

# Agenda

## Planning Committee

Wednesday, 7 June 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.

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



Members of the public may observe the proceedings live on the Council's [website](#).

Members of the public may observe the proceedings live on the Council's website. For information about speaking at meetings of the Planning Committee, visit our [website](#).

### Members:

M. S. Blacker  
J. S. Bray  
P. Chandler  
Z. Cooper  
P. Harp  
K. Fairhurst  
J. Hudson  
S. A. Kulka

S. McKenna  
S. Parnall  
K. Sachdeva  
C. Stevens  
Thorne  
D. Torra  
M. Tary

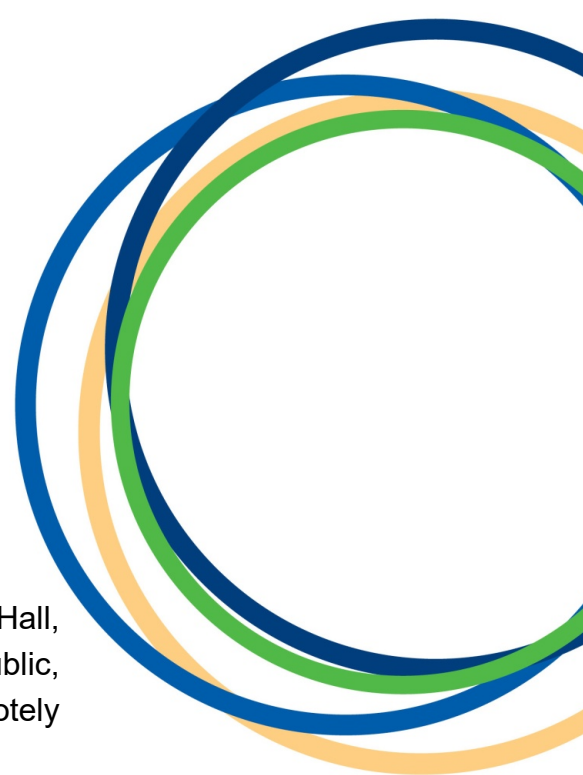
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Reigate & Banstead  
BOROUGH COUNCIL  
Banstead | Horley | Redhill | Reigate



## Substitutes:

<b>Conservatives:</b>	J. Baker, G. Buttironi, Dwight and B. Green
<b>Residents Group:</b>	G. Adamson, R. Harper, N. D. Harrison and G. Hinton
<b>Green Party:</b>	J. Booton, V. Chester, J. C. S. Essex, S. Khan, A. Proudfoot, R. Ritter and S. Sinden
<b>Liberal Democrats</b>	M. Elbourne

**Mari Roberts-Wood**  
Managing Director

**1. Election of Chairman**

To agree the appointment of the Chairman for the municipal year 2023/24.

**2. Election of Vice-Chairman**

To agree the appointment of the Vice-Chairman for the municipal year 2023/24.

**3. Minutes** (Pages 5 - 8)

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

**4. Apologies for absence**

To receive any apologies for absence.

**5. Declarations of interest**

To receive any declarations of interest.

**6. Development Management Quarter 4 2022-23 Performance** (Pages 9 - 12)

To inform members of the 2022/23 Q4 Development Management performance against a range of indicators.

**7. 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.

## Minutes of a meeting of the **Planning Committee** held at the **New Council Chamber - Town Hall, Reigate** on **Tuesday, 25 April 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, R. Michalowski, C. Stevens, D. Torra, R. Absalom (Substitute) and S. Sinden (Substitute)

### **116 Minutes**

**RESOLVED** that the minutes of the previous meeting held on 5 April 2023 be approved as a correct record.

### **117 Apologies for absence**

Apologies for absence were received from Councillors McKenna and Walsh, Councillors Sinden and Absalom attended as their respective substitutes.

Councillor Stevens left the meeting at 10.30pm and was not in attendance for consideration of item 7, Aberdour School, Brighton Road, Burgh Heath.

### **118 Declarations of interest**

Councillor Blacker declared an interest in item 5 of the agenda, Land to the Merrywood Park, Reigate due to a private email being published on a public portal and concerns regarding predetermination. Councillor Blacker was not present for this item and therefore did not vote.

### **119 Addendum to the agenda**

**RESOLVED** that the addendum be noted.

### **120 22/02228/S73 - Land to the North of Merrywood Park, Reigate**

The Committee considered an application at Land to The North of Merrywood Park, Reigate for the construction of a three-storey building comprising 8 no. 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

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at the grass verge that requires 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.

Reasons for refusal were proposed by Councillor Absalom and seconded by Councillor Cooper as follows:

Due to the high levels of parking stress and a lack of available on-street parking available to residents and visitors, the alterations to the site layout and landscaping design to omit the additional 7 parking spaces would result in unacceptable harm to the amenities of the area, contrary to the provisions of Policies CS1 and CS10 of the Reigate and Banstead Local Plan Core Strategy and Policies DES and TAP1 of the Reigate and Banstead Local Plan Development Management Plan 2019.

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

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

**RESOLVED** that the Council would have been minded to **GRANT** the application as per the report, with changes to the parking management condition:

Within 1 month of the approval of the application, the Applicant shall submit a Car Park Management Plan, to be approved in writing with the Local planning Authority.

The Car Park Management Plan shall include details of measures to ensure the northern car park remains permanently accessible and convenient for parking by residents of Merrywood Park. Including

- a) Means of access and egress, including the operation of gates or barriers
- b) Areas of parking made available to the residents of Merrywood Park and signage
- c) How residents are notified of parking operation and able to obtain access and/or use of the parking
- d) Details of reasonable costs
- e) Details of enforcement regime

The Car Park Management Plan shall be implemented upon approval by the Local Planning Authority. Thereafter the parking spaces shall be retained and maintained, in accordance with the approved Car Park Management Plan, for their designated purpose.

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 and Policy TAP1 Parking, access, and Servicing of the Reigate and Banstead Local Plan Development Management Plan September 2019.

## **121 22/00685/F - Merstham Recreation Ground, Albury Road, Merstham**

The Committee considered an application at Merstham Recreation Ground, Albury Road, Merstham for the regeneration of Merstham Recreation Ground, to include a new pavilion, play area, fitness facilities, access and wider communal amenity uses.

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As amended on 16/05/2022 and on 13/07/2022, 05/10/2022, 15/11/2022 and on 01/12/2022.

Subject to referral to the Secretary of State in accordance with the Town and Country Planning (Consultation) (England) Direction 2021 and subject to there being no direction by the Secretary of State under section 77 of the Town and Country Planning Act 1990 in respect of that application, it was **RESOLVED** that planning permission be **GRANTED** subject to conditions with the following amendment to condition 10 and additional informative.

Condition 10:

Prior to commencement of development, a Sensitive Lighting Management Plan (SLMP), scheme of wayfinding and any ancillary structures such as benches, bins etc shall be submitted to and approved by the Local Planning Authority. Reason: to maintain the character and appearance of the area, manage the use of the space and 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 policies DES1, NHE2 and NHE3.

Additional informative:

The applicant is encouraged explore the possibilities of allowing for regular Park Run or Junior Park Run at Merstham Recreation Ground.

## 122 23/00307/F - Aberdour School, Brighton Road, Burgh Heath

The Committee considered an application at Aberdour School, Brighton Road, Burgh Heath to temporarily relocate the children to a temporary classroom environment on one of the back fields during the summer term 2023 (During the redevelopment of our pre-prep department - approved under reference 22/01410/F).

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

## 123 22/02352/F - 80 Croydon Road , Reigate

The Committee considered an application at 80 Croydon Road, Reigate for the demolition of existing single-storey permanent structures (used as garages and storage) and the erection of 2No. self-built semi-detached 3-bedroom family dwellings with associated access, external amenity spaces, refuse storage and car and cycle parking.

Mr Alex Maunders, spoke on behalf of the resident in the neighbouring property, in objection to the application. He cited the Tate Modern's recent Supreme Court case regarding visual intrusion, which had formed part of the neighbour's planning appeal statement in respect of the originally refused application that was currently being considered by the Planning Inspectorate. There had been no substantial change on footprint, positioning, massing, parking, nor the overbearing nature of the development. There had only been a desktop survey, rather than a site visit. There would be a 20% loss of light in the neighbouring garden. There was only a 0.4m reduction in ridge height and the application would still deprive the neighbour of sufficient light, privacy, and had the same number of floors. There were no other 3 storey properties next 2 storey properties. Parking on the road was already strained

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and parking for the development met the minimum standard only. It was understood that a dwelling would be built on the plot, but this was an over-development. This application seemed to be an attempt to subvert the appeals process by submitting, effectively, the same application that was being appealed for reconsideration by the Committee. It was requested that this application be refused, and the merits of the application be decided by the Planning Inspectorate.

Reasons for refusal were proposed by Councillor Blacker and seconded by Councillor Absalom.

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

Members voted on each reason for refusal individually. Following a vote by Members of the Committee, the tabled motion at the meeting giving reasons to refuse planning permission, set out above, was defeated.

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

**RESOLVED** that planning permission be **GRANTED** subject to conditions as per the recommendation, with a note that ward Councillors be consulted on discharge details of condition 7 relating to electric vehicle charging points.

## **124 Development Management Quarter 4 2022-23 Performance**

This item was deferred to the next meeting of the Committee due to lack of time at the meeting.

## **125 Any other urgent business**

There was none.

The Chairman thanked the Committee for their work over the last municipal year.


The meeting finished at 10.32 pm



# Agenda Item 6

Planning Committee  
7<sup>th</sup> June 2023

Agenda Item: 5  
DM Performance Q4 2022/23

 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	TO:	PLANNING COMMITTEE	
	DATE:	25 <sup>th</sup> April 2023	
	REPORT OF:	HEAD OF PLANNING	
	AUTHORS:	Andrew Benson	
	TELEPHONE:	01737 276175	
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<b>AGENDA ITEM:</b>	9	WARD:	All

<b>SUBJECT:</b>	<b>DEVELOPMENT MANAGEMENT Q4 2022-23 PERFORMANCE</b>
<b>PURPOSE OF REPORT:</b>	To inform members of the 2022/23 Q4 Development Management performance against a range of indicators
<b>RECOMMENDATION:</b>	<b>To note the performance of Q4 2022/23</b>

Planning Committee has authority to note the above recommendation

## BACKGROUND

1. Development Management encompasses a wide range of planning activities including pre-application negotiations and engagement; decision making on planning applications through to compliance and enforcement.
2. It puts the Council's locally adopted development plan policies into action and seeks to achieve sustainable development.
3. It is a non-political, legislative system with all Development Management functions falling under the responsibility of the Planning Committee in the Council's Constitution. As such it is a non-Executive function falling outside the scope of the quarterly corporate performance reports that are presented to the Executive and Overview and Scrutiny Committee.
4. Development Management performance has always been monitored and reviewed in line with statutory and local targets with quarterly reports sent to the Department for Levelling Up Housing and Communities. However, given that all functions of the Council as Local Planning Authority fall under the responsibility of the Planning Committee, the performance information has also been shared with the Planning Committee Chairman. This report enables the performance indicators to be noted by the Planning Committee itself.
5. This report is the fourth quarterly report of the 2022/23 municipal year and provides the quarterly performance at Table 1. Also provided at Table 2 is the performance measure, relating to the time taken in total days from receipt of a valid application to its registration.

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## PERFORMANCE

	Applications determined (in 8/13 weeks or agreed)	Target	21/22	Q1	Q2	Q3	Q4	22/23
1	Major applications	60%	81%	75%	100%	100%	83%	90%
2	Non-major applications	70%	86%	81%	80%	84%	82%	82%
3	Average days to decision	73	78	78	82	78	98	83
<b>Appeals</b>								
4	Appeals Received	-	84	19	8	13	23	62
5	Major Appeals Decided	-	6	-	1	-	4	5
6	Major Appeals Dismissed	70%	4 (66.6%)	-	1 (100%)	-	3 (75%)	4 (80%)
7	Non-major appeals Decided	-	54	5	2	10	9	26
8	Non-major appeals Dismissed	70%	36 (66.6%)	4 (80%)	2 (100%)	8 (80%)	6 (66%)	20 (76%)
<b>Enforcement</b>								
9	Reported Breaches		429	110	127	111	135	483
10	Cases Closed		430	95	103	123	116	437
11	On hand at end of period		161	213	193	178	192	192
12	Cases over 6 months old		40	53	59	47	45	45
13	Priority 1 Enforcement	100%	100%	100%	100%	100%	100%	100%
<b>Application Workload</b>								
14	Received		1651	377 (310 HH)	325 (286HH)	272 (248 HH)	316 (251 HH)	1290 (1005 HH)
15	Determined		1573	413	334	308	261	1316
16	On hand at end of period		469	423	404	358	410	410
17	Withdrawn		61	10	9	9	13	41

Table 1 - Development Management performance

Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
2.8	3.1	2.6	2.3	2.8	2.4	3.5	2.6	2.4	3.1	4.5	5.0	2.8	3.1	7.3	10.0	7.3	10.8

Table 2 – Time taken from receipt to registration (working days)

Reason for delay	Number
Awaiting compliance check	1
Awaiting submission of application	11
Awaiting outcome of application	11
Written in past month chasing information/regularisation	1
Open/ongoing prosecution	1
Awaiting Appeal	12
Expediency of harm be concluded with input from statutory consultees	1
Regularising works commenced but not yet complete	3
Chasing up of costs	1
Temporary Stop Notice Served	1
Awaiting planting of replacement tree	1
Delayed by probate	1

Table 3 – Reason for enforcement investigation over 6 months

6. 316 planning applications (251 householder) were received in Q4 bringing the annual total to 1290 (1005 householder). This represents a reduction from the 1651 received last year in 2021/22. This reduction in planning submissions has been reported across the country, reflecting cost of living pressures and follows a very busy period post-Covid. The reduction in applications has reduced application fee income but this has been offset by an unfilled vacancy in the planning officer team.
7. The Town and Country Planning Development Management Procedure Order 2015 sets the statutory period for the determination of planning applications at 8 weeks for non-major applications and 13 weeks for major applications (10+ dwellings or 1,000+ sqm floorspace). This statutory period is relaxed where an extension of time is agreed between the applicant and local planning authority. In order to monitor the performance of local planning authorities, the Government sets targets for the determination of major and non-major planning applications within the statutory period or agreed extension of time. For major developments, this target is 60% and for non-major developments it is 70%.
8. In this Quarter 83% of major applications were determined within the statutory period or within agreed extension of time so comfortably meeting the statutory target and for the year as a whole the figure is 90%. For non-major applications the figure was 82% for the quarter and also for the year, again exceeding the target.
9. The average days to decision for the quarter was high, at 98, skewed by a couple of very old applications which had been subject to Section 106 Agreement. This has resulted in the average for the year missing the local target of 73 days and is caused primarily due to improvements being sought and amendments secured to add value with the applicant's agreement to an extension of time. There have also been some delays across the year in receiving statutory consultee advice which have delayed some determinations.

## **Planning appeals**

10. 23 appeals have been received in the quarter, bringing the total for the year to 62.
11. Alongside the Government performance measures based on speed of determination of planning applications, is the other performance criteria set for local planning authorities aimed at assessing the 'quality' of decision making. This is measured as a percentage of total applications which result in an appeal allowed, broken down between major and non-major development proposals. The relevant target for both types of application is that not more than 10% of applications should be allowed at appeal.  
For example –  
If 100 major applications are determined by the authority over the qualifying two-year period and 9 are allowed at appeal that would result in a figure of 9% which is acceptable. However, if 100 major applications were determined and 11 of these ended up being appealed and the appeals allowed, this would result in a

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figure of 11% which fails the 10% target.

The assessment considers appeals allowed against applications refused by each authority across a two year period. Over this latest two-year period 79 major applications were determined meaning 8 or more appeals allowed in the two year period to 31<sup>st</sup> December 2022 will lead to the target being missed and likely poorly performing designation together with the loss of control by virtue of the ability to submit applications directly to the Secretary of State.

12. In this last quarter 4 major appeals were determined, with 1 allowed (Haroldslea Drive, Horley) adding to just the other 1 major appeal decision for the year (dismissed). This has therefore ensured that there is no increased pressure upon this performance indicator with 80% dismissed across the year.
13. 6 out of the 9 non-major appeals determined in this quarter were dismissed and 20 out of 26 for the year, representing 76% dismissed across the year so exceeding target.

## Planning Enforcement

14. There were 135 reported enforcement breaches in the quarter, continuing the high numbers that started to be reported since the pandemic with a total of 483 investigations across the year. This reflects the higher number of planning applications from a year ago which are now at the construction stage and also likely to be a result of the combination of more people working at home, spending more time observing development in their neighborhoods as well as the majority being householder applications which can give rise to a disproportionately higher incidence of enforcement complaints given the close proximity of residences. However the team has worked to reduce the older cases down and the number of cases over 6 months is down to 45 with the reasons being set out in Table 3.

## Registration

15. Table 2 shows performance in the time taken from receipt to registration of new applications. The performance across the quarter has not been able to maintain that from earlier in the year. This is due to the departure of two Officers in the Planning Support team in November, on the top of an existing vacancy. A previous recruitment attempt to fill these posts was unsuccessful but this was then readvertised and one successful appointment made, who is due to start imminently. We will then go out to advert again for the remaining post in order to help bring the team back up to full strength.

## Summary

16. Staff turnover has been higher than in recent years, reflecting high turnover across many industries post-pandemic. This has created additional pressures in meeting or exceeding performance but services have been maintained and performance upheld in the face of this. New pressures will likely result in the coming year, such as the implementation of Biodiversity Net Gain, but it is anticipated that application fees will be increased by Government to be ringfenced for spending within Planning, with the expectation of ensuring that services are resourced to meet such challenges.