spaces was found by the submitted Transport Assessment to result in a net decrease in expected two-way trips.
- 6.44 Surrey County Council County Highways Authority (CHA) has considered the proposals and has raised no objection on highway safety or capacity grounds with regard to the access arrangement, trip generation servicing and parking provision.
- 6.45 In terms of parking using the latest maximum parking standards the scheme would clearly be well short of the required 44 spaces for the flats.
- 6.46 Policy TAP1 states that all types of development should include car parking and cycle storage for residential and non-residential development in accordance with adopted local standards (see Annex 4) unless satisfactory evidence is provided to demonstrate that non-compliance would not result in unacceptable harm. Such evidence could include on-street parking surveys, evidence of parking demand, and/ or further information on accessibility.



Development should not result in unacceptable levels of on-street parking demand in existing or new streets. Annex 4, under the Residential Standards Section p.174, does state that “The standards are provided as a guide and they may be varied at the discretion of the Council to take into account specific local circumstances” and that “A lower amount of parking may be appropriate in areas within, or adjacent to town centres.”

- 6.47 In support of the application a Transport Statement has been submitted which sets out in detail the public transport available to the site (Section 3.5), public car parking available (Section 3.7 and figure 4.1) and access to local facilities within walking and cycling distances (Section 4). The conclusion is that the site is in a highly accessible location with a range of services and facilities within easy walking distance and good access to wider facilities and employment through cycling and public transport.
- 6.48 No evidence has been provided in the form of on-street parking surveys, or evidence of parking demand. However, the information on the accessibility of the site is compelling and demonstrates that the site benefits from good access to public transport facilities, and to a good range of shops and services. The application has been reviewed by the CHA who has raised no objection to the level of parking provided. The existing parking controls in the Victoria Car Park access road and Victoria Road and in surrounding roads that would prevent any overspill parking from the site taking place in locations where it is considered dangerous and would not lead to unacceptable levels of on street parking which cause amenity issues.
- 6.49 It is also important to note that the extant 2014 scheme was found to be acceptable with only 18 car parking spaces and this scheme is for the same number of units. The 5 existing retail units have also continued to operate at the front of the site without any on site parking without any known issues. On this basis, no objections are raised with regards to the under provision of parking on the site. Condition is recommended to secure the provision of the proposed car parking provision.
- 6.50 The scheme includes cycle parking for 42 cycles. Whilst this is well in excess of the minimum standards for 29 units. When you consider as a whole, 44 flats, the scheme is short by two parking spaces to provide 1 space per unit. Two spaces already exist to the front of the 5 retail spaces, which were put in upon completion of the front block and would meet the requirements for the retail units. A condition is therefore recommended to secure an updated plans which shows at least 44 cycle spaces prior to first occupation.
- 6.51 In terms of refuse and servicing. The Transport Statement advises that the refuse servicing will be via on street collection, with the bin store directly accessed from the access road to the Victoria Road car park. This is considered to be an appropriate solution, is the same as the extant scheme and would not cause any highway safety or capacity issues. The refuse bin store proposed would be of an appropriate size to accommodate the likely demand in line with the Making Space for Waste document. In terms of servicing for the existing retail units the applicant has advised that this will

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remain as per the existing situation with on-street servicing. This is in line with the extant scheme. The CHA has raised no objection regarding both the refuse and servicing proposals. On that basis this aspect of the scheme is considered acceptable. Conditions are recommended to secure the installation of the refuse area prior to occupation.

- 6.52 Given the scale of the development and the supportive comments of the CHA it is not considered reasonable or necessary to condition the need for a Travel Plan. The CHA has however required a condition to secure the provision of a Travel Information Pack for future residents to help encourage non-car travel.

## Trees and ecology

- 6.53 In terms of impact on trees there are trees protected under a Tree Preservation Officer in the north-west corner of the site, adjacent to the western and northern elevations of the existing front building. The submitted arboricultural advises that these trees can be adequately protected by the existing site hoarding and that further measures are not necessary. Two other trees to the west of the site (T7 and T8) are considered to be low quality (grade C) and are recommended for removal due to their poor quality and to enable implementation of the development.
- 6.54 The Council's Tree Officer has advised that "Based on the information provided the development will not affect the off-site protected trees. The report provides basic information regarding tree protection measures, therefore a detailed arboricultural method statement is needed which can be secured by condition." Therefore subject to condition the proposal would have an acceptable impact on trees. It is noted that the two trees are on Council owned land. Given the nature of the trees their removal is unlikely to be objectionable, particularly as the loss of the trees was considered acceptable under the extant permissions and the view of the Council's Tree Officer, but the applicant will need consent from the Council's Asset Management Team and Green Spaces Team to carry out the works. This will also be included as part of the condition. The proposed landscaping is quite limited but would provide trees and planting within the communal outdoor areas, which if successful would provide a reasonable environment for occupants. Additional landscaping is shown on the submitted landscaping scheme on the Council owned land. This includes replacement tree planting and additional plants. This would improve the character of the site and wider streetscene if such a scheme could be agreed between the applicant and Council. It is understood that no agreement has been reached to date. In order to secure finalised details a condition requiring an updated landscaping scheme is recommended prior to commencement.
- 6.55 With regard to ecology matters the proposal is supported by a Preliminary Ecological Appraisal (PEA) and Biodiversity Net Gain Report (BNG). The PEA concludes that the proposal would have no material impact upon any local or statutory designations, that no habitats of conservation concern were location within the site itself and that the proposals would not impact upon

any rare or valuable habitats. The only species potential on the existing site was hedgehogs. None were found on site however mitigation recommendations are proposed to prevent harm to hedgehogs during construction. Similarly measures are recommended for the protection of birds as well as enhancement measures for invertebrates and birds.

- 6.56 Surrey Wildlife Trust (SWT) has assessed the proposals. Generally they are content with the information submitted subject to conditions to secure the biodiversity net gain and enhancement measures through a Landscape and Ecological Management Plan (LEMP). SWT recommended bat roosting be incorporated in to the enhancement measures. One area of concern raised was the proposed loss of the two trees located to the west of the site (T7 and T8), on Council owned land, and the potential for bat roost. Having carried out a site visit one tree (T8) is only small in size and clearly in poor health and would be unlikely to have potential for a bat roost. The other tree, T7, could have more potential but given the location of the tree and proximity to other more appropriate trees this risk is considered to be low. As consent from the Council would be required to remove these trees and this is still to be established and the low risk it is considered that in this case a condition securing a further roost survey prior to commencement is proportionate.
- 6.57 The BNG report identifies that through the on-site landscaping scheme (Green Roof, 4 new small trees and shrub planting) the proposal could provide an 18.19% net gain. In addition bird boxes and bug hotels are recommended (which do not count towards the net gain figure). On this basis officers are satisfied that a net gain can be achieved on this site. Conditions are recommended to secure the recommended mitigation measures and finalised biodiversity net and enhancement measures through a Landscape and Ecological Management Plan (LEMP).

#### Energy, Sustainability and Broadband

- 6.58 DMP Policy CCF1 relates to climate change mitigation and requires new development to meet the national water efficiency standard of 110litres/person/day and to 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.
- 6.59 The application has supported by a water efficiency calculator but this unfortunately refers to the incorrect water efficiency target and therefore Type 1 fails to meet the higher standard of 110 l/p/d. However an updated water calculator with the higher standards can be secured by a pre-occupation condition.
- 6.60 Following the recent changes to building regulations energy efficiency measures are now in excess of the 19% requirement. Therefore it is not considered reasonable or necessary to include a condition requiring the 19% improvement. It is however noted that the submitted energy report shows compliance with the 19% requirement (19.4%) through energy efficiency measures and the provision of PV panels. Indicative arrangement of the

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solar panels is shown on the submitted plans but finalised details of the siting and appearance of the solar panels can be secured by condition.

- 6.61 A condition is also recommended to ensure that each dwelling is fitted with access to fast broadband services in accordance with policy INF3 of the DMP. As above a condition is also recommended to secure the implementation of electric car charging points throughout the site.

## Flooding and drainage

- 6.62 The site is not located within flood zone 2 and 3. As such no concern is raised with regard to fluvial flooding. The sewage capacity for the site would be assessed at building control stage.
- 6.63 In support of the application, a surface water drainage strategy has been submitted and has been assessed by Surrey County Council Sustainable Drainage team as the Local Lead Flood Authority (LLFA) against the requirements of the NPPF, its accompanying PPG and the Non-Statutory Technical Standards for sustainable drainage systems. They state that they are satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents and are content with the development proposed, subject to the imposition of conditions requiring the submission of a detailed finalised drainage scheme and a verification report.

## Crime

- 6.64 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.
- 6.65 Surrey Police has considered the scheme and welcomed the secure provision for vehicles with a sliding gate and secure cycle store. They advise that they parcel/letter theft is an increasing issue for flatted schemes and therefore details on these arrangement need to be further considered.
- 6.66 In order to secure further details of the security measures Surrey Police has recommended a condition which requires the scheme to meet the standards contained within the Secure by Design award scheme.

## Gatwick Airport

- 6.67 Due to the proximity of the site to Gatwick Airport the scheme has been examined from an aerodrome safeguarding perspective by Gatwick Airport Limited. The consultation response advises that the proposal could conflict with safeguarding criteria unless the scheme includes a Bird Hazard Management Plan. A pre-commencement condition is therefore recommended to secure this.

Community Infrastructure Levy (CIL)

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

**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</b>
Detailed Technical Plan	330510811-STN- XX-XX-DR-C-1204		18.01.2023
Floor Plan	PL01	B	30.11.2022
Elevation Plan	PL09		30.11.2022
Elevation Plan	PL08		30.11.2022
Floor Plan	PL02	B	30.11.2022
Location Plan	PL06		07.11.2022
Block Plan	PL07		07.11.2022
Floor Plan	PL03		07.11.2022
Floor Plan	PL04		07.11.2022
Roof Plan	PL05		07.11.2022
Floor Plan	PL10		07.11.2022
Floor Plan	PL11		07.11.2022
Floor Plan	PL12		07.11.2022
Floor Plan	PL13		07.11.2022
Floor Plan	PL14		07.11.2022
Floor Plan	PL15		07.11.2022
Roof Plan	PL16		07.11.2022
Elevation Plan	PL20		07.11.2022
Elevation Plan	PL21		07.11.2022
Section Plan	PL22		07.11.2022
Elevation Plan	PL18		07.11.2022
Elevation Plan	PL19		07.11.2022
Elevation Plan	PL23		07.11.2022
Elevation Plan	PL24		07.11.2022

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.

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

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

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

4. No development shall commence until a Construction Management Statement, to include details of:
  - a) An introduction consisting of a demolition and construction phase environmental management plan, definitions and abbreviations and project description and location;
  - b) A description of management responsibilities including complaint recording and management;
  - c) Prediction of potential impacts with regard to water, waste, noise and vibration and odours. Where potential impacts are identified, mitigation measures should be identified to address these impacts in accordance with best practice.
  - d) Information about the measures that will be used to protect privacy and the amenity of surrounding sensitive uses; including provision of appropriate boundary protection.
  - e) Means of communication and liaison with Local Planning Authority, neighbouring residents and businesses.
  - f) Details of hours of work, site delivery hours and other measures to mitigate the impact of construction on the amenity of the area
  - g) Detailed Site logistics arrangements including provision of a suitable booking system for HGV deliveries;
  - h) Details regarding parking, deliveries, and storageHas been submitted to and improved in writing by the Local Planning Authority.

The approved details, AND the mitigation measures set out in table 17, pages 23 and 24 of the submitted Stroma Air Quality Impact Assessment (ref. PRO-063432) in relation to controlling dust levels during construction, 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 policy DES8 of the Reigate and Banstead Development Management Plan 2019.

5. No development shall commence including demolition and or groundworks preparation until a detailed, scaled finalised Tree Protection Plan (TPP) and the related finalised Arboricultural Method Statement (AMS) is submitted to and approved in writing by the Local Planning Authority (LPA). These shall include details of the specification and location of exclusion fencing, ground protection and any construction activity that may take place within the Root Protection Areas of trees (RPA) shown to scale on the TPP, including the installation of service routings, type of surfacing for the entrance drive and location of site offices. The AMS shall also include a pre commencement meeting, supervisory regime for their implementation & monitoring with an agreed reporting process to the LPA. The AMS shall also include evidence that the Council has agreed to the proposed tree works – removal of T7 and T8. All works shall be carried out in strict accordance with these details when approved.

Reason: To ensure good arboricultural practice in the interests of the maintenance of the character and appearance of the area and to comply with British Standard 5837:2012 'Trees in Relation to Design, demolition and Construction – Recommendations' and 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 5837:2012 Trees in relation to design, demolition and construction

6. No development above slab level shall commence on site until a finalised scheme for the soft and hard landscaping and tree planting of the site and adjacent strip of land to the west of the site and east of the access road to Victoria Road Car Park has been submitted and approved in writing by the local planning authority. 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 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.

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

7. No development shall take place until a bat preliminary ground level roost assessment, undertaken by a suitably experienced ecologist in line with best practice guidance, has been carried out and the results of the surveys have been submitted to and agreed in writing by the Local Planning Authority. If potential is identified, then the survey report should include any recommended further surveys and any resultant mitigation measures.

Once agreed the development shall be carried out in strict accordance with the findings of the report, including any further 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. It is necessary for this to be a pre-commencement condition because the protection of protected species goes to the heart of the planning permission.

8. No development shall commence 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 ecology and landscaping documents submitted with the application and shall include, but not be limited to following:
- a) Description and evaluation of features to be managed, including external lighting)
  - 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) Ecological Enhancement Plan
- The above shall ensure that the scheme achieves as a minimum the biodiversity net gain set out within the submitted Biodiversity Net Gain report



by Elite Ecology and enhancement measures recommended within that report.

The agreed details shall be implemented before occupation of this development, unless otherwise agreed within the approved LEMP or subsequently 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.

9. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
- a) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+ 40% allowance for climate change) storm events, during all stages of the development. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 1.8 litres/sec.
  - b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
  - c) A plan showing exceedance flows (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.
  - d) Details of drainage management responsibilities and maintenance regimes or the drainage system.
  - e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site and to comply with policy CCF2 of the Development Management Plan 2019.

10. 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.

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS and to comply with policy CCF2 of the Development Management Plan 2019.

11. The development hereby permitted shall not commence 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.

12. No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) programme of works (including measures for traffic management)
  - (e) HGV deliveries and hours of operation
  - (f) vehicle routing
  - (g) measures to prevent the deposit of materials on the highway
  - (h) on-site turning for construction vehicles
- has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and Policy TAP1 Parking, access, and Servicing and DES8 Construction Management of the Reigate and Banstead Local Plan Development Management Plan September 2019 and Reigate and Banstead Core Strategy 2014 Policy CS17.

13. No development above slab level shall take place until details setting out how the applicant will ensure that:
- a) at least 20% of the homes meet the Building Regulations requirements for 'accessible and adaptable dwellings'; and
  - b) at least 4% of homes are designed to be adaptable for wheelchair users in accordance with the Building Regulations requirements for 'wheelchair user dwellings'

have been submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

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

14. No development shall take place above slab level until written details (including pictures/images of samples) of the materials to be used in the construction of the external surfaces, including walls, fenestration, roof, and any gates, external doors or other means of enclosure, 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.

15. 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 visual impact of the solar panels is acceptable with regard to Reigate and Banstead Development Management Plan 2019 policy DES1.

16. The refuse store shown on the approved plans shall be erected and made ready for use (i.e. bins installed) prior to the first occupation of the development.

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

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

Reason: 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 Access, Parking, and Servicing of the Reigate and Banstead Local Plan Development Management Plan September 2019.

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18. Notwithstanding the approved plans the development hereby approved shall not be first occupied unless and until space for at least 44 bicycles to be securely stored has been laid out and provided within the site in accordance with an updated plan which has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the bicycle storage area shall be retained and maintained for its designated purpose.

Reason: In order that the development meets the minimum cycle standards and 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.

19. 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) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In 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.

20. The development hereby permitted shall not be occupied unless and until a Travel Information Pack containing information on employment, education, retail and leisure land uses within 2 km walking distance and 5km cycling distance of the site and details of public transport within 400 metres of the site and the destinations they serve including to the closest rail station to the site has been submitted to and approved in writing with the Local Planning Authority. The approved document shall be distributed to residents of the proposed development upon first occupation.

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.

21. The development hereby approved shall be undertaken in accordance with the submitted plans and specifications and as detailed in the Stantec Technical Note dated 12th February 2023, the Stroma Technical Note - Planning reference OPP-068993 – NC - 2v3 and Stroma Technical Note - Planning Conditions reference SBE Ref: OPP-068993 – NC - 3v1. Prior to first occupation a post installation letter report confirming compliance with the standards approved shall be submitted by a suitably qualified person and approved in writing by the local planning authority. 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 ensure the future occupants do not experience unacceptable levels of noise and overheating with regard to Reigate and Banstead Development Management Plan DES1 and DES9.

22. The development shall not be occupied until evidence has been submitted to and approved in writing by the Local Planning Authority to demonstrate that the development has achieved the standards contained within the Secured by Design award scheme.

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.

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

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

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

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

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

25. Prior to the first occupation of the development further details of the oriel style angled windows serving the north facing units labelled as apartment 2, 9 and 16 on the submitted plans shall be submitted to and approved in writing by the Local Planning Authority. This shall include drawings that clearly show what windows are to be obscure glazed and fixed shut and how the windows will be obscure glazed (what level of obscurity). The relevant residential units will not be occupied until the windows are fully installed in accordance with

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the approved details. The windows shall be retained as approved for the lifetime of the development.

Reason: To ensure that the development does not adversely affect the amenity of the residents in the flats on the southern side of the northern block due to overlooking with regard to Reigate and Banstead Development Management Plan 2019 policy DES1.

26. The development shall be carried out in accordance with the mitigation measures set out within the Preliminary Ecological Appraisal dated October 2022 by Elite Ecology.

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.

## INFORMATIVES

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at [www.firesprinklers.org.uk](http://www.firesprinklers.org.uk).
2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions. Further information can be found on the Council website at : [Climate Change Information](#).
3. The applicant site is situated on or in close proximity to land that could be potentially contaminated by virtue of previous historical uses of the land. As a result there is the potential for a degree of ground contamination to be present beneath part(s) of the site. Groundworkers should be made aware of this so suitable mitigation measures and personal protective equipment measures (if required) are put in place and used. Should significant ground contamination be identified the Local Planning Authority should be contacted promptly for further guidance.
4. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, to contact the Council's Neighbourhood Services team to confirm the number and specification of recycling and refuse bins that are required to be supplied by the developer. All developer enquires on recycling and refuse bin ordering, collections and discussing waste matters is via our department email address [RC@reigate-banstead.gov.uk](mailto:RC@reigate-banstead.gov.uk) . Please also note our website area for developers [https://www.reigate-banstead.gov.uk/info/20062/recycling\\_and\\_refuse/392/fees\\_for\\_recycling\\_and\\_refuse\\_services/3](https://www.reigate-banstead.gov.uk/info/20062/recycling_and_refuse/392/fees_for_recycling_and_refuse_services/3).

5. The applicant is advised that the Borough Council is the street naming and numbering authority and you will need to apply for addresses. This can be done by contacting the Address and Gazetteer Officer prior to construction commencing. You will need to complete the relevant application form and upload supporting documents such as site and floor layout plans in order that official street naming and numbering can be allocated as appropriate. If no application is received the Council has the authority to allocate an address. This also applies to replacement dwellings. If you are building a scheme of more than 5 units please also supply a CAD file (back saved to 2010) of the development based on OS Grid References. Full details of how to apply for addresses can be found [http://www.reigatebanstead.gov.uk/info/20277/street\\_naming\\_and\\_numbering](http://www.reigatebanstead.gov.uk/info/20277/street_naming_and_numbering)
6. The applicant is expected to ensure the safe operation of all construction traffic in order to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. Where repeated problems occur the Highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.
7. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
8. 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).
9. 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.
10. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

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11. Whilst it is accepted that bats are unlikely to present a constraint to the proposed development the applicant is advised that a precautionary approach to works should be implemented during construction. This should be passed to the contractors along with the measures set out within the submitted Preliminary Ecological Appraisal (PEA).

## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against development plan policies CS1, CS4, CS5, CS7, CS10, CS11, CS14, CS17 and RET1, RET2, DES1, DES4, DES5, DES8, DES9, TAP1, CCF1, INF3, NHE9 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.

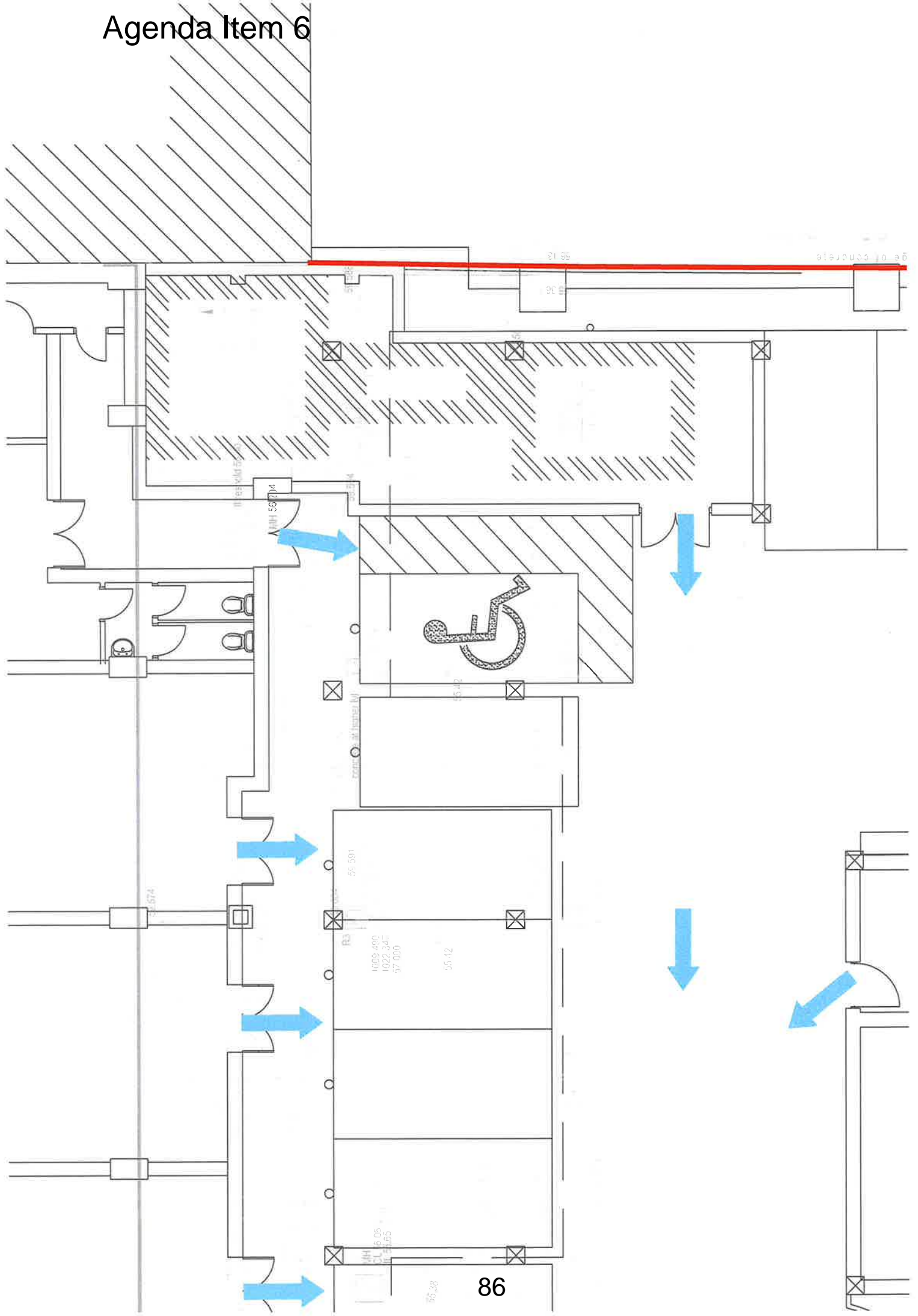
## **Proactive and Positive Statements**

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.

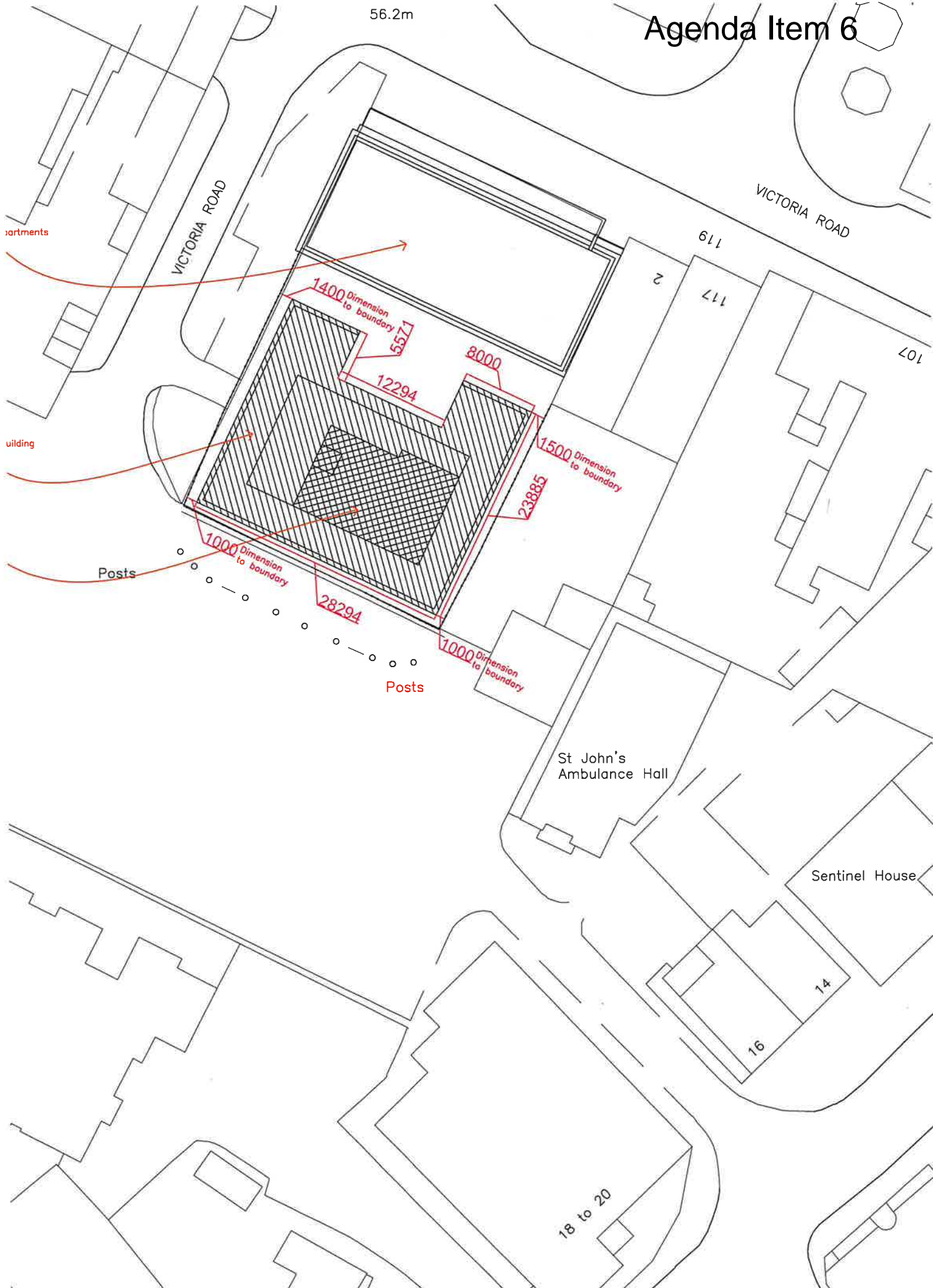




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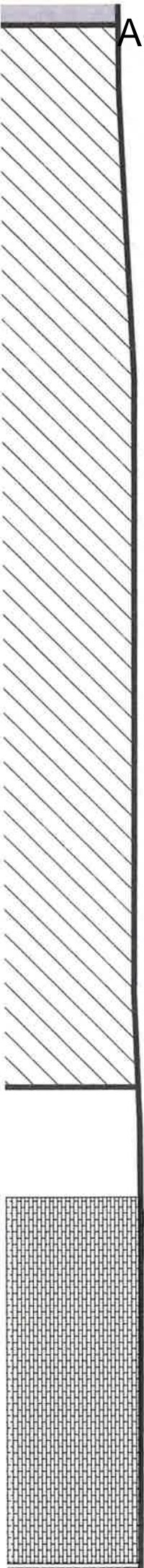


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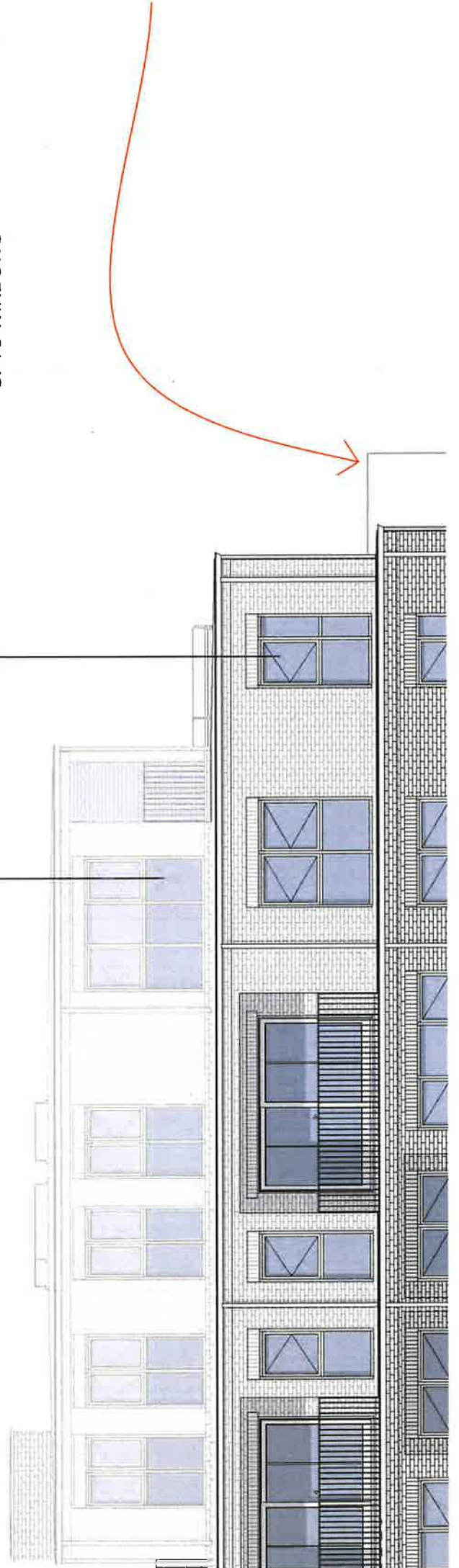


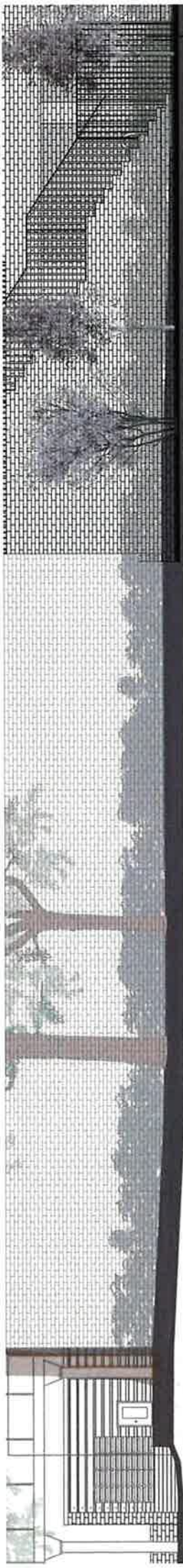
# Proposed East Elevation



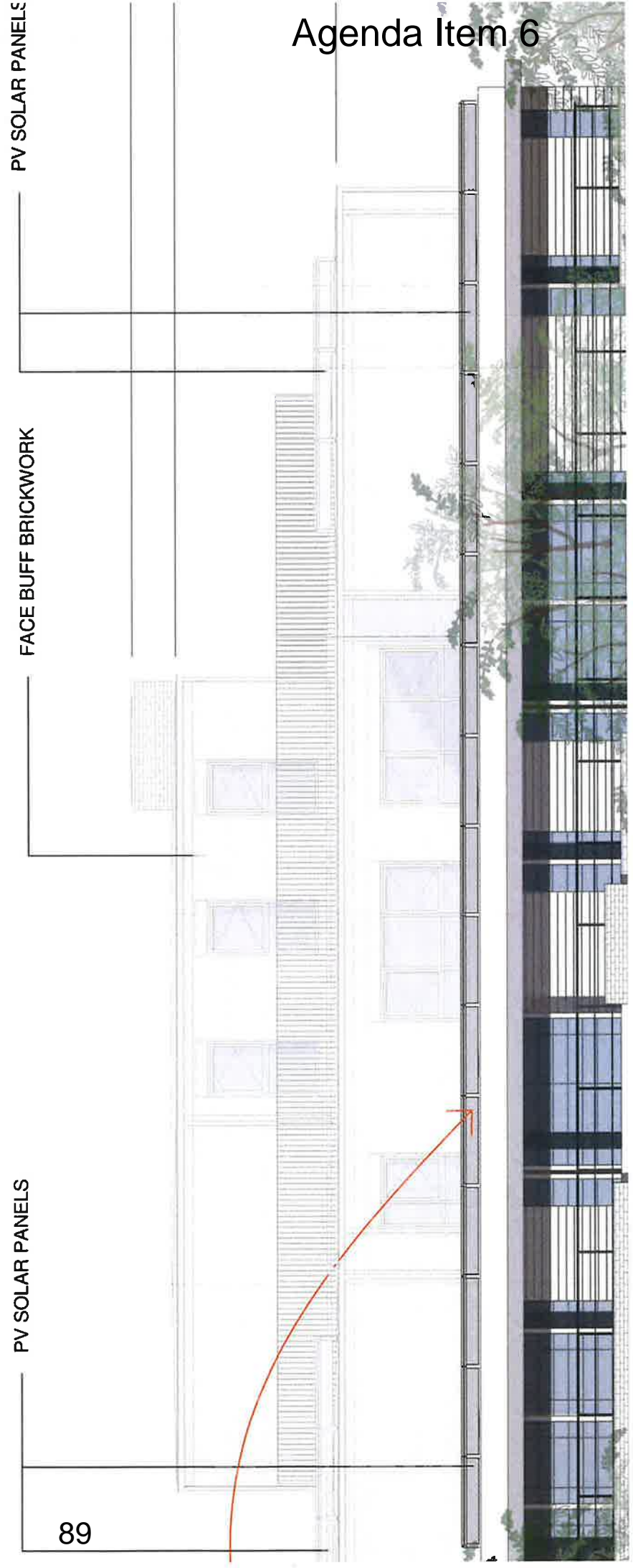
OBSCURED GLAZING

UPVC WINDOWS

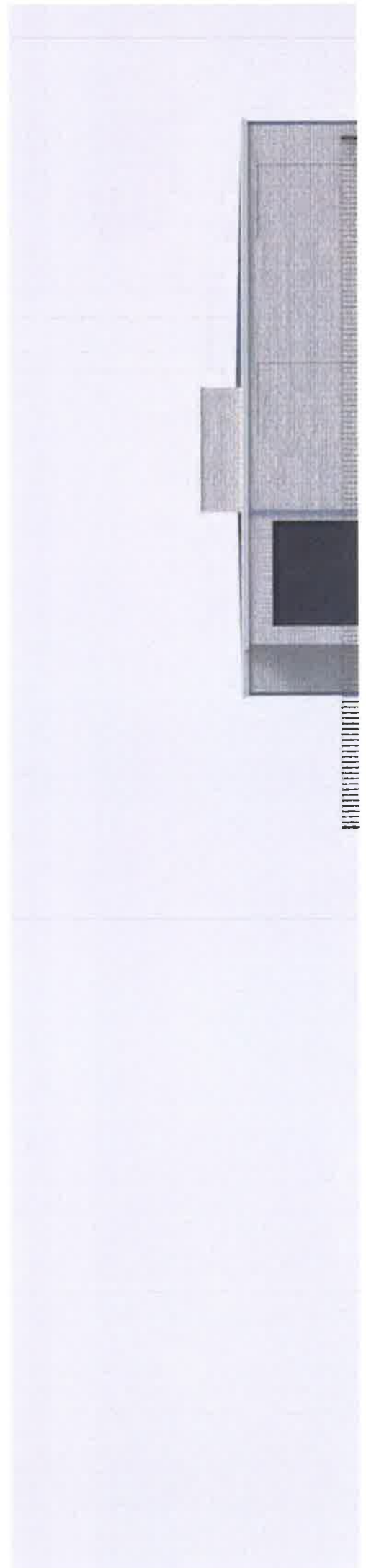
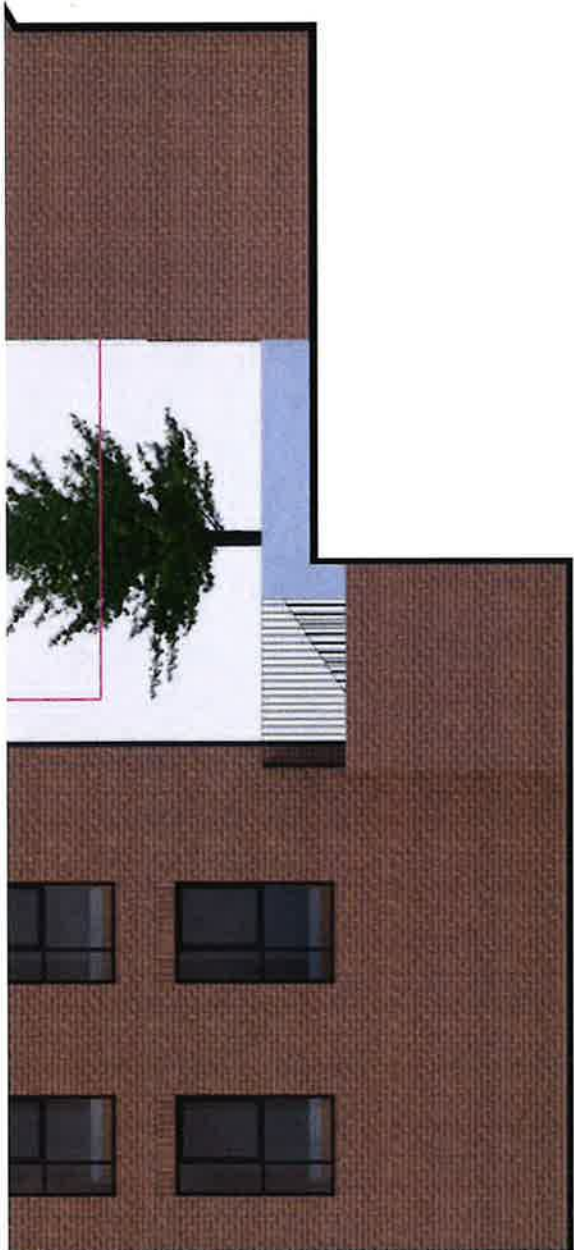


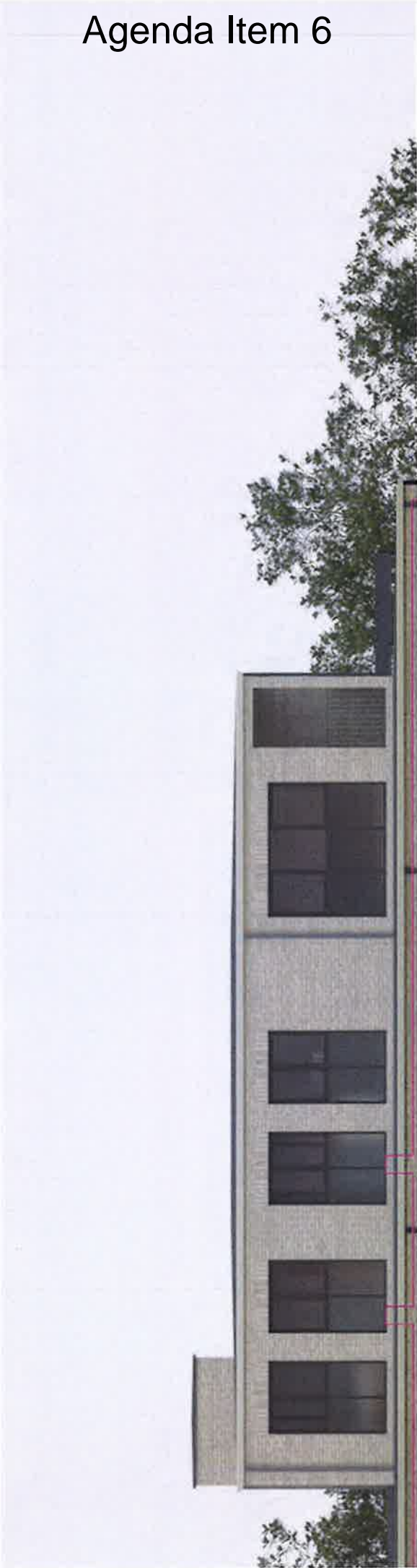
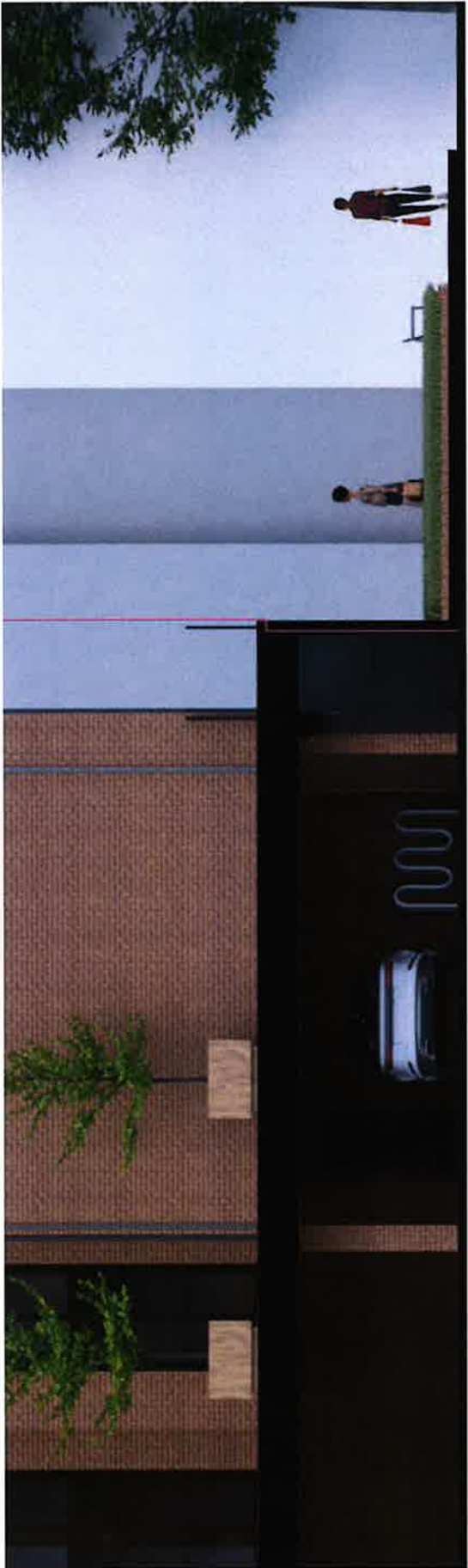


# Proposed West - Elevation
















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# Agenda Item 7

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 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	<b>TO:</b>	PLANNING COMMITTEE	
	<b>DATE:</b>	8 <sup>th</sup> March 2023	
	<b>REPORT OF:</b>	HEAD OF PLANNING	
	<b>AUTHOR:</b>	Matthew Sheahan	
	<b>TELEPHONE:</b>	01737 276514	
	<b>EMAIL:</b>	Matthew.sheahan@reigate-banstead.gov.uk	
<b>AGENDA ITEM:</b>	7	<b>WARD:</b>	KTW - Lower Kingswood Tadworth And Walton

<b>APPLICATION NUMBER:</b>	22/02709/F	<b>VALID:</b>	19/12/2022
<b>APPLICANT:</b>	Mr Richard Spiers	<b>AGENT:</b>	Blacksand Asset Management
<b>LOCATION:</b>	<b>FARM CORNER 15 THE AVENUE TADWORTH SURREY KT20 5AY</b>		
<b>DESCRIPTION:</b>	<b>Construction of two detached houses and a detached garage. As amended on 26/01/2023.</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 erection of two detached dwellings to the rear of Farm Corner, 15 The Avenue, Tadworth. The site is located within The Avenue Residential Area of Special Character (RASC), which is typified largely by detached properties of traditional 1930s suburban character, set within good sized plots characterized by soft, leafy landscaping. This application follows a previous application 22/01232/F, which was refused.

The proposed dwellings would reflect the character of properties within the RASC with respect to their design, form and palette of materials. They would be set within plots that are sufficiently spacious, both exceeding 0.1ha in area, which would be commensurate with other developments within the RASC, including Bishops Grove and Bramber Close to the west. Each dwelling would exceed national standards for living space and would have access to a rear garden that would be appropriate for dwellings of this size. The donor property and its surrounding plot would continue to be reflective of the RASC in terms of spaciousness.

The relationship with neighbouring properties is considered to be acceptable and would not give rise to a significant level of harm to residential amenity. There would be sufficient distance between the dwellings and Spindlewoods to the north to avoid being overbearing. Whilst noting the change in ground levels the properties have been design and positioned so as not to give rise to unacceptable levels of overlooking. The height, bulk, scale and mass of the dwellings, as well as the siting of plot 2 has been reduced and amended following the refusal of the previous

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application in order to overcome concerns raised regarding impact on neighbouring amenity, including that of the donor property.

Each dwelling would comply with the Councils parking standards and the development would continue to utilise the same access point as the existing dwelling. The County Highway Authority (CHA) has reviewed the scheme and is satisfied that there would not be harm to highway safety.

A small number of low quality trees are to be removed which will not have a detrimental impact on the character of the locality. Replacement planting can be secured by condition. There would be further conditions related to ecology and biodiversity net gain.

## **RECOMMENDATION(S)**

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

## Consultations:

Highway Authority: The proposed development has been considered by the county highway authority who having considered any local representations and having assessed the application on safety, capacity and policy grounds, has raised no objections subject to the imposition of appropriate conditions and informatives.

Surrey Wildlife Trust: No objections subject to conditions and informatives.

Tadworth and Walton Residents Association: Consider that the application is better than the previous proposal. In order to ensure that all surface water is accommodated on site, it is requested that the access road and parking areas are all permeable and the soakaways and SUDs have sufficient capacity so there is no runoff in to the Spindlewoods development.

## Representations:

Letters were sent to neighbouring properties on 22<sup>nd</sup> December 2022. Following the submission of amended plans further consultations were send on the 30<sup>th</sup> January 2023. A total of 4 responses were received.

<b>Issue</b>	<b>Paragraph</b>
Poor design	Paragraph 6.3-6.6
Overdevelopment	Paragraph 6.3-6.6
Out of character with surrounding area	Paragraph 6.3-6.6
No need for the development	Paragraph 6.2-6.6
Harm to Conservation Area	Paragraph 6.3-6.6
Harm to listed building	Paragraph 6.3-6.6
Overbearing relationship	Paragraph 6.7-6.14
Overlooking and loss of privacy	Paragraph 6.7-6.14
Overshadowing	Paragraph 6.7-6.14
Hazard to highway safety	Paragraph 6.19
Increase in traffic and congestion	Paragraph 6.19
Inconvenience during construction	Paragraph 6.19
Inadequate parking	Paragraph 6.19
Harm to wildlife habitat	Paragraph 6.29-6.23
Drainage/ sewerage capacity	Paragraph 6.24
Health fears	Paragraph 6.30-6.32
Loss of private view	Paragraph 6.30-6.32

## 1.0 Site and Character Appraisal

1.1 The site comprises a substantial detached house with attached annexe set within a very generous plot located on the northern side of The Avenue. The house is set back from the road and at an angle bridging the building line between the neighbouring Walden Cottage (no 17) to the west and Oaklands (no 13) (previously known as Spindlewoods) to the east. Walden Cottage is a locally listed building.

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- 1.2 The site (with the exception of the north-east corner) is set within The Avenue, Tadworth Residential Area of Special Character (RASC) as identified on the DMP Proposals Map. This area is designated as a result of its special residential character typified by mainly low density, substantial sized dwellings set in spacious grounds set back from the road, where landscaping is an integral part of the character of the area, with a predominance of trees and hedges over buildings and hardstanding. Whilst there are some exceptions to this, including both flatted development and more recent housing development where detached houses are sited closer together, in the main well-spaced houses / development predominates. It is acknowledged that the boundary of the RASC is somewhat disjointed. However, the properties that fall within the RASC tend to be larger and better spaced, where the landscape dominates the built form.
- 1.3 Development is typically 2 storeys with flatted development in the area increasing to 3 storeys with the upper floor of development set nearly entirely within the roof, with designs utilising dormer rooflights and gable windows. The exception to this being Oaklands, where the corner landmark turret element is a full 3 storeys.
- 1.4 The site is located in a predominantly residential area, although it is noted other uses exist within the locality, a nursing home, school and church. Tadworth local centre is approximately 0.5km from the site.
- 1.5 The site is well screened from the road by a close boarded fence with evergreen hedging behind. There is significant boundary hedging and trees, and parts of the site are covered by group and individual tree preservation orders (RE1223, RE914 and BAN36). In addition, there are TPOs on adjoining land which could potentially be affected by the proposed development. There is a change in levels within the site with land sloping away to the north.

## 2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: formal pre-application advice was not sought from the Local Planning Authority prior to submission.
- 2.2 Improvements secured during the course of the application: Amendments have been received during the course of development to revise the position of plot 2, provision of a parapet wall to the rear of plot 2, revisions to the siting of refuse stores, and the provision of permeable free draining surfaces.
- 2.3 Further improvements could be secured: Further improvements could be secured by way of suitably worded conditions and informatives.

## 3.0 Relevant Planning and Enforcement History

00P/0237/F	Demolition of annex and erection of three five	Refused - Appeal dismissed - 20 July 2000
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	bedroom detached dwellings with integral double garages, replacement double garage for No.15, provision of parking spaces and formation of access road. Appeal dismissed (for reasons of character and amenity) –	
19/00877/F	Demolition of existing dwelling house and annexe, and erection of a two and half storey apartment block comprising 20 dwellings and associated landscaping, refuse storage, and cycle and car parking. As amended on 23/09/2019 and on 10/10/2019 and on 17/10/2019	R - Refused - Appeal dismissed
21/02439/F	Demolition of an existing annex and garage at number 15 The Avenue. Construction of three detached dwellings with associated access road, parking and turning areas. As amended on 12/11/2021, 30/11/2021 and on 14/02/2022.	Refused
22/01232/F	Construction of two detached houses with associated garages, parking and turning areas.	Refused

## 4.0 Proposal and Design Approach

- 4.1 This is a full application for the construction of two detached dwellings to the rear of 15 The Avenue Tadworth. The donor property is to be retained along with the existing access to the east. The two dwellings would be traditional in their design and appearance however they would differ from one another. Each of the dwellings would provide five bedrooms.

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- 4.2 Plot 1 would feature a large, hipped clay tile roof with prominent pitched roof gable to the principal elevation. Three Velux windows would feature to the rear elevation, whilst a single window would feature to the principal elevation above four solar panels. Regarding materials this would comprise of red coloured brickwork to the ground floor with a mix of hanging tile and off-white render to the first floor. An area of hardstanding for parking and turning would be sited to the front, accessed through a set of gates. The footprint of the dwelling would be 8.7m from the rear (north) boundary with properties on Spindlewoods, and 4.6m from the east boundary with Oaklands at the closest point.
- 4.3 Plot 2 would feature two prominent hipped roof gables to the principal elevation with a single Velux window in between. Two further small Velux windows would feature to the rear, with four solar panels featuring to the south west elevation. Much like plot 1 the materials would comprise brick to the ground floor with render above however hanging tile would not feature. The footprint would be more angled within its plot with the principal elevation facing south-east. A detached pitched roof garage would feature to the north-east. The dwelling would be 6.7m from the north boundary, 7.1m from the west boundary with 17 The Avenue and 6.3m from the shared boundary with the donor property. There would be approximately 12m separating the two dwellings.  
Hardstanding for parking would again be located to the front of the dwelling accessed through gates similar to plot 1.
- 4.4 Externally each of the proposed new dwellings would be provided with private amenity space in the form of rear gardens that would wrap around the rear and side of dwellings. The plot for the donor property would be reduced in size however substantial private amenity space would remain around the dwelling. Access would be via the existing entrance to the south-east corner of the plot, adjacent to which would be the refuse storage facilities. Electric vehicle charging points are proposed to be installed to the front of each dwelling. Cycle storage areas would be provided to the side of each of the proposed dwellings.
- 4.5 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a four-stage design process comprising:
- Assessment;  
Involvement;  
Evaluation; and  
Design.
- 4.6 Evidence of the applicant's design approach is set out below:

Assessment	An assessment of the character of the surrounding area
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	has not been made within the Design & Access Statement. Number 15 The Avenue is stated as being sited on a large plot extending to 0.87 acres (0.35ha). The existing house was constructed in 1905 and was formally part of the Tattenham Park Estate.
Involvement	No community consultation took place, though tenants have been notified of the proposed works.
Evaluation	Pre-application advice was not sought from the Council prior to the submission of the application. The application is stated as being a re-submission following the refusal of previous application to develop the site to provide an additional 3 and 2 dwellings respectively.
Design	The proposed scheme has been designed to overcome the reasons for refusal of previous application 22/01232/F. The height, bulk, mass, roof pitch of the dwellings, as well as the siting of plot 2 has been amended to address concerns relating to neighbouring amenity of Spindlewoods. A new wall is proposed along the west side of the access and donor property to enhance the amenity of 15 The Avenue.

4.7 Further details of the development are as follows:

Site area	0.2 Ha
Existing use	Residential (1 dwelling C3)
Proposed use	Residential (Class C3) 2x4 bedroom dwellinghouses
Proposed density	10dwellings per hectare
Parking standard	Medium Accessibility (4 spaces required, 2 per dwelling)
Existing parking provision	2 spaces
Proposed parking provision	6 spaces
Net increase in dwellings	2

## 5.0 Policy Context

### 5.1 Designation

Urban Area

The Avenue Residential Area of Special Character (RASC)

Adjacent to Tadworth Conservation Area

Adjacent to Locally Listed Building Walden Cottage, 17 The Avenue

Tree Preservation Order BAN36 T30 T31 G28 G2

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## 5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)  
CS4 (Valued townscapes and the historic environment)  
CS5 (Valued People/Economic Development),  
CS10 (Sustainable Development),  
CS11 (Sustainable Construction),  
CS14 (Housing Needs)

## 5.3 Reigate & Banstead Borough Local Plan 2005

Design	DES1, DES2, DES3, DES5, DES8 DES9
Housing Mix	DES4
Transport, access and parking	TAP1
Climate Change resilience and Infrastructure	CCF1 INF1
Trees, landscaping and ecology	NHE2, NHE3, NHE9

## 5.4 Other Material Considerations

National Planning Policy Framework  
2021

National Planning Practice Guidance

Supplementary Planning Guidance

Surrey Design  
Local Distinctiveness Design Guide  
A Parking Strategy for Surrey  
Parking Standards for Development  
Householder Extensions and  
Alterations

Other

Human Rights Act 1998  
Community Infrastructure Levy  
Regulations 2010

## 6.0 **Assessment**

This is a full application for the construction of two detached houses with associated garages, parking and turning areas, to the rear of 15 The Avenue Tadworth.

### 6.1 The main issues to consider are

- Principle of development
- Design and character assessment
- Impact on neighbouring residential amenity
- Amenity of future occupiers
- Highway matters
- Trees and landscaping
- Flooding and drainage
- Sustainability, infrastructure and climate change
- Affordable Housing
- Community Infrastructure Levy (CIL)
- Other Matters

### Principle of the development

- 6.2 The site is located within the urban area where there would not be an in principle objection to the introduction of new residential development. The development would provide a net gain of 2 residential units and as such the development would help the Council meet some of the Borough's identified housing need and furthermore would be welcomed as a contribution to housing supply. The principle in this case rests upon considering the scheme against national and local policy with regard to design and impact on the character of the area, impact on neighbouring amenity, highway matters, trees, landscaping and ecology, drainage, and any other material planning considerations relevant to the scheme.

### Design and character assessment

- 6.3 The design of the development would need to satisfy the requirements of Policy DES3 of the Development Management Plan (DMP), which seeks to control development within RASCs. Specifically, this policy requires new development to be individually designed, and makes a positive contribution to the character of the area, respecting the identified level of spaciousness between properties, being of a height, depth and with a level of bulk and massing that reflects the form of neighbouring buildings. There should remain a pre-dominance of tree cover, with the ratio of hard to soft landscaping carefully considered to ensure this verdant character remains.
- 6.4 It is considered that the proposed dwellings would be of a design that would be appropriate within the context of the RASC and the adjacent conservation area. They would both have a traditional appearance as reflected in their form and palette of materials. The two dwellings would be different in their appearance, which is appropriate within a RASC where dwellings are typically individually designed. Whilst there would be some element of flat roof to both dwellings these would be modest and they would be hidden by the roof slopes, which would be hipped on all sides. The dwellings have been reduced in their height and the amount of bulk to the roof by removing the dormer windows following the refusal of

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application 22/01232/F and are considered to be of an appropriate scale that would be in keeping with other properties in the RASC.

- 6.5 The existing plot is very large by RASC standards. The introduction of two dwellings to the rear of the site would reduce the plot size of the donor property, however within the current context of The Avenue RASC the plot sizes for all three dwellings would be acceptable. The current scheme follows a previously refused application ref: 21/02439/F, which proposed three additional dwellings. The application was refused on the grounds of overdevelopment, with the addition of three dwellings appearing cramped with inadequate plot sizes. Each of the proposed dwellings would be situated within a plot that exceeds 0.1Ha in area. This would be similar to other developments, particularly those of Bishops Grove and Bramber Close to the west. As with these developments, the proposed scheme would retain the appearance of single dwellings within their own plots. The arts and crafts donor property has been, resulting in little change to the character of the street scene, minimising impact on the setting of the locally listed building to the locally listed building to the west. Whilst partial views of plot 1 would be afforded through the access point, the property is set well back from the road, with the majority of view obscured by vegetation.
- 6.6 The Conservation Officer has been consulted on the application and is satisfied that the development would not result in harm to the setting of either the listed building or adjacent conservation area. On this basis the application is deemed to be acceptable in terms of design and impact on character, complying with Policies DES1, DES3 and NHE9 of the DMP 2019.

## Impact on neighbouring residential amenity

- 6.7 The nearest neighbouring residential properties adjoining/ within the vicinity of the site are properties along Spindlewoods to the north, Oaklands to the east, Walden Cottage to the west, and the donor property 15 The Avenue. The impact on these properties will be dealt with in turn. Application 22/01232/F was partially refused on the grounds that the development would have resulted in unacceptable harm to the amenity of 9 Spindlewoods to the north by virtue of the higher ground level, scale of development and overbearing impact.
- 6.8 Number 9 Spindlewoods would be located in closest proximity to the application site, though plots 1 and 2 would be visible from the rear of other properties given the proximity of the rear elevations and the higher ground level of the application site. The dwelling occupying plot 1 would be approx. 5.5m from the shared boundary with 9 Spindlewoods and 15.7m between dwellings at the closest point. The application site is at a higher ground level than Spindlewoods. The rear elevations and gardens of Spindlewoods face south-west. Plot 1 would feature three upper floor windows to the rear elevation that would serve a storage area and plant room only. The proposed first and second floor rear windows would face

the north, away from the rear of neighbouring properties along Spindlewoods, instead overlooking the road beyond. Whilst some view would be afforded of the front of 1 Milstead Close this would be at a distance in excess of 35m, and in any case this property is more overlooked by 2 Milstead Close opposite. The nearest first floor window to 9 Spindlewoods would serve the bathroom, which would be obscure glazed, thus mitigating against overlooking. Whilst the proposed dwelling would be visible from the rear of these properties the distance between the dwellings, combined with the reduction in height, bulk and mass, would be sufficient to avoid being overbearing.

- 6.9 Plot 2 would feature an upper floor side window that serves a bathroom that would face towards 9 Spindlewoods, which would be conditioned to be obscure glazed, thus avoiding harm with regards to overlooking. The proposed rear windows would face the north-west away from the rear of neighbouring properties. Whilst some views may be afforded of the very rear portion of 9, 11 and 13 Spindlewoods, this would not be to a level that would be harmful. This would not be dissimilar to the level of view afforded between neighbours along Spindlewoods. Whilst the proposed dwelling would be visible from the rear of these properties the distance between the dwellings would be sufficient to avoid being overbearing. The dwelling has been reduced in height by 1m and the angle of the property increased to the north-west. The width has also been reduced by 1.5m from the previously refused scheme. It is also proposed to construct a 1.3m high parapet wall above the ground floor rear projection in order to reduce views from the upstairs bedroom windows. It is considered that the amendments made to plot 2 have overcome the previous reason for refusal and the level of impact on the amenity of 9 Spindlewoods would not be sufficient to warrant refusal. Whilst the rear gardens of 11-15 Spindlewoods would be open to views from the proposed dwellings, the distance would be such that the level of view would not be overly harmful.
- 6.10 Plot 1 would be in closest proximity to Oaklands to the east, a flatted development with a separation distance of approx.. 31m at the closest point. Given the level of separation it is not considered that there would be harm with regard to overlooking, loss of privacy or loss of light. The separation distance would be sufficient to avoid there being any overbearing impact. The two sites would benefit from a level of visual screening provided by boundary hedging, which would be supplemented by additional planting. Plot 2 would be in excess of 50m from Oaklands. Whilst some views may be afforded from front facing windows these would be minimal and not result in harmful overlooking.
- 6.11 Turning to Walden Cottage to the west, this is a locally listed building that would be in closest proximity to the donor property, maintaining a distance of approx. 17m at the closest point. The relationship between these two dwellings would remain unchanged. Whilst plot 2 would feature a single, small side facing window to the upper floor serving a dressing room, this would be angled away from neighbours' rear elevation, thus avoiding overbearing harm. The rear elevation would face the north west corner of

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the neighbouring garden however the level of separation and boundary screening would be sufficient to mitigate against substantial harm.

- 6.12 The proposed dwellings would be positioned at a lower ground level than the application donor property. whilst the tops of the dwellings would be visible from number 15 and the garden, the level of distance (between 13 and 21m) and the lower ground level would be sufficient to avoid being overbearing. Side windows of plot 2 would be obscure glazed to avoid overlooking. A boundary wall is proposed to the east of number 15 to reduce impact from the proposed access road. Whilst the development would give rise to a change in the relationship between the property and the rest of the site it is not considered that this would be harmful.
- 6.13 In light of the above considerations it is considered that the proposed development of two dwellings would not give rise to undue harm to the amenity of neighbouring residential properties. The development is therefore deemed to comply with Policy DES1 of the DMP in this regard.

## Amenity for future occupants and housing mix

- 6.14 It is a fundamental objective of planning policy and stated within the National Planning Policy Framework 2021 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. Policy DES2 requires developments to be designed to ensure a good standard of amenity for all existing and future occupants.
- 6.15 Each of the proposed dwellings would provide 4 bedrooms. National Space Standards for living space would require between 110 and 128sqm of floor space to be provided depending on the number of occupants. Plot 1 would total 278.2sqm and plot 2 would total 297.4sqm. These standards would therefore be significantly exceeded.
- 6.16 Each dwelling would have a traditional arrangement, with living room and kitchen/ dining area occupying the ground floor, with bedrooms on the upper floors. Each dwelling would be appropriately laid out and spacious, avoiding awkwardly shaped rooms, and habitable rooms would be well served by windows providing light and outlook. Externally each dwelling would be provided with a garden that is of an appropriate size for a three bedroom dwelling and would be comparable in this regard to other properties on The Avenue, many of which are large dwellings.
- 6.17 On the basis of the above considerations the proposed dwellings are considered to provide an appropriate living environment for future

occupants, in line with Nationally Described Space Standards and the requirements of Policies DES2 and DES5 of the DMP.

## Highway Matters

- 6.18 The site is located within an area of medium accessibility as defined within Annex 4 of the DMP. In accordance with these standards each dwelling would need to be provided with 2 parking spaces. The proposed garage for plot 2 would meet the minimum size requirements for the parking of a vehicle and there would be ample space in front of each dwelling for two or more vehicles to be accommodated. The proposed parking requirements would be met. The County Highway Authority (CHA) has been consulted on the application and raised no objection subject to conditions and informatives. The existing access point to the south-east corner of the site would continue to be utilised and it is not the view that the addition of two dwellings would generate a level of vehicle movements that would give rise to harm to the safe operation of the highway. In light of these considerations the scheme would comply with Policy TAP1 of the DMP.

## Trees, Landscaping and Ecology

- 6.19 There are a number of trees to the boundaries of the site, some of which are located within the curtilage of neighbouring properties. A mixed species Tree Preservation Order (TPO) is located to the east of the existing dwelling, along with a Western Red Cedar to the rear. The Councils' Tree Officer has been consulted on the proposed development and has made the following comments:

'My comments are based on a desk top review of the arboricultural report reference AS/CS/0821, dated 7.12.22. The removal of T14 and T15, both are subject to TPO ref BAN 36 will have a minor impact on the street scene, however both are in decline and retaining is not practical. The remaining trees are located along the boundary far enough away from the proposed dwellings not to expose them to post development pressure.'

- 6.20 The site would be well landscaped and there would be an appropriate balance between hard and soft landscaping, thus maintaining the characteristics of the RASC in this regard. Subject to appropriate conditions the existing trees can be suitably protected during the course of development and details of landscaping will be secured by a further condition. The proposal is therefore deemed to comply with Policies NHE3 and DES3 of the DMP2019 in regard to trees and landscaping matters.
- 6.21 On ecology matters, an ecological report/ walk over site assessment has been submitted and reviewed by Surrey Wildlife Trust (SWT), who advised that the development would be acceptable with regard to impact on the existing ecology subject to a condition requiring the submission of a construction environmental management plan (CEMP) prior to commencement of development. Prior to commencement of works a qualified ecologist would be required to further survey the site for any new

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badger sett and confirm if any setts remain active. This is due to their being a sporadically used outlier badger sett to the south west corner of the site.

- 6.22 Further informatives relating to ensuring the control of external lighting, ensuring clearance works and any demolition take place outside of breeding bird season, works to be undertaken in a precautionary manner and under an ecological watching brief. Further information was requested to confirm that tree T2, which is proposed to be pruned, as well as the existing shed and greenhouse, are not suitable for bat roosting. The applicant's ecologist confirmed that the suitability for bat roosting is negligible. Biodiversity enhancement features including those for bats, birds, reptiles, badgers and hedgehogs. These enhancements would be secured through conditions, with details to be provided prior to commencement of development, including within any landscaping conditions. The submitted ecology report states that there is some on-site habitat suitable for reptile species and therefore appropriate mitigation is required. Therefore a condition requiring the submission of a reptile precautionary method statement prior to commencement of development would be included in the event of planning permission being granted.
- 6.23 The proposed development is considered to comply with Policy NHE2 of the DMP with regard to ecology.

## Flooding and drainage

- 6.24 The site is located within flood Zone 1. A small area in the north-east corner is prone to low level surface water flooding, as are areas with the road. Whilst it is not considered that the addition of two dwellings would exacerbate any current drainage issues, it would be appropriate to require details of a drainage scheme to be submitted and approved prior to commencement of development. Subject to compliance with such a condition the scheme would be acceptable with regard to flooding and drainage matters and would comply with Policy CCF2 of the DMP.

## Sustainability, infrastructure and climate change

- 6.25 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. 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.

## Affordable Housing



- 6.26 Policy CS15 of the Core Strategy states that the Council will negotiate to achieve affordable housing taking account of the mix of affordable units proposed and the overall viability of the proposed development at the time the application is made.
- 6.27 However, in November 2014, the Government introduced policy changes through a Written Ministerial Statement and changes to the national Planning Practice Guidance which restrict the use of planning obligations to secure affordable housing contributions from developments of 10 units or less. These changes were given legal effect following the Court of Appeal judgement in May 2016.
- 6.28 In view of the Court of Appeal Judgement, and subsequent local appeal decisions which have afforded greater weight to the Written Ministerial Statement than the Council's adopted policy, the Council is not presently requiring financial contributions from applications such as this resulting in a net gain of 10 units or less. As such, there is no requirement for this scheme to provide an affordable housing contribution.

## CIL

- 6.29 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.

## Other Matters

- 6.30 It is noted that objection has been raised on the grounds of increased noise and disturbance and inconvenience during the construction phase. Whilst development can cause disturbance this is temporary in nature. Separate noise legislation is in place to deal with excessive disturbance, and it would be expected that works would be carried out with the hours outlined in informative 3 below. A condition requiring the submission of a construction transport management plan to be submitted would be included in the event of planning permission being granted.
- 6.31 Concern has been raised that the development would result in the loss of private view. Whilst impact on immediate outlook can be considered, there is no right to a view that can be protected within planning.
- 6.32 It is not considered that the proposed development would give rise to health impacts.

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## CONDITIONS

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

Plan Type	Reference	Version	Received
Block Plan	15/TA/HH/20	B.1	26.01.2023
Elevation Plan	15/TA/RP2/003	A	26.01.2023
Elevation Plan	15/TA/RP/005		08.12.2022
Proposed Plans	15/TA/RP2/002		08.12.2022
Floor Plan	15/TA/RP2/001		08.12.2022
Proposed Plans	15/TA/RP1/002		08.12.2022
Floor Plan	15/TA/RP1/001		08.12.2022
Elevation Plan	15/TA/RP1/003		08.12.2022
Arb / Tree Protection Plan	AS/CS/0821 TPP	C	08.12.2022
Arboricultural Plan	AS/CS/0821 TCP	C	C
Elevation Plan	15/TA/HH/19		08.12.2022
Section Plan	15/TA/RP2/004		08.12.2022
Proposed Plans	15/TA/HH/21	1.1	08.12.2022
Other Plan	15/TA/HH/12		08.12.2022
Site Layout Plan	15/TA/HH/04		08.12.2022
Floor Plan	15/TA/20		08.12.2022
Elevation Plan	15/TA/17		08.12.2022
Floor Plan	15/TA/18		08.12.2022
Elevation Plan	15/TA/16		08.12.2022
Floor Plan	15/TA/19		08.12.2022
Location Plan	15/TA/HH/01		08.12.2022
Block Plan	15/TA/HH/03	A.3	

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.

- 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.

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

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

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

If any of the new or existing tree/s or hedge/s, detailed and approved under this condition, are removed, die, or become significantly damaged or diseased within 5 years of completion, it/they shall be replaced before the expiry of one calendar year, to a planting specification agreed in writing by the Local Planning Authority. The hedges detailed shall be retained at a minimum height of 1 metre, or if new, once grown to this height thereafter.

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

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policies NHE3, DES1 and DES3 of the Reigate and Banstead Development Management Plan 2019.

6. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plan titled Revision 1 Drawing 15/TA/HH/20 B1 for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / turning areas shall be retained and maintained for their designated purposes.

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

7. 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: In recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework (2021) and Policy TAP1 for Parking, Access, and Servicing.

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

Reason: In recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework (2021) and Policy TAP1 for Parking, Access, and Servicing.

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

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

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

a) Ensure that the potential water consumption by occupants of each new dwelling does not exceed 110 litres per person per day.

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

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

11. Prior to the first occupation of the development full details (and plans where appropriate) of the waste management storage and collection points, including design and screening (and pulling distances where applicable), throughout the development shall be submitted to and approved in writing by the Local Planning Authority.

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

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

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

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or roof enlargements permitted by Classes A, B, C and D of Part 1 of the Second Schedule of the 2015 Order (as amended) shall be constructed without the prior approval of the Local Planning Authority.

Reason: To control any subsequent enlargements in the interests of the visual and residential amenities of the locality with regard to Reigate and Banstead Development Management Plan 2019 policy DES1 (add NHE9 as appropriate).

13. The first floor windows in the side elevations of both dwellings hereby permitted shall be glazed with obscured glass and shall be non-opening unless the parts of the window which can be opened are more than 1.7

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metres above the floor of the room in which the window is installed and shall be maintained as such at all times.

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

14. No development above ground level shall commence until a scheme to provide positive biodiversity benefits, informed by a preliminary ecology appraisal, has been submitted to and approved in writing by the local planning authority (LPA). This should be designed alongside the soft landscaping proposals for the site. The biodiversity enhancement measures approved shall be carried out and maintained in strict accordance with these details or as otherwise agreed in writing by the LPA, and before occupation of this development.

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.

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 include wildlife friendly access and 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. No development shall commence until a strategy for the disposal of surface and foul water is submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: To ensure that the site is satisfactorily drained and in order to protect water and environmental quality with regard to Policy CS10 of the Core Strategy 2014, Policy CCF2 of the Development Management Plan 2019 and the NPPF.

17. The surface and subbase of the extended and new areas of hardstanding (driveway, patio, decking) hereby approved shall be permeable and/or connected to drainage within the property boundary to prevent surface water from flowing beyond the property boundaries or onto the road.

Reason: To prevent an increased risk of flooding with regard to Reigate and Banstead Development Management Plan 2019 policy CCF2.

18. No development shall commence until an appropriately detailed Construction and Environment Management Plan (CEMP) detailing how habitats and species will be protected from any adverse impacts as a result of construction has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:
- Map showing the location of all of the ecological features
  - Risk assessment of the potentially damaging construction activities
  - Practical measures to avoid and reduce impacts during construction, including to trees considered to have bat roosting suitability, and to any badger setts
  - Location and timing of works to avoid harm to biodiversity features
  - Responsible persons and lines of communication
  - Use of protected fences, exclusion barriers and warning signs.

Reason: To ensure that the development does not result in harm to the existing biodiversity of the site and in the interests of retaining and enhancing other valued priority habitats and features of biodiversity importance with regard to Reigate and Banstead Development Management Plan 2019 policy NHE2.

## 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.
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

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(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.
10. The use of a suitably qualified arboricultural consultant is essential to provide acceptable submissions in respect of the arboricultural tree condition above.



All works shall comply with the recommendations and guidelines contained within British Standard 5837.

11. The use of landscape/arboricultural consultant is considered essential to provide acceptable submissions in respect of the above landscaping condition. The planting of trees and native hedging shall be in keeping with the character and appearance of the locality. There is an opportunity to incorporate structural landscape trees into the scheme to provide for future amenity and long term continued structural tree cover in this area. It is expected that the replacement structural landscape trees will be of [Semi-Mature/Advanced Nursery] stock / [Extra Heavy Standard/Heavy Standard] size with initial planting heights of not less than [6m/4.5m/4m/3.5m] with girth measurements at 1m above ground level in excess of [20/25cm/16/18cm/14/16cm/12/14cm].
12. The applicant should take action to ensure that development activities such as demolition and vegetation or site clearance are timed to avoid the bird nesting season of early March to August inclusive.
13. The applicant should ensure that the proposed development will result in no net increase in external artificial lighting at the development site, in order to comply with above referenced legislation and the recommendations in "BCT & ILP (2018) Guidance Note 08/18. Bats and artificial lighting in the UK. Bats and the Built Environment. Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby".
14. The applicant should be aware that suitable habitat for great crested newt exists within the development site and that should great crested newt be identified during works, all work should cease immediately, and advice sought from Natural England or a qualified specialist.
15. Measures should be taken to enhance the site for European hedgehog including:
  - Ensuring the species can move across the landscape by creating gaps into all close boarded fencing
  - Creating a wild corner with minimal habitat management
  - Incorporating hedgehog homes into the development.
16. This development offers opportunities to restore or enhance biodiversity and such measures will assist the LPA in meeting the above obligation and also help offset any localised harm to biodiversity caused by the development process. The development should progress in line with the Ecological Report and incorporate the following:
  - Bird and bat boxes erected on or integral within the new building and/or on mature trees
  - Hedgehog houses
  - Log piles
  - Gaps in any close-boarded fencing

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- Sensitive landscaping scheme including planting of additional trees and wildlife-friendly shrubs.

17. The applicant is expected to ensure the safe operation of all construction traffic in order to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. Where repeated problems occur the Highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.

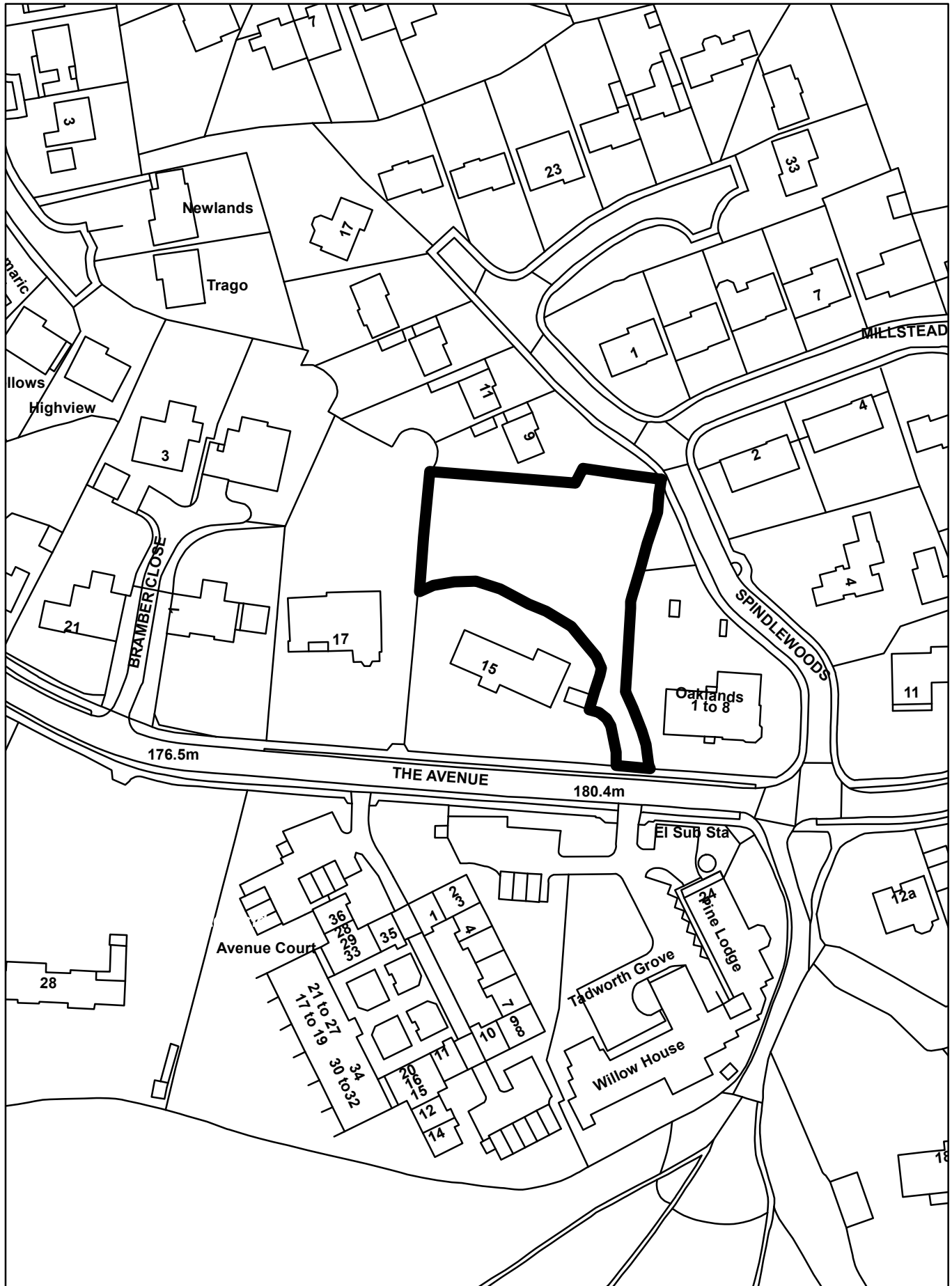
## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against the NPPF 2021 and Development Management Plan policies DES1, DES2, DES3, DES4, DES5, DES8, DES9, NHE2, NHE3, NHE9, TAP1, CCF1, INF3 and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

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

22/02709/F - Farm Corner, 15 The Avenue, Tadworth

Agenda Item 7





Lake Field Barn, Bullen Road, Ryde  
blacksandam@gmail.com

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**SITE**  
Land R/O 15 The Avenue, Tadworth,  
Surrey,  
KT20 5AY

**PROJECT**  
2 Proposed new dwellings

**PROPOSED BLOCK PLAN - REVISED**

<b>SCALE</b> 1:500@A3	<b>DATE</b> Jan 2023	<b>DRAWN BY</b> R Esdaile
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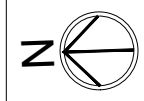
**AMENDMENTS**  
A.1 - Revisions to Plot 2  
A.2 - Revisions to plot 2 051222  
A.3 - Plot 2 relocation

<b>DRAWING NO.</b> 15/TA/HH/03	<b>REVISION</b> A.3
-----------------------------------	------------------------

**NOTES**



R Esdaile  
enquiry.squares@gmail.com



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**Note:**  
 The house was built in 1912 with a North/South orientation. The front door faces away from the highway, with the rear amenity garden situated between the house and the road. The new houses are to be built on a former grass tennis court in the front of the existing house.

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**SITE**  
 Land R/O 15 The Avenue, Tadworth, Surrey, KT20 5AY

**PROJECT**  
 2 Proposed new dwellings

**ADDITIONAL PROPOSED SITE PLAN**

<b>SCALE</b> 1:250@A3	<b>DATE</b> Jan 2023	<b>DRAWN BY</b> R Esdaile
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**AMENDMENTS**

- A.1 - Revisions to plot 2
- A.2 - Plot 2 rotated 7° North
- A.3 - Restricted planting area
- B.1 - Plot 2 and bin stores relocated

<b>DRAWING NO.</b> 15/TA/HH/20	<b>REVISION</b> B.1
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**NOTES**  
 SHOWING INCREASED DETAIL FOR APPEAL

Site Area = 2030m<sup>2</sup> (0.203Ha)

1) SUDS size as calculated by a drainage engineer having regard to the permeability of the sub soil across the site

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Scale Bar 1:100@A3  
 0 1 2 3 4M



FRONT ELEVATION S.E



SIDE ELEVATION S.W



REAR ELEVATION N.W



SIDE ELEVATION N.E



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 blacksandam@gmail.com

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**SITE**  
 15 The Avenue, Tadworth, Surrey,  
 KT20 5AY

**PROJECT**  
 Proposed new dwellings

**REVISED PLOT 2 ELEVATIONS**

<b>SCALE</b> 1:100@A3	<b>DATE</b> Nov 22	<b>DRAWN BY</b> D.Seaward
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**AMENDMENTS**

- Revised parapet design

<b>DRAWING NO.</b> 15/TA/RP2/003	<b>REVISION</b> A
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- MATERIALS**
- Roof tiles - Alderbury multi by Clay and Slate
  - Brickwork - Hampton Rural Blend by Forterra
  - Gutters and downpipes - Lindaub anthracite grey
  - Windows - White timber RAL 9010 pure white
  - Render - Off white RAL 9003
  - Open rafters and ogee profile gable fascia boards - 9010 pure white
  - Conservation roof lights



R Esdaile  
 enquiry.squares@gmail.com





SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION



EAST ELEVATION

**BlackSand**  
Asset Management Ltd

Lake Field Barn, Bullen Road, Ryde  
blacksandam@gmail.com

**SITE**  
LAND R/O 15 The Avenue, Tadworth, Surrey,  
KT20 5AY

**PROJECT**  
Proposed 2 new dwellings

**PLOT 1 REVISED  
ELEVATIONS**

<b>SCALE</b> 1:100@A3	<b>DATE</b> Nov 2022	<b>DRAWN BY</b> D.Seaward
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**AMENDMENTS**

<b>DRAWING NO.</b> 15/TA/RP1/003	<b>REVISION</b> /
-------------------------------------	----------------------

**MATERIALS**

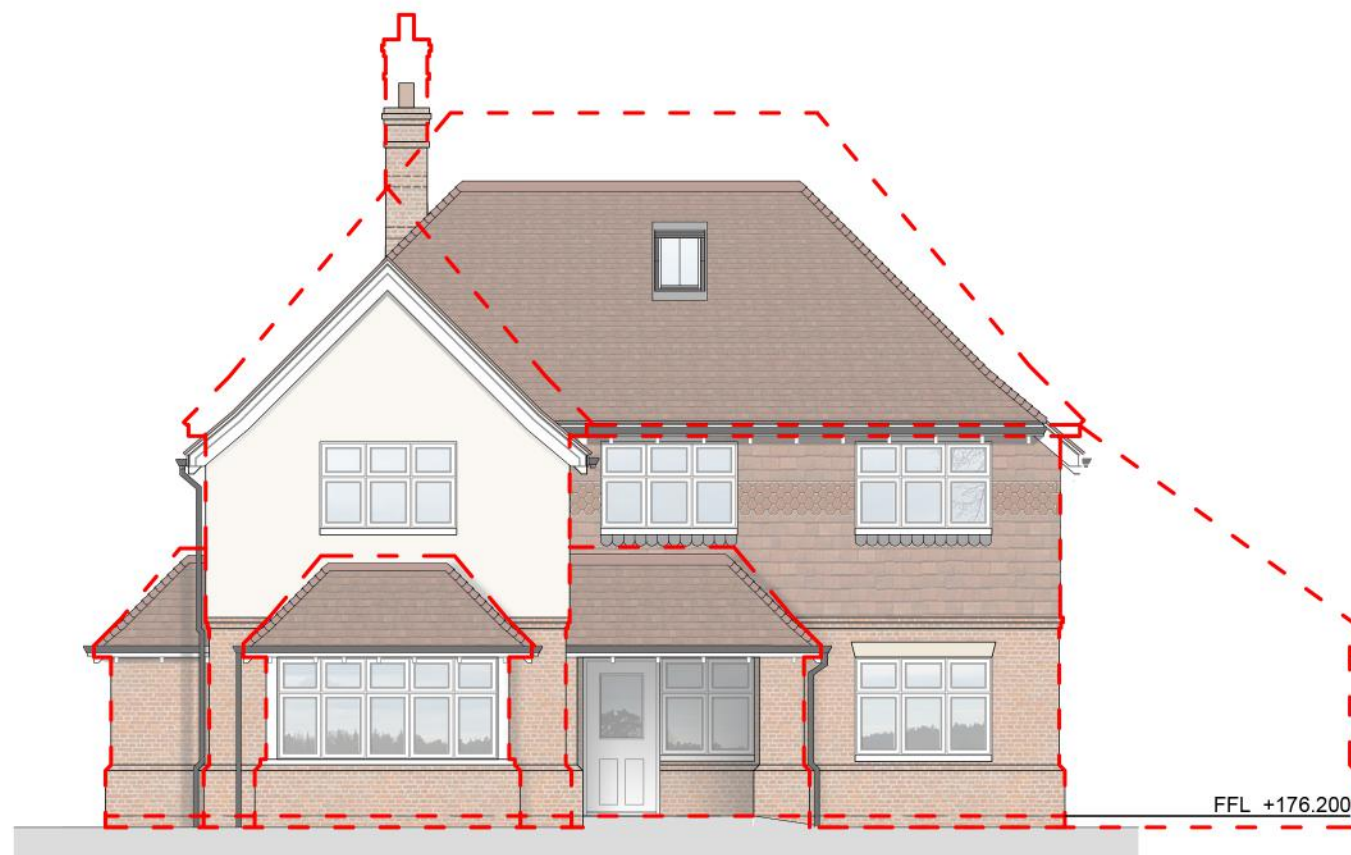
- Vertical tiles - Alderbury multi by Clay and slate - with decorative detailing as shown
- Roof tiles - Alderbury multi by Clay and Slate
- Brickwork - Hampton Rural Blend by Forterra
- Gutters and downpipes - Lindaub anthracite grey
- Windows - White timber RAL 9010 pure white
- Render - Off white RAL 9003
- Open rafters and ogee profile gable fascia boards - 9010 pure white
- Conservation roof lights

**SEAWARD CAD SERVICES**

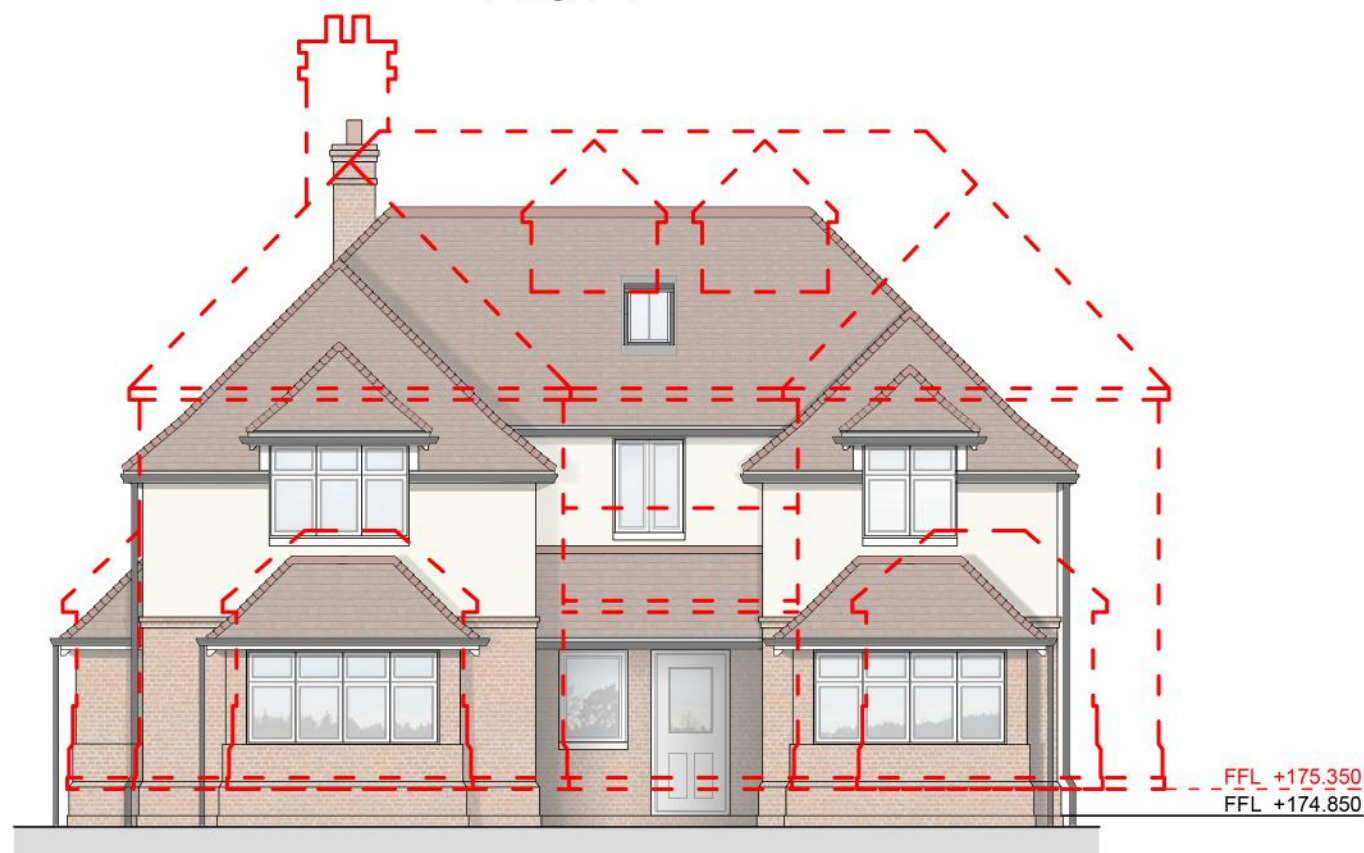
D. F. SEAWARD

17 Argyll Street  
Ryde  
PO33 3BZ  
07815157920





PLOT 1



PLOT 2

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Lake Field Barn, Bullen Road, Ryde  
blacksandam@gmail.com

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**SITE**  
LAND R/O 15 The Avenue, Tadworth, Surrey,  
KT20 5AY

**PROJECT**  
Proposed 2 new dwellings

**Reduction of Height and Scale  
and Increased Distance from the  
Boundary with 9 Spindlewoods**

<b>SCALE</b> 1:100@A3	<b>DATE</b> Nov 2022	<b>DRAWN BY</b> D.Seaward
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**AMENDMENTS**

<b>DRAWING NO.</b> 15/TA/RP/005	<b>REVISION</b> /
------------------------------------	----------------------

**SEAWARD CAD SERVICES**

D. F. SEAWARD


17 Argyll Street  
Ryde  
PO33 3BZ  
07815157920



# Agenda Item 8

Planning Committee  
8<sup>th</sup> March 2023

Agenda Item: 8  
22/02391/F

 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	<b>TO:</b>	PLANNING COMMITTEE	
	<b>DATE:</b>	8 <sup>th</sup> March 2023	
	<b>REPORT OF:</b>	HEAD OF PLANNING	
	<b>AUTHOR:</b>	Matthew Sheahan	
	<b>TELEPHONE:</b>	01737 276514	
	<b>EMAIL:</b>	Matthew.sheahan@reigate-banstead.gov.uk	
<b>AGENDA ITEM:</b>	8	<b>WARD:</b>	RGT - Reigate

<b>APPLICATION NUMBER:</b>	22/02391/F	<b>VALID:</b>	28/10/2022
<b>APPLICANT:</b>	Roebuck Close Ltd	<b>AGENT:</b>	Russ Drage Architects
<b>LOCATION:</b>	<b>ROEBUCK HOUSE BANCROFT ROAD REIGATE SURREY RH2 7RP</b>		
<b>DESCRIPTION:</b>	<b>Full planning application for the partial infill of the existing undercroft car park to form five new apartments (2 x 2 Bed 4 Person and 3 x 1 Bed 2Person) together with waste and cycle storage, the addition of 8 new balconies at first floor level, the addition of a new front entrance from Roebuck Close to the existing ground floor office unit and the retention of 25 car parking spaces</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 infilling of part of the existing ground floor of Roebuck House, Reigate, to create five new flats, with associated parking, refuse and cycle storage. The existing ground floor office unit would be retained. The site is located on the corner of Roebuck Close and Bancroft Road in Reigate and is within the Reigate Conservation Area. The building is currently vacant however was formerly occupied as office accommodation and has been granted consent via a prior approval application for the conversion of the upper floors to 22 residential flats.

The proposal would see part of the existing undercroft parking area on the ground floor be converted to 2 x 2 bed flats and 3 x 1 bed flats, along with the addition of small balconies to the proposed flats on the first floor. The height and form of the building would remain unchanged. Three of the flats would address Roebuck Close whilst the remaining two would face the rear of the site. The principle of the conversion to a residential use is considered acceptable given the extant prior approval consent. The character of the road is now very much residential, given the presence of Churchfield Court to the east, and Vale House to the south, which also benefits from prior approval consent to develop the previous office use to residential. The choice of materials for the proposed flats and balconies would be acceptable

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and in keeping with the character of the conservation area and would not be harmful to the character of the street scene. The remaining office unit on the ground floor would see part of the active ground floor frontage retained on the corner of the road where it would be most visible, which would be of benefit to the more commercial nature of Bancroft Road.

The relationship between the building and neighbouring properties would be acceptable. There would be reasonable separation between the front elevations that would be similar to many residential streets, such that there would not be undue overlooking between properties. The physical relationship would be similar to that experienced with the previous office use.

The proposal would see a further 5 flats created, bringing a total of 27, for which 25 spaces are provided (equivalent to 0.85 spaces per flat). Parking provision would fall short of that required by the Councils' parking standards as contained within the Development Management Plan 2019. However the site is within a highly sustainable location, with convenient access to local services and various forms of public transport and the DMP accepts that below standard parking provision may be accepted in accessible town centre locations. The County Highway Authority (CHA) has raised no objection with regard to parking or impact on highway safety. Sustainable travel will be encouraged through the provision of cycle storage facilities and electric vehicle charging points. A travel information pack, secured by condition, will notify residents of public transport opportunities and encourage their use. The majority of flats would be 1-bed and so have a lower likelihood of car ownership and overall the proposal is considered acceptable in this regard.

The site has been deemed acceptable with regards to flooding and drainage details can be secured by condition. There are opportunities to incorporate soft landscaping in to the scheme, which again can be secured by way of a condition.

In view of the above it is considered that the scheme would be acceptable with regard to its design and impact on the character of the wider area, impact on neighbouring amenity, parking and other highway matters, drainage and landscaping, in compliance with the relevant policies of the Reigate and Banstead Development Management Plan 2019 and National Planning Policy Framework 2021.

## **RECOMMENDATION(S)**

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

## Consultations:

Highway Authority: The proposed development has been considered by the county highway authority who having considered any local representations and having assessed the application on safety, capacity and policy grounds, has raised no objections subject to the imposition of appropriate conditions and informatives.

Environment Agency (EA): The application has been assessed and the proposed development would be covered by the EA standing advice.

Surrey County Council Lead Local Flood Authority: No comments made on this application. Previous applications advised that a finalised drainage scheme can be secured by conditions and informative.

Surrey County Council Archaeological Officer: Although the site borders an Area of High Archaeological Potential, the construction of the current building will have disturbed any archaeological potential within its 'footprint. On the basis that the scheme would not result in new below ground disturbance no objection is raised.

Contaminated Land Officer: No objection subject to an informative advising the applicant of their responsibilities with regard to groundworks and the potential presence of contaminated land from previous historic uses.

## Representations:

Letters were sent to neighbouring properties on 3<sup>rd</sup> November 2022, a site notice was posted 22<sup>nd</sup> November 2022 and advertised in local press on the 17<sup>th</sup> November 2022.

2 responses have been received raising the following issues:

Issue	Response
Inadequate parking	See paragraphs 6.23-6.29
Increase in traffic and congestion	See paragraphs 6.23-6.29
Hazard to highway safety	See paragraphs 6.23-6.29
Inconvenience during construction	See paragraphs 6.23-6.29 and informative 2.
Overlooking and loss of privacy	See paragraphs 6.13-6.18
Overdevelopment	See paragraphs 6.3-6.12

## 1.0 Site and Character Appraisal

1.1 The site is occupied by a three storey former office building on the corner of Bancroft Road and Roebuck Close within Reigate town centre. The building is currently vacant and dates from the mid-late 1980s. The design and

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appearance of the building is of its' period, featuring a mix of hipped roofs with pitched roof gables to the front and side elevations of the building.

- 1.2 The materials comprise multi-stock brickwork and plain tiles to the roof. The windows are UPVc with blue coloured plastic framing. The building features former office accommodation at the first and second floors, with a smaller single office unit on the ground floor fronting Bancroft Road and Roebuck Close. Existing parking is found on the ground floor underneath the building and spreading out to the rear.
- 1.3 The site benefits from the granting of permission via a prior approval application for the conversion of the upper floors in to 22 residential flats.
- 1.4 The site is within the town centre of Reigate, which is typically mixed in terms of land uses, featuring as it does a wide range retail and commercial services. The site is in a sustainable location, being in close proximity to a number of bus stops with routes across and beyond the borough, as well as being less than 1 Km from Reigate train station. The site is within the Reigate Conservation Area and a primary shopping area.

## 2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: Pre-application advice was not sought from the local planning authority prior to the submission of the application.
- 2.2 Improvements secured during the course of the application: Improvements have not been secured during the course of the application as the proposed development is considered to be acceptable.
- 2.3 Further improvements to be secured through the use of conditions: Further improvements could be secured by way of suitably worded conditions and informatives.

## 3.0 Relevant Planning and Enforcement History

- |     |                |   |  |
|-----|----------------|---|--|
| 3.1 | 21/01796/PAP3O | The proposals relate to all floors of the building currently in office use and are to change the use of those floors to provide 29 new flats comprising 23 one bedroom flats and 6 two-bedroom flats. | Prior approval refused 23 <sup>rd</sup> August 2021        |
| 3.2 | 21/02800/PAP3O | Change of use of floorspace (on part of the ground floor and at first and second floor level) and land within its curtilage from Class E office use to 22 residential apartments (and                 | Prior approval not required 13 <sup>th</sup> December 2021 |

associated car parking, cycle parking and bin storage) with a Class C3 dwellingshouse use.

3.3 The following application relates to Vale House Roebuck Close:

21/02082/PAP30	Prior Approval pursuant to Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for change of use from offices (Use Class B1a) to residential (Use Class C3) to accommodate 42 residential units.	Prior approval not required 21 <sup>st</sup> September 2021
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## 4.0 Proposal and Design Approach

4.1 This is a full application for the partial infill of the existing undercroft car park of Roebuck House to form five new apartments (2 x 2 Bed 4 Person and 3 x 1 Bed 2 Person) together with waste and cycle storage, the addition of 8 new balconies at first floor level, the addition of a new front entrance from Roebuck Close to the existing ground floor office unit and the retention of 25 car parking spaces.

4.2 It is proposed to retain the existing building at its current height and the form would remain largely unchanged. It is proposed to introduce small balconies to the first floor flats, which have already been granted consent via a prior approval application 21/02800/PAP30. The external staircase to the east side of the building would be retained.

4.3 The main changes to the building would take place on the ground floor. It is proposed to retain the existing office to the north east corner of the ground floor. In addition, a portion of the ground floor would be turned over to residential use in the form of 5 flats. Three of these would address Roebuck Close, whilst the two remaining flats would be located to the rear of the building, along with the refuse storage area. Parking would be located to the rear and side, along with secure cycle storage, which would be behind the existing staircase. The two rear most flats would be separated from the parking area by small private patio areas.

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

- Assessment;

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- Involvement;
- Evaluation; and
- Design.

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

Assessment	<p>Roebuck House is described as being typical of many offices built in the area during the 1980s. The building adopts a common commercial vernacular style using traditional materials that is reasonably sympathetic to the wider town centre location.</p> <p>Red brick elevations are set above an arcaded ground floor that takes the form of a series of wide, shallow arches.</p> <p>The site is identified as being located within the Reigate Conservation Area. However, the site and the area to the north of Bancroft Road that includes the multistorey carpark, are outside of the CA the boundary of which runs along the western site boundary, demarcating the extent of the properties on the eastern side of Bell Street. The Chart Lane Conservation Area is identified as being located to the east of the site, which comprises the large open spaces of the playing fields and Reigate Cemetery to either side of Chart Lane itself.</p> <p>Five listed buildings, 37, 39, 41, 49 and 51 Bell Street are within the row of buildings that form the eastern side of Bell Street, three of which back on to the site.</p> <p>It is stated that in relation to the Reigate CA, the topography and street pattern of the town centre, together with the tight clustering of buildings ensure that Roebuck House remains relatively hidden within the fabric of the town.</p>
Involvement	It is not stated that community consultation took place.
Evaluation	The statement does not include any evidence of other development options being considered, however the application follows a previous proposal to develop the site further through the creation of an additional storey.
Design	The proposal has been designed to work with the character and style of the existing building and reflect the character of the conservation area in terms of external elevational changes.

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

Site area	0.15Ha
Existing use	Formerly Offices (Class E). Building currently being converted to residential use (Class C3).
Proposed use	Residential (C3)
Existing parking spaces	51
Proposed parking spaces	25
Parking standard	DMP Accessibility Level - Medium Residential requirement – 33 Office Requirement – 1 space per 30sq. m (Max. Standards) 4 spaces required
Number of affordable units	0
Net increase in dwellings	5

## 5.0 Policy Context

### 5.1 Designation

Urban area  
Reigate Conservation Area  
Flood Zone 2  
Primary Shopping Area  
Air Quality Management Area  
Area of High Archaeological Potential  
Surface Water Flooding

### 5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)  
CS4 (Valued Townscapes and Historic Environment)  
CS5 (Valued People/Economic Development),  
CS7 (Town/Local Centres),  
CS10 (Sustainable Development),  
CS11 (Sustainable Construction),  
CS14 (Housing Needs)  
CS15 (Affordable Housing)  
CS17 (Travel Options and accessibility)

### 5.3 Reigate & Banstead Development Management Plan 2019

Design, Character and Amenity (including housing)	DES1, DES2, DES4, DES5, DES6 DES8, DES9, DES10
Landscape & Nature Conservation	NHE3

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Heritage	NHE9
Employment	EMP4
Transport, Access and Parking	TAP1, TAP2
Climate Change Resilience and Flooding	CCF1, CCF2

## 5.4 Other Material Considerations

National Planning Policy Framework 2021

National Planning Practice Guidance

Supplementary Planning Guidance

Surrey Design  
Local Distinctiveness Design Guide  
Vehicle and Cycle Parking  
Guidance 2018  
Householder Extensions and Alterations  
Affordable Housing

Other

Human Rights Act 1998  
Community Infrastructure Levy  
Regulations 2010

## 6.0 **Assessment**

6.1 The application site is situated within the urban area where there is a presumption in favour of sustainable development and where the principle of such residential development is acceptable in land use terms. The existing building benefits from permission to convert the first and second floors into residential use (22 flats) therefore the principle of the conversion of the building to residential has been established. The acceptability of the proposal rests with considering whether the creation of five additional flats would be acceptable with regards to the design and the impact on the character of the street and wider conservation area, impact on neighbouring properties, amenity for future occupiers, highway and parking matters, flooding and drainage, landscaping improvements and other material considerations.

6.2 The main issues to consider are:

- Design appraisal
- Impact on Neighbouring amenity
- Amenity for future occupiers
- Highway matters
- Landscaping
- Flooding and Drainage
- Sustainability, Infrastructure and Climate Change



- Affordable Housing
- Community Infrastructure Levy
- Other matters

## Design appraisal

- 6.3 The site is located within the Reigate Conservation Area and is located on a visually prominent corner plot between Bancroft Road and Roebuck Close. The southern end of the building is also visible through gaps between buildings on Bell Street to the south west, a number of which are statutory listed. Therefore changes to the building have the potential to impact on the character and wider setting of the Conservation Area.
- 6.4 Paragraph 189 of the NPPF 2019 recognises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 6.5 Paragraph 195 states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. In determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 6.6 When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (paras. 197-199).
- 6.7 Policy NHE9 of the Councils' Development Management Plan 2019 (DMP) states that development within or affecting the setting of a conservation area must preserve, and where possible, enhance the Conservation Area, paying particular regard to those elements that make a positive contribution to the character of the Conservation Area and its setting, and the special architectural or historic interest of the area.
- 6.8 In this instance it is not considered that the scheme would result in harm to the Conservation Area. The height, scale and overall form of the building

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would not be changing significantly, with the main changes being to the first floor in the form of small balconies and the addition of flats to part of the ground floor. The balconies to the east elevation facing Roebuck Close, which would be the most visible, would not detract from the street given their small size, and would be black painted metal railings that would be appropriate for the conservation area. Churchfield Court, a residential building opposite the site, also has similar balconies facing the close.

- 6.9 The Conservation Officer has commented on the application and has not raised objection to the scheme, and has recommended conditions to control materials, fenestration, the placement of solar panels and landscaping. The materials proposed would reflect those found within the wider area, as would the proposed windows, which would change from a blue colour to a darker black, which would be more sympathetic and in keeping with the Conservation Area. Additionally the existing blue external staircase to the south of the building, which at present detracts from the character of the area, would be conditioned to be painted black, which would be a considerable visual improvement.
- 6.10 The creation of five additional flats would see the partial infilling of existing open archways serving the existing ground floor parking area to create front entrances to three of the flats with small patio areas to the front. This would result in an obvious visual change from an office building to one that is clearly residential; however this change in character would not be harmful. The character of the road is already predominantly residential. The flats would be set in from the front elevation, with the form of the existing arches remaining, meaning the form would not be substantially changing.
- 6.11 A block of flats (Churchfield Court) is located opposite the site, and Vale House to the southern end of the road has also been granted consent via prior approval of the change of use from an office building to 42 flats. Therefore the character of the road is changing from one that is commercial to residential, and the appearance of the ground floor would not be harmful in this context. The existing ground floor office building on the corner of the road would be retained, thus part of the active ground floor frontage would be maintained. This would be appropriate given that Bancroft Road is more commercial in nature.
- 6.12 In summary the proposed changes to the building and addition of five additional flats would be acceptable and would not result in harmful impact on the character and appearance of the Conservation Area. The scheme is therefore considered to comply with the requirements of the NPPF and Policies DES1 and NHE9 of the DMP in terms of design.

## Neighbour amenity

- 6.13 The nearest residential properties to the site are found at Churchfield Court to the east, located diagonally opposite Roebuck House. There is a separation distance of 13m between these two buildings at the closest point, widening to 20m further to the south. The upper floors of Roebuck House have consent

for conversion to residential. Whilst the current proposal would see the introduction of small balconies to the first floor, this would not substantially increase the level of view that would be afforded to opposing flats, which themselves feature small balconies to the principal elevation.

- 6.14 The proposed ground floor flats would also face part of Churchfield Court, however the relationship would not be untypical of residential properties facing each other on a residential street, therefore it is not felt that there would be harm in terms of overlooking or loss of privacy.
- 6.15 Vale House is located approx.35m to the south of the site. The located of the flats under the existing building would not give rise to amenity harm due to their position and distance from these flats.
- 6.16 RDO Kitchens, located to the west of the site, is an established retail unit. Given that the proposed development would take place within the envelope of the existing building, the proposed development would have a neutral impact on this property.
- 6.17 Roebuck House is currently vacant, therefore the increase in vehicular movements has the potential to generate noise and disturbance that could be harmful. However the former office use needs to be taken in to account when considering whether there would be harm in this regard. In this case the amount of parking would be less than that provided for the office, therefore a likely decrease in the number of vehicles entering an exiting the site. Therefore there would likely be a modest improvement. It is also the case that residential properties here are located within a town centre and in close proximity to Bancroft Road (A217), the main road through the town centre, which generates a significant amount of traffic and associated noise and disturbance. Within this wider context it is not considered there would be a harmful level of noise additional noise generated.
- 6.18 Taking in to account the above the proposed development would have an acceptable level of impact on the amenity of neighbouring properties and would comply with Policy DES1 in this regard.

### Amenity for future occupiers

- 6.19 It is a fundamental objective of planning policy and stated within the National Planning Policy Framework 2021 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. Policy DES2 requires developments to be designed to ensure a good standard of amenity for all existing and future occupants.

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- 6.20 The application proposes an additional 5 flats (2x2 bed 4 person and 3x1 bed 2 person flats). A 2 bed 4 person flat requires 70 sqm of internal floorspace, whilst a 1 bed 2 person flat requires 50 sqm. Having considered the submitted plans each of the proposed flats would meet these requirements in terms of floorspace. Habitable rooms would be well served by appropriately placed windows that would allow for a reasonable amount of light and outlook for future occupants. Rooms would be well spaced out and would not be awkwardly laid out or cramped.
- 6.21 Each of the flats would be provided with small patio areas to the front. There are a large number of flats throughout the town centre that do not have access to private outdoor amenity space therefore, whilst the patios would be relatively small, their provision would be a positive addition. The site is within easy walking distance to Priory Park, meaning opportunities for outdoor recreation are within close proximity.
- 6.22 In light of the above considerations the proposed flats are considered to provide an appropriate living environment for future occupants, in line with Nationally Described Space Standards and the requirements of Policies DES2 and DES5 of the DMP.

## Highway Matters

- 6.23 The site is located within an area of medium accessibility location as defined within Annex 4 of the DMP. On this basis a total of 6 spaces would be required for the five additional flats (including 1 visitor space). The extant scheme for 22 flats would require 27 spaces. Therefore in total 33 residential parking space would be required. In addition 4 spaces would be required for the retained office, for which maximum standards are applied, meaning a total of 37 spaces would be required. The scheme proposes 25 spaces for all occupants, which would be a short fall of 12. The proposed office space would require maximum standards to be applied therefore theoretically none could be provided, in which case there would be shortfall of 8 spaces.
- 6.24 Policy TAP1 of the DMP states that car parking and cycle storage for residential and non-residential development in accordance with adopted local standards (see Annex 4) unless satisfactory evidence is provided to demonstrate that non-compliance would not result in unacceptable harm. Such evidence could include on-street parking surveys, evidence of parking demand, and/ or further information on accessibility. Development should not result in unacceptable levels of on-street parking demand in existing or new streets.
- 6.25 Annex 4 of the DMP is clear that within and adjacent to town centres lower levels of parking will be expected, taking account of, amongst other things, public transport accessibility, walking and cycling accessibility and existing parking provision in the town centre.
- 6.26 In this instance the highly sustainable location of the site should be given considerable weight in considering whether the shortfall would be acceptable.

The site is highly accessible by non-car modes of transport to key services such as food and non-food retail and education within 400m of the site. The nearest train station (Reigate) is 0.5km away and there are a number of bus stops within easy walking distance, including on the corner of Bancroft Road and Roebuck Close, with multiple routes across the borough and further afield.

- 6.27 The area surrounding the site has an extensive range of on-street parking restrictions including double yellow lines on Roebuck Close and Bancroft Road, meaning that no parking is allowed at any time where there are double yellow lines, and no parking is permitted Monday to Saturday 0800h and 1830h where there are single yellow lines. On this basis the County Highway Authority (CHA) have not raised concern that the development would result in impact on highway safety in terms of parking and/ or capacity grounds and therefore raise no objection.
- 6.28 A total of 5 spaces would be provided with an electric vehicle charging point and secure cycle storage for 30 bicycles will be provided. This would meet the Councils' standards and aims of encouraging more sustainable forms of travel.
- 6.29 Taking into account the above it is considered that the proposal would be acceptable with regards to parking provision, and it is not the view that the scheme would give rise to harm to the safe operation of the highway or result in unacceptable on-street parking. The scheme would therefore comply with Policy TAP1 of the DMP.

### Landscaping

- 6.30 At present, given the former office use, the site devoid of landscaping. It is felt that there is opportunity to incorporate some soft landscaping within the site, which would be appropriate given the change to a residential use, as well as the added benefit of improving the character of the street and surrounding area. Therefore a condition requiring the submission of a landscape scheme for approval prior to commencement of development would be included should planning permission be granted. Subject to compliance with this condition the proposal would be acceptable with regards to landscaping.

### Flooding and drainage

- 6.31 The site is located within flood zones 2. Parts of the site are subject to low risk surface water flooding (1-1000 years). A Flood Risk Assessment (FRA) has been submitted in support of the application, in which it is stated that the site is at medium risk of fluvial flooding (due to flood zone 2 location), and low risk of surface water, ground water and sewer flooding.
- 6.32 The mapping shows fluvial flood extents associated with the Wallace Brook 'main river', which flows in a westerly direction through the Reigate Memorial Gardens to a point approximately 50m east of the site where it is joined by an

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unnamed tributary from the south and then flows into a surface water sewer heading west below Roebuck Close and Reigate Priory Junior School.

- 6.33 The current EA Flood Zone information is based on indicative JFLOW hydraulic modelling. A detailed Flood Modeller Pro 1D – TUFLOW 2D hydraulic model of the Wallace Brook, unnamed tributary and surface water sewer into which they flow has been constructed by Waterman Infrastructure & Environmental Limited to improve the understanding of flood risk in this area. This modelling has been approved by the EA.
- 6.34 The 1% (100yr) AEP (current Flood Zone 3 equivalent) results of the study suggest that out of bank flows initially occur on the left bank of the Wallace Brook and travel through the Reigate Memorial Gardens to the right bank of the unnamed tributary and contributes to flows that breach the left bank of the tributary. Flood water then passes in a westerly direction across the southern end of Roebuck close (at the northern end of Vale House and to a lesser extent along Bancroft Road past the junction with Roebuck Close. Peak flood levels during this event are shown to reach 79.201m AOD along Roebuck Close before dropping to what is actually a greater depth but still under 200mm below a peak of 78.541m AOD along Bancroft Road.
- 6.35 With regard to fluvial flooding, Roebuck House is shown to be flood free in all modelled events, with flood depths of less than 200mm along Roebuck Close in 1% (100yr) AEP + 35% 'Higher Central' Climate Change 'design event. The approved detailed modelling assessment shows there is no significant risk to the site.
- 6.36 Regarding surface water flooding the EA's Surface Water Flood Risk mapping (Figure 8) shows the majority of the existing Roebuck House building footprint to be at no risk, with the rear car park at a 'low' risk from this source. While the Roebuck Close risk may be compounded by some additional rainfall run-off, these flows come from the south and this is largely as a result of the fluvial risk highlighted.
- 6.37 Regarding the risk from groundwater flooding the site lies in a highly urbanised area, largely surrounded by impermeable man-made surfaces that are likely to cap any potential emergence of ground water. The site is also shown to be on a local high point and on this basis there is considered to be at a low risk of groundwater emergence and flooding.
- 6.38 The Environment Agency has reviewed the application and has referred the Council' to its own standing advice for vulnerable developments. The FRA confirms that finished floor levels (FFL) would be greater than 300mm above 78.541m AOD peak design flood levels along Bancroft Road. The FRA also sets out further measures to be put in place, including the use of permeable materials, ground supported solid slab ground floors, and low permeability floor coverings, walls constructed of low water penetration materials.
- 6.39 Residents are able to sign up the EA Flood Alert service, and information on this can be provided to residents. Regarding access and egress in the event

that persons need to evacuate the building at the peak of a design flood event (when the building is shown to remain dry), a safe access and egress route exists north along Roebuck Close and right/east along Bancroft Road to completely dry land.

- 6.40 No development is proposed in any high risk areas (Flood Zone 3) that could influence any fluvial flooding elsewhere. Given there would be no change in impermeable surfacing it is not considered that the scheme would generate a greater increase in rainfall runoff rates will be no need to change the existing surface water drainage arrangement as a result of this development. A condition requiring the submission of details of the surface water drainage scheme would be secured by condition.
- 6.41 In view of the above the scheme is considered to be acceptable with regard to flooding and drainage matters and would comply with the requirements of the NPPF and Policy CCF2 of the DMP in this regard.

### Sustainability, infrastructure and climate change

- 6.42 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. 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.

### Affordable Housing

- 6.43 Core Strategy Policy CS15 and the Council's Affordable Housing SPD require financial contributions towards affordable housing to be provided on housing developments of 1-9 units. However, in November 2014, the Government introduced policy changes through a Written Ministerial Statement and changes to the national Planning Practice Guidance which restrict the use of planning obligations to secure affordable housing contributions from developments of 10 units or less. These changes were given legal effect following the Court of Appeal judgement in May 2016.
- 6.44 In view of this, and subsequent local appeal decisions which have afforded greater weight to the Written Ministerial Statement than the Council's adopted policy, the Council is not presently requiring financial contributions from applications such as this resulting in a net gain of 10 units or less. The absence of an agreed undertaking does not therefore warrant a reason for refusal in this case

### Community Infrastructure Levy (CIL)

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- 6.45 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.

## Other Matters

- 6.46 Objection has been made on the grounds that the development would cause inconvenience during construction. It would be expected that the construction would proceed in line with the requirements of informative 2, which outlines, amongst other things, hours of work and expectations with regard to reducing noise and disturbance.

## **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>Received</b>
Elevation Plan	P113		28.10.2022
Section Plan	P112		28.10.2022
Elevation Plan	P111		28.10.2022
Elevation Plan	P110		28.10.2022
Roof Plan	P104		28.10.2022
Floor Plan	P103		28.10.2022
Floor Plan	P102		28.10.2022
Floor Plan	P101_A		28.10.2022
Elevation Plan	P021		28.10.2022
Elevation Plan	P020		28.10.2022
Existing Plans	P010		28.10.2022
Location Plan	P001		28.10.2022

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.



3. 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 for the development within the Reigate Conservation Area, with regard to Reigate and Banstead Development Management Plan 2019 policies DES1 and DES9.

4. All windows to have equal sightlines with a casement in each opening.

Reason: To ensure that a satisfactory external appearance is achieved for the development within the Reigate Conservation Area, with regard to Reigate and Banstead Development Management Plan 2019 policies DES1 and DES9.

5. All infill and glazing to arches to be set back 2 bricks depth and all other windows and doors to be set back 1 brick depth.

Reason: To ensure that a satisfactory external appearance is achieved for the development within the Reigate Conservation Area, with regard to Reigate and Banstead Development Management Plan 2019 policies DES1 and DES9.

6. All photovoltaics or solar panels to be sited within the crown roof and lower than the lowest ridge of the crown roof.

Reason: To ensure that a satisfactory external appearance is achieved for the development within the Reigate Conservation Area, with regard to Reigate and Banstead Development Management Plan 2019 policies DES1 and DES9.

7. The external staircase shall be painted black and thereafter retained as such.

Reason: To ensure that a satisfactory external appearance is achieved for the development within the Reigate Conservation Area, with regard to Reigate and Banstead Development Management Plan 2019 policies DES1 and DES9.

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

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sizes and proposed numbers/densities and an implementation and management programme.

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

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

Any trees shrubs or plants planted in accordance with this condition which are removed, die or become damaged or become diseased within five years of planting shall be replaced within the next planting season by trees, 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, DES1 and DES3, and the recommendations within British Standards including BS8545:2014 and British Standard 5837:2012.

9. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plan numbered AP253 P101 Rev A for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking /turning areas shall be retained and maintained for their designated purposes.

Reason: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the NPPF and Reigate and Banstead Development Management Plan policy TAP1.

10. The development hereby approved shall not be first occupied unless and until space has been laid out within the site, in accordance with the approved plan numbered AP253 P101 Rev A and named ground floor plan for cycles to be parked in a covered, secure and lit location. Thereafter the cycle parking area shall be retained and maintained for its designated purpose.

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

11. The development hereby approved shall not be occupied unless and until 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 approved plan numbered AP253 P101 Rev A.

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

12. The development shall not be occupied until the refuse collection point has been provided in accordance with the approved plan numbered AP253 P101 Rev A and for refuse material taken to the edge of Roebuck Close on collection day in accordance with paragraph 3.16 of the transport statement dated October 2022.

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

13. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.

- b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate **equivalent to the pre-development Greenfield run-off**.

- 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.

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Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site, in order to meet the requirements of the NPPF 2021 and Policy CCF2 of the Reigate and Banstead Development Management Plan 2019.

14. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

Reason: To ensure the Drainage System is designed to the National Non-Statutory Technical Standards for SuDS in order to meet the requirements of the NPPF 2021 and Policy CCF2 of the Reigate and Banstead Development Management Plan 2019.

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

Ensure that the potential water consumption by occupants of each new dwelling does not exceed 110 litres per person per day.

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

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

## INFORMATIVES

1. 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.

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.

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->

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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
10. The applicant should be aware that suitable habitat for great crested newt exists within the development site and that should great crested newt be identified during works, all work should cease immediately, and advice sought from Natural England or a qualified specialist.
11. The applicant is expected to ensure the safe operation of all construction traffic in order to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. Where repeated problems occur the Highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.
12. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.
13. The applicant site is situated on or in close proximity to land that could be potentially contaminated by virtue of previous historical uses of the land. As a result there is the potential for a degree of ground contamination to be present beneath part(s) of the site. Groundworkers should be made aware of this so suitable mitigation measures and personal protective equipment measures (if required) are put in place and used. Should significant ground contamination be identified the Local Planning Authority should be contacted promptly for further guidance

## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against the NPPF 2021 and Development Management Plan policies DES1, DES2, DES5, DES8, DES9, NHE3, NHE9, TAP1, CCF1, CCF2, INF3 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.

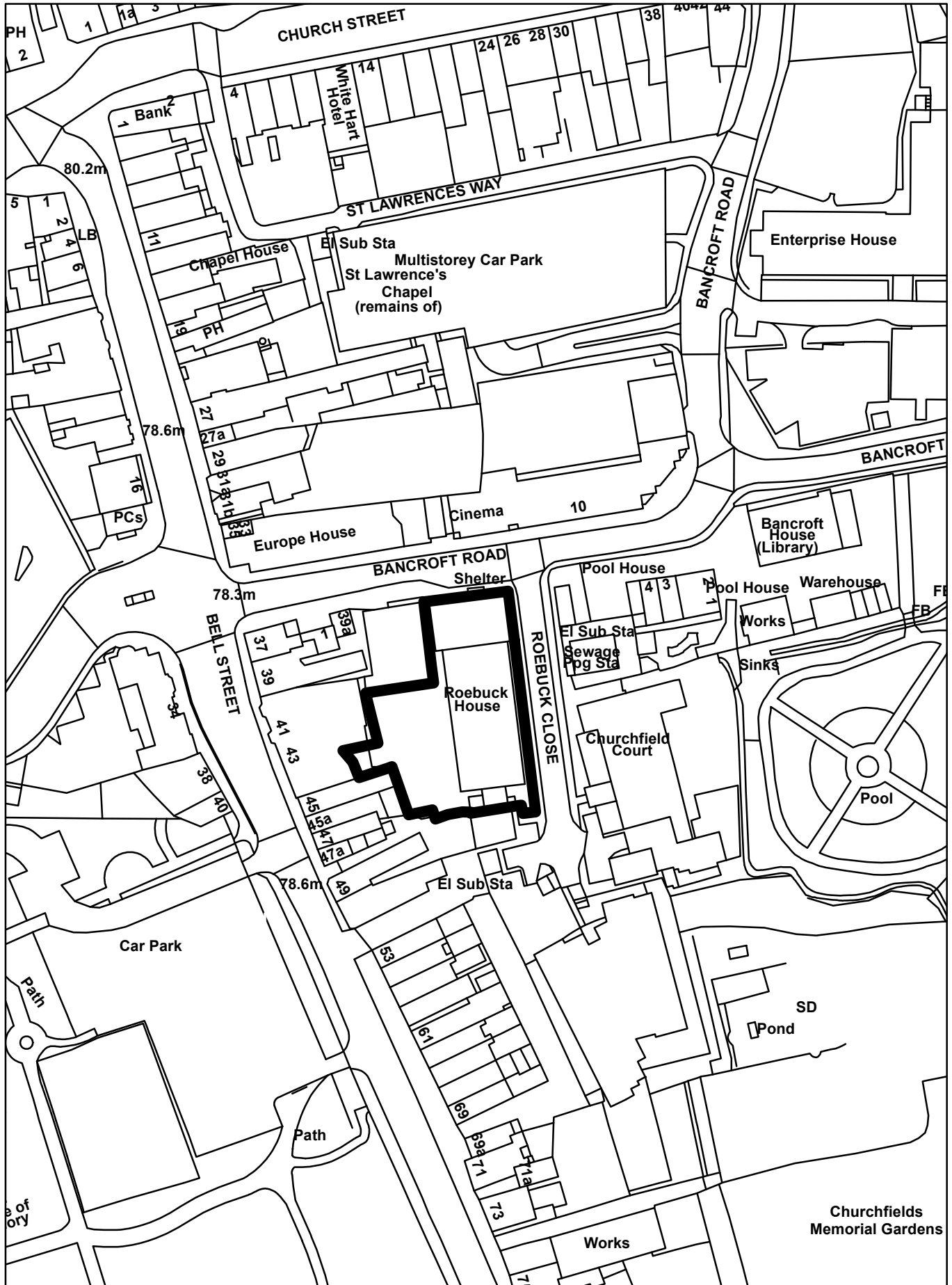
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The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently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

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22/02391/F - Roebuck House, Bancroft Road, Reigate



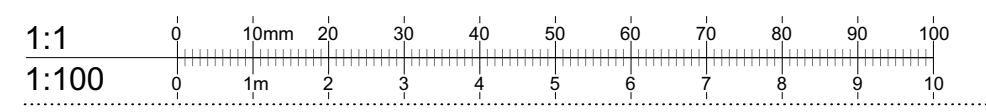


# ROEBUCK CLOSE

BANCROFT ROAD



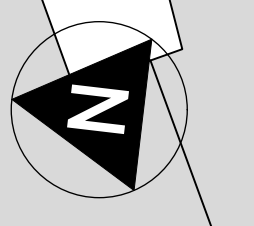
- 1 BED 2 PERSON FLAT
- 2 BED 4 PERSON FLAT
- RETAINED OFFICE SPACE

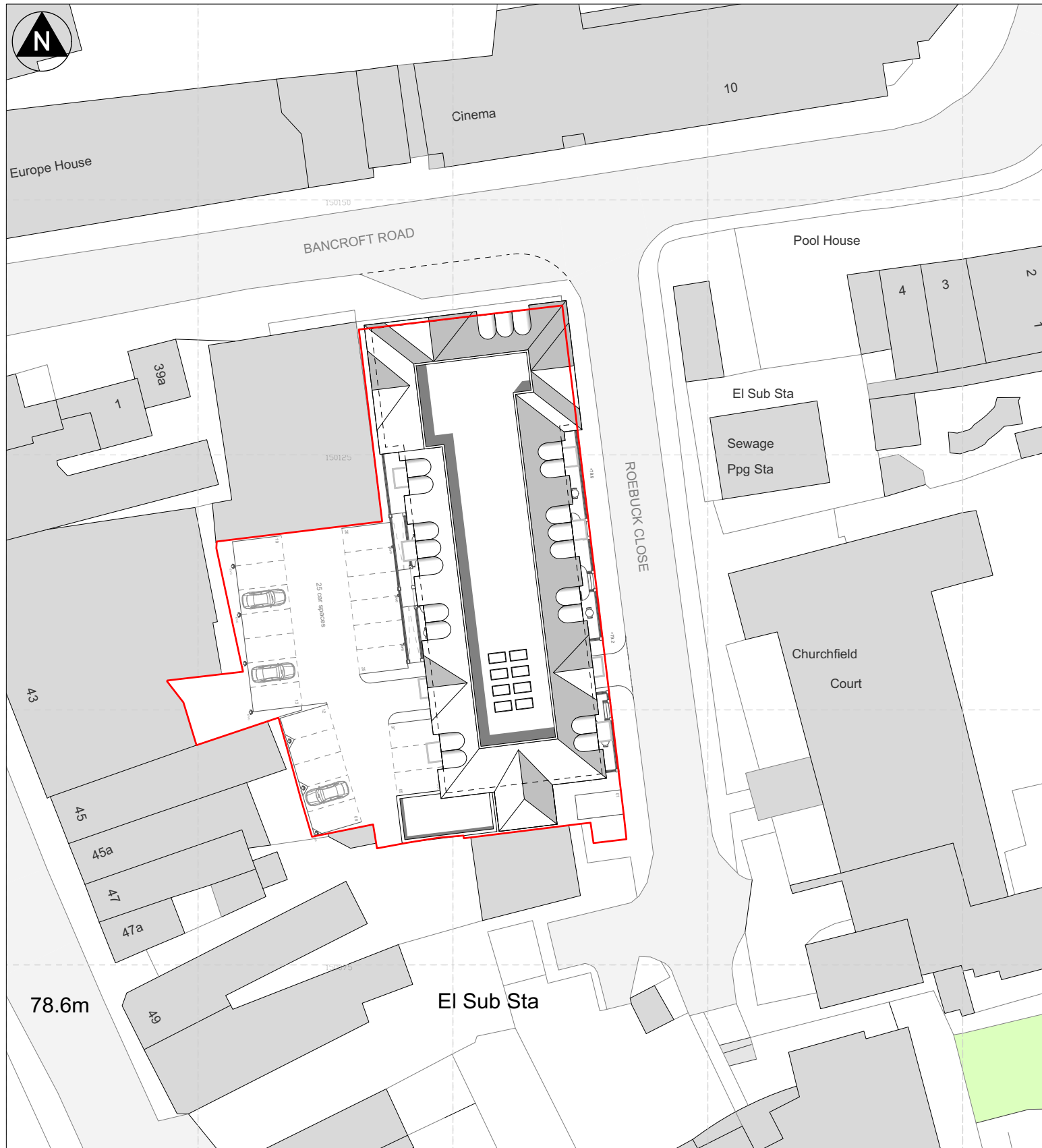


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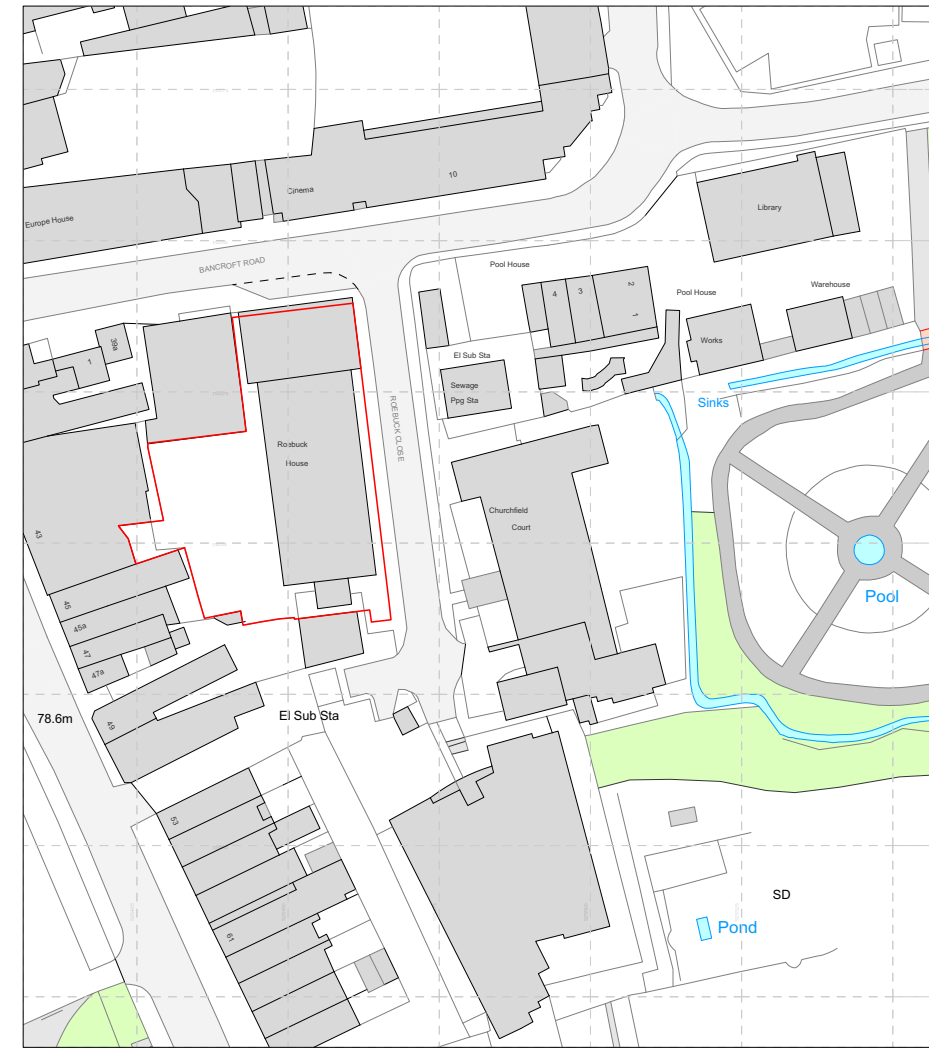
## Roebuck House, Reigate 5 Apartments to Infill Undercroft Carpark

AP253\_P101\_A - Proposed Ground Floor  
1:100B A1  
OCTOBER 2022

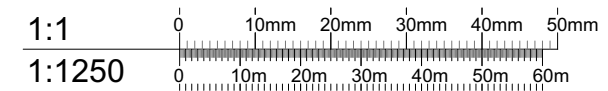




Proposed Block Plan (Roof) - 1:500 @ A3

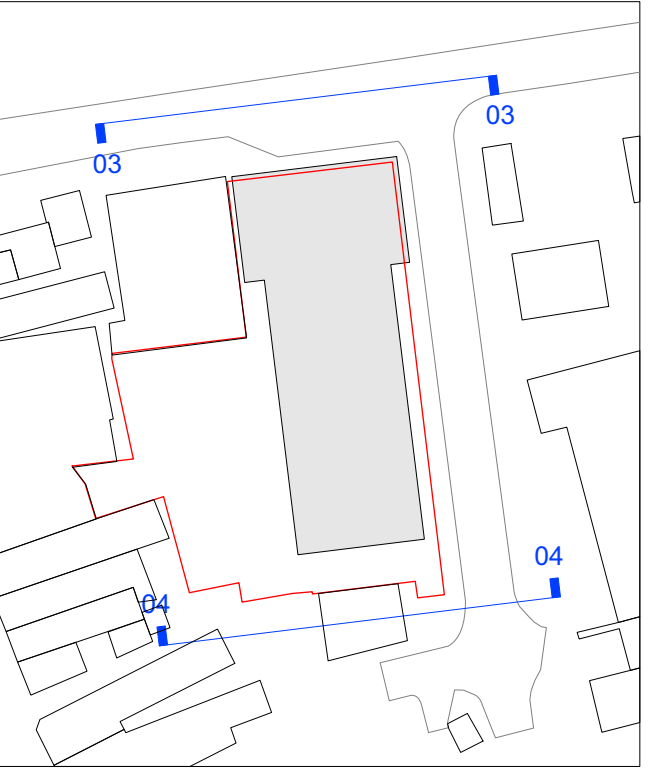


Site Location - 1:1250 @ A3



150

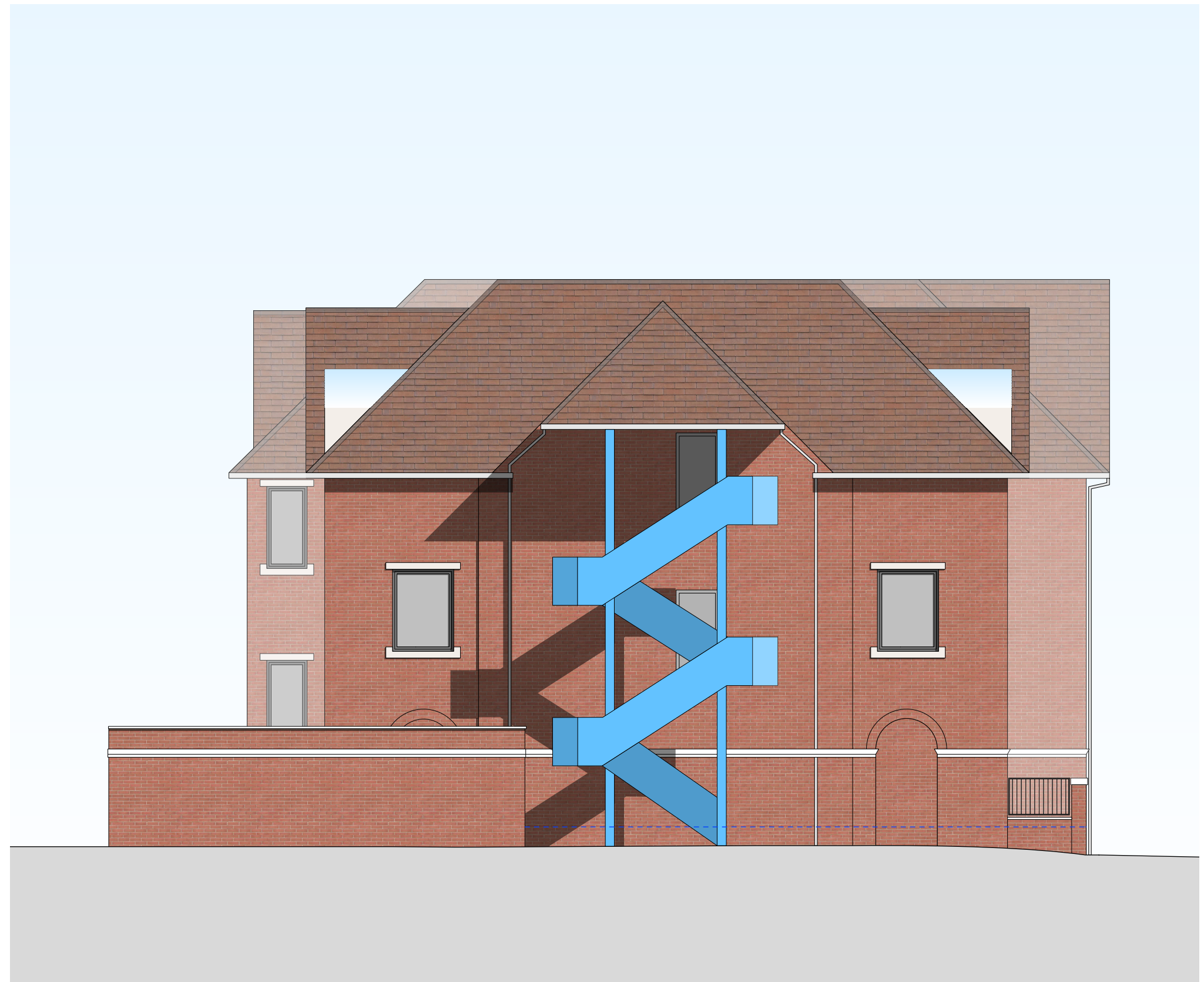




151



03 North Elevation (remains as existing)



04 South Elevation

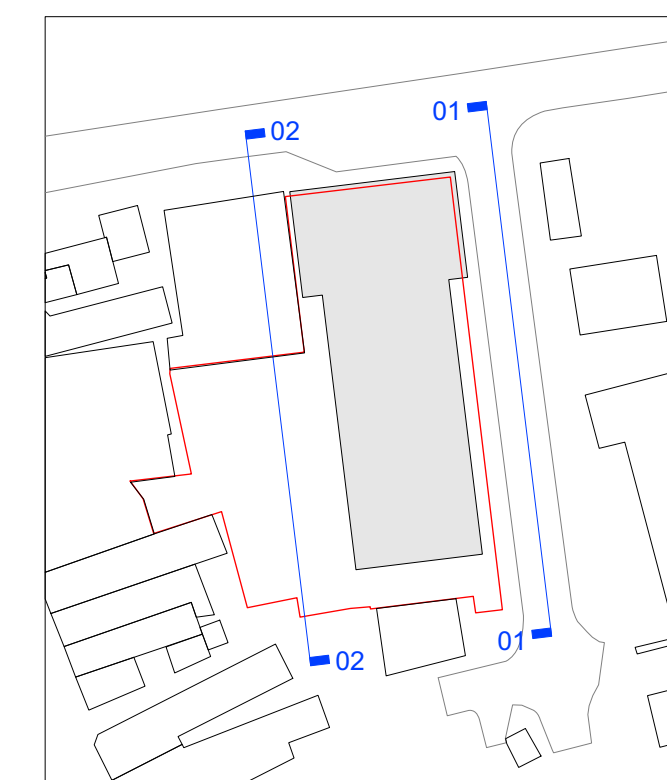
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 1:100 0 1m 2 3 4 5 6 7 8 9 10

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**Roebuck House, Reigate**  
 5 Apartments to Infill Undercroft Carpark

AP253\_P111 - Proposed Elevations 02  
 1:100B A1  
 OCTOBER 2022





Materials Key

- 01 - New balconies to first floor living rooms with painted steel balustrade and enlarged central french window
- 02 - Red brick facade within undercroft arches
- 03 - Aluminium framed entrance door and windows.
- 04 - Painted steel balustrade on top of stone coping & brick wall to private terrace



- 01
- 02
- 03
- 04

01 East Elevation

Street level entrance to existing ground floor office



- 01
- 02
- 03
- 04

02 West Elevation

