

Agenda

Planning Committee

Wednesday, 10 January 2024 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 (Chair)

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

S. A. Kulka
S. McKenna
K. Sachdeva
C. Stevens
J. Thorne
D. Torra
M. Tary

Substitutes:

Conservatives: J. Baker, G. Buttironi, J. Dwight and B. Green

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

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

Liberal Democrats M. Elbourne

Mari Roberts-Wood Managing Director

For enquiries regarding this agenda;

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

1. Minutes (Pages 5 - 6)

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. 23/01119/F - Former Gas Holders, Hooley Lane, Redhill (Pages 7 - 66)

Erection of 70 dwellings with access from hooley lane, with associated landscaping and infrastructure. As amended on 06/07/2023 and on 25/07/2023. As amended on 14/08/2023, 10/10/2023, 11/10/2023, 23/10/2023, 08/11/2023, 22/11/2023 and 12/12/2023.

6. 23/01937/F - Land to the rear of 141-147 Ruden Way, Epsom Downs (Pages 67 - 100)

Erection of 3 dwellings with parking, landscaping and associated works.

7. 23/01085/F - New Pond Farmhouse, Woodhatch, Reigate (Pages 101 - 116)

Proposed installation of 53no. solar panels in the rear garden of 2 new pond farmhouse and adjacent council depot building. As amended on 23/10/2023.

8. 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 **Wednesday, 13 December 2023 at 7.30 pm.**

Present: Councillors S. Parnall (Chair); M. S. Blacker (Vice-Chair), J. S. Bray, P. Chandler, Z. Cooper, P. Harp, K. Fairhurst, J. Hudson, S. A. Kulka, S. McKenna, J. Thorne, D. Torra and M. Tary

61 Minutes

RESOLVED that the minutes of the previous meeting held on 22 November 2023 be approved as a correct record.

62 Apologies for absence

An apology for absence was received from Councillor Stevens. Councillor Sachdeva subsequently gave a retrospective apology for absence.

63 Declarations of interest

There were no declarations of interest.

64 Addendum to the agenda

RESOLVED that the addendum be noted.

65 22/02783/F - Land Parcel at 525627 145487 Reigate Road, Sidlow

The Committee considered an application at Land Parcel at 525627 145487 Reigate Road, Sidlow for the proposed development comprising the installation and operation of a ground-mounted solar farm and energy storage system. The solar farm will broadly comprise a series of linear rows (also known as arrays) of photovoltaic (PV) solar modules, together with inverter platforms; control room; DNO station; storage containers; battery storage; security fencing & CCTV; temporary construction compound; and enhanced landscaping & ecological management.

It was noted that post the publication of the addendum condition 3 referred to the scheme being limited to a period of 40 years, this was an error and should have stated 35 years as per the report.

RESOLVED that planning permission be **GRANTED** subject to conditions as per the recommendation and addendum and changes as follows:

- Condition 3 - amend from 40 years to 35 years consent;
- Condition 16 - Add criterion to condition to secure scheme of land maintenance; and

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- Condition 19 – Add specific wording to require the replanting of trees for those that are felled.

The addition of an informative to encourage natural grazing and use of sheep/livestock as a form of land maintenance.

66 23/02202/F - 64 Massetts Road, Horley

The Committee considered an application at 64 Massetts Road, Horley for the installation of 20 no. solar panels to the east (15no.), and west (5no.), roof surfaces of an existing residential house of multiple occupation (HMO) in Horley to provide all electrical power to the building.

A written response would be sent to members following the Committee regarding the cost savings that would be achieved from the installation of the solar panels.

RESOLVED that planning permission be **GRANTED**.

67 Any other urgent business


There was none.

The meeting finished at 8.38 pm

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	TO:	PLANNING COMMITTEE
	DATE:	10 January 2024
	REPORT OF:	HEAD OF PLANNING
	AUTHOR:	Michael Parker
	TELEPHONE:	01737 276339
	EMAIL:	Michael.parker@reigate-banstead.gov.uk
AGENDA ITEM:	5	WARD: <i>Earlswood and Whitebushes</i>

APPLICATION NUMBER:	23/01119/F	VALID:	14 June 2023
APPLICANT:	Bellway Homes (South London) Limited	AGENT:	Savills UK Ltd
LOCATION:	FORMER GAS HOLDERS HOOLEY LANE REDHILL SURREY		
DESCRIPTION:	Erection of 70 dwellings with access from hooley lane, with associated landscaping and infrastructure. As amended on 06/07/2023 and on 25/07/2023. As amended on 14/08/2023, 10/10/2023, 11/10/2023, 23/10/2023, 08/11/2023, 22/11/2023 and 12/12/2023		
All plans in this report have been reproduced, are not to scale, and are for illustrative purposes only. The original plans should be viewed/referenced for detail.			

SUMMARY

The site comprises the former gas holder site that has been cleared and which now lies vacant. It lies alongside Hooley Lane and abuts landscaped areas of land to the north, and east part of which are identified as urban open space and form part of the setting of the adjacent residential scheme to the rear of this site comprising a mixture of houses and flats which appear to relate to a 2004 Reserved Matters Scheme. To the west and appearing to be partially within the site a well treed area abuts the Redhill Brook.

The area to the south comprises generally older housing of late Victorian/early Edwardian character predominantly 2 – 2 1/2 storey terraces with modest gardens and some off street parking, although many rely solely on on-street parking. Some individual shops front onto Hooley Lane. The area lies to the south of the Redhill town centre and station both of which are approximately a 20 minute walk from the site. Earlswood railway station is an approximate 10 minute walk to the south-west of the site.

This is a full application for the erection of 70 dwellings with access from Hooley Lane, with associated landscaping and infrastructure. The proposed new access junction would be towards the eastern end of the site opposite nos. 57-67. The layout includes a main access spine road from the new entrance to the development

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which leads to the entire development and parking. The access heads firstly in a northern and then western direction.

Semi-detached and terrace housing (units 62-70) are proposed to be sited to face along Hooley Lane to the west and east of the new access. A row of three terrace dwellings (units 1-3) are proposed to the west of no.12-14 Hooley Lane. The houses would be of a traditional pitched gable roof design with tile and brick finish and would all be 3-bedroom dwellings. The semi-detached and terrace properties would be two storey with the majority including roof accommodation.

The remaining built form would be three modern flat roof flatted blocks of accommodation which are located at the western end of the site and to the rear of the eastern part of the site. The flatted blocks would vary from 3 to 4 storeys in height. The 4 storey elements would be located at the rear of the site.

Each of the terrace and semi-detached properties would benefit from their own rear gardens. Soft landscaping is proposed throughout the scheme and a communal play area – a Local Area for play (LAP) is proposed in the north-east of the site between block 2 and 3.

As well as the new vehicular access a secondary pedestrian access is proposed in to the site to the west of 12-14 Hooley Lane. 96 car parking spaces are proposed in total, 2 allocated per 3 bedroom dwelling, 58 spaces for the 58 1 and 2 bedroom flats and 14 visitor spaces located across the site. Following discussions with Surrey County Council it has also been agreed to provide a 3.5m wide segregated (cyclist and pedestrian lane) route along the site frontage where the applicant has control and a 3m wide segregated route where they do not use part of the existing highway.

21 of the 70 dwellings would be affordable units (30%). The proposed mix would be:

- 12 x 3 bed houses (3 affordable)
- 42 x 2 bed flats (11 affordable)
- 16 x 1 bed flat (7 affordable)

The proposed dwellings have all been planned in accordance with the Nationally Described Space Standards. The application document show that 26 units are designed to meet M4(2) requirements – which exceeds the 20% required by DES7(3)a. Three affordable housing units (2 bed ground floor units) and one market 1 bed unit would meet M4(3) requirements to meet the 4% requirement under DES7 and DES6.

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. It is also important to note that the site is previously developed land (PDL) and that both the Council's Development Plan and the NPPF promote the efficient use of the urban area. The NPPF at paragraph 124 c) states that planning policies and decisions should; "give substantial weight to the value of using suitable brownfield land within settlements for homes and other

identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;”.

The proposed mix and level of affordable housing is in accordance with the requirements of the development plan.

In terms of the design and scale of the scheme whilst the proposal would result in a significant change to the existing character and nature of the site it is considered that the proposal achieves a good standard of design and a development which is in keeping with the scale and character of surrounding residential development.

The proposal is considered to have an acceptable relationship to the surrounding residential properties.

Subject to conditions the scheme is considered acceptable with regard to quality of accommodation for future residents, contamination, drainage, ecology, trees, crime, and sustainable construction.

The scheme would meet the Council’s minimum parking standards set out by the Development Management Plan (DMP) and so is a parking compliant scheme. Surrey County Council has no objection to the proposal in relation to the acceptability of the access and impact on local highway networks in terms of highway safety and capacity.

With regard to flooding the applicant has provided a Flood Risk Assessment and Drainage Strategy to demonstrate that the site meets the policy and NPPF requirements. Both the Environment Agency (EA) and Surrey Local Lead Flood Authority (LLFA) have raised no objection to the proposal. Conditions are recommended to secure further details of the surface water drainage (Suds) system.

It is therefore the view of officers that the scheme is acceptable in principle. The scheme is considered to meet the requirements of the Development Plan and guidance set out within the NPPF. The scheme would provide a meaningful contribution to the housing needs of the borough and follow the “urban areas first” approach set out within the Core Strategy. The scheme would also provide economic benefits to the borough during the construction period and would provide significant contributions towards local infrastructure through the CIL. There are therefore considered to be no substantive grounds to refuse the application and as such it is recommended for approval.

RECOMMENDATION(S)

Subject to the completion of all documentation required to create a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended to secure:

- (i) 21 units of affordable housing in the following tenure mix
 - 13 x Affordable Rent
 - 8 x Shared Ownership

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- (ii) Provision of one car club vehicle for a minimum of two years from the first occupation of any dwelling in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The car club vehicle to be provided with a dedicated car club only parking bay with an electric vehicle fast charging facility (current minimum requirements 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in an agreed publicly accessible location, with all associated costs to be met by the developer. Provision of two year's free membership of the car club and £50 drive time for all new first-time occupiers of each dwelling.

- (iii) The Council's legal costs in preparing the agreement

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

In the event that a satisfactorily completed obligation is not received by 10 June 2024 or such longer period as may be agreed, the Head of Places and Planning be authorised to refuse permission for the following reason

1. Without a completed planning obligation the proposal fails to provide on-site affordable housing and is therefore contrary to policy DES6 of the Reigate and Banstead Development Management Plan 2019 and would not secure a car club facility and therefore fails to maximise sustainable transport contrary to the sustainable transport requirements of the NPPF and policy TAP1 of the Reigate and Banstead Development Management Plan 2019.

Consultations:

Environment Agency: no objection subject to conditions in relation to ground contamination and piling.

Environmental Health (Contaminated Land): no objection subject to conditions to secure further information in relation to contamination.

Environmental Health (Air Quality): no concerns from an air quality perspective subject to conditions to secure the provision of electric charging points and effective water suppression during demolition.

Regulatory Support Services (Noise Consultants): No objection but recommend conditions in relation to construction management, environmental noise and external amenity.

Surrey County Council Highway Authority (CHA): The County Highway Authority has assessed the application on safety, capacity and policy grounds and has raised no objection subject to conditions.

Surrey County Council Lead Local Flood Authority: Satisfied that the proposed drainage scheme meets the national guidance and technical standards. Condition recommended to secure further finalised details of drainage strategy and implementation of drainage strategy.

Surrey County Council Minerals and Waste Planning Authority: No objection subject to LPA being satisfied that the scheme does not impact on the operation of Patteson Court Landfill, that refuse can be adequate collected from site and a condition to secure a Waste Management Plan.

Surrey Police Designing Out Crime Officer: amended scheme addresses the initial issues raised in their 26th June response. Recommends a Secure by Design condition.

Surrey Wildlife Trust: conditions recommended were the application to be approved

Council's Affordable Housing Officer: The Affordable Housing Officer is very supportive of the mix of affordable homes proposed in the scheme. The 13 affordable rent homes comprising three bedroom houses, two bedroom flats and one bedroom flat will meet current identified need. The eight shared ownership flats comprising an equal number of one and two bedroom flats will offer an affordable homeownership option within the Redhill area'

Representations:

To date 112 responses have been received 102 objecting, 6 neutral representations and 4 in support.

The following issues have been raised:

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Issue	Response
Property devaluation	This is not a material planning consideration
Noise & disturbance	See paragraphs 6.39
Overshadowing	See paragraphs 6.33 to 6.41
Overlooking and loss of privacy	See paragraphs 6.33 to 6.41
Out of character with surrounding area	See paragraphs 6.7 to 6.14
Overdevelopment	See paragraphs 6.7 to 6.14
Poor design	See paragraphs 6.7 to 6.14
Harm to Conservation Area	Site is not within Conservation Area
Harm to Green Belt/Countryside	Site is in designated urban area, not within Green Belt
Inconvenience during construction	See paragraphs 6.40
Increase in traffic and congestion	See paragraphs 6.42 to 6.52
Hazard to highway safety	See paragraphs 6.42 to 6.52
Inadequate parking	See paragraphs 6.42 to 6.52
Drainage and sewage capacity	See paragraphs 6.58 to 6.60
Flooding	See paragraphs 6.58 to 6.60
Harm to wildlife habitat	See paragraphs 6.63 to 6.68
Crime fears	See paragraphs 6.73 to 6.74
Impact on/lack of infrastructure and facilities/amenities in local area to support increased population	See paragraphs 6.75 to 6.79
Request for community centre	See paragraphs 6.1 to 6.5
Loss of/harm to trees	See paragraphs 6.69 to 6.72
Loss of green space	Site is not protected open space
Loss of private view	Not a material planning consideration
Health fears	See paragraphs 6.39 and 6.61
No need for the development	Each scheme must be assessed on its own planning merits
Alternative location/scheme preferred	Submitted scheme must be assessed on its own planning merits
Loss of buildings	See paragraphs 6.1 to 6.5
No information regarding Accessible homes	See paragraphs 6.31 to 6.32

Impact on water resources	See paragraphs 6.53 to 6.57
Poor housing mix and not enough affordable homes	See paragraphs 6.15 to 6.21

The following comments in support were received

- Benefit to housing need, including affordable housing
- Community/regeneration benefit
- Economic growth / jobs
- Visual amenity benefits
- Support for the extension of the shared cycle track along Hooley Lane

1.0 Site and Character Appraisal

- 1.1 The site comprises the former gas holder site that has been cleared and which now lies vacant. It lies alongside Hooley Lane and abuts landscaped areas of land to the north, and east part of which are identified as urban open space and form part of the setting of the adjacent residential scheme to the rear of this site comprising a mixture of houses and flats which appear to relate to a 2004 Reserved Matters Scheme. To the west and appearing to be partially within the site a well treed area abuts the Redhill Brook.
- 1.2 The area to the south comprises generally older housing of late Victorian/early Edwardian character predominantly 2 – 2 1/2 storey terraces with modest gardens and some off street parking, although many rely solely on on-street parking. Some individual shops front onto Hooley Lane.
- 1.3 The area lies to the south of the Redhill town centre and station both of which are approximately a 20 minute walk from the site. Earlswood railway station is an approximate 10 minute walk to the south-west of the site.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: The applicant submitted two pre-application proposals under refs. PAM/21/00478 and PAW/22/00333 which sought advice on a number of schemes. The initial scheme was for 88 dwellings, then a scheme for 76 dwellings and finally a scheme for 71 dwellings was submitted. The scale, design and layout and issues of access, flooding and other technical requirements were discussed.
- 2.2 Improvements secured during the course of the application: Amended layout, change to landscaping, change to scale, form and materials for from dwellings (units 62-70). Changes to increase accessibility and units with M4(3). Introduction of new pedestrian/cycle way along site frontage. Additional information provided in relation to ecology, energy and highway matters.

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- 2.3 Further improvements to be secured through planning conditions or legal agreement: Various conditions are recommended to control materials, details and landscaping to ensure a high quality development. A legal agreement will be required to secure the on-site affordable housing provision and car club scheme. Various conditions are recommended to secure appropriate information with regard to flooding, ecology, noise, contamination and highway matters.

3.0 Relevant Planning and Enforcement History

- | | | | |
|-----|--------------|---|----------------------------------|
| 3.1 | 17/02649/DED | Dismantling of the gasholders and adjoining structures | No objections raised 14/12/2017 |
| 3.2 | 14/01952/CLP | Ground remediation comprising excavation, of up to 0.6m below ground level on the back garden of properties No 12 and 14 Hooley Lane, including excavation of soil underlying existing concrete cover on the gardens and replacement as existing layout | Permitted Development 24/11/2014 |
| 3.3 | 07/02342/RET | Renewal of permission for sui generis use of part of site for car rental | Granted 11/01/2008 |
| 3.4 | 04/02360/CU | Change of use to car rental (retrospective) | Granted 07/12/2004 |

4.0 Proposal and Design Approach

- 4.1 This is a full application for the erection of 70 dwellings with access from Hooley Lane, with associated landscaping and infrastructure.
- 4.2 The Site is proposed to be accessed from Hooley Lane via a new access junction towards the eastern end of the site opposite nos. 57-67. The layout includes a main access spine road from the new entrance to the development which leads to the entire development and parking. The access heads firstly in a northern and then western direction.
- 4.3 Semi-detached and terrace housing (units 62-70) are proposed to be sited to face along Hooley Lane to the west and east of the new access. A row of three terrace dwellings (units 1-3) are proposed to the west of no.12-14 Hooley Lane. The houses would be of a traditional pitched gable roof design with tile and brick finish and would all be 3-bedroom dwellings. The semi-detached and terrace properties would be two storey with the majority including roof accommodation.
- 4.4 The remaining built form would be three modern flat roof flatted blocks of accommodation which are located at the western end of the site and to the rear of the eastern part of the site. The flatted blocks would vary from 3 to 4 storeys in height. The 4 storey elements would be located at the rear of the site.

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- 4.5 Each of the terrace and semi-detached properties would benefit from their own rear gardens. Soft landscaping is proposed throughout the scheme and a communal play area – a Local Area for play (LAP) is proposed in the north-east of the site between block 2 and 3.
- 4.6 As well as the new vehicular access a secondary pedestrian access is proposed into the site to the west of 12-14 Hooley Lane. 96 car parking spaces are proposed in total, 2 allocated spaces per three bedroom dwelling, 58 spaces for the 58 x one and two bedroom flats and 14 visitor spaces located across the site. Following discussions with Surrey County Council it has also been agreed to provide a 3.5m wide segregated (cyclist and pedestrian lane) route along the site frontage where the applicant has control and a 3m wide segregated route where they do not use part of the existing highway.
- 4.7 21 of the 70 dwellings would be affordable units (30%). The proposed mix would be:
- 12 x 3 bed houses (3 affordable)
 - 42 x 2 bed flats (11 affordable)
 - 16 x 1 bed flat (7 affordable)
- 4.8 The proposed dwellings have all been planned in accordance with the Nationally Described Space Standards. The application document show that 26 units are designed to meet M4(2) requirements – which exceeds the 20% required by DES7(3)a. Three affordable housing units (2 bed ground floor units) and one market 1 bed unit would meet M4(3) requirements to meet the 4% requirement under DES7 and DES6.
- 4.9 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.
- 4.10 Evidence of the applicant’s design approach is set out below:

Assessment	A stand alone Design and Access Statement has been submitted to support the application. Pages 8 to 17 set out the context of the development including wider setting characteristics of the application site
Involvement	Reference is made to public presentation in the appendix. Within the Planning Statement it is advised that a leaflet was prepared and posted to 612 neighbouring properties in advance of submitting the application.

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Evaluation	The statement at pages 18 details how the design takes the identified context in to account but establishing development parameters and formulating the design approach, including domestic frontage to Hooley Lane, Apartments placed in the mature landscape backdrop, open visual corridor to eastern open space and open character to the body of the site to incorporate landscaping, social spaces and parking. The approach is then further developed through pages 19 to 22. Consideration of access is covered at pages 23 to 25.
Design	The statement sets out details of the proposed development at page 26 onwards in terms of layout principles & concepts and architectural principles & concepts. An addendum to the Design & Access Statement was provided during the application process setting out the amendments made since submission.

4.11 Further details of the development are as follows:

Site area	0.86ha
Existing use	Former Gas Holder Site
Proposed use	Residential – 70 units
Proposed parking spaces	96 (including 2 for each 3 bed unit, 1 for each 1 and 2 bed unit and 14 visitor spaces)
Parking standard	96 (including 2 for each 3 bed unit, 1 for each 1 and 2 bed unit and 14 visitor spaces)
Number of affordable units	21 (30%)
Net increase in dwellings	70
Proposed site density	81 dph
Density of the surrounding area	69dph – Tylehurst Drive, Kingsfield Way and Rydons Way 44dph – Housing south of Hooley Lane – west and north of St John’s Road and east of railway No’s 49 to 91 Castle Drive (east side) 107dph – Housing south and west of Brook Road, north of Hooley Lane and east of Brighton Road. 131 dph – Extant approved application 21/01458/F for 68 flats at Hockley Industrial Centre

5.0 Policy Context

5.1 Designation

Urban Area

Partly within Flood Zone 2 (very western part of site adjacent to the brook)

Parking Standards – Medium accessibility

5.2 Reigate and Banstead Core Strategy

CS1 (Sustainable Development)

CS4 (Valued Townscapes and Historic Environment)

CS5 (Valued People/Economic Development),

CS8 (Area 2a:Redhill),

CS10 (Sustainable Development),

CS11 (Sustainable Construction),

CS12 (Infrastructure Delivery),

CS13 (Housing Delivery)

CS14 (Housing Needs)

CS17 (Travel Options and accessibility)

5.3 Reigate & Banstead Development Management Plan 2019

DES1 (Design of new development)

DES4 (Housing mix)

DES5 (Delivering high quality homes)

DES6 (Affordable Housing)

DES7 (Specialist Accommodation)

DES8 (Construction Management)

DES9 (Pollution and contamination land)

TAP1 (Access, Parking and Servicing)

CCF1 (Climate Change Mitigation)

CCF2 (Flood Risk)

INF1 (Infrastructure)

INF3 (Electronic communication networks)

NHE2 (Protecting and Enhancing Biodiversity)

NHE3 (Protecting trees, woodland areas and natural habitats)

OSR2 (Open Space in new developments)

5.4 Other Material Considerations

National Planning Policy Framework
December 2023 (NPPF)

National Planning Practice Guidance
(NPPG)

Supplementary Planning
Guidance/Documents

Surrey Design
Local Character and Distinctiveness
Design Guide SPD 2021

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Climate Change and Sustainable
Construction SPD 2021
Vehicle and Cycle Parking
Guidance 2018
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. Appropriate residential growth is actively encouraged by the Core Strategy, in line with the “urban areas first” approach in Policy CS6. This is reinforced within the Introduction section of the Development Management Plan 2019 which states that the Core Strategy is an ‘urban areas first’ strategy. Where priority is given to the identified regeneration areas and main settlements. The urban extension developments are intended to only be released for development once the opportunities within the urban areas start to become more limited and the Council is unable to demonstrate a five year supply of housing land available.
- 6.2 The principle of the suitability of this site for housing development has already been assessed by the Council’s Planning Policy Team. The site is included in the Council’s latest Housing and Economic Land Availability Assessment (HELAA) May 2018 as Site RE10, where it was identified as being suitable, available, achievable, and deliverable. The site is also included as being suitable for housing development in the latest annual Brownfield Land Register December 2022, as Site Ref: 154, and as being “deliverable” for between 25 and 80 net dwellings (on 0.93ha), with no current planning permissions.
- 6.3 It is also important to note that the site is previously developed land (PDL) and that both the Council’s Development Plan and the NPPF promote the efficient use of the urban area. The NPPF at paragraph 124 c) states that planning policies and decisions should; “give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;”.
- 6.4 There is therefore no in principle objection to the proposal which would count towards the overall aim Core Strategy aim of providing at least 815 homes throughout the borough on windful sites.
- 6.5 It is noted that a number of representations have asked for a community centre to be provided as part of the scheme. This is not an allocated site and so there is no policy requirements for such a building to be provided. The

scheme will however contribute towards the Community Infrastructure Levy (CIL). This money could be used by local groups to secure funding for improved community facilities.

6.6 The main issues to consider are:

- Design appraisal
- Housing Mix, Affordable Housing and Standard of Accommodation
- Neighbour amenity
- Highway matters
- Sustainable construction
- Flooding and Drainage
- Contamination
- Ecology and trees
- Crime
- Community Infrastructure Levy and S106 obligations

Design appraisal

6.7 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.

6.8 It is acknowledged that the proposed development would be a significant change from the existing site given that following the removal of the gas facilities the site is now fairly open with limited built form on the site. The density of the scheme would be relatively high compared to that of the immediate area but it would not be excessive and as noted above would be lower than the density of the extant scheme at the Hockley Industrial estate and the area to the west and south of Brook Road. As such, the density is considered to be within the range reflective of the surrounding area. The consideration is whether the proposed layout and level of built form adequately address the character and scale of the surrounding area and will contribute to the character of the area.

6.9 In this case it is considered that the overall layout and location and scale of the built form is well thought out. The scheme seeks to retain the lower two storey scale of the dwellings that front on to Hooley Lane by proposing 9 two storey dwellings (7 with accommodation in the roof and therefore higher ridges) along Hooley Lane, either side of the proposed access. Units 69 and 70 have no roof accommodation with a lower ridge height which ensures that the dwellings are very similar to the scale of the existing immediately adjacent

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dwelling 12 and 14 Hooley Lane. The other proposed dwellings along Hooley Lane, whilst taller, would still have a two storey scale and all 9 of the frontage dwellings have been set back from the road to respect the set back nature of 12-14 Hooley Lane. Their design are a simple dual pitched roof design with gable ends which seeks to replicate the traditional nature of the dwellings along Hooley Lane and the wider area. The elevations would be a red brick facing with the fenestration framed in contrasting buff brickwork. The roofs would be a brown/red plain tile. This is the applicant's modern interpretation of the traditional form and materials of the surrounding properties. The proposed dormer windows would be well proportioned set well away from the eaves and main ridges. Combined with the flat roof design they would be of an appropriate scale, not dominating the roof slopes. The result is considered to be relatively well proportioned elevations and form which respect and contribute towards local distinctiveness without trying to imitate the surrounding dwellings.

- 6.10 The flatted blocks would then be located at the western end of the site and to the rear of the 3 bedroom dwellings ensuring that these more modern style buildings of a higher height are less visually prominent within the wider street scene. Block 1 would extend reasonably close to Hooley Lane however at this point it would only be three storeys in height and would be set behind a landscaped buffer. As such this element would not appear prominent. The blocks would be modern flat roof buildings. Such a design is not common in the immediate area however such an approach has been taken on a number of extant applications to the west of the site at the Hockley Industrial Estate and Brook Road. Such an approach also has the benefit of keeping the overall height of the buildings lower when compared to traditional pitched roof blocks. The walls would primarily be brick facing with the use of a red brick with contrasting grey brick. The blocks with 4th storeys have been designed to be set back with a lighter great panelling to appear less visually intrusive. Block 3 has a mansard style 4th floor with a zinc style seam roof which helps to soften the appearance of the top floor element and give it the appearance of being accommodation within the roof. These highest elements are set well within the site as well reducing their visual impact from Hooley Lane and other vantage points around the site. To the rear of the site the land is at a higher level (to varying degrees), therefore as demonstrated by the submitted section and street scene drawings the height of these blocks will be commensurate with the housing located to the north of the site. Therefore when viewed from the north the blocks will not appear dominant or out of scale with the development to the north.
- 6.11 The internal layout has been designed to ensure that the scheme meets the Council's minimum parking standards which does mean the amount of hardstanding within the site is large and the amount of room retained for soft landscaping is not as high as would ideally be proposed however it is considered that the amount of parking has been distributed well throughout the site so that it would still not appear as a car dominated scheme with the use of well located parking courts and soft landscaping. As you enter the site it is well landscaped with the parking areas broken up. Then as you enter further into the site areas of soft landscaping are provided to the back of the

parking bays and along the access road to help soften the appearance within the site. There would also be good level of soft landscaping and trees retained around the perimeter of the site to help ensure that the development does not appear overly cramped or overdeveloped.

- 6.12 It is noted that the scheme does not include any links through to the development at the rear of the site or urban open space to the east of the site. This has been a consideration and would have been a positive addition to the scheme however due to the privately owned nature of the development to the north it has not been possible to include any such links. Furthermore Surrey Police are likely to have had concerns with such footpaths from a secure by design point of view. In any case the lack of a pedestrian link through to the development at the rear of the site is not a reason to refuse this application.
- 6.13 Therefore, taking in to account the above the guidance of the NPPF to make efficient use of land and to give substantial weight to the development of brownfield sites it is considered that the impact on the character of the site and surrounding area would not be so harmful as to warrant refusal.
- 6.14 Conditions are recommended to secure further details of the proposed materials and to secure the elevation and fenestration details, details of means of enclosure and hard landscaping.

Housing Mix, Affordable Housing and Standard of Accommodation

- 6.15 The proposed mix would be:
- 12 x 3 bed houses (3 affordable)
 - 42 x 2 bed flats (11 affordable)
 - 16 x 1 bed flat (7 affordable)
- 6.16 In terms of the market housing mix Policy DES4 states that on sites of 20 homes or more, at least 30% should be provided as smaller (one and two bedroom) homes and at least 30% must be larger (three+ bedroom) homes. In this case the proposal would provide 18% as larger units with the rest as smaller units one and two bedroom units. The market housing element of scheme is therefore slightly below the required 30%.
- 6.17 In terms of affordable housing mix the applicant did initially offer the shared ownership as first homes units to address the Government's First Homes national policy. As a national policy the provision of First Homes is a material consideration and the Council has an Interim First Homes Policy Statement. This sets out that First Homes national policy should be balanced against the Council's adopted local policy which is based on locally assessed housing need with DES6(3) requiring 'the tenure mix of the affordable housing on each qualifying site to contribute (to the Council's satisfaction) towards meeting the latest assessment of affordable housing needs'. In this case the Affordable Housing Officer has advised that the provision of First Homes would not adequately contribute towards the overall provision of intermediate homes and the size mix needed to meet local needs as required by the DMP

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DES6(4). The applicant has therefore agreed to provide as shared ownership in line with the Council's requirements.

- 6.18 The application proposes to provide 21 affordable housing units which is in accordance with the 30% required by policy DES6. Policy DES6 then requires that the tenure mix and size mix contribute, to the Council's satisfaction, towards meeting the latest assessment of affordable housing needs. In this case the proposal provides 13 as affordable rent (62%) and 8 as shared ownership (38%) which is fully in line with the tenure mix required by the Affordable Housing SPD.
- 6.19 Of the 13 affordable rent units there would be 3 x one bed (23%), 7 x two bed (54%) and 3 x three bed (23%) which is commensurate with the requirement of the affordable housing SPD of 20% 1 bed, 40% 2 bed and 23% 3 bed. In terms of the shared ownership 50% would be 1 bed units and 50% would be 2 bedroom units which broadly meets the requirements of the SPD (20% 1 bed, 45% 2 bed and 25% 3 bed). It also of note that the majority of the 2 bed units would be 4 person units and all the 3 bed units would be 6 person units as recommended by the SPD.
- 6.20 The Council's Affordable Housing Officer has advised that they are content with the proposed mix and size of the affordable housing provision in this area advising that: "The Affordable Housing Officer is very supportive of the mix of affordable homes proposed in the scheme. The 13 affordable rent homes comprising three bedroom houses, two bedroom flats and one bedroom flat will meet current identified need. The eight shared ownership flats comprising an equal number of one and two bedroom flats will offer an affordable homeownership option within the Redhill area".
- 6.21 Therefore whilst the market housing element of the scheme is slightly short of the required 30% for larger homes (proposed 18%) given the overall mix which is considered to be very good in terms of affordable housing mix I consider that the scheme is in line with the requirements of DES4 and DES6.
- 6.22 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.
- 6.23 The drawings submitted demonstrate that each units would accord with the relevant space standards including storage space. The houses have been designed to ensure that habitable rooms and would provide acceptable outlook. There are no concerns in terms of relationship between dwellings given the layout of the site.

- 6.24 In terms of light a Daylight and Sunlight Assessment has been undertaken. With regard to the internal amenity daylight provision to the proposed accommodation habitable rooms the majority will achieve the BRE recommendations during the winter. Under the daylight illuminance assessments, 69% of the rooms meet the guidelines for summer when the trees are in leaf and this increases to 84% during the winter when the trees are bare. Where deviations occur these are generally to bedrooms which the BRE regard as less sensitive for daylight, such as bedrooms and bathrooms, or large open plan rooms which benefit from balconies. This is considered suitable given the open plan arrangements/balconies increase the overall quality of the units and access to daylight/fresh air.
- 6.25 In terms of the sunlight/overshadowing to the proposed amenity spaces, all of the shared communal spaces satisfy the BRE targets achieving at least 2 hours of sunlight. There are some rear gardens to the south of Site with sunlight levels below the recommended levels as they are north facing. It can be demonstrated that these areas would satisfy the guidelines during the summer months when the BRE acknowledge that sunlight is most important for play and sitting out areas. Therefore overall the level of light to the proposed units would be acceptable.
- 6.26 All of the 3 bedroom houses will have their own private gardens with depths of between 9 and 13 metres. These are considered to be appropriate depths. Each of the proposed flat will have private amenity space via a balcony or patio area for the ground floor units. Within the site there are areas of communal open space including the provision of a LAP in line with policy OSR2 in between blocks 2 and 3. The shared amenity space whilst not extensive would measure approximately 1816m² which would accord with the open space requirement of OSR2 which is approximately 1400m.
- 6.27 In respect of noise, the Council's Noise Consultants RSS has considered the Noise Assessment provided by Ardent Consulting Engineers. RSS has advised that the level of noise within a number of the proposed dwellings has potential to exceed acceptable levels during hot weather (due to the need to open windows). Therefore a condition is recommended to secure an acceptable form of ventilation for these units which would still ensure adequate noise levels. In terms of external amenity the RSS advise that most of the amenity spaces within the proposed development will not exceed the WHO guidelines. However, for the small number of units where this is not achieved a condition is recommended to secure appropriate mitigation.
- 6.28 In terms of air quality the Council's Air Quality Officer has considered the submitted information and has raised no concern in terms of the proposed development for future or existing residents subject to conditions to secure the provision of electric charging points and effective water suppression during demolition to prevent excessive levels of dust.
- 6.29 It is also noted that the site, due to its size, and parking areas are likely to require some form of external lighting. In order to prevent unacceptable light levels to both the future occupants and neighbouring properties a condition is

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recommended to secure further details of any external lighting prior to installation.

- 6.30 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.
- 6.31 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'.
- 6.32 The application document show that 26 units are designed to meet M4(2) requirements – which exceeds the 20% required by DES7(3)a. Three affordable housing units (2 bed ground floor units) and one market 1 bed unit would meet M4(3) requirements to meet the 4% requirement under DES7 and DES6. A condition is recommended to secure compliance.

Neighbour amenity

- 6.33 The site would adjoin residential properties to the north and south of the site. To the east is urban open space that links to the development to the north of the site and the railway line. To the west of the site is an area of woodland and the Redhill Brook. Therefore, the only potential impacts are to those properties located to the north and south of the site.
- 6.34 With regard to the properties which are located to the north of the site, particularly those dwellings located along Kingsfield Way (nos. 4-14, evens, and 13, 15 and 17 and 16 to 24) the application site is located at a lower ground level than these properties, although to varying degrees with the eastern part of the site being at a lower ground level. The properties to the north also vary in height with a number of two and three storey properties. Therefore as demonstrated by the submitted cross section drawings submitted the buildings would not be significantly higher than the properties opposite and taking in to account the distances between the dwellings (minimum of 23m from block 2 to 13-17 Kingsfield Way and minimum 30m from block 1 to nos.4-14) and the existing tree and vegetation screening which is to be retained it is considered that there would not be an unacceptable impact from overlooking and overbearing impact. In terms of loss of light the proposal would not breach the 25 degree rule due to the distance away indicating that there would not be an adverse loss of light.
- 6.35 The most southern point of block 1 would be 20m from the nearest property on the southern side of Hooley Lane. Unit 1 would have its side elevation facing Hooley Lane at a distance of 25m. Such distances are considered to be acceptable and would not result in an unacceptable loss of privacy or overbearing impact or loss of light.

- 6.36 The existing dwellings 12-14 Hooley Lane would be adjacent to units 1-3 to the west and units 69-70 to the east. In terms of the relationship with units 1-3 there they would have a rear to side relationship with no. 12-14 and with a separation distance of 13m and the angled nature of units 1-3 it is considered that it would not result in an unacceptable loss of privacy, overbearing impact or loss of light to these dwellings. To the east no.14 would have a side to side relationship with unit 70. The depth of number 70 is such that it would not extend significantly beyond the shallowest part of number 14 and would not fail the 45 degree test in either plane. As such it is considered that unit 70 would not cause adverse impact with regard to overbearing impacts, loss of light and overbearing impact. Blocks 2 and 3 would without doubt change the outlook to these dwellings but due to the separation distances and their orientation the proposed flatted blocks would not have an unacceptable impact on nos. 12 and 14 with regard to overlooking, loss of light and overbearing impact.
- 6.37 The proposed units 62 to 70 would face the dwellings on the southern side of Hooley Lane. This would be a significant change in the outlook for these dwellings however given the 2/2.5 storey height of the proposed units and the separation distance of 16-17 metres which is commensurate with the front to front relationships in the surrounding roads (Tylehurst Drive – 20m, Redstone Road – 15m and Victoria Road – 15-16m) it is considered that they are not considered to give rise to unacceptable effects on neighbour amenity with regard to overbearing impact, overlooking and loss of light.
- 6.38 The Daylight and Sunlight Assessment submitted with the application confirms that the likely impact to neighbouring properties would not be adverse with the report concluding:
“The NPPF 2021 makes it clear that efficient use of sites, particularly for housing delivery, should not be limited by such technical constraints and the proposals will not adversely affect the normal use of these properties....Overall, the daylight effects of the scheme are considered fully acceptable given the underutilised nature of the existing site and in line with the design principles set by the BRE guidelines. With regards to sunlight effects to the neighbours, the scheme is fully in line with the BRE guidance due to the limited effect of the proposal of due to the neighbouring windows not being within 90° of due south.”
- 6.39 In terms of noise and disturbance/pollution from the development it is considered that the proposal, due to the residential nature of the proposal and that of the surrounding area, is a suitable use that works well with the neighbouring land uses. There is nothing to indicate that the proposal would cause an unacceptable level of noise or pollution for neighbouring occupants. Indeed as set out above both the Council’s noise consultants Regulatory Support Services (RSS) and the Council’s Air Quality Officer have assessed the proposal and have raised no objection in this regard.
- 6.40 The site is located within close proximity of a number of residential properties. It is therefore inevitable that there will be some disruption created by the development however this is not a reason to refuse the application. To

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reduce the impact on neighbouring residents were the application to be approved a condition is recommended to secure the submission of a Construction Management Statement which addresses matters such as working hours and potential disruption from noise and pollution such as dust.

- 6.41 In conclusion, whilst the proposal would result in a significant change in the relationship between the site and the neighbouring buildings, the proposal would not have an adverse impact upon existing neighbouring properties and would accord with the provisions of DMP Policy DES1, DES8 and DES9.

Highway matters

- 6.42 The development is proposed to be accessed from Hooley Lane via a new access junction towards the eastern end of the site opposite nos. 57-67. The layout includes a main access spine road from the new entrance to the development which leads to the entire development and parking. The access heads firstly in a northern and then western direction.

- 6.43 As well as the new vehicular access a secondary pedestrian access is proposed into the site to the west of 12-14 Hooley Lane. 96 car parking spaces are proposed in total, 2 allocated per 3 bedroom dwelling, 58 spaces for the 58 1 and 2 bedroom flats and 14 visitor spaces located across the site. Following discussions with Surrey County Council it has also been agreed to provide a 3.5m wide segregated (cyclist and pedestrian lane) route along the site frontage where the applicant has control and a 3m wide segregated route where they do not use part of the existing highway.

- 6.44 In terms of traffic generation the submitted Transport Statement (TS) advises that “Based on suitable trip rates from the TRICS database and 2011 Census Modal Split data, the proposed development would generate a maximum of 27 AM and PM peak hour two-way movements” and that “Based on a 2027 Design Year, it has been established through junction modelling that the site access junction would have more than sufficient capacity to accommodate the scheme. It has also been concluded that no off-site junction modelling is required owing to the negligible traffic impact that the development would have on the surrounding network.”

- 6.45 The TS then goes on to advise that “It has also been established that the Hooley Lane / Brighton Road / Mill Street and Hooley Lane / Brook Street junctions would not be detrimentally impacted by the proposed development and would not result in significant increases in queuing or delay. It is therefore considered that no mitigation should be provided to accommodate the proposed development.” And that “the potential traffic increases associated with the proposed development would not be significant and so the development would have no severe off-site impact, thus meeting the requirements of the NPPF.”

- 6.46 In terms of refuse tracking diagrams have been provided which demonstrate that a refuse freighter could manoeuvre within the site and enter and exit in forward gear. The bin stores for the three flatted blocks would all be within a

reasonable drag distance for the refuse crews. Given the width of the access road emergency services would also be able to access the site. It should also be noted that the submitted tracking plans demonstrate that a refuse truck can enter the site even within the established level of on-street parking on the southern side of the road included in the plan. The applicant has therefore shown that the access can be used safely by all road users even within the existing on street parking opposite the proposed access.

- 6.47 In terms of parking Policy TAP1 of the DMP 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.
- 6.48 In this case a total of 96 car parking spaces are proposed in total, 2 allocated per three bedroom dwelling, 58 spaces for the 58 one and two bedroom flats and 14 visitor spaces located across the site. This amount is in accordance with the minimum parking standards required by the DMP. The parking does include some tandem parking for the 3 bedroom units but this would only be for 5 of the 12 three bedroom units. Three car ports are also proposed as part of the three bedroom unit parking and these would meet the larger size standards required by the DMP of 3.25m wide x 6m long. There would be some under croft parking under the flatted blocks. Tracking plans have been submitted to show that these spaces are all useable. The total is therefore in line with minimum 96 spaces required by the DMP as well as its other requirements in terms of size of spaces. As such the parking provision on this site is considered to be acceptable and is unlikely to result in an unacceptable level of on-street parking in the surrounding area. Adequate cycle parking would also be provided for each of the three bedroom dwellings and within the three flatted blocks.
- 6.49 The Planning Statement also confirms that 100% of parking will be provided with Electric Vehicle Charging Points in line with SCC Parking Guidance.
- 6.50 The County Highway Authority (CHA) has considered the proposed access arrangement, parking and details set out within the Transport Statement and following the submission of amended plans and additional information has advised the following:

“The CHA note that the proposed parking provision accords with the Borough Council’s parking standards. In addition there are extensive parking restrictions within the vicinity of the site, to ensure that dangerous or indiscriminate parking associated with vehicles from this development would not occur if there is more demand to park cars than there are spaces within the development to accommodate them. Furthermore, the proposed development is in a highly sustainable location, close to a wide range of services, amenities and a genuine choice of sustainable travel options within walking and cycling distance of the site. The developer will give the first residents of the proposed development travel information packs as proposed in a submitted travel statement. In addition, a S106 contribution to provide a

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car club within the vicinity of the development is being sought, to further maximise opportunities to travel by sustainable modes of transport.

The CHA is therefore satisfied that the proposed development would not have an unacceptable impact on highway safety, and that the proposed package of sustainable travel measures, coupled with the highly accessible location of the site, would ensure future occupiers would have access to a wide range of high quality sustainable travel options.”

- 6.51 Conditions are recommended to secure the provision of the agreed car and cycle parking provision and the segregated cycleway/footway proposed along the site frontage. A condition is also recommended to secure electric charging points, Travel Information Pack and Construction Transport Management Plan. The condition securing finalised details of the segregated cycleway/footway will be able to ensure that the adequate protection is designed into the path to prevent car parking on it.
- 6.52 Therefore, subject to the conditions recommended by the Highway Authority and a condition to secure adequate refuse provision, the proposal is considered to be acceptable in transport, parking and highway terms and thus complies with policy DES1 and TAP1 of the DMP.

Sustainable construction

- 6.53 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.
- 6.54 The application includes a Sustainability Statement by AES Sustainability Consultants. The report demonstrates that through a fabric first approach and renewable energy the development will result in a significant reduction in CO2 emissions (31%). The report also proposes a range of additional sustainable design conditions including resource efficiency, waste reduction and water efficiency and overheating risk.
- 6.55 The report concludes that the houses will incorporate electric heating systems using Air Source Heat Pumps, the flats will be installed with hot water heat pumps to meet the demand for domestic water in conjunction with direct electric heaters to meet the demand for space heating. The report also sets out how the water consumption would be limited to 110 l/p/d by incorporating water saving measures and equipment.
- 6.56 Whilst the submitted statement demonstrates that the scheme will more than meet the policy requirement of 19% 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. There is also no policy requirement to ensure that other renewable energy features are considered

such as solar panels. The water efficiency measures are still however required. In the event that planning permission is to be granted, a condition would be imposed to secure further details of the water efficiency measures in order to comply with this element of DMP Policy CCF1.

- 6.57 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 matters

- 6.58 The site, with the exception of the most south-western element of the site that adjoins the Redhill Brook and is flood zone 2, is not located within flood zone 2 or 3. All of the proposed development is outside of the flood zone 2 area. The Environment Agency has considered the proposal and has raised no objection to the scheme advising that:

“Based on the latest suitably available modelled information available (Redhill Brook, 2014 fluvial model) for this site, in combination with the submitted Flood Risk Assessment (by: Ardent Consulting Engineers; ref: ‘2205630-04’; date: May 2023), the entire site lies outside of all fluvial flooding scenarios up to and including the 1 in 1000 year (0.1% chance in any given year AEP) scenario.

The proposed development can therefore be considered safe from main river flooding for the duration of its’ lifetime, taking the correctly identified climate change allowances into account, therefore, the proposed development is acceptable in flood risk planning terms.”

- 6.59 As such no concern is raised with regard to fluvial flooding. The EA has however asked for contamination conditions and a condition to control the use of piling to ensure that there are no unacceptable levels of water pollution caused by the development. The piling condition will be added as recommended. Contamination is discussed in a bit more detail below. The EA has also raised no concern in relation to the proposed foul and surface water drainage.

- 6.60 With regard to foul and surface water drainage in support of the application, a 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 finalised detailed drainage scheme and a verification report.

Contamination

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- 6.61 The application is accompanied by a Geoenvironmental report which the Council's Environmental Protection Officer (EPO) has considered. He considered there is potential for ground contamination to be present on and/or in close proximity to the application site given its former use. Whilst the report includes results from existing site investigation and a recommended remediation strategy it has been noted by the EPO that further ground gas monitoring is recommended and under way at the site. Therefore to capture this additional investigation the EPO recommends the full set of ground contamination condition be added. These will cover the requirements of the EA in terms of protecting the adjacent water source from pollution.
- 6.62 Subject to these conditions the proposal would be acceptable in relation to contamination.

Ecology and Trees

- 6.63 The site and surrounding sites are not subject to any ecology designation or statutory or non-statutory protections for ecology, biodiversity or nature conservation. Nevertheless due to the nature of the proposal and its surrounds and the size of the site the application is supported by a Preliminary Ecological Assessment.
- 6.64 The report found that the site was found to be of negligible value for protected and/or notable species, but the surrounding trees may provide some foraging opportunities to common, light-tolerant species of bats while the scrub provides suitable habitat for nesting birds. A series of mitigation / avoidance measures have been devised to ensure the development does not contravene any UK or European legislation.
- 6.65 Surrey Wildlife Trust (SWT) assessed the submitted information and initially advised that further information was required prior to determination in relation to ground level tree roost assessment of trees to be lost, reptile presence/likely absence surveys, site survey to ascertain whether the site could be classified as an Habitat of Principal Importance (HPIs), and Biodiversity net gain assessment.
- 6.66 Following the submission of several response notes, a Baseline Habitat Condition Assessment Report and Biodiversity Net Gain Assessment (including metric calculation tool 4.0) Surrey Wildlife Trust has advised that they are now satisfied in relation to bats, satisfied that the site does not qualify as a Habitat of Principal Importance, reptiles and that the site can secure a biodiversity net gain. In terms of net gain the submitted reports have concluded that "The biodiversity net gain 4.0 metric, through consultation with Fellgrove ecologists and the landscaping, design team, the integration of newly created habitat and hedgerow shows that the site achieves a score of 12.81% habitat unit net gain and 100.00% hedgerow unit net gain and currently achieved the 10% net gain required across both categories."

- 6.67 Surrey Wildlife Trust has therefore raised no concerns with the application proposals and advised that were the application to be approved conditions should be included to secure a Landscape Environmental Management Plan (LEMP) to secure biodiversity net gain, a Construction Environmental Management Plan (CEMP), which includes a pre-construction badger survey and a condition to ensure sensitive external lighting to protect bats.
- 6.68 Therefore, subject to the conditions discussed it is considered that the scheme would comply with policy NHE2 of the DMP.
- 6.69 In terms of the impact on trees the application is supported by an Arboricultural Implications Report by SJA Trees. The submitted information shows that only 3 trees will be removed to facilitate the development, Two Silver Birches (no.18 and 19) and a group tree, G1. All three are category C trees. One off-site Ash Tree (no.8) will need to be pruned to facilitate the implementation of the development. There will also be some incursions into the root protection areas of retained trees but these have been assessed as acceptable minor incursions. The report has also considered the potential pressure to fell trees in the future due to the proximity of a number of trees. The report concludes that “None of the proposed dwellings and apartments are likely to be shaded by retained trees to the extent that this will interfere with their reasonable use or enjoyment by incoming occupiers, which might otherwise lead to pressure on the Local Planning Authority to permit felling or severe pruning that it could not reasonably resist. The report also advises that the proposals include a high-level agreement between the Applicant and management company responsible for the off-site wooded area W1, to allow for a one-off scheme of tree works to be undertaken that will improve the arboricultural quality of this main feature, which will accordingly enhance the arboricultural character of the local area.
- 6.70 The Council’s Tree Officer has assessed the submitted arboricultural information and has provided the following comments:
“The proposed plan is accompanied with a Tree survey, an Arboricultural Impact Assessment (AIA) and a Tree Protection Plan (TPP), in accordance with the British Standard BS5837: 2012. There are no Tree Preservation Orders (TPOs) on the site, and the site is not located in a Conservation Area.
- Two trees are proposed to be removed (T18 and T19) and a group of trees (G1) Being those trees with low quality value, having all of them BS 5837 quality category C, being the tree works proposed following British Standard BS 3998: 2010 ‘Tree work – Recommendations’.*
- In addition, to facilitate the develop one tree will be prune. It is necessary to highlight that the Root Protection Area (RPA) of six trees will be affected, however the affection will be acceptable the British Standard BS5837: 2012, where is mentioned that a new permanent hard surfacing should not exceed 20% of any existing unsurfaced ground withing the RPA. In any case the affection is higher than their 20%. In addition, manual excavation will be carried out around three of those trees. There will be ground protection and tree protection fencing.*

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In light of the above, I do not have objections to the proposal development, the affection to the trees will be minimal and acceptable, and the removal of those two trees are considered reasonable by the British Standard BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations'. I suggest condition with replacement of five native trees, and condition of tree protection implementation”

- 6.71 The applicant has also provided an updated planting schedule during the application process. The Tree Officer has assessed the updated scheme and advised as follows:
“I have reviewed the landscape scheme and the information provided includes a diverse selection of shrubs and trees which overtime will enhancement not only the site but also add value to the local landscape.”
They have recommended a condition to secure its implementation.
- 6.72 Therefore, whilst there would be some tree losses, subject to conditions to secure the proposed tree protection and soft landscaping details to replace removed trees, the arboricultural impacts of the development are not considered to warrant refusal.

Crime

- 6.73 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.”
- 6.74 Surrey Police initially raised some concerns regarding some of the proposed layout including footpaths between units 65 and 66 and number 12 and some of the courtyard areas. Following amendments to the scheme Surrey Police has advised the issues have been addressed. Therefore overall the scheme is considered to be adequately designed so as to avoid undue risk or fear of crime. No issues have been identified which would set this aside from any other residential redevelopment. A condition as recommended by Surrey Police would ensure that the scheme meets the Secured By Design standards.

Community Infrastructure Levy (CIL) and S106 Obligations

- 6.75 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, although the exact amount would be determined and collected after the grant of planning permission.
- 6.76 In terms of other contributions and planning obligations, The Community Infrastructure Levy (CIL) Regulations were introduced in April 2010 and state

that it is unlawful to take a planning obligation into account unless its requirements are (i) relevant to planning; (ii) necessary to make the proposed development acceptable in planning terms; and (iii) directly related to the proposed development. As such only contributions that are directly required as a consequence of development can be requested and such requests must be fully justified with evidence including costed spending plans to demonstrate what the money requested would be spent on.

- 6.77 In this case, as above, affordable housing provision is required in line with the details set out in the report. The need for affordable housing is clearly justified by policy DES6 of the DMP and fully meets the requirements of the CIL regulations.
- 6.78 The CHA has also requested a S106 obligation to secure the provision of one car club vehicle and associated parking bay and fast charging facility, funding this for two years, as well as two year's free membership of the car club for all new occupiers of each dwelling.
- 6.79 According to the CHA the car club S106 requirements are considered necessary because *"The proposed development will increase demand for travel on the transportation network. The car club contribution will allow individuals affordable access to a vehicle without the need for ownership. Provision of the Car Club supports the county council's policies to cut congestion, reduce emissions, improve air quality, reduce parking pressure and increase take-up of sustainable travel modes. The car clubs will provide an effective measure to promote and maximise sustainable transport, in accordance with the sustainable transport requirements of the NPPF."* The CHA advise that the requirement is directly related to the development because *"The Car Club will be located within close proximity to the development and likely to be used by occupants of the proposed development on a regular basis to access nearby services and amenities."* The CHA also considers that *"The scale of the contribution is reasonable given the nature and scale of the proposed development and is required to promote sustainable travel between the site and the surrounding area."* It is therefore considered that a clear justification has been provided by the County Highway Authority and the requirements meet the CIL regulations.

Material considerations put forward by applicant

- 6.80 The applicant has put forward a number of benefits of the scheme which include:
1. Economic benefits of providing homes on a brownfield site in sustainable location within the urban area.
 2. Social benefits of provided much needed market and affordable housing
 3. Social benefits of site's sustainable location
 4. Environmental benefits including opportunities for biodiversity enhancement, soft landscaping, efficient construction techniques, modern sustainable buildings and provision of electric car chargers for all properties.

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- 6.81 It is accepted that these are all relevant material considerations in any balancing exercise which would weigh in favour of the application, particularly the redevelopment of brownfield land which the NPPF says should carry substantial weight.

CONDITIONS

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

Plan Type	Reference	Version	Date Received
Street Scene	022114-BEL-SL-SS01	C	22.11.2023
Location Plan	022114-BEL-SL-06		31.05.2023
Site Layout Plan	022114-BEL-SL-01	D	12.12.2023
Site Layout Plan	022114-BEL-SL-02	D	12.12.2023
Site Layout Plan	3045-APA-ZZ-00-LA-L-1001	P02	08.11.2023
Landscaping Plan	3045-APA-ZZ-00-LA-L-1003	P03	08.11.2023
Site Layout Plan	3045-APA-ZZ-00-PP-L-2001	P01	08.11.2023
Site Layout Plan	3045-APA-ZZ-00-PP-L-2002	P01	08.11.2023
Site Layout Plan	3045-APA-ZZ-00-LA-L-1001	P02	08.11.2023
Site Layout Plan	022114-BEL-SL-03	B	08.11.2023
Site Layout Plan	022114-BEL-SL-04	B	08.11.2023
Site Layout Plan	022114-BEL-SL-05	B	08.11.2023
Street Scene	022114-BEL-SL-SS02	B	08.11.2023
Proposed Plans	022114-CP02		08.11.2023
Elevation Plan	FB-3B-2S-TC-E1	A	08.11.2023
Elevation Plan	FB-3B-2S-TC-E2	A	08.11.2023
Floor Plan	LA-3B-25S-P2	A	08.11.2023
Floor Plan	LA-3B-25S-P3	A	08.11.2023
Elevation Plan	LA-3B-25S-TC-E1	A	08.11.2023
Elevation Plan	LA-3B-25S-TC-E2	A	08.11.2023
Floor Plan	MW-3B-25S-P1	A	08.11.2023
Elevation Plan	MW-38-25S-TC-E1	B	08.11.2023
Site Layout Plan	022114-BEL-SL-06		31.05.2023
Section Plan	022114-BEL-SL-SEC-02		31.05.2023
Street Scene	022114-BEL-SL-SS02		31.05.2023
Elevation Plan	ARA-45-TC01-E1		31.05.2023
Floor Plan	ARA-TC01-P1		31.05.2023
Floor Plan	ARA-TC01-P2		31.05.2023
Floor Plan	ARA-TC01-P3		31.05.2023
Floor Plan	ARA-TC01-P4		31.05.2023
Elevation Plan	BSA-45-TC01-E1		31.05.2023
Floor Plan	BSA-TC01-P1		31.05.2023
Floor Plan	BSA-TC01-P2		31.05.2023

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Floor Plan	BSA-TC01-P3	31.05.2023
Floor Plan	BSA-TC01-P4	31.05.2023
Floor Plan	FB-3B-2S-P1	31.05.2023
Floor Plan	FB-3B-2S-P2	31.05.2023
Elevation Plan	HAA-45-TC01-E1	31.05.2023
Floor Plan	HAA-TC01-P1	31.05.2023
Floor Plan	HAA-TC01-P2	31.05.2023
Floor Plan	HAA-TC01-P3	31.05.2023
Floor Plan	HAA-TC01-P4	31.05.2023
Proposed Plans	022114-CS01	31.05.2023
Proposed Plans	022114-SH01	31.05.2023

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

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

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

3. No development shall 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 DES1.

4. No development shall commence until an Employment and Skills Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall detail how the development will promote local training and employment opportunities during construction and include:
 - Measures to ensure the developer and contractors work directly with local employment and training agencies;
 - Targets for employment of local labour
 - Targets for work experience and apprenticeships
 - Measures for monitoring and reporting outcomes against the plan to the Local Planning Authority at appropriate intervals during the development.

The development shall be carried out in accordance with the approved plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development promotes local training and employment opportunities with regard to Policy CS5 of the Reigate & Banstead Core

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Strategy 2014 and Policy EMP5 of the Reigate & Banstead Development Management Plan 2019.

5. No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding behind any visibility zones
 - (f) HGV deliveries and hours of operation
 - (g) vehicle routing
 - (h) measures to prevent the deposit of materials on the highway
 - (i) before and after construction condition surveys of the highway and a commitment to fund and/or carry out the repair of any damage caused within an agreed time period
 - (j) on-site turning for construction vehicles
- has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

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

6. Prior to the commencement of the development a Waste Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall demonstrate how the waste generated during the demolition, excavation and construction phase of the development (CD&E waste) is limited to the minimum quantity necessary and opportunities for re-use and recycling of any waste generated are maximised. The development shall then be implemented in accordance with the approved Waste Management Plan.

Reason: To ensure that the development maximises opportunities for re-use and recycling of any waste generated in accordance with Policy 4 of the Surrey Waste Local Plan 2019.

7. Prior to commencement of development a written comprehensive environmental desktop study report (preliminary risk assessment) is required to identify and evaluate possible on and off site sources, pathways and receptors of contamination and enable the presentation of all plausible pollutant linkages in a preliminary conceptual site model. The study shall include relevant regulatory consultations such as with the Contaminated Land Officer and be submitted to the Local Planning Authority and is subject to the approval in writing of the Local Planning Authority and any additional requirements that it may specify. The report shall be prepared in accordance with the Environment Agency's Land Contamination: Risk Management Guidance (2020) and British Standard BS 10175.

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

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

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

9. Prior to commencement of the development, a contaminated land site investigation and risk assessment, undertaken in accordance with the site investigation proposal as approved that determines the extent and nature of contamination on site and is reported in accordance with the standards of DEFRA's and the Environment Agency's Land Contamination: Risk Management Guidance (2020) and British Standard BS 10175, shall be submitted to the Local Planning Authority and is subject to the approval in writing of the Local Planning Authority and any additional requirements that it may specify. If applicable, ground gas risk assessments should be completed inline with CIRIA C665 guidance.

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

10. a. Prior to commencement of the development a detailed remediation method statement should be produced that details the extent and method(s) by which the site is to be remediated, to ensure that unacceptable risks are not posed to identified receptors at the site and details of the information to be included in a validation report, has been submitted to and approved in writing by the Local Planning Authority, and any additional requirements that it may specify, prior to the remediation being commenced on site. The Local

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Planning Authority shall then be given a minimum of two weeks written notice of the commencement of remediation works.

b. Prior to first occupation, a remediation validation report for the site shall be submitted to and agreed in writing by the Local Planning Authority. The report shall detail evidence of the remediation, the effectiveness of the remediation carried out and the results of post remediation works, in accordance with the approved remediation method statement and any addenda thereto, so as to enable future interested parties, including regulators, to have a single record of the remediation undertaken at the site. Should specific ground gas mitigation measures be required to be incorporated into a development the testing and verification of such systems should have regard to CIRIA C735 guidance document entitled 'Good practice on the testing and verification of protection systems for buildings against hazardous ground gases' and British Standard BS 8285 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings

Reason: To demonstrate remedial works are appropriate and demonstrate the effectiveness of remediation works so that the proposed development will not cause harm to human health or pollution of controlled waters with regard to the Reigate and Banstead Local Plan Development Management Plan 2019 (Policy DES9 Pollution and contaminated Land) and the NPPF.

11. Contamination not previously identified by the site investigation, but subsequently found to be present at the site shall be reported to the Local Planning Authority as soon as is practicable. If necessary development shall cease on site until an addendum to the remediation method statement, detailing how the unsuspected contamination is to be dealt with, has been submitted in writing to the Local Planning Authority. The remediation method statement is subject to the written approval of the Local Planning Authority and any additional requirements that it may specify.

Note: Should no further contamination be identified then a brief comment to this effect shall be required to discharge this condition

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

12. No development shall commence until a Construction Management Statement, to include details of:
 - i. An introduction consisting of a demolition and construction phase environmental management plan, definitions and abbreviations and project description and location;
 - ii. A description of management responsibilities including complaint recording and management;

- iii. A description of the demolition and construction programme which identifies activities likely to cause high levels of noise or dust;
- iv. Site working hours and a named person for residents to contact;
- v. Detailed Site logistics arrangements including provision of a suitable booking system for HGV deliveries;
- vi. Details regarding parking, deliveries, and storage;
- vii. A scheme of dust and noise mitigation measures to be deployed including identification of sensitive receptors, and a scheme of ongoing continuous monitoring and reporting for demolition and construction noise and dust impacts. The scheme shall be developed by suitably qualified persons and shall include suitable targets and management actions in accordance with BS5228 Code of Practice for Noise and Vibration control and the IAQM Guidance on the assessment of dust from demolition and construction and provision of monitoring results to the Local Planning Authority;
- viii. Details of hours of work, site delivery hours and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network; and
- ix. Communication procedures with the LBL and local community regarding key construction issues – newsletters, fliers etc. Has been submitted to and improved in writing by the Local Planning Authority. Only the approved details shall be implemented during the demolition and construction of the development.

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

13. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 174 of the NPPF.

14. Prior to the commencement of any development works, including demolition and all construction activities, all related arboricultural matters, including arboricultural supervision, monitoring and tree protection measures shall be implemented in strict accordance with the details contained in the Arboricultural Implications Report by SJA Tress (dated May 2023 ref. SJA air 23035-01a). All arboricultural matters will then follow that described in these approved details.

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

15. All hard and soft landscaping work shall be completed in full accordance with planting schedule by Allen Pyke ref. 3045-APA-ZZ-00-PS-L-4201 Revision: P01 submitted with the application (with reference to approved APA drawings: 3045-APA-ZZ-00-PP-L-2001 to 2002) either prior to first occupation or within the first planting season following completion of the development hereby approved.

Any variation from the agreed planting schedule shall be submitted to and agreed in writing by the Local Planning Authority prior to the implementation of any soft landscaping.

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

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

16. No development shall commence until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority (LPA). The CEMP shall be based on the findings and recommendations set out within the ecology information submitted by Fellgrove with the application (the PEA Phase 1 Survey dated May 2023 and all additional documents) and shall include the following information:

- a) Map showing the location of all of the ecological features
- b) Risk assessment of the potentially damaging construction activities
- c) Practical measures to avoid and reduce impacts during construction
- d) Location and timing of works to avoid harm to biodiversity features
- e) Responsible persons and lines of communication
- f) Use of protected fences, exclusion barriers and warning signs.
- g) There is a precautionary approach to the clearance of any vegetation
- e) Details of the methodology for the pre-commencement badger survey, including how the results will be reported and if any badger activity is detected a suitable course of action shall be submitted to and approved in writing by the Local Planning Authority.

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

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

17. 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 on the submitted Fellgrove Biodiversity Net Gain Assessment dated 2023 and set out how it shall meet the biodiversity net gain detailed in Section 13 of the report and shall include the following:
- a) Description and evaluation of features to be managed
 - b) Ecological trends and constraints on site that might influence management
 - c) Aims and objectives of management
 - d) Appropriate management options for achieving aims and objectives
 - e) Prescriptions for management actions, together with a plan of management compartments
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a thirty-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

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

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

18. No external lighting shall be installed on the buildings hereby approved or within the site until:
- an external lighting scheme, which shall include indication of the location, height, direction, angle and cowl of lights, and the strength of illumination, accompanied by a light coverage diagram; and
 - a sensitive lighting management plan to demonstrate that the lighting meets 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”
- has been submitted to and agreed in writing by the local planning authority.

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The external lighting shall be implemented in accordance with the approved scheme and be retained thereafter and maintained in accordance with the manufacturer's instructions.

Reason: To protect the visual amenity of the area and neighbouring residential amenities with regard to Reigate and Banstead Core Strategy 2014 Policy CS10 and policy DES1, DES5 and DES9 of the Reigate and Banstead Development Management Plan 2019 and to protect protected bats in accordance with the provisions of the National Planning Policy Framework and Reigate and Banstead Development Management Plan 2019 policy NHE2.

19. 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 and 10% allowance for urban creep, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 4.1 l/s.
 - b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
 - c) A plan showing exceedance flows (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 for the drainage system.
 - e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

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

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

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

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuD and the implemented drainage design does not increase flood risk on or off site in accordance with policy CCF2 of the Reigate and Banstead Borough Council Development Management Plan 2019.

21. Notwithstanding the submitted Ardent plan numbered 2205630 007 Rev F no other part of the development hereby approved shall be commenced unless and until:
- 1) the access to Hooley Lane has been constructed and provided with pedestrian visibility zones of 2 metres by 2 metres on both sides of the access in accordance with a detailed plan to be submitted to and approved in writing with the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6 metres high above the ground; and
 - 2) the segregated cycleway footway on the north side of Hooley Lane has been constructed in accordance with a detailed plan to be submitted to and approved in writing with the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6 metres high above the ground.

Reason: In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2021 and Policy TAP1 Parking, access , and Servicing of the Reigate and Banstead Local Plan Development Management Plan September 2019.

22. Notwithstanding the approved plans no development shall take place above slab level until written details of:
- i) the materials (manufacturer and finish) to be used in the construction of the external surfaces;
 - ii) the fenestration including material and type of opening;
 - iii) finalised brick detailing; and
 - iv) finalised details of boundary treatments (including retaining walls) and any other means of enclosure within the site
 - v) finalised details of the hard landscaping materials referenced under the approved landscaping plans.

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.

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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.

23. No development shall take place above slab level until a scheme of noise and vibration attenuation and ventilation sufficient to prevent overheating and maintain thermal comfort shall be submitted to and approved in writing by the Local Planning Authority. The scheme, including performance details and a glazing plan, shall achieve the habitable room standards as detailed in BS8233:2014 with no relaxation for exceptional circumstances and appropriate consideration of L_{Amax} with suitable measures to ensure the thermal comfort of occupiers. The scheme shall include details of post construction validation measurements. Prior to first occupation a final verification report shall be submitted to and approved in writing by the local Planning authority. All work must be carried out by suitably qualified person and the approved noise, vibration attenuation and ventilation measures shall thereafter be retained and maintained in working order for the duration of the use in accordance with the approved details.

Reason: In order to protect the amenities of the future occupants with regard to Reigate & Banstead Development Management Plan 2019 policy DES1, DES5 and DES9.

24. No development shall take place above slab level until a scheme of measures to ensure that all residential units have access to amenity space within the development where noise levels do not exceed 55dB LAEQ(16 hour) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of post construction validation. Thereafter the development shall be carried out in accordance with the approved details and a separate validation report shall be submitted to and approved in writing by the Local Planning Authority within 3 months of first occupation.

Reason: In order to protect the amenities of the future occupants with regard to Reigate & Banstead Development Management Plan 2019 policy DES1, DES5 and DES9.

25. The development hereby approved shall not be first occupied unless and until space has been laid out within the site and carports erected and made ready for use in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking /turning areas, garages and car ports shall be retained and maintained for the purposes of parking and for no other purpose.

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

26. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for bicycles to be stored in a covered and secure location. Thereafter the bicycle storage areas shall be retained and maintained for its designated purpose.

Reason: In order that the development promotes more sustainable forms of transport, and to accord with the National Planning Policy Framework 2019 and Reigate and Banstead Core Strategy 2014 Policy CS17.

27. Notwithstanding the submitted travel plan statement numbered 2205630 R 07 Rev F 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 should not prejudice highway safety and to ensure 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.

28. Prior to the first occupation of the development full details (and plans where appropriate) of the waste management scheme, including storage, collection points (and pulling distances where applicable), and any works to the access road throughout the development and entrance 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 accommodate 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 and thereafter retained in accordance with the approved details.

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.

29. The development hereby approved shall not be occupied unless and until each of the proposed dwellings and flats 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

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Authority and thereafter shall be 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 and Reigate and Banstead Core Strategy 2014 Policy CS17 and policy TAP1 of the Development Management Plan.

30. 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.

31. The development shall not be first occupied until details of the Local Area for Plan (LAP) between Block 2 and 3 has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the equipment, boundary treatments to be installed and details of future maintenance/management of the LAP. Thereafter the LAP shall be constructed in full accordance with the agreed details prior to the first occupation of the development and shall be retained and maintained thereafter.

Reason: To provide adequate open space in accordance with policy OSR2 of the Reigate & Banstead Development Management Plan 2019.

32. The development shall not be occupied until a scheme demonstrating compliance with 'Secured by Design' award scheme has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed before the occupation of the development hereby permitted and shall be permanently maintained as such thereafter.

Reason: To ensure that the development provides a secure environment for future residents in accordance with Policy DES1 of the Reigate & Banstead Development Management Plan 2019.

33. 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.

34. The development shall be implemented in accordance with the approved drawing 022114-BEL-SL-04 Revision B so that the 26 identified units meet Part M4(2) “accessible and adaptable” accessibility standards and the 4 identified units meet the higher M4(3) “wheelchair adaptable” standard. Any variation must be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of the development.

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

35. 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 or B 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.

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.
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 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 . 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.

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4. You are advised that the Council will expect the following measures to be included as part of the Construction Management Statement required by condition:
- (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.

5. Environmental Health would like to draw the applicant attention to the specifics of the contaminated land conditional wording such as 'prior to commencement', 'prior to occupation' and 'provide a minimum of two weeks notice'.
- The submission of information not in accordance with the specifics of the planning conditional wording can lead to delays in discharging conditions, potentially result in conditions being unable to be discharged or even enforcement action should the required level of evidence/information be unable to be supplied. All relevant information should be formally submitted to the Local Planning Authority and not direct to Environmental Health.
6. The applicant is advised that the essential requirements for an acceptable communication plan forming part of a Method of Construction Statement are viewed as: (i) how those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme; (ii) how neighbours will be notified prior to any noisy/disruptive work or of any significant changes to site activity that may affect them; (iii) the arrangements that will be in place to ensure a reasonable telephone response during working hours; (iv) the name and contact details of the site

manager who will be able to deal with complaints; and (v) how those who are interested in or affected will be routinely advised regarding the progress of the work. Registration and operation of the site to the standards set by the Considerate Constructors Scheme (<http://www.ccscheme.org.uk/>) would help fulfil these requirements.

7. 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
8. The applicant is advised that as part of the detailed design of the highway works required by the above condition(s), 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.
9. Notwithstanding 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.
10. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see: <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land

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Drainage Act 1991. Please see: www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice.

11. 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).
12. 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.
13. 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. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.
14. A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.
15. At the detailed design stage in order to comply with the access and shared cycleway footway condition the applicant will have to fund a TRO to prevent parking either on the carriageway or on the shared cycle way footway. In order to physically prevent this parking the developer will also have to provide bollards.
16. Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus, it should be demonstrated that any proposed piling will not result in contamination of groundwater.

If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with EA guidance document Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on

Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73.

17. The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:
- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution.
 - treated materials can be transferred between sites as part of a hub and cluster project formally agreed with the Environment Agency.
 - some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to:

- the Position statement on the Definition of Waste: Development Industry Code of Practice and;
- The waste management page on GOV.UK

18. If The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:
- on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
 - on or within 16 metres of a sea defence
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

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19. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.

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.

Sub ground structures should be designed so they do not have an adverse effect on groundwater.

If there are any further queries please contact the Flood Risk, Planning, and Consenting Team via SUDS@surreycc.gov.uk. Please use our reference number in any future correspondence.

20. The use of a suitably qualified arboricultural and landscape consultants is essential to provide acceptable supervision and monitoring in respect of the arboricultural issues in respect of the above tree and landscaping conditions. All works shall comply with the recommendations and guidelines contained within British Standard 5837.

REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies CS1, CS4, CS5, CS8, CS10, CS11, CS12, CS14, CS17 and DES1, DES4, DES5, DES6, DES8, DES9, TAP1, CCF1, CCF2, INF1, INF3, NHE2, NHE3, OSR2 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.

23/01119/F - Former Gas Holders, Hooley Lane, Redhill



SCHEDULE OF ACCOMMODATION

Unit Type	Description	Qty
PRIVATE		
Private Houses		
FB	The Faber - 3 Bed House - 3B4P - M4(2)	2
LA	The Lacemaker - 3 Bed House - 3B4P	6
MW	The Millwright - 3 Bed House - 3B6P	1
Private Apartments		
BLOCK 1		
TO	The Tripod - 1 Bed Apartment - 1B2P	4
CL	The Calliper - 2 Bed Apartment - 2B4P	8
BLOCK 2		
TO	The Tripod - 1 Bed Apartment - 1B2P	4
CL	The Calliper - 2 Bed Apartment - 2B4P	8
BLOCK 3		
CK	The Carthook - 1 Bed Apartment - 1B2P - M4(3)	1
PC	The Pucella - 2 Bed Apartment - 2B3P - M4(2)	2
LW	The Lewis - 2 Bed Apartment - 2B4P - M4(2)	5
UL	The Ulu - 2 Bed Apartment - 2B3P - M4(2)	2
FT	The Filbert - 2 Bed Apartment - 2B4P - M4(2)	6
Private Total		49
AFFORDABLE		
Affordable Houses - Rented		
LA	The Lacemaker - 3 Bed House - 3B4P	3
Affordable Apartments - Rented		
BLOCK 1		
VE	The Vellum - 1 Bed Apartment - 1B2P - M4(3)	1
PM	The Parchment - 2 Bed Apartment - 2B4P - M4(2)	1
BLOCK 2		
TD	The Tedder - 1 Bed Apartment - 1B2P - M4(2)	2
HK	The Hawk - 2 Bed Apartment - 2B4P - M4(2)	6
Affordable Total - Rented		13
Affordable Apartments (Shared Ownership)		
BLOCK 1		
TL	The Tablet - 1 Bed Apartment - 1B2P - M4(2)	2
VE	The Vellum - 1 Bed Apartment - 1B2P - M4(3)	2
AL	The Astrolabe - 2 Bed Apartment - 2B4P - M4(2)	2
PM	The Parchment - 2 Bed Apartment - 2B4P - M4(2)	2
Affordable Total - Shared Ownership		8
Affordable Total (30% of total)		21
Overall Total		70



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dha architecture ltd

Brooklands Farm Business Park
 Bottle Lane
 Binfield
 Berkshire
 RG42 5QX

t. 0118 934 9666
 e. surname@dhaarchitecture.co.uk
 w. www.dhaarchitecture.co.uk

sgn, hooley lane, redhill

rev date by details

Tenure Layout

reference 022114-BEL-SL-04

18.05.2023 created
 1:500 @ A2 scaling
 MI/JeH contact

- revision

SCHEDULE OF ACCOMMODATION

Unit Type	Description	Qty
Private Houses		
FB	The Faber (H) - 3 Bed House	2
LA	The Lacemaker (H) - 3 Bed House	6
MW	The Millwright - 3 Bed House	1
Private Apartments		
1BA	1 Bed Apartment	8
1BA M4(3)	1 Bed Apartment - M4(3)	1
2BA	2 Bed Apartment	31
Private Total		49
Affordable Houses		
LA	The Lacemaker - 3 Bed House	3
Affordable Apartments		
1BF	1 Bed Apartment	7
2BF	2 Bed Apartment	8
2BF M4(3)	2 Bed Apartment - M4(3)	3
Affordable Total		21
Overall Total		70

022114-BEL-SL-LINKED-24.10.23-JH



presentation planning layout

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The location of the rainwater downpipes is illustrative only. The detailed engineering layout will illustrate the plot specific location of the downpipes, and this must be followed.

Elevations Correspond to Floor Plan Drawing:
LA-3B-25S-P2



Front Elevation

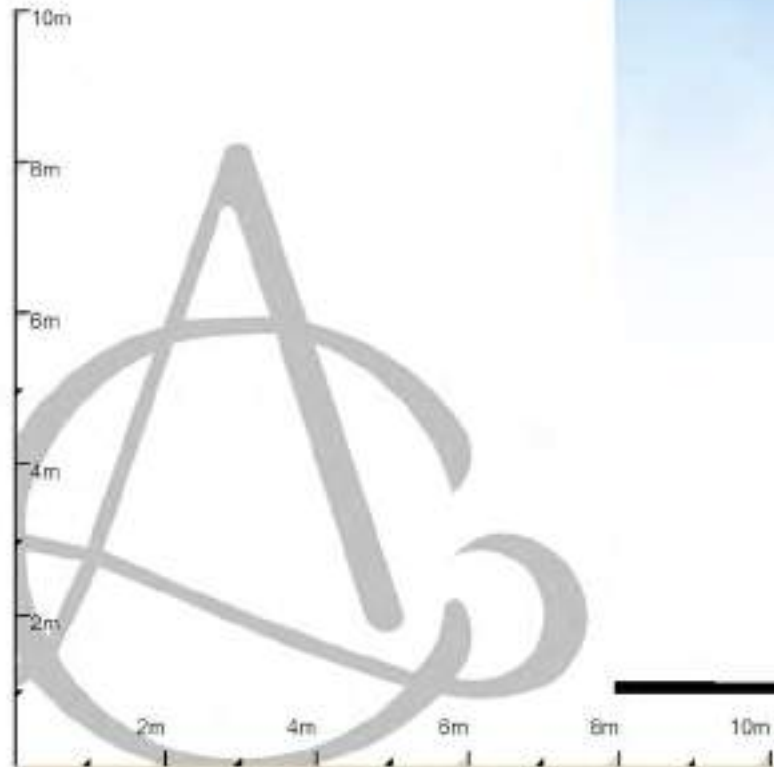
Side Elevation



Rear Elevation

Side Elevation

50



THE ARTISAN COLLECTION

EW04.1, ORIGIN E, Roof amended

A: 24.10.23 KA Roof layout and pitch revised, elevation style revised to reflect LA requirements
I: 30.05.23 JKH Roof layout and pitch revised
rev date by details

THE LACEMAKER (H)

ELEVATIONS 16.02.2023
Urban Veneer - Contemporary 5.1 1:100 @ A3
project LA-3B-25S-TC-E1 A 10/2024

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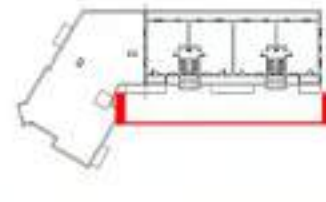
The windows indicated to the side elevations are optional windows only. The default position will be that each of these windows is included unless referred to as omitted on the separate materials schedule or external finishes plan.

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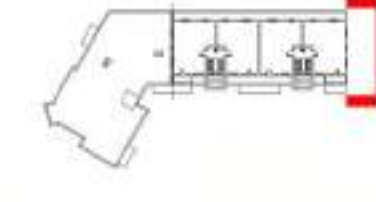
Elevations Correspond to Floor Plan Drawing:
ARA-TC01-P1 to P4



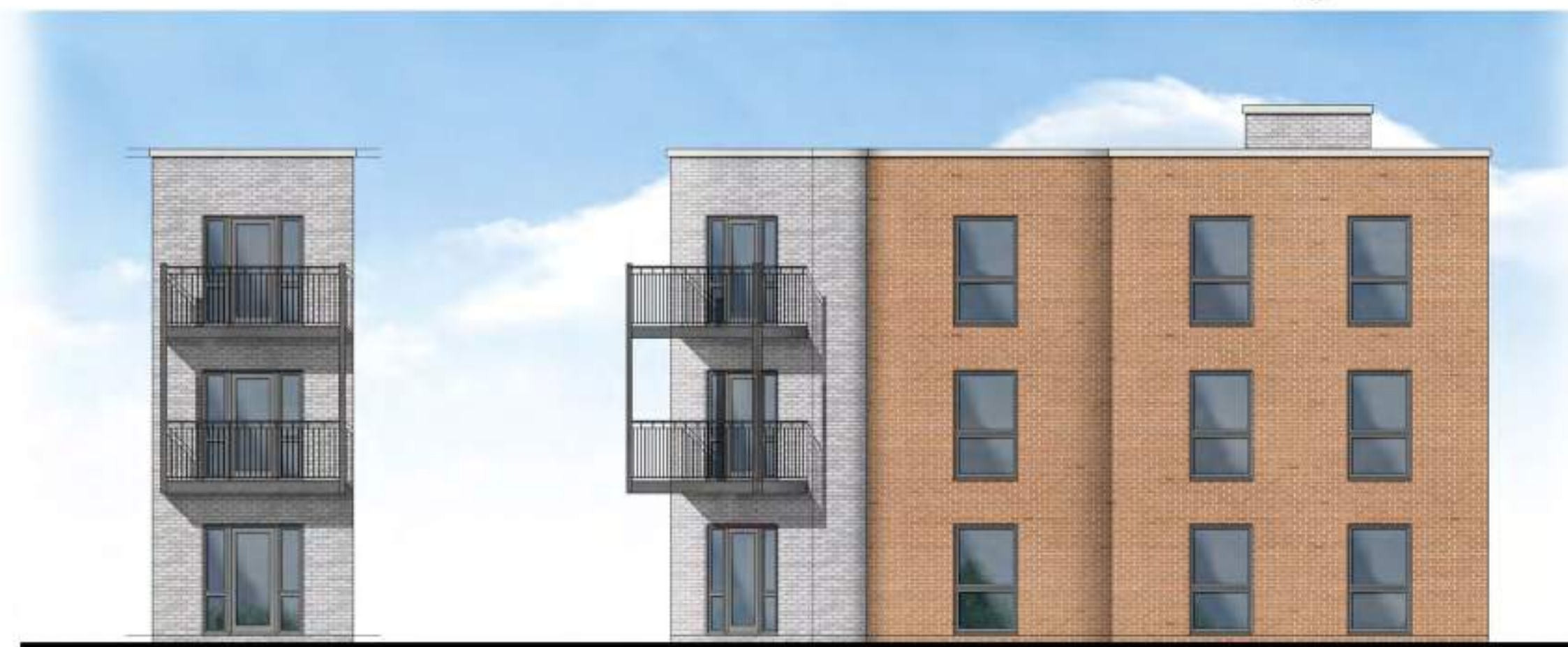
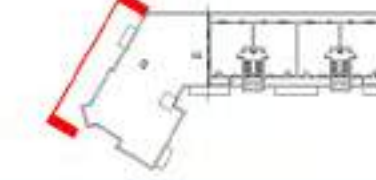
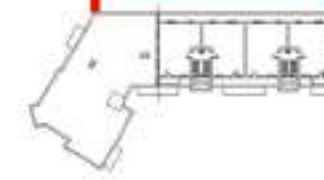
Front Elevation



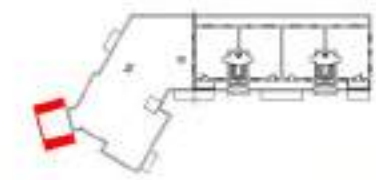
Side Elevation



Rear Elevation



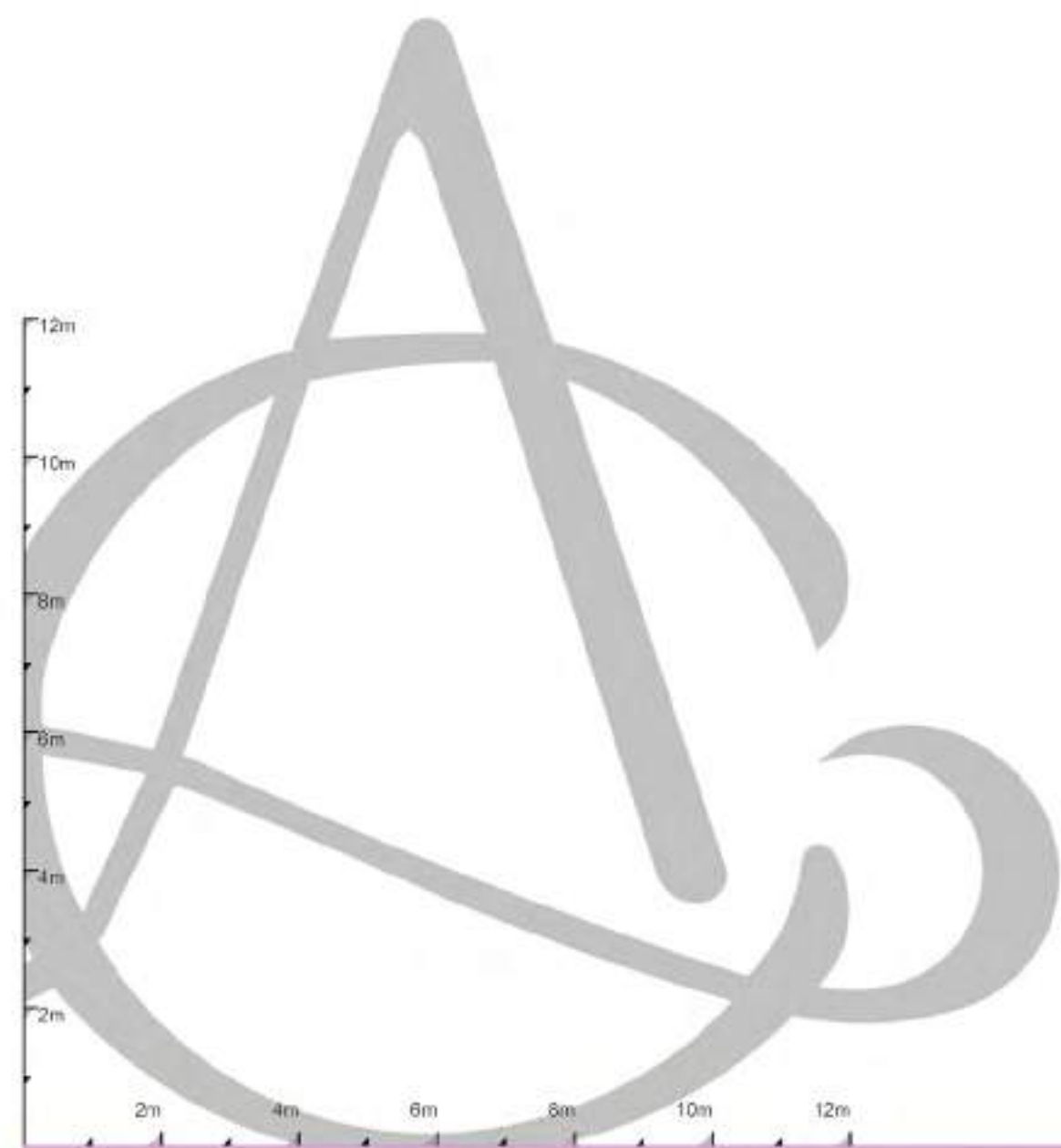
Side Elevation



Side Elevation



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Elevations Correspond to Floor Plan Drawing:
HAA-CC01-P1 to P4



Front Elevation

Side Elevations

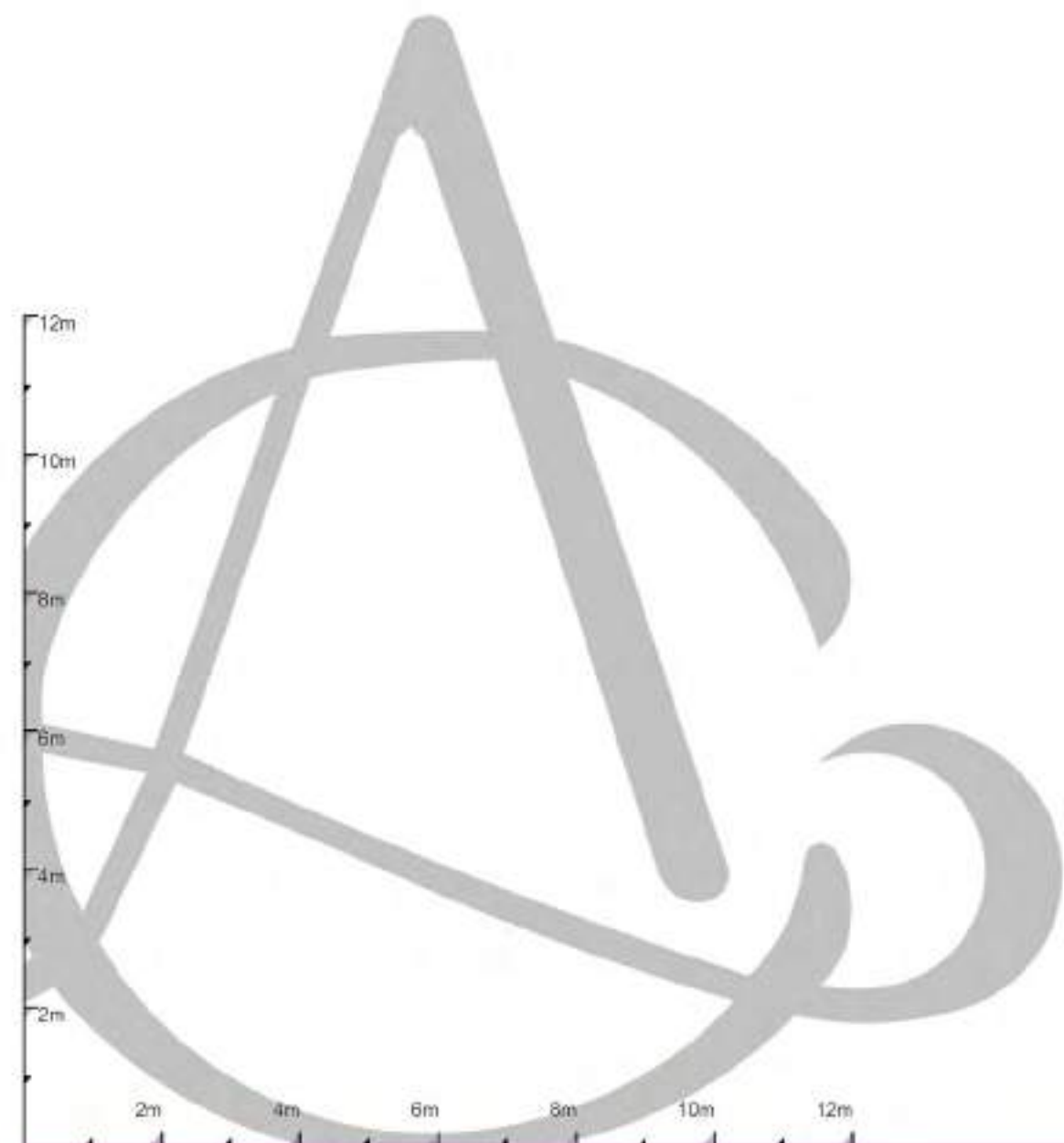
- Lower Panel Blocked Up Internally



Rear Elevation

Side Elevations

- Lower Panel Blocked Up Internally



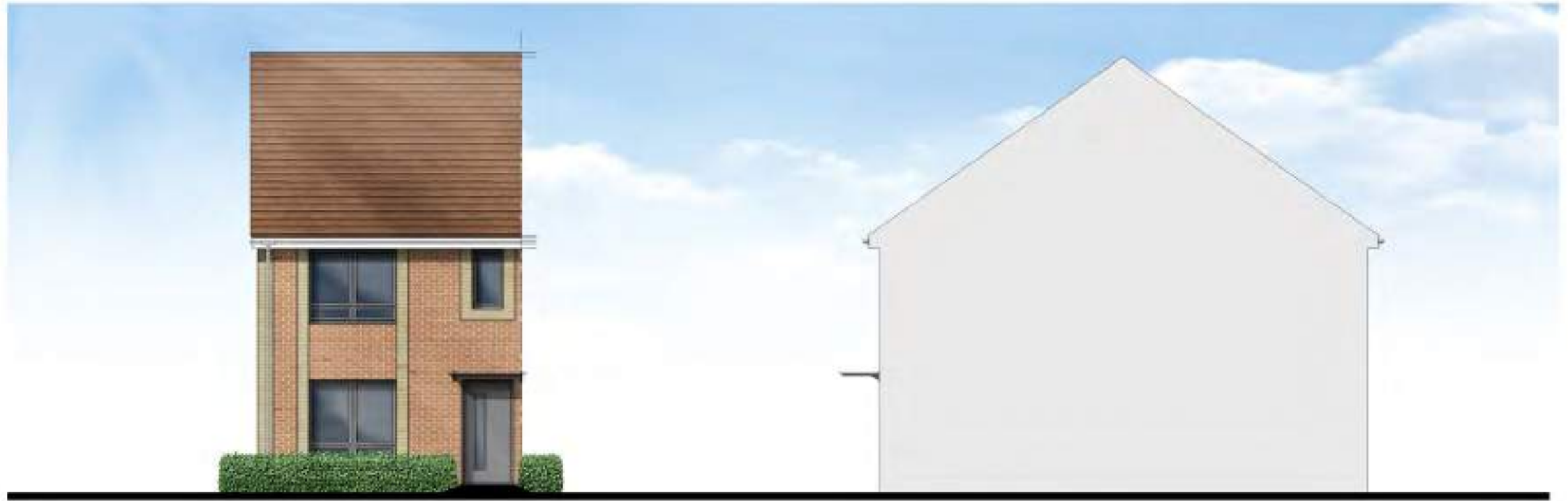
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Elevations Correspond to Floor Plan Drawing:
FB-3B-2S-P1



Front Elevation

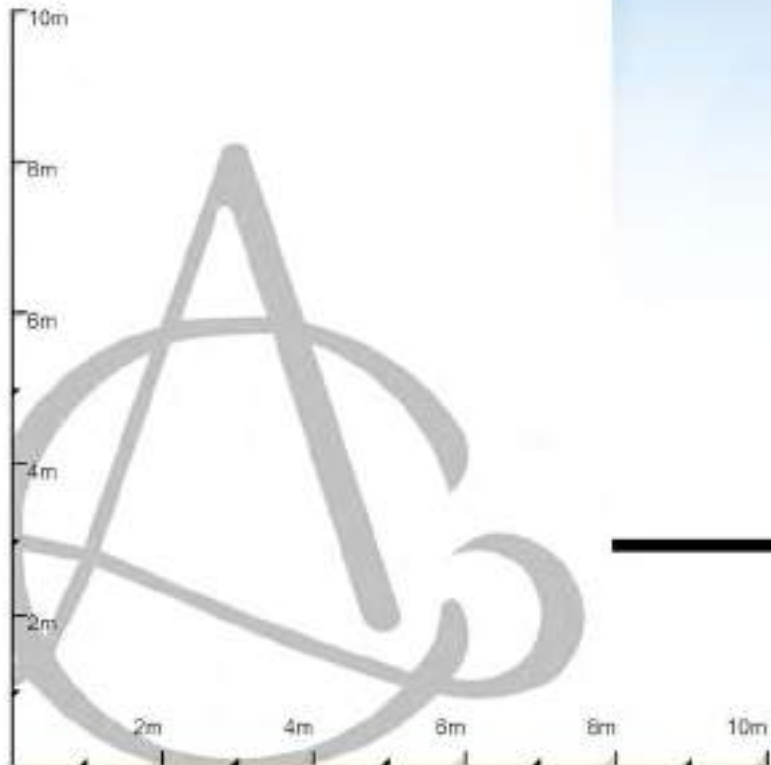
Side Elevation

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Rear Elevation

Side Elevation



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Elevations Correspond to Floor Plan Drawing:
BSA-TC01-P1 to P4



Front Elevation

Side Elevation

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Rear Elevation

Side Elevation

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Elevations Correspond to Floor Plan Drawing:
FB-3B-2S-P2



Front Elevation

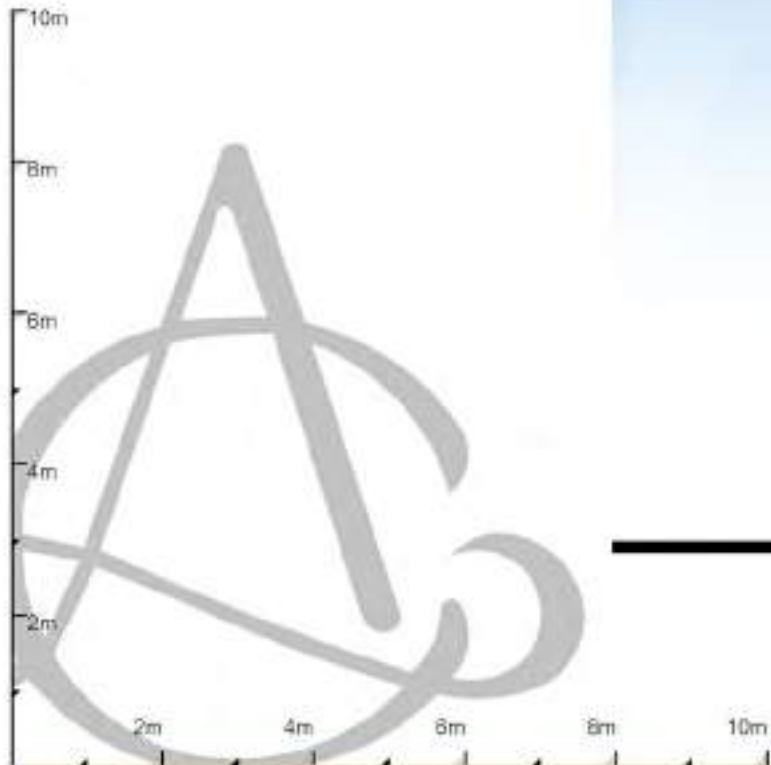
Side Elevation



Rear Elevation

Side Elevation

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Elevations Correspond to Floor Plan Drawing:
LA-3B-25S-P3



Front Elevation

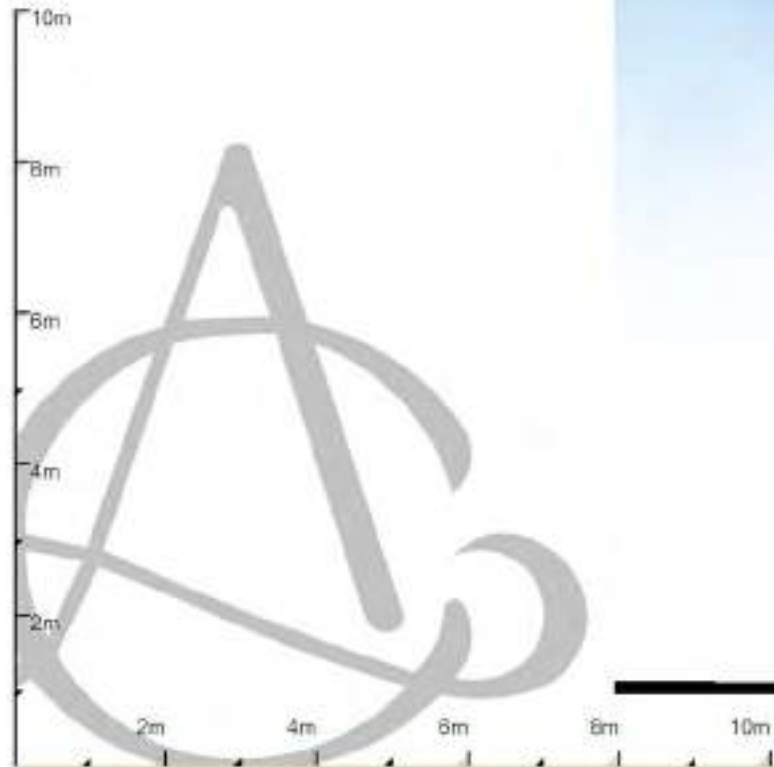
Side Elevation



Rear Elevation

Side Elevation

62



THE ARTISAN COLLECTION

EW04.1, ORIGIN E, Roof amended

A: 24.10.23 KA Roof beams and pitch revised, elevation style revised to reflect LA planning
I: 30.05.23 JKH Roof beams and pitch revised
rev date by details

THE LACEMAKER (H)

ELEVATIONS 16.02.2023
Urban Veneer: Contemporary 5.2 1:100 @ A3
project LA-3B-25S-TC-E2 A 15/2019



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Arrowsmith Court
 Plots 4-25


Bradshaw Court
 Plots 26-45



Arrowsmith Court
 Plots 4-25

Bradshaw Court
 Plots 26-45



 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	10 January 2024
	REPORT OF:	HEAD OF PLANNING
	AUTHOR:	Stephen Yeoell
	TELEPHONE:	01737 276869
	EMAIL:	Stephen.Yeoell@reigate-banstead.gov.uk
AGENDA ITEM:	6	WARD: Nork

APPLICATION NUMBER:	23/01937/F	VALID:	31/10/2023
APPLICANT:	Earlwood Homes	AGENT:	Earlwood Homes
LOCATION:	LAND TO THE REAR OF 141-147 RUDEN WAY, EPSOM DOWNS		
DESCRIPTION:	Erection of 3 dwellings with parking, landscaping and associated works.		

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.

This application is referred to Committee in accordance with the Constitution as the application site is for net 3 dwellings.

SUMMARY

This is a full application is for the erection of two semi-detached 4-bedroom dwellings and one detached 5-bedroomed dwelling along with off road car parking, landscaping and associated works to be built on the rear gardens of No's. 141-147 (inclusive) Ruden Way.

The dwellings would be accessed via Brunswick Close which forms an existing back land development for 6 new dwellings approved in 2019. The resultant plot sizes would be commensurate with the existing dwellings within Brunswick Close and other similar back land developments within the locale.

The design and appearance of the properties would be of a traditional nature and in keeping with those recently built in Brunswick Close. Hipped roof finishes, bay windows and a traditional material palette are proposed which would result in a locally distinctive design, well integrated with the surroundings.

The access would cause no highway safety concerns given the existing access into Brunswick Close would be utilised. The properties would have a minimum of two off road car parking spaces per dwelling, together with 3 new visitor bays meaning the proposal would exceed the parking standards set out within policy TAP1 and Annexe 4 of the DMP. The County Highways Authority have confirmed no objection subject to recommended conditions.

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The introduction of dwellings would represent a change in relationship with neighbouring dwellings, however it is not considered that there would be a harm impact to their amenity to justify refusal. The proposed dwellings would be sufficiently spaced away from the donor properties and other properties in Ruden Way and Brunswick Close so as not to materially impact the amenity of those properties.

Additional details with regards to issues such as landscaping, drainage, ecology, cycle storage and electric vehicle charging points can be secured by condition.

In view of the above the application is considered to be acceptable on design, character, neighbour amenity and highway/transport grounds, and is therefore recommended for approval subject to conditions.

RECOMMENDATION(S)

Planning permission is GRANTED subject to conditions.

Consultations:

Highway Authority: No objections subject to conditions relating to the provision of electrical charging points for cars and storage and charging points for e-bikes.

Tree Officer: No objections subject to conditions

Surrey Wildlife Trust: No objection subject to a condition requiring submission of an Ecological Enhancement Plan

Regulatory Support Services: No objection subject to a Construction Environmental Management Plan condition

Surrey County Council Archaeological Officer: No objections

National Rail: No objections subject to informatives

Representations:

Letters were sent to neighbouring properties on 28 September 2023, 2 November 2023 and 30 November 2023. 14 letters of representation from local residents have been received raising the following concerns:

Issue	Number	Response
Drainage	12	See paragraph 6.42
Hazard to highway safety	7	See paragraphs 6.26-6.29
Inadequate parking	4	See paragraph 6.27
Inconvenience during construction	13	See paragraph 6.45
Increase in traffic and congestion	12	See paragraphs 6.15, 6.18 and 6.26-6.29
Loss of private view	4	See paragraph 6.46
No need for the development	8	See paragraph 6.1
Noise and disturbance	13	See paragraphs 6.20, 6.24 and 6.45
Harm to wildlife habitat	5	See paragraphs 6.33-6.35
Harm to Conservation Area	1	See paragraph 6.48
Health fears	6	See paragraph 6.47
Loss of/harm to trees	7	See paragraphs 6.3-6.32
Property devalue (a non planning matter)	5	See paragraph 6.44
Out of character with surrounding area	2	See paragraphs 6.3 -6.12

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Overbearing relationship	2	See paragraphs 6.14-6.19
Overdevelopment	7	See paragraphs 6.3 -6.12
Overlooking and loss of privacy	4	See paragraphs 6.14-6.19
Flooding	1	See paragraph 6.42
Right of access	4	See paragraph 6.44

1.0 Site and Character Appraisal

- 1.1 The application site is located on the western side of Ruden Way and comprises the rear gardens of 141,143, 145 and 147 Ruden Way, together with the access road Brunswick Close. Ruden Way is a residential road, which leads off Reigate Road at the north eastern end and Fir Tree Road at the southern end. Brunswick Close forms an existing back land development of 6 dwellings recently built and not yet fully occupied. Other examples of residential developments have been built off Ruden Way in more recent years including – Amber Close, Poplar Close and Whitebeam Close.
- 1.2 The character of this part of the road, where the application site lies, is predominantly semi-detached houses, set in elongated plots. The existing dwellings on Brunswick Close form the exception to this, as detached dwellings sitting in smaller plots. Dwellings within this part of Ruden Way are largely modest in scale, with mainly mansard style roofs and including spacious gaps between dwellings. The dwellings are set back from the road on a uniform building line, following the curve of the road, with green verges with street trees and pavements. The dwellings on Brunswick Close hold tighter relationships, set within more modest plots, but are of a uniform design, holding a uniform building line with off street parking in front gardens. The dwellings towards the south end of Ruden Way are predominantly detached and the plots increase in width creating a more spacious feel. At the northern end of the road lies a large commercial site.
- 1.3 The Council's Local Distinctiveness Design Guide identifies the area as one of 1930s-1950s Suburbia. The road increases in level to the south. The site also increases in gradient towards the rear (west) where a railway line borders the application site. The gardens forming the main part of the application site are well established with some mature trees and boundary vegetation.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: The applicant did not approach the Council for pre-application advice therefore the opportunity to secure improvements did not arise.
- 2.2 Improvements secured during the course of the application: changes to the landscaping proposed, reduction in garage size, reduction in size of turning head and additional information regarding plot sizes.

- 2.3 Further improvements could be secured: Conditions regarding materials, levels, landscaping, tree protection, broadband, water, highways conditions, removal of permitted development rights for loft conversions and rear extensions, obscure glazing to first floor side facing window, drainage, CEMP, ecological enhancement, boundary treatment, air source heat pumps would be added to a grant of permission.

3.0 Relevant Planning and Enforcement History

19/01673/RM1	Reserved matters relating to landscaping of permission 20/02780/s73 - demolition of nos 129 and 131 ruden way and the erection of 6 new detached dwellings with access from ruden way together with car parking. Variation of condition 1 of permission 19/01673/out. Amend the currently approved scheme and substitute new drawings. As amended on 10/03/2021. As amended on 08/04/2021, on 04/10/2021 and on 15/11/2021.	Approved 14 th December 2021
19/01673/OUT	Demolition of nos 129 and 131 ruden way and the erection of 6 new detached dwellings with access from ruden way together with car parking. As amended on 13/11/2019 and on 18/11/2019.	Approved 29 th November 2019
18/01920/F	Demolition of nos 129 and 131 Ruden Way and the erection of 6 new detached dwellings with access from Ruden Way together with car parking and landscaping.	Refused 24th January 2019 Appeal dismissed 15 th July 2019
18/00548/F	Demolition of 129 and 131 Ruden Way and the erection of 9 new detached dwellings with access from Ruden Way together with car parking and landscaping.	Refused 9th May 2018 Appeal dismissed 27th January 2019

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4.0 Proposal and Design Approach

- 4.1 The proposal is for the erection of three new dwellings together with associated landscaping and car parking within the rear gardens of 141-147 Ruden Way. The dwelling would extend the existing residential development site forming Brunswick Close. The proposal would include a pair of semi-detached dwellings and one detached dwelling with detached garage.
- 4.2 The proposed scheme has been amended to reduce the level of hardstanding, reduce the garage from a double to a single and increase the soft landscaping within the site.
- 4.3 The design of the properties broadly reflects the properties within Brunswick Close, with a traditional design and materials. The properties would include hipped roofs with the pair of semi-detached properties including a crown roof. The proposed finishing materials would include a red multistock brick, tile hanging and timbering of gables with a red brown plain roof tile.
- 4.4 The design would include soft landscaping around the extended access road and a level of spacing around properties commensurate with those already built in Brunswick Close.
- 4.5 Parking has been provided for each property, together with three visitor bays.
- 4.6 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a four-stage design process comprising:
- Assessment;
 - Involvement;
 - Evaluation; and
 - Design.
- 4.7 Evidence of the applicant's design approach is set out below:

Assessment	The immediate surroundings of the site along Ruden Way are characterised by typical two storey suburban semi-detached properties. Properties are set back from the road behind front gardens, many of which have been converted to hardstanding for driveways over the years. Further south along Ruden Way, detached properties become the prevailing character. As a result, the area has a relatively uniform character, albeit there is some variety in house designs and building forms. Examples of backland development are commonplace in Ruden Way and the surrounding area, with small cul-de-sacs and new estates having been developed on garden land in behind the original frontage properties over the past 20 to 30 years.
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Involvement	It is not stated that any community involvement or consultation has taken place.
Evaluation	The statement does not include any evidence of other development options being considered.
Design	Inspiration has been sought from the shapes and forms of the adjacent development site and other similar developments in the locality.

4.8 Further details of the development are as follows:

Site area	0.2 hectares
Proposed parking spaces	10
Parking standard	Accessibility – falls partly in both medium and low accessibility. Required spaces would be between 6 and 9.
Net increase in dwellings	3

5.0 Policy Context

5.1 Designation

Urban Area

5.2 Reigate and Banstead Core Strategy

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

DES1 (Design of New development)
DES2 (Residential garden land development)
DES4 (Housing Mix)
DES5 (Delivering High Quality Homes)
DES8 (Construction Management)
TAP1 (Access, Parking and Servicing)
CCF1 (Climate Change Mitigation)
CCF2 (Flood Risk)
INF3 (Electronic communication networks)
NHE2 (Protecting and enhancing biodiversity and areas of geological Importance)

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NHE3 (Protecting trees, woodland area and natural habitats)

5.4 Other Material Considerations

National Planning Policy Framework

Supplementary Planning Guidance

Surrey Design 2002

Local Distinctiveness Design Guide
2004

Local Character & Distinctiveness
Design Guide SPD 2021

Climate Change and Sustainable
Construction SPD 2021

SCC Vehicle and Cycle Parking
Guidance 2018

Other

Human Rights Act 1998

Community Infrastructure
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 development is acceptable in land use terms. The area is comprised of a mix of residential and commercial. There is therefore no objection to the principle of residential development in this location. Consideration of the application therefore rests on whether the application is acceptable with regards to various issues which are considered below.

6.2 The main issues to consider are:

- Design and Character
- Neighbour amenity
- Amenity of occupiers
- Highway and parking matters
- Trees and landscaping
- Affordable housing and Community Infrastructure Levy
- Sustainability and Climate Change
- Flooding and drainage
- Other matters

Design and Character

6.3 The application is for the erection of two 4-bedroom semi-detached dwellings and one detached 5-bedroom dwelling within the rear gardens of 141-147 Ruden Way. The proposed dwelling would be arranged in a linear form parallel to the dwelling fronting Ruden Way and following the line of existing dwellings on Brunswick Close. As amended, the site would include a well landscaped

access road and buffer area of landscaping between the rear of the donor properties and the frontages of the new dwellings in the public areas of the site.

- 6.4 Policy DES2 refers to development within residential garden land. It is considered that the sub-division of the plots as proposed would comply with policy DES2. The dwellings would occupy a slightly higher land level than the frontage dwellings along Ruden Way; however, the scale, form and external materials of the proposed development that would result from the design would follow with the character of area, in particular the dwellings as built on Brunswick Close. The proposed area of landscaping to the rear of the donor properties would allow for new planting, together with the retention of one good specimen mature tree which would provide some screening from views between the gaps of the existing dwellings fronting Ruden Way.
- 6.5 The design of dwellings would be commensurate with the style of dwelling built within the existing development site, Brunswick Close, including hipped roof finishes of traditional form with front facing gable features. A crown roof would be formed to the pair of semi-detached properties, but this would not be out of keeping with similar developments within the locality. Equally, a small side dormer would be included on the detached property, in keeping with examples found on some of the existing dwellings on Brunswick Close.
- 6.6 The proposed finishing materials would include a red multistock brick, tile hanging and timbering of gables with a red/brown plain roof tile. This would be commensurate with the existing properties and exact specification of the materials would be secured by way of condition. A street scene has been provided which shows the design would be reflective of the as built development site.
- 6.7 It is considered that the plot widths and front garden depths are consistent with other houses in the road and local development sites. Taken centrally, Plot 1 has a garden depth of approximately 11.9m, Plot 2 10.8m and Plot 3 10.6m. Plot 3, whilst shallowest, is more generously wide due to the side garage. The rear gardens are marginally smaller than the gardens to the existing dwelling due to the tapering off of the length of the original gardens here. However, they are still deeper than a number of examples within similar development sites in the locality as shown within a document provided by the applicant. Furthermore, when considering a previous appeal on the adjoining site the inspector noted:

“The proposed plot and dwelling widths would also be similar to the existing properties on Ruden Way, notwithstanding the shorter garden lengths and differences in dwelling scale and design. Nevertheless, within close proximity to the site there are several examples of backland development of a denser grain which are not out of character.”

This further reinforces the acceptability of the proposed garden sizes. Nonetheless, reflective of the existing permission allowing the dwellings on Brunswick Close and to avoid overdevelopment of the plots, conditions would be attached to remove permitted development rights for extensions.

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- 6.8 The separation between the proposed dwellings would be greater than those within the existing development site with a minimum of approx. 2.2m between dwellings. This ensures that the plots would not appear overly tight nor out of keeping with the character of the surrounding area.
- 6.9 Whilst it is noted that previous refusals of permission on the adjoining site were partly in relation to the number of dwellings and resultant overdevelopment of the site, the increase here is formed through an increased size of the resultant overall development site. The dwellings would therefore not appear cramped, nor the site overdeveloped, particularly in comparison to the existing.
- 6.10 The site layout would include visitor parking bays in the land opposite the new dwellings together with parking to the front or side of the proposed dwellings. The access road would be extended, and a large turning head added at the end of the cul-de-sac. Whilst this would result in a reasonably high level of hardstanding within the site, amendments have been forthcoming to reduce this level and provide greater levels of soft landscaping to soften the overall appearance to the frontage of the site. The resultant appearance is considered in keeping and consistent with the layout allowed at and now forming Brunswick Close. Furthermore, the amendments reduced the proposed garage, serving the detached property, from a double to a single, reducing the level of built form and providing additional spacing and room for soft landscaping at the end of the site bordering No. 49 Ruden Way.
- 6.11 Land beyond the railway line to the rear of the site is formed of open fields, however the proposal is considered significantly spaced so as to create an acceptable transition to this open land beyond the railway line. Furthermore, there are examples of development closer to this land at Bunbury Way to the south and the commercial works to the north.
- 6.12 The proposed dwellings and associated works are considered an acceptable reflection of development within this locale, taking account of the varying factors set out above. It is considered therefore that the quantum of development and the design of the dwellings are appropriate on this site and that the proposal complies with both policies DES1 and DES2 in this regard.

Neighbour amenity

- 6.13 The proposed development has been assessed with regards to its impact on the amenity of neighbouring properties. The site backs onto a railway line with green belt land beyond. Therefore, the impact on neighbouring properties has been considered most closely with regard to those fronting the development (the host properties), the immediate side neighbour, No. 149 Ruden Way, the existing properties within Brunswick Close and the new dwellings own impact on one another. Consideration has also been given to all other surrounding properties. A site visit has been undertaken to assess the impact.
- 6.14 Given the separation distances between the new houses and existing residential dwellings on Ruden Way of between approximately 39m to 44m, it

is not considered that the proposed buildings would cause such a level of harm to these host properties amenity in terms of overbearing, overlooking, loss of light or loss of outlook so as to warrant refusal. The new dwellings would be located adjacent to the rearmost garden areas of these neighbours, which are typically less well used and protected than other parts. In drawing this conclusion particular regard has been given to the approval of the previous dwellings within Brunswick Close who hold a similar level of separation to the original host properties.

- 6.15 The dwellings currently found forward of the existing access road and either side of the access road would suffer from an increased level of traffic and general comings and goings within the extended cul-de-sac. However, the increase is not considered so severe as to result in a particularly altered relationship with the existing site. The separation distances to these properties from the proposed dwellings is greater than the existing relationship they hold with the properties currently found within Brunswick Close and therefore no increased harm is considered to arise worthy of refusal.
- 6.16 Plot 3 would become the final dwelling within the cul-de-sac and would hold a plot alongside the end of the garden of No. 149 Ruden Way. The main dwelling would however hold a separation distance of approximately 7m, which is sufficient to consider that it would not be considered overbearing to this rear garden area. Given the separation distance created by this side spacing and the distance resulting from the good length gardens, it is equally not considered that a loss of light or outlook worthy of refusal would arise. No side facing windows would face this boundary ensuring no harmful overlooking would arise. The garage would also retain spacing of approx. 2.4m to the boundary. Given its much smaller scale, ancillary use and the separation distances, this is equally not considered to result in any harmful neighbour amenity impact. Further separation would be retained to the following dwellings on Ruden Way (No. 151 onwards) and therefore the relationship is also considered acceptable.
- 6.17 No. 6 Brunswick Close is currently the end plot of the existing development site. The new dwellings would be built alongside this plot. The nearest dwelling would retain separation of approximately 2.5m to No. 6. This distance is greater than the distances provided between the 6 dwellings on Brunswick Close, and the siting of the dwelling would be largely alongside this neighbour. The relationship would therefore be comparable to that the existing properties hold with one another. It is not thereby considered that any overbearing relationship worthy of refusal would arise worthy of refusal. Whilst it is noted that there are side facing windows to No.6 these are a mix of obscure glazed windows, non-habitable rooms and/or secondary windows. None would therefore result in a loss of light or outlook to any room within this dwelling which would warrant refusal. Side facing windows would be included within the dwelling at Plot 1 looking back toward No. 6. However, the windows at all levels would serve non habitable rooms (bathrooms). An obscure glazing condition is also proposed which would limit any overlooking further, together with a condition ensuring no

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additional windows, rooflights or dormers would be built in the side elevations of the dwellings once built.

- 6.18 Much like the relationships considered to other neighbouring properties, the rest of those forming Brunswick Close would clearly be impacted by an increased intensification of the access road, but not to an extent which is considered to warrant refusal of the application. No other harm would arise to these properties given the available screening and separation afforded by virtue of the built form of No. 6.
- 6.19 The proposed dwellings themselves would be sited alongside one another with reasonable separation distances comparable to those within the locale. Side facing windows are largely proposed to serve non-habitable rooms and to be obscure glazed or are high level rooflights within the roof of plot 3. None of the proposed properties are thereby considered to result in harm to one another having regard for a potential loss of light or outlook, potential overbearing relationship and potential overlooking.
- 6.20 A Construction and Environmental Management Plan condition is recommended to help manage noise mitigation during construction works. It is further noted that the submitted energy statement sets out that Air Source Heat Pumps will be provided. Given the potential noise implications of these, a condition is recommended requiring details to be submitted or the pumps to be in compliance with the relevant permitted development legislation (Part G, Class 14, Schedule 2) relating to air source heat pumps.
- 6.21 Consequently, it is considered that the proposal would not cause significant or material harm to the amenity of neighbouring properties and therefore, the proposal complies in this regard with policy DES1.

Amenity of occupiers

- 6.22 Policy DES5 requires that all new residential development must provide high quality adaptable accommodation and provide good living conditions for future occupants. It further advises that new accommodation must meet the relevant nationally prescribed internal space standard (NDSS) for each individual unit unless the Council considers that an exception should be made.
- 6.23 In this case the proposed properties meet or exceed NDSS standards for 4 and 5 bed units and each habitable room would be served by good sized windows as shown on the proposed floor plans. The top floor bedrooms are served only by rooflights and whilst this is not optimum it is reflective of those approved within Brunswick Close and still considered to provide sufficient levels of light and outlook to these rooms so as to be deemed acceptable. The rear gardens, whilst not significant in size, are considered sufficient for the size of properties and are commensurate with examples within the locale including the adjacent properties.

- 6.24 The principle of new dwellings here has already been established including the acceptability of the railway line to the rear and the potential impacts this would have on the enjoyment of resident's properties with particular regard for noise implications. The applicant has provided a noise assessment considering this impact. The assessment takes a number of points into consideration including the distances from the railway line, the design of the dwellings, the expected noise resulting from the railway line and building regulation requirements among other things. The report concludes that 'The soundscape predicted is consistent with that measured for the adjacent site where 6 new properties were consented' and that therefore 'planning permission should not be withheld on noise grounds.'

The Council's own noise consultants considered the proposal including this noise assessment. Following review, they raised no objection in regard to the noise implications of the railway line. They did however recommend a Construction and Environmental Management Plan condition should permission be recommended for approval to mitigate against the noise implications of the construction works.

- 6.25 It is considered therefore that the proposal complies in this regard with Policy DES5.

Highway and Parking Matters

- 6.26 The County Highways Authority has assessed the proposed development on safety, capacity, manoeuvrability and policy grounds and have recommended that conditions should be imposed on the permission relating to the new access, parking and turning, and the provision of electrical charging points for cars along with storage and charging for e-bikes and bikes.
- 6.27 DMP policy TAP1 states that new residential development should: "Include car parking and cycle storage for residential and non-residential development in accordance with adopted local standards (see Annex 4). The application sets out that 10 parking spaces are proposed. Two off street spaces are provided per dwelling and an additional garage for plot 3. Three visitor bays are also proposed. The application site falls partially within an area of low accessibility and partly within an area defined as medium accessibility within the DMP. The number of parking spaces are however sufficient to exceed the requirements of Annex 4 of the DMP regardless of which area is considered to be the predominant and most relevant accessibility area. A minimum of 9 spaces would be required for a low acceptability area and 6 for a medium accessibility area. The 10 proposed comfortably exceeds this.
- 6.28 In regard to highway safety the site would be accessed via the existing cul-de-sac with no access from Ruden Way proposed and would therefore have no particular implications on increased potential for highway safety concerns. As such, the Highway authority raised no objection to the scheme. Conditions requiring the submission of schemes for Electric Vehicle charging sockets and

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cycle storage and charging of e-bikes were put forward and would be included with any grant of permission.

- 6.29 In light of the above considerations the scheme is considered to comply with Policy TAP1 of the DMP 2019 with regard to highway safety, capacity and policy grounds and would therefore be acceptable.

Trees and Landscaping

- 6.30 There are a number of mature trees within the application site, some of which are proposed to be retained. The Tree Officer was therefore consulted on the proposal and provided the following comments:

'My comments are based on a desk top review of the arboricultural report submitted with this application. Most of the trees within the site are low quality specimens and removing them to facilitate this development will not have an impact on the appearance of Ruden Way. The proposed layout has identified two individual specimens, both are moderate in quality and one group and hedge to be retained, and doing so ensure there will be an established canopy cover and screening for the future occupants.'

- 6.31 The Tree Officer has recommended a tree protection implementation condition are added to the permission in order to facilitate good tree management and protection but otherwise raises no objection to the scheme.
- 6.32 In addition, a landscaping condition will be added to the permission to ensure that the hard and soft landscaping proposed is of a suitable standard and will enhance the character of the area. Subject to these conditions being complied with, it is considered that the proposal complies in this regard with policy NHE3.

Ecology

- 6.33 During the course of the previous appeal of application 18/01920/F for the adjacent site the Inspector's single reason for refusal related to the matter of no substantive evidence having been submitted to demonstrate that the proposed development would not harm any protected species and habitat. The subsequent approved application therefore provided such information which was considered acceptable.
- 6.34 This current application has also provided an Ecological Impact Assessment which notes among other things:

'During the walkover survey, habitats recorded on site included improved grassland, ornamental planting, tall ruderal vegetation, an ornamental pond, an allotment, species poor ornamental hedges, scattered trees and areas of hardstanding/gravel and outbuildings.'

The habitats on the site have been assessed as having some limited potential to support commuting and foraging bats and common nesting bird species. Some areas of the site also have potential to support reptiles if they are present

in the area. Based on the plans provided, it is anticipated that there will be a loss of habitat of low ecological importance which would be utilised by these species. A number of mitigation measures have therefore been set out with respect to these species in order to safeguard them throughout the development process.

During the building inspection the outbuilding were assessed as providing negligible potential to support roosting bats due to a lack of crevice roosting features and a suitable void space. None of the trees on site had featured that could support roosting bats.

Therefore, the proposed plans will not directly impact any bat roosts and works can proceed without precautionary measures.

In the unlikely event that a bat is discovered during the works, all works must cease and a bat licence ecologist contacted for advice.'

Outline mitigation and enhancement recommendations have been made in order to ensure that opportunities are available for protected species following the completion of the development, and that the ecological value of the site is enhanced in the long-term.

- 6.35 Surrey Wildlife Trust were consulted upon the application, reviewed this report and have raised no objection on the grounds of protected species subject to a recommended condition relating to an Ecological Enhancement Plan. A condition relating to boundary treatments and the inclusion of wildlife friendly boundaries is also recommended. Therefore, subject to such conditions, it is considered that the proposal is acceptable in regard to its ecological impact.

Affordable Housing and Community Infrastructure Levy

- 6.36 Development Management Plan DES6 states that on developments providing 11 or more homes, 30% of the homes on site should provide affordable housing. This supersedes the Core Strategy policy CS15 in its entirety.
- 6.37 In view of this, the Council is not presently requiring financial contributions from applications such as this resulting in a net gain of 10 units or less.
- 6.38 The Community Infrastructure Levy (CIL) is a fixed charge which the Council has been collecting from some new developments since 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.

Sustainability and Climate Change

- 6.39 Policy CCF1 of the Councils Development Management Plan 2019 seeks to

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ensure that all new development contributes to reducing carbon emissions and improving water efficiency. 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. The water efficiency measures are still however required. Therefore, in the event that planning permission were to be granted, a condition requiring demonstration that it will meet the national water efficiency standard of 110litres/person/day would be attached.

- 6.40 An energy statement was also submitted by the applicant. This sets out that Air Source Heat Pumps will be included with each new dwelling which would help in ensuring energy efficient dwellings. As discussed above, a condition requiring details to be submitted or the pumps to be in compliance with the relevant permitted development legislation relating to air source heat pumps is recommended.
- 6.41 A condition would also be recommended to ensure that each dwelling is fitted with access to fast broadband services in accordance with policy INF3 of the DMP should permission have been granted.

Flooding and Drainage

- 6.42 The site is not located within flood zone 2 or 3. It is located in flood zone 1 which has the lowest risk of flooding and where national and local planning policy directs is the most suitable for development. As such no concern is raised with regard to fluvial flooding. Only a small section of the site is shown to have a risk of surface water flooding. However, concern was raised by a number of contributors that the drainage of the existing development site at Brunswick Close would not be capable of coping with the additional demands of the additional dwellings. A condition is recommended that would require additional detail to be provided in order to ensure that the drainage strategy will work correctly and meet the requirements of policy CCF2. Nonetheless, the applicant, in response to these comments has provided initial information in this regard. Whilst only indicative at this stage, this sets out that the drainage could be run in conjunction with the existing on site, with surface water running to new soakaways and fluvial water pumped via a rising main independent of the pipe network in Brunswick Close. There would therefore be no conflict that the existing drainage would not be able to cope with the additional dwellings. As such, it is considered that the recommended condition would be sufficient to provide adequate finalised detail in this regard.

Other Matters

- 6.43 Representations were received from a number of local residents. These raised a number of concerns with the proposal including in regard to a number of items not considered above. These are therefore considered here. Issues already covered have not been repeated.
- 6.44 Concerns have been raised that the applicant has no right of access to the

development site in utilising the existing road, Brunswick Close. This is not a planning matter and is instead a separate legal matter between owners of the land. It is not therefore reason to refuse the application. Equally, property devaluation is not a material consideration of a planning application.

- 6.45 Inconvenience during construction and noise and disturbance have also been raised as a concern. Construction works are inconvenient and noisy in nature and are not reason to refuse a planning application. Statutory nuisance legislation exists to control any significant disturbance caused during the construction of the proposal. Furthermore, information relating to working hours etc will need to be submitted in regard to the resultant impact on neighbouring properties by the recommended Construction and Environmental Management Plan condition. The noise assessment submitted was considered acceptable by the noise consultants and excessive noise issues can be dealt with by Environmental Health.

- 6.46 Comments in regard to loss of private view are not considered to be reason to refuse such an application. As set out above, the siting of the dwellings would be such that views would be minimal from Ruden Way. Equally, the separation distances between dwellings are considered acceptable and there is no right to a view under planning policy or guidance. All surrounding dwellings would retain acceptable light and outlook in line with policy as set out above.

- 6.47 Representations have also been received regarding health fears; however it is considered that the nature of the proposed development would not give rise to any health issues.

- 6.48 The application site does not fall within or in close proximity to a Conservation Area and therefore this is not a material consideration of this application.

CONDITIONS

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

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

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

Plan Type	Reference	Version	Date Received
Site Layout Plan	CDA-341-001	B	18.09.2023
Elevation Plan	CDA-341-008	B	18.09.2023
Elevation Plan	CDA-341-007	B	18.09.2023

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Proposed Plans	CDA-341-005	B	18.09.2023
Proposed Plans	CDA-341-006	C	18.09.2023
Floor Plan	CDA-341-004	B	18.09.2023
Location Plan	CDA-341-003	B	21.11.2023
Proposed Plans	CDA-341-009	A	21.11.2023
Street Scene	CDA-341-010	A	21.11.2023
Site Layout Plan	CDA-341-002	K	21.11.2023
Site Layout Plan	CDA-341-002	K	21.11.2023
Landscaping Plan	EH42 - LAND - 01		21.11.2023

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

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

3. No development shall 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 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.

5. 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 - 7kw 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 recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2023 to accord with the National Planning Policy Framework 2023 and Reigate and Banstead Core Strategy 2014 Policy CS17 (Travel Options and Accessibility).

6. The development hereby approved shall not be first occupied unless and

until facilities for the secure, covered parking of bicycles and the provision of a charging point for e-bikes by said facilities have been provided within the development site 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 2023 to accord with the National Planning Policy Framework 2023 and Reigate and Banstead Core Strategy 2014 Policy CS17 (Travel Options and Accessibility).

7. 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.

8. 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 first floor windows, dormer windows or rooflights other than those expressly authorised by this permission shall be constructed.

Reason: To ensure that the development does not affect the amenity of the neighbouring property by overlooking and to protect the visual amenities of the area in accordance with Reigate and Banstead Development Management Plan policy DES1.

9. The first floor windows in the side elevations of plot 3 and the first and second floor windows in the side elevations of plots 1 and 2 of the development hereby permitted shall be glazed with obscured glass and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall be maintained as such at all times.

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

10. 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 or B 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.

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11. The development hereby approved shall not commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the following relevant measures:

- Site working hours and a named person for residents to contact;
- Detailed Site logistics arrangements
- Details regarding parking, deliveries, and storage including provision of a suitable booking system for HGV deliveries;
- Details regarding dust and noise mitigation measures to be deployed
- Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network;

The construction shall thereafter be carried out in accordance with the details and measures approved in the CEMP for the related phase, unless the written consent of the Local Planning Authority is received for any variation.

Reason: To protect the neighbouring occupants from noise, disturbance and inconvenience with regard to Development Management Plan 2019 policies DES1 and DES8 and the National Planning Policy Framework 2019.

12. No development above ground level shall commence until an Ecological Enhancement Plan has been submitted to and approved in writing by the local planning authority (LPA) in accordance with the recommendations found within section 7 of the submitted Ecological Impact Assessment by Darwin Ecology dated August 2023. The submitted details should be written by a suitably qualified ecologist.

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.

13. 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.

14. No development shall commence on site until a finalised scheme for the landscaping of the site in accordance with approved plan EH42 - LAND - 01 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 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 and DES1, and the recommendations within British Standards including BS8545:2014 and British Standard 5837:2012.

15. No development shall commence including groundworks preparation and demolition until all related arboricultural matters, including arboricultural supervision, monitoring and tree protection measures are implemented in strict accordance with the approved details contained in the Arboricultural Method Statement and Tree Protection Plan compiled by DAA, dated September 2023

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

16. The development hereby approved shall not be first occupied unless and until the proposed dwellings are provided with Air Source Heat Pumps in accordance with the submitted Energy Statement (by Arcadian Architectural Services Ltd dated 10.08.2023). The Air Source Heat Pumps shall comply with the requirements of Part G, Class 14, Schedule 2 the Town and Country Planning (General Permitted Development) Order 2015 or alternatively shall be installed in strict accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development supports the efficient use of resources and minimises carbon emissions and to protect the occupants of the proposed development from noise disturbance with regard to Policy CS10 of the Reigate & Banstead Core Strategy 2014 and Policies CCF1 and DES1 of the Reigate & Banstead Development Management Plan 2019.

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

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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.

18. 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.

INFORMATIVES

1. 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. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.
2. It is the responsibility of the developer to provide e-bike charging points with socket timers to prevent them constantly drawing a current over night or for longer than required. Signage should be considered regarding damaged or shock impacted batteries, indicating that these should not be used/charged. The design of communal bike areas should consider fire spread and there should be detection in areas where charging takes place. With regard to an e-bike socket in a domestic dwelling, the residence should have detection, and an official e-bike charger should be used. Guidance on detection can be found in BS 5839-6 for fire detection and fire alarm systems in both new and existing domestic premises and BS 5839-1 the code of practice for designing, installing, commissioning, and

maintaining fire detection and alarm systems in non-domestic buildings.

3. 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).
4. 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.
5. 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.
6. Anecdotal evidence submitted to the Council, in response to the notification of a previous planning application, on this site suggests that properties in the locality may have been damaged via aerial delivered ordnance during WWII. Therefore, there is the potential for the presence of Unexploded Ordnance (UXO) to be present beneath part(s) of the site. Groundworkers should be made aware of this so suitable mitigation measures and groundworker awareness is in place prior to commencement of any intrusive works. Should any suspect or actual UXO be identified during intrusive works, works should cease immediately and the Local Police and Environmental Protection (for information purposes) should be contacted immediately for further guidance. CIRIA C681: UXO a Guide to the Construction Industry (Guidance Document) can provide further information on UXO matters relating to construction.
7. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at <https://firesprinklers.org.uk/>
8. 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.
9. 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-

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[banstead.gov.uk](https://www.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.

10. Building works involving work on an existing wall shared with another property; or new building on the boundary with a neighbouring property; or excavating near a neighbouring building, may fall within the scope of the Party Wall, etc. Act 1996 and may require that you serve a Statutory Notice on all affected owners. Further guidance is available from <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>
11. The applicant is advised that the Borough Council is the street naming and numbering authority and you will need to apply for addresses. This can be done by contacting the Address and Gazetteer Officer prior to construction commencing. You will need to complete the relevant application form and upload supporting documents such as site and floor layout plans in order that official street naming and numbering can be allocated as appropriate. If no application is received the Council has the authority to allocate an address. This also applies to replacement dwellings. If you are building a scheme of more than 5 units please also supply a CAD file (back saved to 2010) of the development based on OS Grid References. Full details of how to apply for addresses can be found http://www.reigate-banstead.gov.uk/info/20277/street_naming_and_numbering
12. With regard to the boundary treatment condition the Council is encouraging the developer to incorporate planting and measures to encourage biodiversity and wildlife and allow wildlife to move into and out of gardens and, in particular, include Hedgehog friendly gravel boards where appropriate. Details of the 'wildlife friendly' measures should be provided with the submission of the details for approval.
13. The developer must ensure that their proposal, both during construction and after completion of works on site, does not:
 - o encroach onto Network Rail land
 - o affect the safety, operation or integrity of the railway and infrastructure
 - o undermine its support zone
 - o damage the company's infrastructure
 - o place additional load on cuttings
 - o adversely affect any railway land or structure
 - o over-sail or encroach upon the air-space of any Network Rail land
 - o cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

The developer should comply with the following comments and requirements to ensure the operational railway is protected.

Future maintenance

The applicant must ensure that any construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of/or encroaching upon Network Rail's adjacent land and air- space. Therefore, any buildings are required to be situated at least 2 metres (3m for overhead lines and third rail) from Network Rail's boundary.

This requirement will allow for the construction and future maintenance of a building without the need to access the operational railway environment. Any less than 2m (3m for overhead lines and third rail) and there is a strong possibility that the applicant (and any future resident) will need to utilise Network Rail land and air-space to facilitate works as well as adversely impact upon Network Rail's maintenance teams' ability to maintain our boundary fencing and boundary treatments. Access to Network Rail's land may not always be granted and if granted may be subject to railway site safety requirements and special provisions with all associated railway costs charged to the applicant.

As mentioned above, any works within Network Rail's land would need approval from the Network Rail Asset Protection Engineer. This request should be submitted at least 20 weeks before any works are due to commence on site and the applicant is liable for all associated costs (e.g. all possession, site safety,

asset protection presence costs). However, Network Rail is not required to grant permission for any third-party access to its land.

Plant & Materials

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no plant or materials are capable of falling within 3.0m of the boundary with Network Rail.

Drainage

Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property; full details to be submitted for approval to the Network Rail Asset Protection Engineer. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed within 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.

Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. The applicant/applicant's contractor must consider if they can undertake the works and associated scaffold/access for working at height within the footprint of their property boundary.

Piling

Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be

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carried out in accordance with the approved method statement.

Fencing

In view of the nature of the development, it is essential that the developer provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. The 1.8m fencing should be adjacent to the railway boundary and the developer/applicant should make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point during or post construction should the foundations of the fencing or wall or any embankment therein, be damaged, undermined or compromised in any way. Any vegetation within Network Rail's land boundary must not be disturbed. Any fencing installed by the applicant must not prevent Network Rail from maintaining its own fencing/boundary treatment.

Lighting

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers' vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting.

Noise and Vibration

The potential for any noise/vibration impacts caused by the proximity between the proposed development and any existing railway should be made aware to the future occupiers of the site. It must also be assessed in the context of the National Planning Policy Framework which holds relevant national guidance information.

The current level of usage may be subject to change at any time without notification including increased frequency of trains, night-time train running and heavy freight trains. The appropriate building materials should be used to reduce any potential noise disturbance from the railway.

Vehicle Incursion

Where a proposal calls for hard standing area/parking of vehicles area near the boundary with the operational railway, Network Rail would recommend the installation of a highways approved vehicle incursion barrier or high kerbs to prevent vehicles accidentally driving or rolling onto the railway or damaging lineside fencing.

Landscaping

Any trees/shrubs to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary as the species will contribute to leaf fall which will have a detrimental effect on the safety and operation of the railway.

Network Rail wish to be involved in the approval of any landscaping scheme adjacent to the railway. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its

boundary fencing. If required, Network Rail's Asset Protection team are able to provide more details on which trees/shrubs are permitted within close proximity to the railway.

Existing Rights

Whilst not a planning matter, we would like to remind the applicant of the need to identify and comply with all existing rights on the land. Network Rail request all existing rights, covenants and easements are retained unless agreed otherwise with Network Rail.

Property Rights

notwithstanding the above, if any property rights are required from Network Rail in order to deliver the development, Network Rail's Property team will need to be contacted.

If you would like to discuss any of the above, please contact your local Network Rail's Asset Protection team:

Anglia: AssetProtectionAnglia@Networkrail.co.uk

Kent and Sussex: AssetProtectionLondonSouthEast@NetworkRail.co.uk

Wessex: AssetProtectionWessex@NetworkRail.co.uk

To identify your route, please use the link:
<https://www.networkrail.co.uk/running- the-railway/our-routes>

14. The use of a suitably qualified arboricultural consultant is essential to provide acceptable supervision and monitoring in respect of the arboricultural issues in respect of the above condition. All works shall comply with the recommendations and guidelines contained within British Standard 5837.

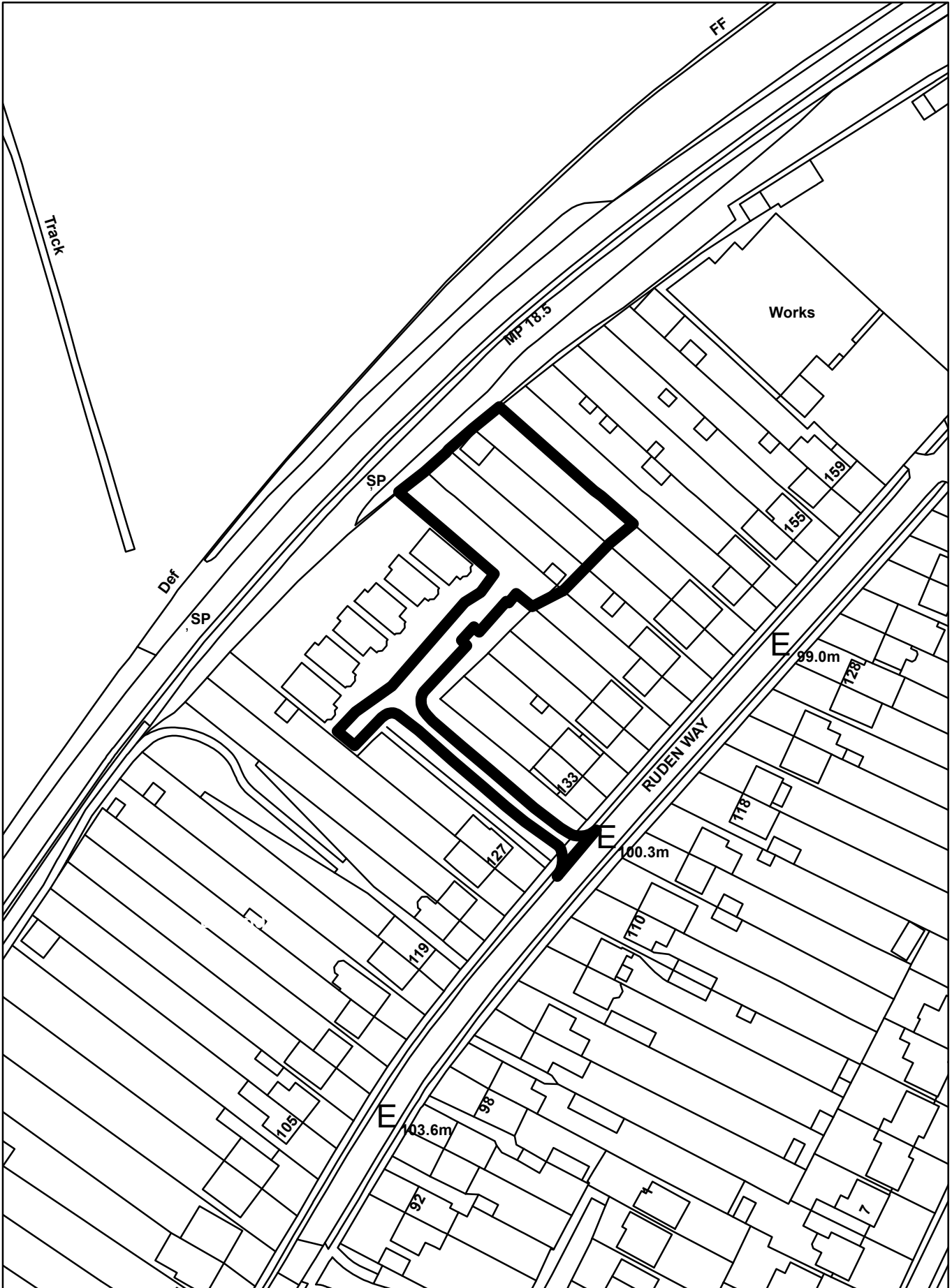
REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies DES1, DES2, DES4, DES5, DES8, TAP1, CCF1, CCF2, INF3, NHE2, NHE3 and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

Proactive and Positive Statements


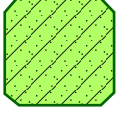
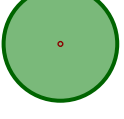
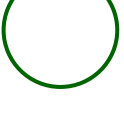
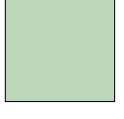

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in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

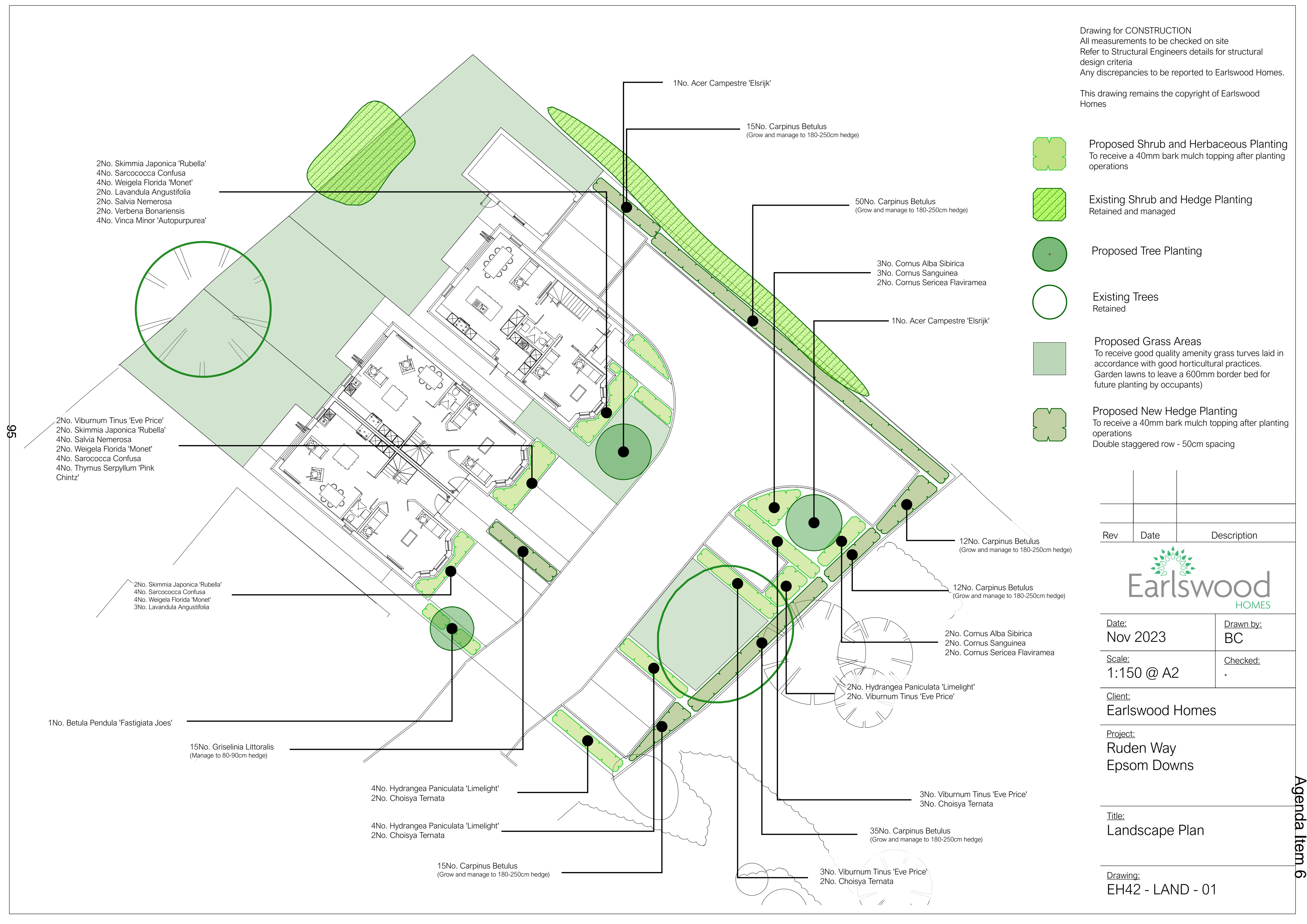
Agenda Item 6
23/01937/F - Land To The Rear Of 141-147 Ruden Way,
Epsom Downs



Drawing for CONSTRUCTION
 All measurements to be checked on site
 Refer to Structural Engineers details for structural design criteria
 Any discrepancies to be reported to Earlswood Homes.

This drawing remains the copyright of Earlswood Homes

-  Proposed Shrub and Herbaceous Planting
To receive a 40mm bark mulch topping after planting operations
-  Existing Shrub and Hedge Planting
Retained and managed
-  Proposed Tree Planting
-  Existing Trees
Retained
-  Proposed Grass Areas
To receive good quality amenity grass turves laid in accordance with good horticultural practices.
Garden lawns to leave a 600mm border bed for future planting by occupants)
-  Proposed New Hedge Planting
To receive a 40mm bark mulch topping after planting operations
Double staggered row - 50cm spacing



Rev	Date	Description



Date: Nov 2023	Drawn by: BC
Scale: 1:150 @ A2	Checked: *

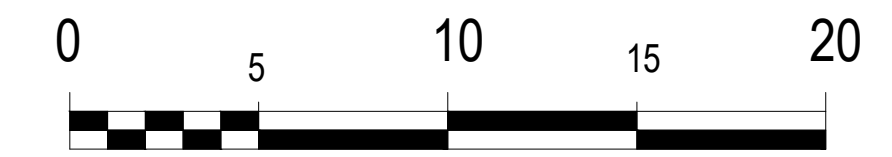
Client:
Earlswood Homes

Project:
Ruden Way
Epsom Downs

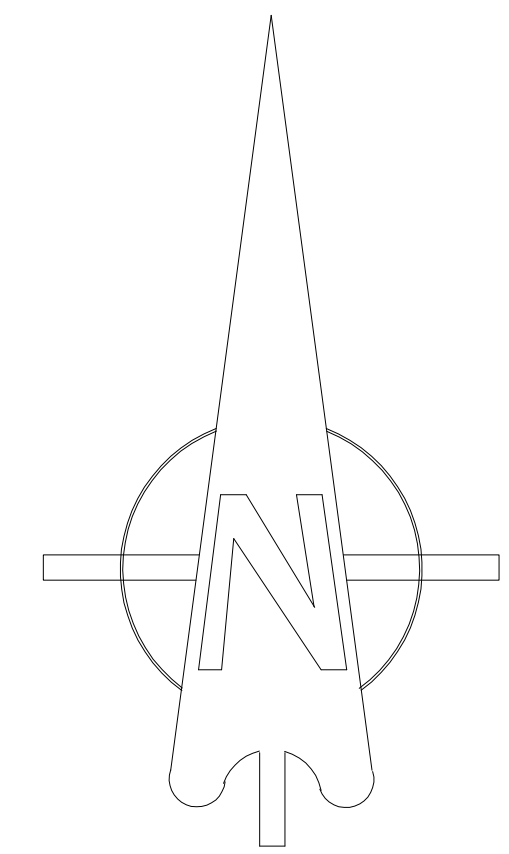
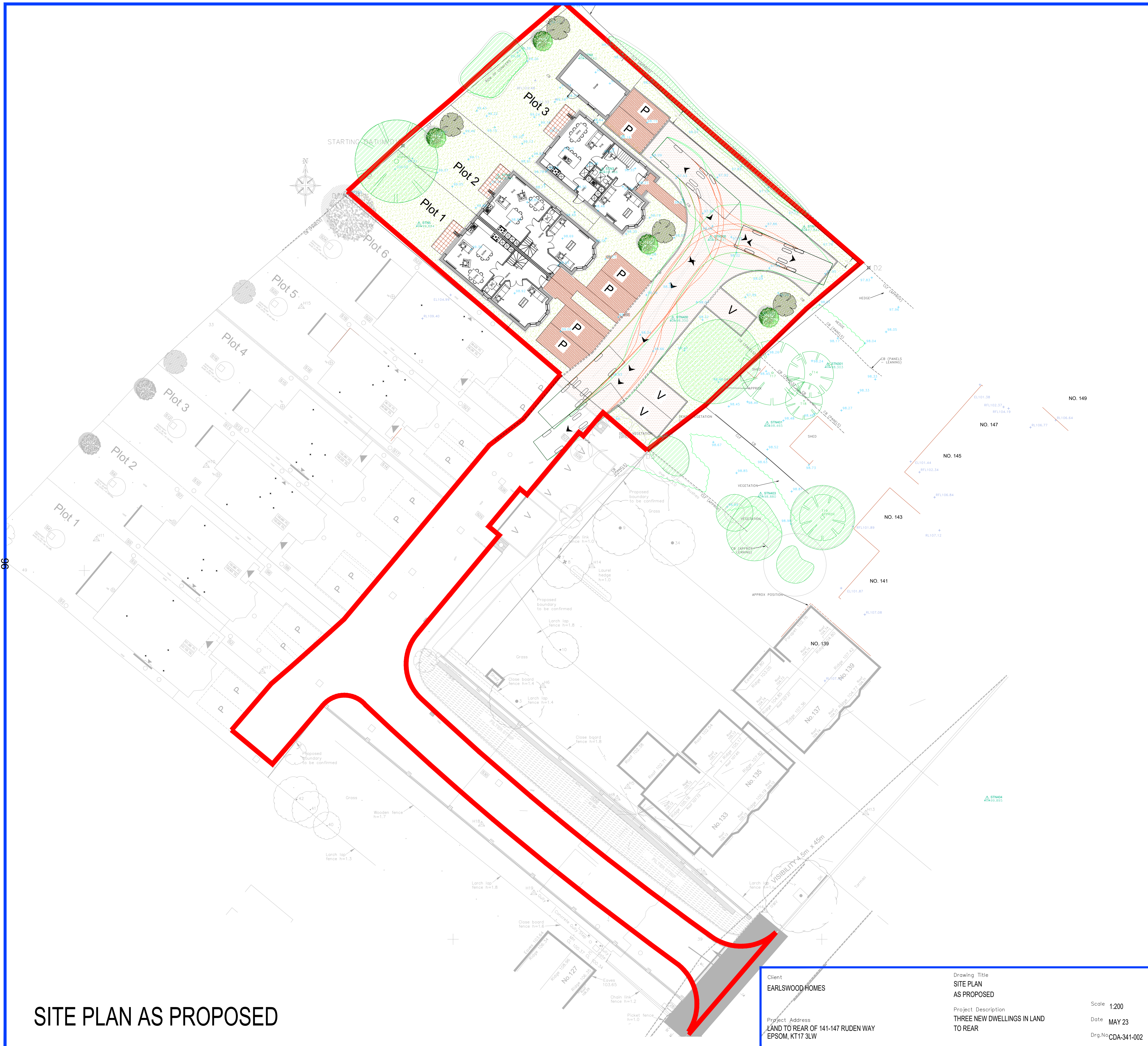
Title:
Landscape Plan

Drawing:
EH42 - LAND - 01

NOTE:
THIS DRAWING IS FOR PLANNING PURPOSES ONLY
THIS DRAWING IS BASED UPON SURVEY INFORMATION
DRAWN BY OTHERS.
ALL CRITICAL DIMENSIONS TO BE CHECKED ON SITE.



ORIGINAL SHEET SIZE - A1
SCALE 1:200 @ A1



KEY

- 1.8m HIGH CLOSEBOARDED FENCE
- DRIVEWAYS/ACCESS PATHS
TBA WITH LA
- INDICATIVE TREE PLANTING
- TURF TO GARDENS
- ROADWAY/VISITOR PARKING
TBA WITH LA
- REFER TO ARB REPORT
FOR TREES TO BE RETAINED/REMOVED

SITE PLAN AS PROPOSED

Client
EARLSWOOD HOMES

Project Address
**LAND TO REAR OF 141-147 RUDEN WAY
EPSOM, KT17 3LW**

Drawing Title
**SITE PLAN
AS PROPOSED**

Project Description
**THREE NEW DWELLINGS IN LAND
TO REAR**

Scale 1:200
Date MAY 23
Drg.No CDA-341-002

Rev. K Date 16.11.23 Description AMENDED AS REQ. BY CLIENT
Drawn GDP
Author GDP
Drawing Status PLANNING

Checked GDP
Author GDP
Drawing Status PLANNING

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PLOT 3 REAR (NORTH) ELEVATION



PLOT 3 SIDE (EAST) ELEVATION

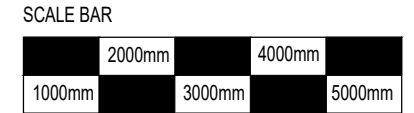


PLOT 3 FRONT (SOUTH) ELEVATION



PLOT 3 SIDE (WEST) ELEVATION

NOTE:
 THIS DRAWING IS FOR PLANNING PURPOSES ONLY
 THIS DRAWING IS BASED UPON SURVEY INFORMATION
 DRAWN BY OTHERS.
 ALL CRITICAL DIMENSIONS TO BE CHECKED ON SITE.



SCALE 1:100 @A3

97

Client
 EARLSWOOD HOMES

Project Address
 LAND TO REAR OF 141-147 RUDEN WAY
 EPSOM, KT17 3LW

Drawing Title
 PLOTS 3 ELEVATIONS
 AS PROPOSED DETACHED DWELLING

Project Description
 THREE NEW DWELLINGS WITHIN
 CURTILAGE OF 141-147 RUDEN WAY, EPSOM

Rev.	Date	Description	Drawn	Checked
B	17.08.23	DRAWINGS UPDATED TO PLANNING ST.	GDP	GDP

Scale 1:100 Drawn GDP Author GDP

Date JUNE 23 Drawing Status

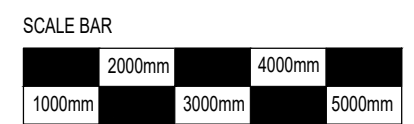
Drg.No CDA-341-008 Rev. B PLANNING



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PLOTS 1 & 2 FRONT (SOUTH) ELEVATION



PLOT 2 SIDE (EAST) ELEVATION

SCALE 1:100 @A3



PLOT 1 SIDE (WEST) ELEVATION



PLOTS 1 & 2 REAR (NORTH) ELEVATION

Client
 EARLSWOOD HOMES

Drawing Title
 PLOTS 1 & 2 ELEVATIONS
 AS PROPOSED SEMI-DETACHED DWELLINGS

Project Description
 THREE NEW DWELLINGS WITHIN
 CURTILAGE OF 141-147 RUDEN WAY, EPSOM

Project Address
 LAND TO REAR OF 141-147 RUDEN WAY
 EPSOM, KT17 3LW

Rev.	Date	Description	Drawn	Checked
B	17.08.23	DRAWINGS UPDATED TO PLANNING ST.	GDP	GDP

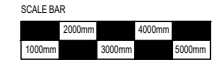
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Date	JUNE 23	Drawing Status	PLANNING		
Drg.No	CDA-341-007	Rev.	B		

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 Architectural Services

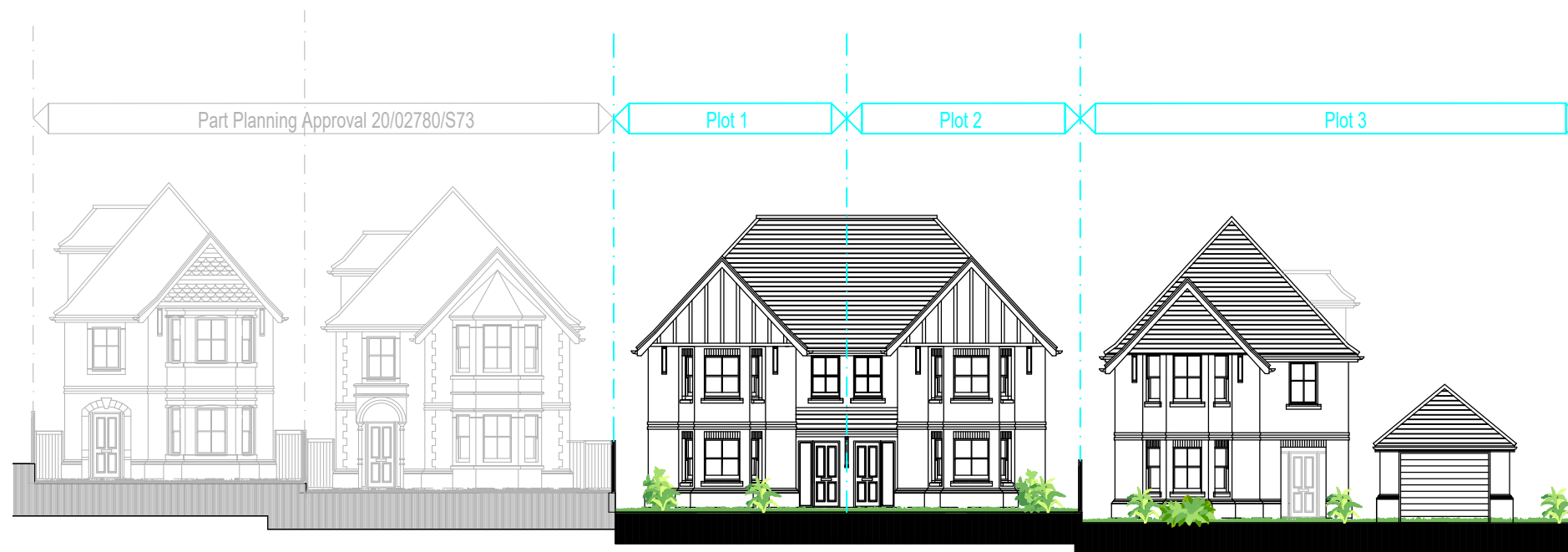
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SCALE 1:200 @A3



EAST ELEVATION STREET SCENE

66

Client
 EARLSWOOD HOMES

Project Address
 LAND TO REAR OF 141-147 RUDEN WAY
 EPSOM, KT17 3LW

Drawing Title
 EAST ELEVATION STREET
 SCENE AS PROPOSED

Project Description
 THREE NEW DWELLINGS WITHIN
 CURTILAGE OF 141-147 RUDEN WAY, EPSOM

Rev.	Date	Description
A	16.11.23	AMENDED AS REQUESTED

Scale 1:200 Drawn GDP

Date AUG 23

Drg.No CDA-341-010

Drawn	Checked
GDP	GDP

Author GDP


Drawing Status

PLANNING



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 <p>Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate</p>	TO:	PLANNING COMMITTEE
	DATE:	10 th January 2023
	REPORT OF:	HEAD OF PLACES & PLANNING
	AUTHOR:	Matthew Sheahan
	TELEPHONE:	01737 276514
	EMAIL:	Matthew.sheahan@reigate-banstead.gov.uk
AGENDA ITEM:	7	WARD: SWH - South Park And Woodhatch

APPLICATION NUMBER:	23/01085/F	VALID:	23.10.2023
APPLICANT:	Reigate and Banstead Borough Council	AGENT:	Reigate and Banstead Borough Council
LOCATION:	NEW POND FARMHOUSE, WOODHATCH ROAD, REIGATE, SURREY, RH2 7QH		
DESCRIPTION:	PROPOSED INSTALLATION OF 53NO. SOLAR PANELS IN THE REAR GARDEN OF 2 NEW POND FARMHOUSE AND ADJACENT COUNCIL DEPOT BUILDING. AS AMENDED ON 23/10/2023		
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.			

This application is referred to Committee in accordance with the Constitution as the Council is the applicant.

SUMMARY

This is a full planning application for the installation of a total of 54 solar panels, to be located within the garden of New Pond Farmhouse, Woodhatch Road, Woodhatch. The site is occupied by a two storey detached property split in to two maisonettes (ground floor and first floor) to the south side of Woodhatch Road. The site is located within the Metropolitan Green Belt. To the west of the site are the New Pond Farm allotment gardens, whilst Earlswood Lakes is located to the north on the opposite side of Woodhatch Road. A Council depot site is located immediately to the east, part of which forms the application site.

The proposed solar panels would provide all the required power for the ground floor maisonette, with any surplus generated by the panels providing power to the adjacent depot, which is owned by the Council. The location of the proposed panels would be split between the rear garden of the maisonette (30) and the roof of the depot (23).

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Paragraph 163 of the National Planning Policy Framework 2023 (NPPF) states: “When determining planning applications for renewable and low carbon development, local planning authorities should: a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to significant cutting greenhouse gas emissions. b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas” The site is located within the Green Belt meaning para 156 is also relevant which states “When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.”

The application is for a micro-generation scheme and the council supports schemes such as this within Policy CCF1 of the Development Management Plan 2019 (DMP) subject to other matters such as impact on the Green Belt, design and impact on character, and impact on neighbouring amenity. The level of visual and spatial harm to the openness of the Green Belt would be minimal given the panels would be located on an existing developed site, including the roof of an existing building and residential curtilage. Within the wider locality of the site is a large area of allotments and a tree care business, as well as the Council depot, which have greater impact on the openness of the Green Belt such that the impact of the proposed panels would be minimal in comparison. It is also to be noted that stand alone arrays within the grounds of blocks of flats can be permitted development meaning they are accepted in principle.

Their design would be functional, and this would not be particularly harmful to the wider visual character of the area. Whilst the panels on the roof of the depot would be more visible they would be relatively few in number. The panels in the garden would be well screened by existing boundary hedging and further landscaping could be secured by planting to improve screening. The minimal presence would have little impact on the amenity of the neighbouring maisonette if screened effectively and noting there is no right to a view in planning terms.

It is proposed to remove a single tree from the garden of the property, however this is of low quality and there is no objection to its removal.

RECOMMENDATION(S)

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

Consultations:

County Highway Authority (CHA): The CHA has undertaken an assessment in terms of the likely net additional traffic generation, access and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the highway. The County Highway Authority therefore has no highway requirements and recommends informatives.

Gatwick Safeguarding: The proposed development has been examined from an aerodrome safeguarding perspective and it does not conflict with safeguarding criteria. There is therefore no objection to this proposal.

Representations:

Letters were sent to neighbouring properties on the 24th July 2023 and 11th December 2023. One response has been received raising the following issues:

Issue	Paragraph
Harm to Green Belt/countryside	6.3-6.16
Poor design	6.17-6.20
No need for the development	6.3-6.20
Out of character with surrounding area	6.3-6.20
Alternative location/ proposal preferred	6.3-6.20
Overshadowing	6.20-6.22
Loss of private view	6.20-6.22
Health fears	6.25-6.28
Crime fears	6.25-6.28
Property devalue (a non planning matter)	6.25-6.28

1.0 Site and Character Appraisal

- 1.1 The site is currently occupied by a detached two storey property that is separated into two maisonettes (ground and first floor). The Council is the freeholder of the farmhouse and the ground floor flat, whilst the lease to the first floor flat is owned by a private individual. The property features a front garden, which is for use by the occupiers of the first floor property, whilst the rear garden is for use by the occupiers of the ground floor. The rear garden features a mature hedge around the perimeter. Immediately to the east of the property is the Council owned depot site.
- 1.2 The application site is located within the Green Belt. To the west of the site is a large area used as allotments, whilst to the south is an area of recreational space which includes a football pitch. The Earlswood Brook runs approx..220m to the south. To the north on the opposite site of Woodhatch Road is Earlswood Lakes. The surrounding area is semi-rural in character, with open countryside to the south, with built up areas of housing to the east and west.

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2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: Formal pre-application advice was not sought prior to the submission of the application. It is noted that works to install the proposed panels had partly commenced. Advice was given that planning permission would be required.
- 2.2 Improvements secured during the course of the application: amendments have been sought to reduce the number of proposed solar panels in the rear garden of the ground floor property at New Pond Farmhouse and incorporate panels within the roof of the depot building.
- 2.3 Further improvements could be secured: further improvements could be secured by conditions and informatives.

3.0 Relevant Planning and Enforcement History

- | | | | |
|-----|------------|---|--|
| 3.1 | 88/04600/F | Ground floor side extension forming kitchen/utility room and loft conversion. | Granted
27 th April 1988 |
|-----|------------|---|--|

4.0 Proposal and Design Approach

- 4.1 This is a full application for the installation of 53 solar panels within the rear garden at New Pond Farm and the adjacent depot. The ground mounted panels within the garden would be a maximum height of 1.45m from the ground. The panels would be angled at 30 degrees and would face towards the south for maximum solar gain. A total of 30 panels would be located within the garden. The panels would provide full electrical power for the flat. It is proposed to install new solar panels in the rear (south) garden to provide full electrical power for the ground floor flat, and significantly reducing reliance on the grid. The solar panels will be supported on and affixed to rows of new galvanised steel triangular frames at 30 degrees to horizontal and in a 'portrait' orientation. The remaining 23 would be placed within the roof of the adjacent depot building on the east side of the roof plane.
- 4.2 The proposed panels within the garden would be separated from the dwelling by including a new fence across the width of the garden.
- 4.3 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a four-stage design process comprising:
Assessment;
Involvement;
Evaluation; and
Design.

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

Assessment	The character of the surrounding area has not been assessed, though it is stated that the farmhouse has been in existence for centuries and the existing farmhouse dates to approximately 1970.
	No site features worthy of retention were identified.
Involvement	No community consultation took place.
Evaluation	The statement does not include any evidence of other development options being considered.
Design	The scheme has been designed to be in keeping with Reigate and Banstead Borough Council’s policy to achieve energy sustainability through approaches to the design of the built environment and creating an environment adapted for future needs, it is proposed that solar panels should be installed at the farmhouse to provide all power requirements thus reducing energy consumption and carbon emissions and limiting climate change.

4.5 Further details of the development are as follows:

Site area	0.16Ha
Existing use	Residential (Class C3)
Proposed use	Residential (Class C3) and Council Depot (Sui Generis)

5.0 Policy Context

5.1 Designation

Metropolitan Green Belt
Council Owned Land

5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)
CS3 (Green Belt)
CS10 (Sustainable Development),
CS11 (Sustainable Construction),

5.3 Reigate & Banstead Development Management Plan 2019

Design	DES1 DES2 DES5 DES8
Natural and Historic Environment	NHE3 NHE5
Climate change resilience and flooding	CCF1

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5.4 Other Material Considerations

National Planning Policy Framework 2023

National Planning Practice Guidance

Supplementary Planning Guidance

Surrey Design

Local Distinctiveness Design Guide

Householder Extensions and
Alterations

Other

Human Rights Act 1998

Community Infrastructure Levy
Regulations 2010

6.0 **Assessment**

6.2 The main issues to consider are:

- Principle of the development in the Green Belt
- Design appraisal
- Impact on neighbouring amenity
- Impact on Trees
- Other Issues
- Very Special Circumstances

Principle of development in the Green Belt

- 6.3 In terms of the context for solar development, starting at a national level, the UK Government has declared a climate emergency and has continued to commit to meeting the country's renewable energy targets, which are set out in national policy through the Climate Change Act of 2008. The Climate Change Act 2008 established a target for a reduction in the UK's greenhouse gas emissions of at least 80 per cent by 2050, over 1990 levels, which has subsequently been revised to a 100% reduction. Section 13 of this Act states that there is a duty for the Secretary of State to prepare proposals and policies for meeting carbon reduction targets.
- 6.4 It is of note that Reigate and Banstead Borough Council's Environmental Sustainability Strategy 2020, which is not a planning document, aims for carbon neutrality from Council operations by 2030 and borough wide by 2050. This 2050 target also aligns with SCC's county-wide target.
- 6.5 In 2011 the Department of Energy and Climate Change published the UK Renewable Energy Roadmap, which was updated in 2013. This presents the framework for the delivery of renewable energy deployment in the UK; it reiterates the Government's commitment to meeting our renewable energy targets. 2013 also saw the publication of the UK Solar PV Strategy Roadmap which states that 'Solar photovoltaic (PV) technology is a mature,

proven technology and is a reliable source of renewable energy with an important role to play in the UK energy generation mix.'

- 6.6 Paragraph 13 of this Strategy notes that presently solar PV accounts for 12% of renewable electricity capacity in the UK. There are a raft of other National guidance documents relating to energy and renewable energy more specifically which support the Government's aim to significantly increase the amount of electricity generated in the UK from renewable sources.
- 6.7 For instance, the Overarching National Policy Statement for Energy (EN-1) and for Renewable Energy Infrastructure (EN-3) note that: 'In England and Wales this NPS is likely to be a material consideration in decision making on applications that fall under the Town and Country Planning Act 1990 (as amended)'.
- 6.8 EN-3 goes on to clarify in paragraph 2.1.2 that there is an assumed need for renewable energy projects: 'EN-1 Section 3.4 includes assessments of the need for new major renewable energy infrastructure. In light of this, the IPC should act on the basis that the need for infrastructure covered by this NPS has been demonstrated.'
- 6.9 Central to the NPPF is the presumption in favour of sustainable development as detailed in Paragraph 11. For decision-taking this means:
'c) approving development proposals that accord with an up-to-date development plan without delay; or
d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'
- 6.10 Paragraph 148 of the National Planning Policy Framework 2021 (NPPF) states that development within the Green Belt is, by definition, harmful, and should not be approved except where very special circumstances would justify doing so. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness is clearly outweighed by other considerations. Paragraph 149 is clear that the construction of new buildings in the Green Belt is inappropriate unless justified by Very Special Circumstances (VSC). 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.
- 6.11 Paragraph 151 acknowledges that elements of many renewable energy projects will comprise inappropriate development. In such cases developers

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will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

- 6.12 Paragraph 158(a) states that, when determining planning applications for renewable or low carbon developments, local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions, and that applications should be approved if impacts are or can be made acceptable (b).
- 6.13 Policy CCF1 (3) of the Councils Development Management Plan 2019 (DMP) states that the Council will support developments that make provision for on-site micro-generation. Climate change adaptation and mitigation is a thread that runs throughout the DMP, building on Core Strategy Policies CS10: Sustainable development. Policy CS10 seeks to minimise the use of natural resources and contribute to a reduction in carbon emissions by re-using existing resources, maximising energy efficiency, minimising water use, and reducing the production of waste, including through sustainable construction methods, encourage renewable energy/fuel production whilst ensuring that adverse impacts are addressed, including on landscape, wildlife, heritage assets and amenity. Policy NHE1 requires that 'Proposals for renewable energy developments, in particular wind turbines and solar farms, will only be permitted where their impact (visual and noise) would not harm the landscape or undermine the intrinsic character and beauty of the countryside.' DES1 requires that new development 'Respects aerodrome safeguarding requirements' with reference to solar installations in the explanatory text.
- 6.14 The proposed development would allow for a dwelling to become more sustainable in terms of its energy usage. It would also allow for the Council to improve the sustainability/ energy consumption of one of its depot sites. The proposed panels within the garden of the maisonette would be sited within the curtilage of the existing property. They would be low in height at only 1.45m, and the garden is bordered by a hedge which obscures many of the panels and framing from view. Therefore the level of visual impact on the Green Belt from these panels is considered to be low.
- 6.15 The panels on the depot building would have a greater level of visual impact from wider views to the south. However, the level of impact is again considered to be minimal. The depot site and neighbouring Connick Tree Care site are already developed and are used extensively for storage of equipment and materials and features a substantial amount of parking and informal hardstanding where the grass/ surface has been worn. There are also a substantial number of allotments around the site which feature many structures such as sheds and greenhouses which have a noticeable impact on the openness of the Green Belt across a wide area. The panels proposed to be placed on the depot building would not give rise to a greater

level of visual harm to the Green Belt given the existing context of the site. The panels would make use of an existing building rather than utilise an undeveloped part of the site, meaning there would not be a spatial impact on the Green Belt.

- 6.16 As stated in paragraph 6.11, elements of renewable energy development constitute inappropriate development which will need to be justified by very special circumstances. The application will therefore be assessed against the other planning considerations before an assessment of whether 'very special circumstances' exist which outweigh the harm caused by reason of inappropriateness and any other harm identified.

Design Appraisal

- 6.17 The proposed panels would be functional in appearance given their use. The panels contained within the residential garden would be sufficiently screened by existing garden boundary hedging so as not to result in substantial visual harm to the character of the wider area.
- 6.18 Whilst the panels to the depot roof would be more visually apparent, this level of harm would not be any greater than that already resulting from existing uses at the site and surrounding uses such as the allotments and associated structures. They would project minimally from the roof plane (20cm) which would not be particularly visually obtrusive.
- 6.19 The design of the proposed panels would be acceptable, and they would not result in substantial harm to the character of the area. The proposal would therefore comply with Policy DES1 of the DMP in this regard.

Impact on neighbouring residential amenity

- 6.20 Policy DES1 of the DMP requires new development to have regard to neighbouring buildings, and not impact on the amenity of neighbouring buildings.
- 6.21 The nearest residential property to the panels would be the first floor maisonette, 2a New Pond Farm. Whilst the property would have views over the rear garden, the presence of the panels would not dominate the outlook from this property given their location at ground level and low scale. There is no right to a view that can be taken into account in considering a planning application and the immediate outlook would not be substantially harmed. Whilst there may be a preference to look out onto green space, that is not to say it is unacceptable in amenity terms to look over developed land with many properties having views over roads, tarmac, other dwellings, outbuildings etc. all of which are acceptable if not dominating, causing loss of light or privacy, none of which would apply here. The panels on the depot have been sited on the east side of the roof which would reduce potential for glare which may disturb windows of the upper floor maisonette.

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- 6.22 On this basis the scheme is not considered to result in harm to neighbouring amenity, and would comply with the requirements of Policy DES1 of the DMP in this regard.

Trees and landscaping

- 6.23 It is proposed to remove one tree from within the rear garden of New Pond Farmhouse. The tree is of low quality and does not contribute substantially to the visual character of the area. The Councils' Tree Officers have been consulted on the proposed removal and comment as follows:

'The proposed plan is accompanied by a Tree Report and an Arboricultural Impact Assessment (AIA), in accordance with the British Standard BS5837:2012. There are no Tree Preservation Orders (TPOs) on the site, and it is not located in a Conservation Area.

One tree is proposed to be removed (T1), having a fair structure condition, being a small tree, with low quality, and with a BS 5837 quality category C. This tree has not had merits to be covered by a TPO. No other significant tree is going to be affected.

In light of the above, I do not have objections to the proposal development, there are no arboricultural concerns, the tree to be remove is in poor condition with low value. The removal of one tree is considered reasonable by the British Standard BS5837:2012.'

- 6.24 It is proposed to separate the proposed panels within the residential garden from the dwelling by the inclusion of a fence across its width. The details of the proposed height and materials of the fence would be secured by way of a boundary treatment condition. A further condition requiring a replacement tree and landscaping would also be included. Subject to compliance with these conditions the scheme would be acceptable with regard to impact on trees and landscaping, in compliance with Policy NHE3 of the DMP 2019.

Other Issues

- 6.25 A number of issues have been raised within neighbour objections which are addressed below.
- 6.26 It is not considered that the proposed development would give rise to particular health concerns and evidence has not been submitted to demonstrate this.
- 6.27 It is not the view that the installation would result in a greater risk of crime. Any instances of crime would be a matter for the police.
- 6.28 Any impact of the development on property values is not a material planning consideration that can be taken in to account.

Very Special Circumstances

- 6.29 As stated earlier in the report, elements of renewable energy projects within the Green Belt will comprise inappropriate development, which requires justification by very special circumstances.
- 6.30 Properties seeking to reduce their own carbon footprint, improve efficiency and reduce reliance on the national grid, should be viewed as a wider benefit that would clearly meet the aims of both national and local policy in this regard, as outlined earlier in this report. The NPPF is clear that small scale projects, such as for a domestic property, should be approved if impacts can be made acceptable.
- 6.31 The level of spatial and visual impact on the openness of the Green Belt is considered to be low given the surrounding context of the site. Neighbouring land uses, such as the depot site, Connick Tree Care site and allotments and associated buildings contribute a greater level of harm to the Green Belt than the proposed panels.
- 6.32 The development would allow both a residential building and a Council depot building to meet a substantial amount of their energy needs at the same time as reducing reliance on the grid. The estimated annual output from the proposed system would 21,333 Kwh, with an expected consumption of 2,257.19 Kwh compared to the current consumption of approx.. 5000 Kwh. This would account for over half the total energy consumption of the buildings, reducing dependency on the grid by 45%. This would result in an annual Co2 reduction of 5 tons, which would meet with aims of the national and local policy framework set out earlier in this report of reducing generation of greenhouse gases. The applicant has advised that any excess electricity will be stored in the batteries and any further electricity will go back to the grid via the maisonettes and depots electricity meters, which could be used by other properties within the borough.
- 6.33 In view of the above, it is considered that the benefits of the proposal are of sufficient magnitude to outweigh the minimal harm found to the openness of the Green Belt. These benefits identified attract very substantial weight in favour of the scheme. In this context, the harm to the Green Belt would be outweighed by the other considerations identified and therefore the very special circumstances necessary to justify the development exist in this case.

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.

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

Plan Type	Reference	Version	Received
Location Plan	DB1.2		08.12.2023
Block Plan	DB1.3		08.12.2023
Other plan	001		26.05.2023
Other plan	002		26.05.2023
Site layout	001/A		15.06.2023
Elevation Plan	DB1.1		05.12.2023

Reason:

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

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

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

4. 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 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.

INFORMATIVES

1. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
 - (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
 - (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
 - (c) Deliveries should only be received within the hours detailed in (a) above;
 - (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
 - (e) There should be no burning on site;
 - (f) Only minimal security lighting should be used outside the hours stated above; and
 - (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

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

In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme - www.ccscheme.org.uk/index.php/site-registration.

REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies DES1 NHE3 NHE5 CCF1 and material considerations, including 3rd 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

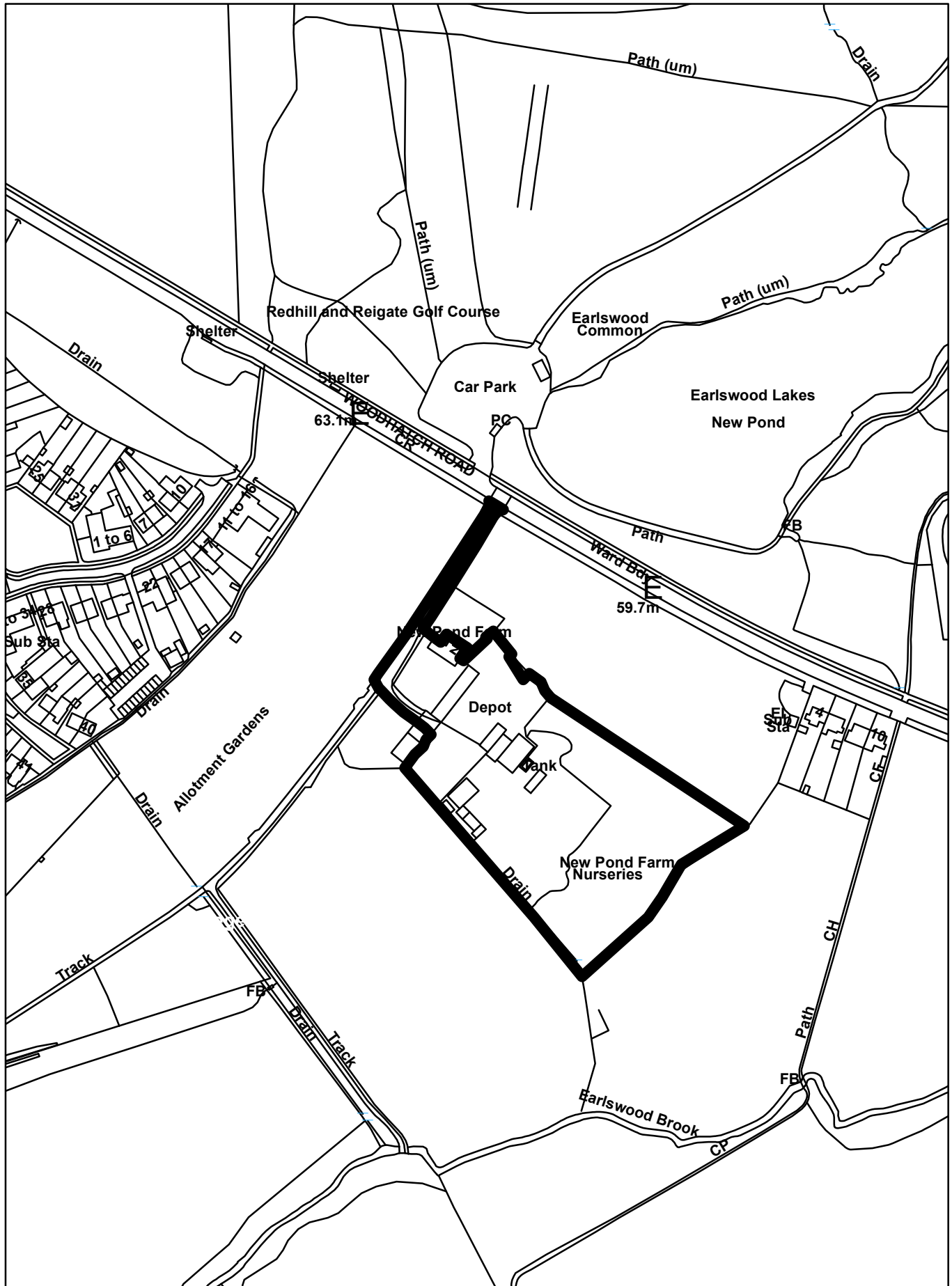
Agenda Item 7

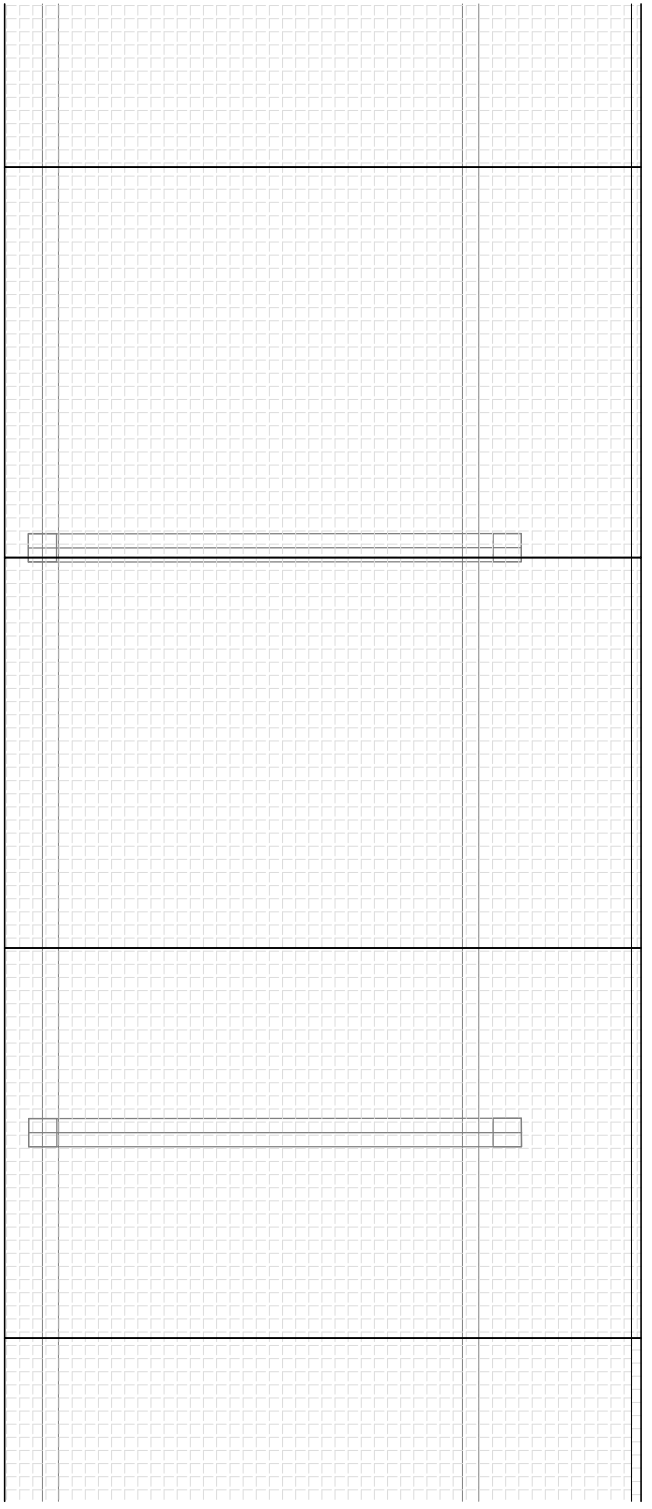
Planning Committee
10th January 2023

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presumption in favour of sustainable development where possible, as set out within the National Planning Policy Framework.

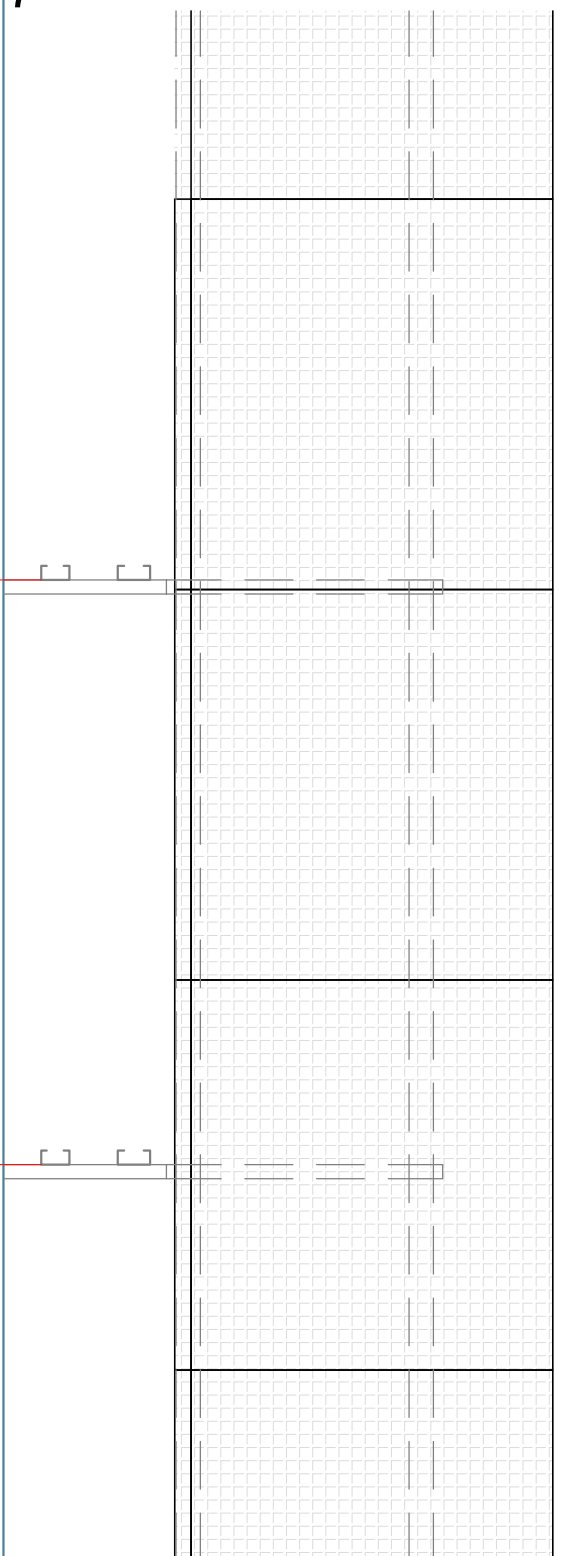
23/01085/F - New Pond Farmhouse, Woodhatch Road, Reigate





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Plan



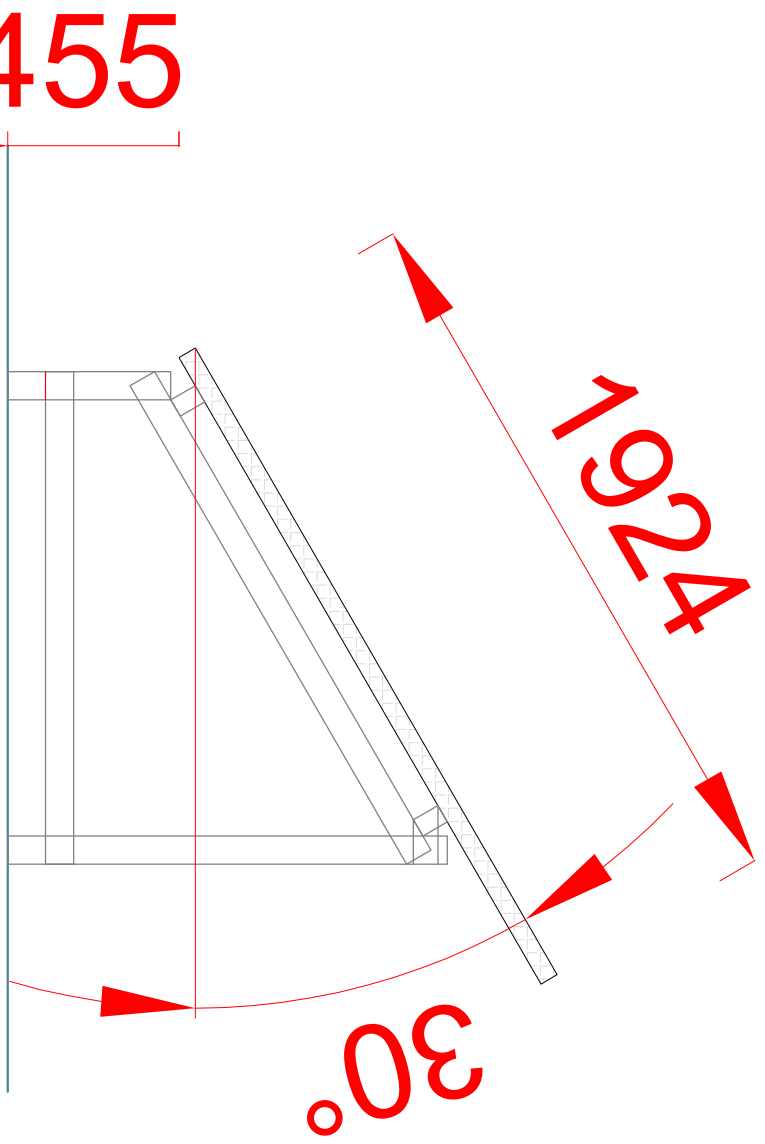
1555 Framing Centres Vary

Front Elevation

455

455 1005

Side Elevation



10924

30°

Drawing Title Installation of Solar Panels to Rear Garden: Typical Elevations		Client Reigate & Banstead Borough Council Town Hall Castlefield Road Reigate RH2 0SH	
Location 2 New Pond Farmhouse Woodhatch Road Reigate RH2 7QH	Scale 1:20 @ A3	Date 18.04.2023	Drawing No. NPF/Elev 001
	Drawn By BD		