

# Planning Committee Agenda



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

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25 September 2018

## To the Members of the PLANNING COMMITTEE

**Councillors:** S. Parnall (Chairman)

M. S. Blacker	J. M. Ellacott	J. M. Stephenson
Mrs. R. Absalom	V. H. Lewanski	C. Stevens
L. S. Ascough	S. McKenna	Ms. B. J. Thomson
R. Biggs	R. Michalowski	Mrs. R. S. Turner
Mrs. J. S. Bray	J. Paul	S. T. Walsh
G. P. Crome	M. J. Selby	C. T. H. Whinney

### Substitutes

#### Councillors:

**Conservatives:** T. Archer, M. A. Brunt, J. E. Durrant, J. S. Godden,  
Dr. L. R. Hack, A. C. J. Horwood, F. Kelly, G. J. Knight,  
G. Owen, D. T. Powell, T. Schofield and J. F. White

**Residents' Group:** R. Harper, N. D. Harrison, B. A. Stead and J. C. White

**Green Party:** H. Brown and J. C. S. Essex

For a meeting of the **PLANNING COMMITTEE** to be held on **WEDNESDAY, 3 OCTOBER 2018** at **7.30 pm** in the New Council Chamber - Town Hall, Reigate.

John Jory  
Chief Executive

**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. 17/01929/OUT: LAND TO THE NORTH OF ROCKSHAW ROAD, MERSTHAM** (Pages 7 - 44)

Outline application for the development of land to the north of Rockshaw Road to consist of: four detached dwellings (Use Class C3) and an extra care scheme of up to 85 units comprising of apartments and cottages (Use Class C2); associated communal facilities; provision of vehicular and cycle parking together with all necessary internal roads and footpaths; provision of open space and associated landscape works; and ancillary works and structures.

- 6. 18/01313/F: REAR OF 35-49 WARREN ROAD, BANSTEAD** (Pages 45 - 72)

Demolition of 37 Warren Road and erection of eight dwellings to the rear of 35-49 Warren Road.
- 7. 18/00640/F: MOUNT PLEASANT, COPPICE LANE, REIGATE** (Pages 73 - 106)

Demolition of existing residential dwelling (Use Class C3) and erection of three family dwellings plus associated hard and soft landscaping measures.
- 8. 18/01414/F: ROMANS INTERNATIONAL LTD, BRIGHTON ROAD, BANSTEAD** (Pages 107 - 126)

Erection of a row of garages to rear of site.
- 9. 18/01424/F: THE LIMES PUBLIC HOUSE, 58 ALBURY ROAD, MERSTHAM** (Pages 127 - 152)

Demolition of the existing public house and construction of a new public house with flats over and associated parking on part of the site.
- 10. 18/01694/HHOLD: 63 BLETCHINGLEY ROAD, MERSTHAM** (Pages 153 - 162)

Construction of a new vehicle crossover.
- 11. 18/01721/HHOLD: 48 CHAPEL ROAD, TADWORTH** (Pages 163 - 172)

Single-storey rear extension with a depth of 4.5 metres.
- 12. 18/01813/ADV: LAND PARCEL AT WINKWORTH ROAD, BANSTEAD** (Pages 173 - 186)

Village sign.
- 13. ANY OTHER URGENT BUSINESS**

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

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# Agenda Item 1

Planning Committee  
5 September 2018

Minutes

## BOROUGH OF REIGATE AND BANSTEAD

### PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held at the New Council Chamber - Town Hall on 5 September 2018 at 7.30 pm.

Present: Councillors S. Parnall (Chairman), M. S. Blacker (Vice-Chair), Mrs. R. Absalom, L. S. Ascough, R. Biggs, Mrs. J. S. Bray, G. P. Crome, J. M. Ellacott, V. H. Lewanski, S. McKenna, R. Michalowski, J. Paul, J. M. Stephenson, C. Stevens, Ms. B. J. Thomson, Mrs. R. S. Turner, S. T. Walsh, N. D. Harrison (Substitute) and B. A. Stead (Substitute).

#### 38. MINUTES

**RESOLVED** that the minutes of the meeting held on 1 August 2018 be approved as a correct record and signed.

#### 39. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M. J. Selby (substituted for by Councillor B. A. Stead) and C. T. H. Whinney (substituted for by Councillor N. D. Harrison).

#### 40. DECLARATIONS OF INTEREST

There were no declarations of interest.

For the purpose of clarity, the Chairman explained that the applications for consideration at items 5 (Cromwell Road) and 6 (Pitwood Park) were submitted by Reigate and Banstead Borough Council as the applicant. In view of this, Members of the Planning Committee were reminded to consider only material planning matters in determining those applications, irrespective of the applicant.

#### 41. ADDENDUM TO THE AGENDA

**RESOLVED** that the addendum be noted.

#### 42. 18/01158/F - 16-46 CROMWELL ROAD, REDHILL

The Committee considered an application at 16-46 Cromwell Road, Redhill for the demolition of existing building and construction of new building which will include: 1 no. A1, A2, A3 and/or A5 and/or D1 & D2 class unit, 16 no. one bedroom flats and 16 no. two bedroom flats with associated external works.

The Committee discussed a number of points, including the design, parking, the provision of affordable housing and the allocation of viability funding contributed by the applicant.

**RESOLVED** that planning permission be **GRANTED with conditions** as set out in the report, as updated by the addendum.

**43. 18/01156/F - UNIT 1 PITWOOD PARK, WATERFIELD, TADWORTH**

The Committee considered an application at Unit 1, Pitwood Park, Waterfield, Tadworth for the demolition of a steel frame/concrete industrial building and the construction of: 3 no. 2 person 1 bed flats, 6 no. 3 person 2 bed flats, 8 no. 4 person 2 bed houses, 8 no. 5 person 3 bed houses, with associated parking, landscaping and access.

The Committee discussed a number of points, including parking, permitted development rights, the provision of affordable housing and the viability funding contributed by the applicant.

**RESOLVED** that planning permission be **GRANTED with conditions** as set out in the report.

**44. 17/02890/OUT - ST NICHOLAS SCHOOL, TAYNTON**

The Committee considered an outline planning application at St Nicholas School, Taynton for the the demolition of the existing school buildings, including main school buildings, sports hall and ancillary building and erection of new secondary school, car parking, play space, landscaping and ancillary works.

The Committee discussed a number of points, including the travel plan and transport contributions conditioned within the report, retention of the swimming pool, parking and vehicular access, cycling routes and the status of a traffic regulation order.

**RESOLVED** that planning permission be **GRANTED subject to Section 106 Agreement and with conditions as set out in the report and an additional informative** advising:

The applicant is requested to positively review the opportunities for enhancing and contributing toward off-site schemes that would improve pedestrian and cycle access to the school.

**45. 18/01367/HHOLD - 13 KILLICK ROAD, HORLEY**

The Committee considered an application at 13 Killick Road, Horley for the creation of additional area of hardstanding to front of property to create extra parking space.

**RESOLVED** that planning permission be **GRANTED with conditions** as set out in the report.

**46. ANY OTHER URGENT BUSINESS**


There was no other urgent business to consider.

The Meeting closed at 8.54 pm

# Agenda Item 5

Planning Committee  
3<sup>rd</sup> October 2018

Agenda Item: 5  
17/01929/OUT

 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	3 <sup>rd</sup> October 2018
	<b>REPORT OF:</b>	HEAD OF PLACES & PLANNING
	<b>AUTHOR:</b>	Billy Clements
	<b>TELEPHONE:</b>	01737 276087
	<b>EMAIL:</b>	billy.clements@reigate-banstead.gov.uk
<b>AGENDA ITEM:</b>	5	<b>WARD:</b> Merstham

<b>APPLICATION NUMBER:</b>	17/01929/OUT	<b>VALID:</b>	25 <sup>th</sup> August 2017
<b>APPLICANT:</b>	RV Developments & The Burr Family	<b>AGENT:</b>	Tetlow King Planning
<b>LOCATION:</b>	<b>LAND TO THE NORTH OF ROCKSHAW ROAD, MERSTHAM</b>		
<b>DESCRIPTION:</b>	<p>Outline application for the development of land to the north of Rockshaw Road to consist of the development of 4 detached dwellings (use class c3) and an extra care scheme of up to 85 units comprising of apartments and cottages (use class c2); associated communal facilities; provision of vehicular and cycle parking together with all necessary internal roads and footpaths; provision of open space and associated landscape works; and ancillary works and structures.</p>		
<p><b>All plans in this report have been reproduced, are not to scale, and are for illustrative purposes only. The original plans should be viewed/referenced for detail.</b></p>			

**This application is referred to Planning Committee given the planning issues raised and significant public interest in the application.**

## SUMMARY

This application is made in outline with all matters reserved other than access. It seeks permission for the development of 4 detached houses and an extra care scheme of up to 85 units (apartments and cottages) with communal facilities and associated works. The application site incorporates two separate areas of land along Rockshaw Road.

Both sites are within the Metropolitan Green Belt and fall wholly within the Area of Great Landscape Value. Furthermore, a part of the easternmost site (proposed for the extra care scheme) is within the Surrey Hills Area of Outstanding Natural Beauty.

The sites are both presently undeveloped, greenfield land. The proposals – whilst in outline – would involve the erection of extra care housing, private dwellings and significant associated supporting infrastructure. They would therefore, without doubt, be inappropriate development which is by definition harmful to the Green Belt. Furthermore, the introduction of a significant urbanising development of the nature proposed is considered to result in a significant erosion of openness and a demonstrable and harmful encroachment into the

countryside. In totality, the harm to the Green Belt is considered to be very significant and should be afforded substantial weight as per national policy. Very special circumstances are therefore required.

The proposals are considered to represent major development within the Area of Outstanding Natural Beauty which the Framework advises should only be permitted in exceptional circumstances and where the development is demonstrated to be in the public interest. Furthermore, whilst in outline, it is considered that the proposals would give rise to adverse impacts on the landscape of the Area of Outstanding Natural Beauty, and the Area of Great Landscape Value which would be particularly appreciable and significant to sensitive localised receptors, including Rockshaw Road and the North Downs Way which runs alongside the site; but would also be appreciated in long range views on higher ground to the north of the M23. Whilst the assessment in the applicant's LVIA of the impacts on the landscape are acknowledged, in this case, the conclusions of the Surrey Hills AONB Officer as specified at paragraph 6.22 of the report below are supported. It is therefore concluded that the proposal would give rise to a significant, fundamental and harmful change in the landscape character of the locality which would be contrary to Pc1 of the Local Plan and CS2 of the Core Strategy.

The application sites are adjacent to the Rockshaw Road Conservation Area and there are further statutory and locally listed buildings in the locality. Although the application is in outline and further detailed assessment of the impact on built character and heritage would be required in due course, it is concluded that, based on the information available and situation of the site, an acceptable design and layout reflecting local distinctiveness and preserving the character and setting of the surrounding heritage assets could be achieved. The Conservation Officer has raised no objection in respect of the impact on heritage assets. These conclusions do not however negate the landscape effects discussed above.

A number of concerns are identified in relation to the accessibility, transport and highways implications of the proposals and there remains an objection to the proposals from the County Highway Authority (CHA). Firstly, the site is not considered to be accessibly located for the purposes of policy Ho21 of the Local Plan and CS14 of the Core Strategy given the distance to day-to-day shops and services and public transport; this fact is also highlighted by the County Highway Authority. Whilst the applicant has included an intention to provide a dedicated minibus service and Travel Plan in an attempt to mitigate against significant over-reliance on the private car, the CHA has confirmed in their response that inadequate or insufficient detail has been provided in respect of both to enable them to conclude that these would be effective in promoting sustainable transport. The CHA also concludes that there is insufficient explanation and evidence to support the applicant's trip generation assumptions such that they are unable to fully appraise the transport impacts of the proposals. Further concerns are also raised by the CHA in respect of the proposed traffic calming measures on Rockshaw Road which they conclude would be both out of character with the semi-rural road and would likely do more harm than good. Whilst it is understood there was some dialogue between the applicant and CHA with a view to resolving these issues, no additional or amended information has been submitted following this and thus the objection remains.

Detailed assessment of neighbour amenity impacts would need to be undertaken as part of the assessment of any reserved matters. However, given the characteristics and size of the sites and taking account of the likely scale, footprint, massing and layout required to

achieve the proposed development, it is concluded that an acceptable relationship with neighbours would be achievable.

The proposals would provide extra care housing and private market dwellings. With respect to the latter, the applicant agrees that a financial contribution towards affordable housing would be required through a legal agreement. However, no such agreement is in place, it forms a further technical reason for refusal. With respect to the extra care housing, whether or not affordable housing is required depends upon whether it falls within a class C2 (residential institution) use or a class C3 (residential dwelling house) use under the Use Class Order 1987 (as amended). Officers have given careful consideration to this issue and taking account of the nature of the proposals, the applicant's intention to sign up to a legal agreement limiting occupation of the units (as described further in the main report) and appeals decisions and court judgements on this exact issue, it is concluded that the extra care proposals would, on balance, be a class C2 use. However, as a legal agreement securing the occupancy restrictions is not yet in place, a further technical reason for refusal is recommended.

Turning to the benefits of the scheme and the planning balance, the applicant advances a number of considerations in favour of the scheme which in their view are of sufficient weight to justify the proposals in Green Belt, landscape and overall planning terms. The most prominent reason advanced by the applicant is the need for specialist extra care housing and the applicant's assessment that this could not be met in any other way. In this regard, whilst it is accepted that there is evidence that there is some need for extra care housing in the borough which this scheme would potentially contribute to, it is not agreed that the scale of need is as great as that suggested by the applicant. Furthermore, the conclusions of the applicant's "sequential test" that the need could not be met on any other site are disputed, particularly given the allocations identified within the emerging Development Management Plan and the other mechanisms (including adaptation of existing homes) through which the needs of those with care requirements can be met. Taking this into account, only moderate weight is attached to the argument of unmet needs. The applicant also advances a range of other benefits, including social and economic benefits, which are also acknowledged and considered to attract varying degrees of weight in the planning balance.

However, these considerations are not considered, either individually or cumulatively, to clearly outweigh the very significant harm to the Green Belt, and other harm including landscape impacts. It is therefore concluded that very special circumstances do not exist to justify the development. Similarly, the arguments advanced by the applicant are not considered to represent the exceptional circumstances necessary to justify this major development in the AONB and prove that it would be in the public interest.

## **RECOMMENDATION(S)**

Planning permission is **REFUSED**.

## Consultations:

County Highway Authority: Objects and recommends refusal on highway and transportation grounds. The detailed response of the CHA concludes:

*This is an outline planning application, which seeks approval for access only. However, given the nature and scale of the proposed development, the County Highway Authority (CHA) is not able to fully assess the highway and transportation implications of the proposed development, or comment on access, unless and until more detailed information has been provided in relation to the site layout, the type and mix of units/beds, staff requirements, parking provision, servicing arrangements and level of care to be provided.*

*The CHA has a number of highway safety and sustainability concerns in respect of the proposed development and is not yet satisfied that the development would be compatible with the local highway infrastructure.*

The concerns raised by the CHA can be summarised as:

- The proposed traffic calming scheme is not acceptable on highway safety grounds, is out of character with Rockshaw Road and “could lead to more harm than good on the highway network”.
- A need for amendments to the Framework Travel Plan, including a need to include objectives, targets and measures for residents as well as staff
- Access to and from the site for pedestrians is a concern given the elderly age and high speed of traffic and additional improvements including uncontrolled crossing points and extended footways are required
- The distance of the site to bus services exceeds recommended maximum walking distances and thus residents and staff are unlikely to travel to and from the site by bus
- Insufficient detail has been provided to demonstrate that the proposed dedicated minibus service would be effective in encouraging sustainable travel
- Further evidence required to justify trip generation assumptions and calculations

Surrey Hills AONB Planning Adviser: Provides detailed comments on the impacts of the proposals on landscape character and the AONB/AGLV. Notes onus on the Planning Authority to consider the “case” for the development proposed but that this would need to “*be so compelling as clearly to outweigh the great weight needing to be given to conserving this protected landscape*” and recommends a reason for refusal on AONB grounds in the event that the Planning Authority finds the case to be insufficient. The response critiques the Landscape and Visual Impact Assessment submitted in support of the application and reaches the following conclusion:

*“In drawing this together I consider that the proposed development would fundamentally change the character of the locality from a landscape dominated area justifying inclusion in the national AONB landscape designation with the highest level of protection it enjoys and the associated more local AGLV designation, to a suburban character where buildings would have significantly greater visual impact such as to dominate the landscape. The change would be so significant that the area might not be worthy of continued AONB designation”.*

Tree Officer: No objection subject to conditions. Detailed comments as follows:

*"I have undertaken a desk top study he proposed development reviewed the submitted Arboricultural information which has been compiled in accordance with the guidelines, advice and recommendation contained within British Standard 5837. I am familiar with this location and the surrounding landscape and have not undertaken a detailed site assessment on this occasion. The Arboricultural submission contains an Arboricultural Impact Assessment (AIA) and an Arboricultural Method Statement (AMS).*

*The AIA identifies the impact on existing trees and vegetation and whilst most of the trees that would be lost to this development are low quality self-sown, scrub there are some trees within group G5 of the survey comprising of ash sycamore and wild cherry that have been categorised B. The removal of these trees would not have any significant impact on the character and appearance of the local landscape, nor would it have any adverse effect on the conservation arear to the south.*

*The loss of the trees identified within the AIA would not provide a sustainable reason for refusal of this application.*

*The AMS set out the methods of tree protection, supervision and monitoring which are general, as the application is outline finalisation of service routing etc. would need to be considered and this would involve a 'Finalised' AMS and TPP (tree protection Plan). The proposed development would also provide an opportunity for replacement and additional tree planting and landscape should the proposed development be recommended for consent."*

Contaminated Land Officer: No objection subject to conditions. Notes that the submission identified potential for localised ground contamination due to historic uses (e.g. pit workings) and that the site is within the potential zone of influence of a historic landfill situated to the north-west of the site.

Environmental Health (Air Quality): No objection on air quality grounds. Notes that the submitted Air Quality Assessment has assumed worst case but still demonstrates that air quality impacts would not be unacceptable.

Natural England: No objection

County Archaeologist: No objection subject to condition. Comments summarised as follows:

*"The application is supported by a desk based archaeological assessment prepared by CgMs Consulting that provides an overview of the archaeological potential...and concludes that the site has a low potential to contain archaeological remains, although as this conclusion is based on a lack of previous archaeological investigations within the area, the potential would be better described as uncertain.*

*Because of the uncertainty regarding the potential, the possibility that remains that may be associated with the nearby stone quarrying site may be present and the fact that the proposed construction and landscaping works will destroy any unknown or unexpected archaeological assets, I consider that in line with the National Planning Policy Framework*

*and Local Plan Policy Pc8, that there is a need for more detailed archaeological assessment.*

Environment Agency: No comments

Reigate Society: Objects on basis of harm to the Green Belt

Surrey Sustainable Drainage and Consenting Team: No objection subject to conditions

Surrey Police Crime Prevention Design Advisor: Recommends condition requiring scheme to be designed in accordance with Secured by Design principles

UK Power Networks: No objection

SES Water: No comments

### **Representations:**

Letters were sent to neighbouring properties on 29<sup>th</sup> August 2017. A Site Notice – opposite the site on Rockshaw Road – was posted on 15<sup>th</sup> September 2017. The application was advertised in local press on 5<sup>th</sup> October 2017.

100 responses have been received raising the following issues:

<b>Issue</b>	<b>Response</b>
Harm to Conservation Area	See paragraphs 6.26 to 6.35
Harm to Green Belt/countryside	See paragraphs 6.4 to 6.11 in respect of Green Belt, paragraphs 6.12 to 6.25 in respect of landscape and paragraphs 6.98 to 6.108 in respect of planning balance
Out of character with surrounding area	See paragraphs 6.12 to 6.25 in respect of landscape character and 6.26 to 6.35 in relation to built character
Overdevelopment	See paragraphs 6.26 to 6.35
Poor design	See paragraphs 6.26 to 6.35
Overbearing relationship	See paragraphs 6.36 to 6.38
Overlooking and loss of privacy	See paragraphs 6.36 to 6.38
Noise and disturbance	See paragraph 6.39
Inconvenience during construction	See paragraph 6.39
Inadequate parking	See paragraphs 6.46 to 6.49
Increase in traffic and congestion	See paragraphs 6.46 to 6.49
Hazard to highway safety	See paragraphs 6.42 to 6.45
Loss of/harm to trees	See paragraphs 6.50 to 6.54
Harm to wildlife habitat	See paragraphs 6.67 to 6.68



Drainage/sewage capacity	See paragraph 6.70
Flooding	See paragraph 6.70
No need for the development	See paragraphs 6.72 to 6.75 and 6.84 to 6.86
Alternative location/proposal preferred	See paragraphs 6.76 to 6.86
Loss of private view	Not a material planning consideration
Property devaluation	Not a material planning consideration
Conflict with a covenant	No specific covenant identified – legal issue and not a material planning consideration

## **1.0 Site and Character Appraisal**

- 1.1 The application site consists of two parcels of undeveloped greenfield land on the northern side of Rockshaw Road.
- 1.2 The westernmost area is situated between two residential properties – Dormers and Russetts – and extends to approximately 0.8ha. The site comprises natural, open land, and there are a large number of trees present on site. The easternmost area is situated between Brambly House and Sarum and similarly consists of open land with extensive tree cover, including some large mature and prominent specimens along the road frontage. There is evidence, in the form of desire paths, that both areas of land are used informally for recreation and walking.
- 1.3 Land levels across both sites fall away quite markedly from the Rockshaw Road frontage (i.e. from south to north) towards the M23 motorway.
- 1.4 Both sites are wholly within the Metropolitan Green Belt and within an Area of Great Landscape Value (AGLV). A significant proportion of the larger, eastern parcel of land is also within the Surrey Hills Area of Outstanding Natural Beauty (AONB). The site does not adjoin – and is some distance from – the nearest urban area.
- 1.5 The immediate locality is characterised by a small, semi-rural enclave of substantial residential properties in very large plots interspersed with areas of open land, woodland and countryside. Whilst the area is somewhat severed from the surroundings by the M23 and M25 motorways, it retains a semi-rural character and long-range landscape views across to countryside to the north of the M23 are possible. The North Downs Way public footpath runs to the east and rear of the eastern of the two site areas. Both parcels of land also adjoin the Rockshaw Road Conservation Area which covers properties on the southern side of the road, numerous of which are also locally listed buildings.
- 1.6 In total, the two sites amount to 4.57 hectares (west parcel – 0.8ha approx., east parcel – 3.8ha approx.).

## **2.0 Added Value**

- 2.1 Improvements secured at the pre-application stage: Pre-application advice relating to the redevelopment of the site was sought prior to submission. Advice was given in relation to the Green Belt and very special circumstances, landscape impact and accessibility, highways and parking.
- 2.2 Improvements secured during the course of the application: Improvements have not been sought as the application is considered to be unacceptable on a point of principle.
- 2.3 Further improvements to be secured through planning conditions or legal agreement: Improvements cannot be secured in this way as the application is to be refused. It is not considered that the issues identified – which are matters of principle which go to the heart of the proposals – could be addressed or mitigated adequately through conditions.

## **3.0 Relevant Planning and Enforcement History**

- 3.1 There is no planning history considered to be relevant to redevelopment of the site in the manner proposed.

### Environmental Impact Assessment (EIA)

- 3.2 The applicant submitted, alongside the application, a request for a Screening Opinion (17/02081/SCREEN) from the Council as to our views on whether the development proposed should be subject to EIA development. The Council issued its Screening Opinion to the applicant on 15<sup>th</sup> November 2017 which concluded that the development was EIA development for the following reason:

*The proposed development falls within Schedule 2 (10.B Urban Development Project of the EIA Regulations 2017. Whilst it does not meet the thresholds in Column 2 of Schedule 2, it is located partly within a "sensitive area" as defined in Regulation 2(1) (namely the Surrey Hills Area of Outstanding Natural Beauty). Having had regard to the 'selection criteria' in Schedule 3 of the Regulations, it is concluded that the project would be likely to give rise to significant effects on the environment, specifically in respect of landscape value and visual impact, which require further consideration. Accordingly, the Local Planning Authority is of the opinion that a statutory Environmental Impact Assessment is required for the proposed development.*

- 3.3 As the development was considered by the Council to be EIA development, the applicant was notified, in accordance with the EIA Regulations 2017, that an Environmental Statement (ES) would be required to accompany the application. The applicant confirmed on 29<sup>th</sup> November 2017 of their intention to provide such a statement and, as such, in accordance with the Regulations, the determination of the application was suspended.
- 3.4 Significant time elapsed between the applicant notifying of its intention to provide the ES and any further contact from them. The applicant was approached for an

update on a number of occasions but the ES was not forthcoming. In July 2018, the applicant was contacted again informing them that, due to the unsatisfactory delay, the application was to be reported to Committee in absence of the ES.

- 3.5 Despite previously confirming their intention to provide an ES, the applicant changed position, and on 23 July submitted a request to the Secretary of State for a Screening Direction, in effect challenging the Council's view that the proposal was EIA development. This was considered by the Secretary of State (through the Planning Casework Unit) and on 4<sup>th</sup> September 2018, the Ministry of Housing, Communities and Local Government confirmed that they did not agree with the Council's conclusions and their decision was that the development was not EIA development within the meaning of the EIA Regulations.
- 3.6 As a result of the Screening Direction, the development is not EIA development and thus an ES is not required for the development. It should be noted that the EIA process runs separate to, and does not prejudice, the Council's assessment or determination of the planning merits of the application.

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

- 4.1 The proposed development seeks outline planning permission, with all matters reserved except access. The application proposes the erection of 4 detached dwellings and an extra care scheme of up to 85 units comprising apartments and cottages with associated communal facilities and all necessary internal roads, parking, open space and other ancillary works. The supporting Design & Access Statement indicates the following indicative mix:
- Extra care scheme – 54 x 2 bed apartments and 28 x 2 bed cottages
  - Residential dwellings – 4 x 5 bed houses
- 4.2 The application proposes four separate access points to Rockshaw Road for each of the individual dwellings with a single access point for the extra care scheme serving a main access road into the site.
- 4.3 The Design & Access Statement sets out a number of parameters for the development. In terms of land use, this illustrates that the extra care scheme would be on the western of the two land parcels included within the application boundary, with the eastern parcel and the eastern part of the western parcel intended for the private housing units. The illustrative layout suggests that the extra care scheme could be achieved through a series of 2.5 to 2.5 storey flatted blocks fronting onto Rockshaw Road with 1 to 2 storey cottages laid out in behind on the northern part of the site. Parking is indicated as being a combination of parking courts and on-plot parking for individual units. Parameters for the height and scale of the various building types proposed are also set out as follows:
- Apartment buildings
    - o Max: 26.5m depth (D), 31m width (W) and 15m height (H)
    - o Min: 22m (D), 24m (W) and 12.5m (H)
  - Semi-detached cottages
    - o Min/Max: 7.5m (D), 20m (W) and 7.5m (H)
  - Detached dwellings
    - o Max: 15.5m (D), 28.5m (W) and 10.5m (H)

- o Min: 12m (D), 16m (W) and 9.5m (H)

- 4.4 “Character areas” are indicated within the Design & Access Statement. This is further developed with a separate “Design Concept” document which was provided late in the determination process and seeks to provide a clearer feel for the design principles (design approach, detailing and materials) which would be intended for each area. Matters of appearance are however reserved for future submissions.
- 4.5 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a four-stage design process comprising:  
Assessment;  
Involvement;  
Evaluation; and  
Design.
- 4.6 Evidence of the applicant’s design approach – as elucidated through the Planning Statement and Design & Access Statement - is set out below:

Assessment	The site sits within the Green Belt and partially within the Area of Great Landscape Value and Area of Outstanding Natural Beauty. There are currently no buildings on the site and the site itself is largely free of man-made features. The sites comprise a mix of meadow land and woodland. The site has a gradient across the site, dropping by approximately 10m across the site from south to north. The site is located close to the M23 and M25 motorway and there is an element of noise associated.
	The North Downs Way public right of way passes through the site on a north-south axis and will be maintained. There are numerous existing trees on site – trees unsuitable for retention will be removed and those of a high quality retained and protected.
Involvement	The application was supported by a Statement of Community Involvement. This confirms that pre-application consultation was carried out with the Council and the local community, the latter included a public exhibition at Merstham Village Hall. The statement summarises the main issues raised (chiefly Green Belt, AONB, impact on Conservation, parking and traffic/highway problems on Rockshaw Road). The statement sets out the changes made to the scheme in response to the consultation.
Evaluation	The Design & Access Statement details how the scheme has been informed by site specific constraints and the Statement of Community Involvement discusses how the layout and quantum of development has evolved in response to pre-

	application consultation. The applicant makes the case that there are no alternative sites for this form of development, hence why this development option is being pursued for the site.
Design	The applicant's Design & Access Statement indicates that the design and layout is considered to respond to the constraints of the site. Large villas (apartment block) are indicated along the Rockshaw Road frontage to respond to the scale and mass of existing properties. Retirement cottages would be sited to the rear and have been designed with lower mass to provide a more village aesthetic. The layout is suggested to respond to the topography of the site. Various "character areas" are proposed with different architectural styles and materials which are intended to reflect local vernacular.

4.7 Further details of the development are as follows:

Site area	4.57ha (west parcel 0.8ha approx., east parcel 3.8ha approx.)
Existing use	Open land (semi-natural grassland, scrub) and areas of woodland - greenfield
Proposed use	Residential (extra care and private dwellings)
Number of additional dwellings	Extra care – up to 85 Private dwellings – 4

**5.0 Policy Context**

5.1 Designation

Metropolitan Green Belt  
Area of Outstanding Natural Beauty (part)  
Area of Great Landscape Value  
Adjacent to Site of Archaeological Importance  
Adjacent to Rockshaw Road Conservation Area  
Adjacent to statutory and locally listed buildings  
Tree Preservation Order RE709

5.2 Reigate and Banstead Core Strategy

CS1(Presumption in favour of sustainable development)  
CS2 (Valued landscapes and the natural environment)  
CS3 (Green Belt)  
CS4 (Valued townscapes and historic environment)  
CS5 (Valued people/economic development),  
CS6 (Allocation of land for development)

CS10 (Sustainable development),  
CS11 (Sustainable construction),  
CS12 (Infrastructure delivery)  
CS13 (Housing delivery)  
CS14 (Housing needs of the community)  
CS15 (Affordable housing)  
CS17 (Travel options and accessibility)

### 5.3 Reigate & Banstead Borough Local Plan 2005

Landscape & Nature Conservation	Pc1, Pc2G, Pc4
Heritage	Pc8, Pc9, Pc10, Pc12, Pc13
Countryside	Co1
Housing	Ho3, Ho9, Ho10, Ho20, Ho23
Recreation	Re1
Movement	Mo4, Mo5, Mo6, Mo7, Mo12
Utilities	Ut4

### 5.4 Other Material Considerations

National Planning Policy Framework

National Planning Practice Guidance

Supplementary Planning  
Guidance

Local Distinctiveness Design Guide  
Developer Contributions SPD  
Affordable Housing SPD

Other

Human Rights Act 1998  
Community Infrastructure Levy Regulations 2010  
(as amended)  
Conservation of Habitats and Species Regulations  
2017  
Planning (Listed Buildings and Conservation  
Areas) Act 1990  
Town and Country Planning (Environmental Impact  
Assessment) Regulations 2017  
Countryside and Rights of Way Act 2000  
Public Sector Equality Duty  
Draft Rockshaw Road Conservation Area  
Appraisal  
Surrey Hills AONB Management Plan 2014-2019

## 6.0 **Assessment**

6.1 The application site comprises two parcels of undeveloped land within the Metropolitan Green Belt. The sites are also within the Area of Great Landscape Value and partially within the Surrey Hills Area of Outstanding Natural Beauty. The sites are divorced from the nearest urban area of Merstham.

6.2 The main issues to consider are therefore:

- development within the Metropolitan Green Belt
- landscape and visual impact and the effect on the AGLV and AONB
- design and impact on the character of the area
- impact on heritage assets, including the Rockshaw Road Conservation Area
- effects on the amenity of neighbouring properties
- accessibility, highways and transport implications
- trees and landscaping
- CIL and infrastructure contributions
- other matters
- very special circumstances

#### Development within the Metropolitan Green Belt

- 6.4 The application site is wholly within the Metropolitan Green Belt where the construction of new buildings is generally as inappropriate unless they fall within the specific exceptions set out in the National Planning Policy Framework (notably paragraphs 145 and 146).
- 6.5 This proposal, which would involve the erection of an extra care housing development, private residential dwellings, associated facilities and supporting infrastructure on a greenfield, undeveloped site within the Green Belt, would not fall within any of the exceptions in national policy. It is therefore concluded that the proposal would clearly represent inappropriate development which is, by definition, harmful to the Green Belt. This is not disputed by the applicant.
- 6.6 In addition to the definitional harm by reason of inappropriateness, the proposal is considered to give rise to other identifiable harm to the Green Belt.
- 6.7 Firstly, the Framework clearly sets out that fundamental aim of Green Belt policy is to prevent urban sprawl by “*keeping land permanently open*” and that one of the essential characteristics of the Green Belt is its openness. It is well-established through case law that land which is “open” is that which is free from buildings and other built development and that the loss of openness can, in and of itself, be harmful to the underlying policy principle. The application sites, in their present form, epitomise this characteristic in that they comprise undeveloped land of natural, semi-rural character and is entirely free from buildings, built form or other forms of urbanising development.
- 6.8 By contrast, the proposal – whilst in outline – would introduce a significant quantum of built form – in the form of buildings, hardstanding and other urbanising features - onto the site. Based on the size parameters suggested in the Design & Access Statement, the cumulative footprint and volume of built form would be significant. This built form, by its very existence, would clearly erode the openness of the Green Belt and therefore undermine one of the essential characteristics identified in national policy. These physical changes, coupled with the consequent activity and paraphernalia which would be associated with a residential/extra care use, would also represent an encroachment into the countryside.

- 6.9 This erosion of openness and encroachment into countryside would be readily apparent and clearly perceived by those using public routes and vantage points. Recent case law has confirmed that visual impact can be a relevant factor which the decision maker can take into account in determining impact on openness. From Rockshaw Road (as confirmed by the applicants own Landscape and Visual Impact Assessment) the erosion of openness would be highly conspicuous with the introduction of buildings along the frontage. Furthermore, whilst the application is in outline, based on the quantum of development, it is very likely that this built form would be dispersed across the site (the illustrative layout supports this view), extending onto the northern parts of the site unlike development along Rockshaw Road which is – for the most part – confined to the road frontage. Consequently, the erosion of openness and encroachment into the countryside would be appreciable from the adjoining North Downs Way at close range, as well as from longer range vantage points across the M23 (both of which are again acknowledged in the applicant's Landscape and Visual Impact Assessment). These visual factors are considered to support the conclusion that openness would be evidently and substantially eroded in this case. Furthermore, when viewed from Rockshaw Road, the application sites read and are appreciated as part of the much wider countryside network given the visual relationship to the North Downs beyond; this is in spite of the intervening infrastructure of the M23 which is generally well screened and not overly intrusive or disruptive due to the topography.
- 6.10 In addition, the sites, at present, clearly support a degree of established, albeit informal, recreation and amenity (walking, cycling, dog walking and the like), as evidenced by the natural "desire paths" which have been trodden into the grassland on the site over time. The sites could therefore be considered to perform one of the "beneficial uses" identified in paragraph 141 of the Framework. Whilst the illustrative plans indicate some footpaths would be retained though the site, it is inevitable that there would be a reduction and restriction in free, informal access to the site. It is considered that this would add to the perception that the "countryside" has been encroached into.
- 6.11 It is therefore concluded that the proposal would be inappropriate development in the Green Belt which is by definition harmful. The proposal would also give rise to significant harm by way of erosion of openness and a demonstrable and appreciable encroachment into the countryside. The harm to the Green Belt would therefore, in totality, be very significant. In accordance with national policy (paragraph 144), this harm should be afforded substantial weight in the overall planning balance.

#### Landscape and visual impact and the effect on the AGLV and AONB

- 6.12 The two parcels of land which comprise the application site are both situated wholly within the Area of Great Landscape Value as designated in the Borough Local Plan 2005. Furthermore, approximately two-thirds of the eastern side of the eastern parcel is within the Surrey Hills Area of Outstanding Natural Beauty.
- 6.13 In this context, paragraphs 170-172 of the Framework are particularly relevant. Paragraph 170 seeks to ensure that the planning system contributes to and enhances the natural and local environment by, amongst other things, "*protecting*



*and enhancing valued landscapes...in a manner commensurate with their statutory status or identified quality in the development plan*” whilst paragraph 172 specifically deals with the weight and approach which should be taken to developments in Areas of Outstanding Natural Beauty. Policies Pc1 of the Local Plan 2005 and Policy CS2 of the Core Strategy are also relevant, the former of which specifically sets out that the Council will protect the AONB and AGLV from inappropriate development and that “major proposals for development within these areas would normally be inconsistent with these designations”.

- 6.14 The proposal was accompanied by a Landscape and Visual Impact Assessment which concluded that two viewpoints would experience significant visual effects, which would remain even with mitigation measures. From remaining receptors (15 different viewpoints), it concludes that “views of the development will remain largely unchanged” and that “when this development is assessed in context with the wider landscape, the visual impact would be reduced, visually blending in with the surrounding suburban landscape”.
- 6.15 The conclusions in relation to visual impacts in the applicants LVIA are broadly agreed. In particular, this acknowledges that there would be lasting major/moderate visual effects on residents/users of Rockshaw Road and North Downs Way (which are considered high sensitivity receptors). As the LVIA notes, *“from nearby views, the site would remain noticeable with little visual barrier effect from either mitigation planting or its juxtaposition with other residential development”*.
- 6.16 The report identifies only a minor visual impact on the North Downs Way as it emerges under the M23; however, whilst it is noted that there is some interceding vegetation which would screen views, this screening would only be effective when in full/partial leaf and given the scale of change, rising land and potential for reduced screening in winter, it is considered that there would be a material visual impact along the full extent of the North Downs Way between Rockshaw Road and the M23. The Surrey Hills AONB Officer particularly notes that:

*“The long distance North Downs Way runs along the eastern boundary of the main site and a little north before passing under the M23 motorway and then rising up the North Downs. The North Downs Way the runs along Rockshaw Road. The length of the North Downs Way has a country feel to it, consistent with the countryside to the north that walkers will have passed or would be about to pass if walking east. However, the character of this long distance path would change significantly and adversely between near the subway and along Rockshaw Road to one of passing through a more suburban area. This would clearly not be in the public interest”*.

- 6.17 The report also identifies moderate and minor impacts to longer range receptors on higher ground to the north of the M23 (including two footpaths which traverse the agricultural land).
- 6.18 In terms of landscape character, the report concludes the area has medium sensitivity to residential development and that the proposal would have a minor effect during construction. At operational stage, the LVIA (para 13.4) concludes that there would be a “minor loss of key landscape elements and the introduction of elements that may be prominent but not uncharacteristic will occur and the

subsequent landscape effects are not considered to be significant in planning terms". It also concludes that the proposed development would have minor residual effects once buffer planting has established.

- 6.19 The Surrey Hills AONB Officer has reviewed the application and associated LVIA. Specifically, he considers that the two sites make a major contribution to the landscape character of Rockshaw Road. In particular, his response notes that

*"when approaching Rockshaw Road from the west over the bridge, one moves from a more busy urban area into a clearly quieter more landscape dominated area even though houses front the southern length of the road and partly along the northern length where the development is proposed. Most of the houses are substantial and fairly widely space in mostly generous curtilages with extensive vegetation".*

- 6.20 This analysis and conclusion from the AONB Officer is agreed. Whilst it is noted that Rockshaw Road sits between the M23 and M25 motorways, the landscape character of the area is very distinct from the main urban settlement of Merstham to the south, and the overall impression of the site and its surroundings is semi-rural. The 2015 Landscape Character Assessment specifically identifies the need to "retain the character of individual settlements" within the character area within which these sites sit (the Greensand Valley area) by "...avoiding dense linear development along these roads". The LCA also advises the need to conserve rural roads and avoid their urbanisation. It is considered that the proposal would fail to achieve these aims and, in doing so, would cause some harm to the landscape character.

- 6.21 Furthermore, long range views towards the North Downs – which are identified in the 2015 Surrey Landscape Character Assessment (by Hankinson Duckett Associates) as a key positive attribute of this area – are presently possible from within the southern parts of the site and along this part of Rockshaw Road within the AONB; however, these would be materially and detrimentally interrupted by the proposed development. The Surrey Hills AONB Management Plan 2014-2019 – which is considered to be a material consideration - specifically identifies (Aim LU2) that development will respect the special landscape character of the locality, including – amongst other things – by giving particular attention to potential impacts on public views. It also sets out (Aim LU5) that development that would spoil the setting of the AONB by harming views into or from the AONB will be resisted. For the above reasons, it is considered that the proposed development would fail to support these aims of the AONB Management Plan.

- 6.22 The effects of residential development and the associated infrastructure on the local landscape character of the AONB and AGLV in this area would be permanent and irreversible. For this reason and cognisant of the above points, it is concluded that the proposed development would have an adverse impact on landscape character at a localised scale and would thus fail to conserve the landscape and scenic beauty of the AONB. It would also erode the character of the locally designated AGLV, both as a landscape area in its own right and as a buffer to/the setting of the AONB. The conclusions of the AONB Officer in his response to the application, set out as follows, are agreed:

*“I consider that the proposed development would fundamentally change the character of the locality from a landscape dominated area justifying inclusion in the national AONB landscape designation with the highest level of protection it enjoys and the associated more local AGLV designation, to a suburban character where buildings would have a significantly greater visual impact such as to dominate the landscape. The change would be so significant that the area might not be worthy of continued AONB designation.”*

- 6.23 The proposal would therefore give rise to conflict with Borough Local Plan Policy Pc1 and the similar provisions of Policy CS2 of the Core Strategy.
- 6.24 In the context of the NPPF, it is also necessary to address the question of whether the proposals represent major development within the AONB. The latest Framework (supported by relevant case law) confirms that this is a matter for the decision taker, taking into account the proposal in question and the local context. Whilst it is recognised that not all of the development proposed would be in the AONB, based on the nature of the site (and supported by the illustrative layout and parameters submitted with the application), it is likely that the vast majority of the more intensive development associated with the extra care element of the scheme would be located within the AONB. Taking account of the low density, semi-rural nature of the residential ribbon development along Rockshaw Road (which – even including the denser enclaves at Ashcombe Road and to the east of the site – only includes around 80 existing dwellings), the comparative number and intensity of development proposed in this case would clearly be very significant in the context. Furthermore, the Framework advises of the need to take account of whether it could have a significant adverse impact on the purposes for which the area is designated. Whilst the conclusions of the MHCLG Planning Casework Unit in respect of the need for an EIA are noted, given the discussion above, the views of the AONB Officer and the conclusions of the applicant’s own LVIA that the development would result in the *“loss of key landscape elements”*, it is considered that the development could be viewed as major development for the purposes of paragraph 172 of the Framework. This is consistent with the applicant’s own admission (at paragraph 5.104 of their Planning Statement) which definitively states that *“obviously, the proposals for the retirement scheme meet the definition of major development”*.
- 6.25 In light of this conclusion, the development must also be considered against the specific tests in paragraph 172 of the Framework. These specific tests are also addressed further in the overall planning balance below.

Design and impact on heritage assets, including the Rockshaw Road Conservation Area

- 6.26 The application was supported by a built heritage assessment. This acknowledges that the sites are situated adjacent to the Rockshaw Road Conservation Area (which for the purposes of national policy, this constitutes a designated heritage asset) and that there are two Grade II listed buildings in proximity of the sites (Noddyshall and Little Shaw) (which are again designated heritage assets) and a wide variety of locally listed buildings (which are non-designated heritage assets). Whilst recognising these assets, the assessment concludes – in short – that,

subject to appropriate design, layout and landscaping, the scheme would preserve the significance of nearby heritage assets.

- 6.27 Whilst attractive open natural green spaces, this characteristic alone is not considered by the Conservation Officer or identified within the draft Conservation Area Appraisal for Rockshaw Road as making a particular or intrinsic contribution to the setting or overall heritage significance of adjoining and nearby heritage assets. As such, from a heritage perspective, the loss of these open areas is not considered to give rise to an in principle harm.
- 6.28 Consideration therefore needs to be given to detailed layout and design. As the application is made in outline, with all matters except access reserved, there is limited detail at this stage on the layout, appearance and scale of the scheme. However, as above, some illustrative plans have been submitted and the Design & Access Statement sets out some design parameters and character areas which the scheme would be intending to follow.
- 6.29 In terms of the Conservation Area, the draft Conservation Area Appraisal for Rockshaw Road identifies that its prevailing character is that of a cohesive group of arts and crafts houses, mostly by Paxton Watson, set within spacious plots and with space between the houses. The illustrative layout suggests that the frontage along Rockshaw Road would be predominantly occupied single larger buildings (either as detached private dwellings or apartment blocks) set within large plots. Such an approach would therefore follow and preserve the pattern and grain of development along the adjacent Rockshaw Road Conservation Area.
- 6.30 The illustrative layout suggests that smaller cottages would be laid out to the rear of these frontage buildings, organised around a single main access road. Whilst this form of development would not be typical to the adjacent Conservation Area, these elements of any scheme would likely be less prominent in the Rockshaw Road street scene such that they would not appear as disruptive to its character or setting.
- 6.31 The original D&A Statement alludes to these having a more contemporary design for the “cottages” on the northern parts of the site; however, the later Design Principles document shows more traditional design intent. Mindful of the advice in the Framework with respect to not stifling innovation, originality or initiative, it is considered that – subject to the detail and materiality, an acceptable design, reflecting local distinctiveness could likely be achieved through either route at reserved matters stage.
- 6.32 All of the locally listed buildings which adjoin the two parts of the application site are on the opposite side of Rockshaw Road. Whilst these buildings are experienced and viewed in a semi-rural context along Rockshaw Road, it is considered that this could be adequately maintained through appropriate design, layout and landscaping and that therefore, the proposals would not give rise to harm to their setting.
- 6.33 In terms of the statutory listed buildings, Noddyshall Cottage, which is Grade II listed, is significantly set back from the road behind dense boundary planting. The application site is visually divorced from this asset and is not considered to make

any particular contribution to its setting. Likewise, the positioning of Little Shaw is such that its relationship to the application site in terms of setting and significance is peripheral at best.

- 6.34 In terms of issues of wider character, the proposals incorporate – as set out within the Transport Assessment – a traffic calming scheme on Rockshaw Road incorporating build outs to narrow the highway, large raised tables (including at the proposed junction to the extra care element of the scheme and entry features. These alterations would be urban in appearance and out of character with the semi-rural lane feel of Rockshaw Road and would fail to “*conserve rural roads and avoid their urbanisation*” as the Landscape Character Assessment advises for this area. In their response to the application, the County Highway Authority similarly identifies that the works would be out of keeping with the character of Rockshaw Road and questions whether such extensive measures are even necessary. On this basis, a more sympathetic package of highway safety measures would be required.
- 6.35 In conclusion, taking the above into account, and acknowledging the parameters indicated on the various illustrative plans and supporting design documents, it is considered that a scheme of a layout, scale, design and appearance appropriate to the surrounding built character. Subject to appropriate design/layout, adverse impacts on the significance of heritage assets are unlikely but would at most be less than significant. On this basis, a scheme compliant with relevant design and heritage policies could be achieved, subject to a revised scheme for traffic calming/highway safety measures.

#### Effects on the amenity of neighbouring properties

- 6.36 As the application is made in outline, with layout and scale reserved, the exact location and scale of individual buildings and other features within the site is not confirmed at this stage.
- 6.37 However, given the space available in the areas defined for development and, when considering the illustrative layout, an acceptable relationship could be achieved. In respect of side-to-side relationships with existing properties on the northern side of Rockshaw Road, adequate spacing could be retained between the properties to ensure there would not be an adverse overshadowing or overbearing effect, even acknowledging the larger bulk and depth of the indicated apartment blocks. For example, to the single storey dwelling “Sarum” which adjoins the main site to the east, the illustrative plan shows a separation distance of c.12m, aided by the intervening North Downs Way. Development on the rear (northern) portion of the main site would be capable of retaining substantial separation distances to adjoining or frontage development on Rockshaw Road and would likely be set at a lower level due to the drop in land levels. With this type of relationship, it is not considered that there would be an adverse impact on neighbours in terms of overbearing or overlooking.
- 6.38 Concerns have also been raised by occupants of dwellings on the southern side of Rockshaw Road. Whilst it is noted that the apartment blocks which are anticipated to front Rockshaw Road would be of reasonable scale, separation distances of c.30m+ front to front would likely be achievable, thus any harmful overlooking or

overbearing effects could be avoided. Whilst it is appreciated that some properties on this side of Rockshaw Road may lose the benefit of pleasant long range views across the North Downs, loss of a private view is not a material planning consideration and overall, they would maintain a more than adequate outlook and level of amenity.

- 6.39 Noise and disturbance resulting from the development when completed would likely be acceptable and accord with normal residential environments. Whilst nearby residents' concerns regarding potential adverse noise, nuisance or disturbance resulting from construction are appreciated (particularly given the likely length of construction), such effects would be temporary and not sufficient to warrant refusal given the existence of other legislation (e.g. statutory nuisance) to control these issues. In the event that the application were to be approved, a robust Construction Management condition could be imposed to manage amenity and highway impacts of the construction process.
- 6.40 On this basis, it is considered that the proposal, through its reserved matters, could be designed to achieve an acceptable relationship to neighbouring properties and that there are no in principle objections on neighbour amenity grounds. It therefore complies with policies Ho9 and Ho20 of the Borough Local Plan 2005 in this specific respect.

#### Accessibility, parking and highway implications

- 6.41 The application was accompanied by a Transport Statement which assesses the likely transport and highways implications of the development and makes a number of recommendations as to highway works and travel measures to mitigate the impacts of the development.
- 6.42 The proposals and supporting material have been reviewed in detail by the County Highway Authority (CHA) who have recommended refusal of the application. This is in part on the basis that, whilst the application is in outline, insufficient or inadequate evidence has been provided to robustly demonstrate the likely highways implications of the development. These issues are discussed further below.
- 6.43 In terms of vehicular access, the submitted drawings propose that the main extra care housing site would be accessed by a single point from Rockshaw Road, serving a new access road. The illustrative plans suggest that the private residential dwellings would each have independent crossovers from Rockshaw Road. The Transport Assessment demonstrates that visibility splays of 2.4m x 160m are achievable at each of the access point which the CHA considers are appropriate for the speed of traffic along this road.
- 6.44 As above, also included within the application (set out in the Transport Assessment) are a series of traffic calming and highway works along Rockshaw Road, including narrowing features, raised tables and entry features. These measures have been considered by the CHA who recommend that they are unacceptable on highway safety grounds and would otherwise be inappropriate in terms of their impact on the character of Rockshaw Road and the nature of the scheme. Given the conclusions above regarding visibility at the access, the CHA recommend that the extensive

traffic calming measures proposed are technically not required and could lead to more harm than good on the highway network. They therefore recommend that these measures are excluded from the scheme.

- 6.45 In terms of pedestrian access, the CHA response identifies this as a key concern, particularly given the limited pedestrian facilities, non-continuous footways, high speed of traffic along Rockshaw Road and the likely elderly age of residents. To resolve this, the CHA recommends a series of safe pedestrian crossing points along Rockshaw Road (with associated refuge islands) as a more appropriate solution in the circumstances together with the provision of a continuous footway along the frontage of the site. The introduction of refuge islands with associated hatched markings could also give the visual effect of carriageway narrowing and would be a more appropriate traffic calming measures than those presently proposed.
- 6.46 The site is located north of Merstham in what is considered to be a relatively inaccessible location. The nearest facilities are within Merstham Village which is over 1km from the site (not as the crow flies) and provides only a limited selection of shops and services, albeit there is a Co-op convenience store on the Merstham estate which is approximately 2km from the site. The nearest bus stops are on the A23, some 800m walk from the centre point of the main application site. As the CHA response notes, *“these distances exceed the recommended maximum walking distance to a bus stop of 400m”*. Whilst the intention to provide on-site services and facilities is noted, these would be relatively limited and could not be said to be fully self-sustaining in terms of the likely day to day needs of future residents, particularly given the applicant’s state that one of the key intentions of extra care provision such as this is *“allowing people to retain independence for as long as possible”*. Taking these factors into account, the site is not considered to be accessibly or optimally located for the purposes of Policy CS14 of the Core Strategy or policy Ho21 of the Local Plan.
- 6.47 Given the location of the site, there is therefore a risk of significant car reliance given the distance to nearby services. In an attempt to mitigate this issue, the applicant has indicated, through their Transport Statement, an intention to provide a dedicated minibus service for residents. The response of the CHA to the application highlights the fact that, in their view, this would likely be a critical measure in enabling sustainable travel to the site; however, inadequate detail has been provided by the applicant and they pose a number of questions regarding the operation, frequency, routing and long-term funding of the service. These questions remain unanswered and, as such, it cannot be said with confidence that this mitigation would be at all effective in reducing excessive reliance on private car journeys which is inevitable due to the more remote location of the site. It is questionable at any rate whether reliance on such a bus service genuinely promotes the type of independence which the proposal is otherwise seeking to engender.
- 6.48 It is noted that a number of representations raise concerns regarding the potential increase in traffic arising from the development; including specific impacts on queuing at the width restricted railway bridge section of Rockshaw Road. In this respect, the County Highway Authority has also raised concerns in their response regarding the evidence underpinning the trip generation assumptions within the

Transport Assessment. In particular, they highlight uncertainty regarding the likely mix of units proposed and the level of care which they will need as these factors will have a significant influence on the trip generation associated with the site (i.e. those with more significant care needs are likely to have a lower level of independence and freedom than a resident with limited care needs who owns a car). Furthermore, whilst existing operational Retirement Villages sites have been relied upon, there is little evidence to demonstrate that these are comparable in terms of location and accessibility. In absence of this clarification, the transport impacts of the development cannot be properly and robustly appraised and cannot be concluded to be acceptable.

- 6.49 A number of improvements to the draft Travel Plan submitted by the applicant, which presently focusses on staff travel with little consideration of residents, have also been requested by the CHA.
- 6.50 In view of the above, it is considered that the site is not in an accessible location and insufficient evidence has been provided by the applicant to enable a robust assessment of the transport impacts of the proposals and the effectiveness of proposed sustainable travel measures. Furthermore, the currently proposed traffic calming measures would, in the CHAs view, be likely to give rise to conditions prejudicial to, rather than beneficial to, highway safety. Taking this into account, the proposals are contrary to policy Ho21, Mo4 and Mo5 of the Local Plan, Policies CS14 and CS17 of the Core Strategy and the provisions of the Framework in respect of promoting sustainable transport.

#### Trees and landscaping

- 6.51 As above, the two parcels of land are presently open, undeveloped countryside. The smaller parcel of land (situated between Dormers and Russetts) has relatively significant tree cover; however, much of it is smaller, self-sown trees with some larger mature specimens along the eastern and western boundaries. There is a belt of trees running north-south through the middle of the eastern parcel, as well as further trees lining the frontage of the site with Rockshaw Road.
- 6.52 The application was supported by a Tree Survey and Constraint Advice Report (by ACD Environmental) as well as an Arboricultural Impact Assessment and Method Statement. On the smaller western parcel, the AIA indicates that a large number of predominantly lower Grade U or C trees would be removed to facilitate the proposed private dwellings and their gardens to the rear. The larger mature trees on the boundaries would be retained and protected. On the larger parcel, most trees would be retained however; a small section of the central group of trees (Grade B2) would be removed, as would some lower grade specimens within this area and on the frontage with Rockshaw Road.
- 6.53 The Tree Officer was consulted on the application and has reviewed the information submitted, including the various arboricultural reports supporting the application. The Tree Officer advises that most of the trees lost are low quality self-sown scrub trees and, whilst there are some higher grade trees as part of the group on the western parcel which would be removed, this would not have a significant impact on the character or visual amenity of the area or the Conservation Area. Consequently,



the Tree Officer's advice is that the tree losses identified would not be a sustainable reason for refusal.

- 6.54 Given the size and nature of the site, and recognising that the application is in outline, the Tree Officer advises that there would likely be adequate opportunity for replacement and additional tree planting and a meaningful landscaping scheme to be achieved.
- 6.55 Accordingly, subject to conditions requiring a detailed landscaping scheme (as reserved matters) and implementation of the tree protection measures identified, the proposal would not have an undue impact on the arboricultural interest of the site and would comply with policies Pc4 and Ho9 of the Borough Local Plan 2005 in this specific respect.

Community Infrastructure Levy (CIL), planning obligations and affordable housing

- 6.56 The development proposes an extra care housing scheme of 85 units and four private residential units.
- 6.57 The four private residential units indisputably fall within a C3 use and thus within the scope of the Council's requirements for affordable housing contributions (Policy CS15 and the Affordable Housing SPD). Being part of a larger scheme, it is not considered that the C3 units fall within the ambit or spirit of the Government's exemption for small sites (as introduced through the Written Ministerial Statement and Planning Practice Guidance).
- 6.58 The Affordable Housing SPD relies upon floorspace as the metric to calculate affordable housing contributions. Due to the outline nature of the application, the applicant has agreed to a cap on the gross internal floor area of the private dwellings of 1,700 square metres. This cap would be enshrined in a planning condition in the event the application were approved and would provide a basis on which to calculate the contributions which would then be secured through a legal agreement. Based on this figure, the affordable housing contributions due on those four units would be approximately £134,300 (subject to indexation). However, as a completed legal agreement is not in place, the absence of this contribution will form a further technical reason for refusal.
- 6.59 The four private dwellings (being C3 use) would also be liable for CIL contributions which would be calculated (with appropriate indexation) following the grant of any associated reserved matters application.
- 6.60 In terms of the extra care scheme, the applicant argues that this would fall within C2 use. To support this case and position, the applicant has provided a number of appeal decisions and legal opinion from Counsel.
- 6.61 Officers have considered the various information, appeal decisions and legal cases on this issue. Whilst these sources confirm that a view needs to be taken on a case by case basis, they indicate that the key considerations in determining whether a development constitutes a C2 or C3 use class will be the extent and nature of restrictions on occupancy and the extent to which the provision of, and need for,

care is an integral part of the development and essential criteria for occupancy. Of particular note, and often cited as a leading case on this matter, is the case of *Leelamb Homes Ltd v Secretary of State and Maldon District Council* in which the judge held that a legal agreement securing a minimum care package of 2 hours per week was a material consideration and sufficient to constitute a C2 use. Other appeal decisions have subsequently followed the broad thrust of this decision.

- 6.62 Whilst some of the proposed extra care units would have the attributes of a separate dwelling, it is necessary to examine the nature, use and characteristics of the scheme as a whole. In this case, whilst the scheme is in outline, the Design Statement, Development Principles document and other documents submitted with the application (such as illustrative layouts) illustrate an intention for care to be an integral part of the ethos, configuration and design of the scheme. The Planning Statement (paragraph 4.3) sets out that the units would all be designed to meet higher Building Regulations standards for accessibility (specifically Part M Category 3, i.e. accessible or adaptable for wheelchair users) and this could be secured through condition, with other adaptations to support those who may have specific care requirements or disabilities. The scheme is also proposed to have a wide range of communal facilities including lounges, on-site therapy rooms, etc. which the proposed draft Heads of Terms would ensure are available to future residents (subject to payment of service charges, etc.). In terms of design and layout intentions and mix and configuration of likely on-site uses, it is concluded that the provision of care would pervade the whole development in a physical sense.
- 6.63 In addition, and reflecting the position in the Leelamb case which has been supported and other subsequent appeals, the applicant proposes draft heads of terms for a legal agreement which would control future occupation of the extra care units to only those residents over a certain age and who require, and sign up to, a basic care package at first occupation. It would ensure that occupants of the scheme are either currently, or imminently have a need for care. Whilst this is yet to be finalised and agreed, in principle, this approach would reinforce the fact that care would be an integral part of why residents would choose to live on the scheme.
- 6.64 Taking all of the above characteristics into account, and subject to appropriate conditions and a legal agreement regarding the occupational restrictions and care requirements, it is concluded that the extra care element of the scheme would fall within Use Class C2 and thus there would be no policy basis for requiring affordable housing provision (or contributions) on this element of the scheme. This does not however negate the conclusions above regarding the proposed private market dwellings.
- 6.65 At this stage, a completed legal agreement has not been received. As the application is recommended to be refused, further technical reasons for refusal are therefore proposed relating to the absence of an agreed affordable housing contribution for the private market units and appropriate restrictions, requirements and obligations for the extra care units. These would not be pursued further if an acceptable agreement was forthcoming prior to any appeal.
- 6.66 Community Infrastructure Levy (CIL) Regulations were introduced in April 2010 which states that it is unlawful to take a planning obligation into account unless its

requirements are (i) relevant to planning; (ii) necessary to make the proposed development acceptable in planning terms; and (iii) directly related to the proposed development. As such only contributions, works or other obligations that are directly required as a consequence of development can be requested and such requests must be fully justified with evidence including costed spending plans to demonstrate what the money requested would be spent on.

- 6.67 No such contributions or requirements have been requested at this stage. However, as above, there are presently unresolved highway objections to the scheme and, as such, it is possible that works relating to addressing and overcoming these highway impacts may be required to be secured through a legal agreement.

#### Other matters

- 6.68 The site is not subject to any specific nature conservation designations; but, as a large open, semi-natural site, has the potential to support biodiversity and ecology. The application was initially supported by various partial reports and surveys of the ecology of the site which were subsumed into a Final Ecological Impact Assessment which was submitted later in the determination process. The surveys carried out for the various species are considered to be robust and consistent with best practice guidance.
- 6.69 The ecological surveys identified the presence of a number of protected species on site including bats, badgers, slow worm, common lizard and roman snails. For the most part, the Ecological Assessment concludes that – with appropriate mitigation measures – the impact on species would be neutral. However, in respect of reptiles (slow worm and common lizard) the study identifies a non-significant negative impact and identifies that translocation would be required to the adjoining retained natural corridor within the ownership of the applicant. No specific conclusion is reached in the study in respect of the roman snail population on site; however, again the ecological assessment identifies that translocation to the adjoining natural corridor (which would be appropriately improved) would again be required. Based on the information provided, it is considered that subject to adoption and implementation of the measures recommended in the Ecological Assessment as well as more detailed proposals for the works to be carried out on the retained natural corridor, that any impacts on biodiversity or protected species could be adequately mitigated or compensated. On this basis, it is considered that the proposal could be designed to comply with local policies Pc2G (Local Plan 2005) and CS10 (Core Strategy), relevant national policies and relevant legislation. It should be noted that Natural England was consulted on the application and raised no objection in respect of the effect on designated sites (i.e. the Special Area of Conservation).
- 6.70 The application was accompanied by a Desk Based Archaeological Assessment which is required due to both its size (over 0.4ha) and the presence of a designated Area of High Archaeological Importance (Chaldon Firestone quarries). The study concludes that the site has low archaeological potential for all past periods of human activity. The County Archaeological Officer has reviewed the application and considers that due to the absence of previous investigations, the potential of the site

is uncertain and thus more detailed archaeological assessment is required which could be secured by condition.

- 6.71 The site is within Flood Zone 1 and is not identified as being at particularly high or widespread risk of surface water flooding according to Environment Agency modelling. The Environment Agency was consulted on the application but given these characteristics responded to confirm that it would not be providing bespoke comments. The application was supported by an initial drainage strategy document which has been reviewed by Surrey County Council as the Lead Local Flood Authority who has raised no objection to the development subject to conditions to secure a finalised detailed drainage strategy in due course. On this basis, it is considered that the scheme could be designed to meet the requirements of policy Ut4 of the Local Plan, CS10 of the Core Strategy and the relevant provisions of national policy in respect of flooding and drainage.
- 6.72 A Geo-environmental desk study was submitted with the application. This has been reviewed by the Council's Contaminated Land Officer who considers that, due to the potential for localised contamination from historic abandoned pit workings as well as potential ground gas migration from a nearby historic landfill, numerous conditions to secure further investigation, remediation and mitigation are necessary to ensure there would be no adverse impact on human health.

#### Benefits and considerations in favour of the scheme

##### *Need*

- 6.73 The proposed development is intended to provide an extra care housing scheme, alongside four private detached dwellings. It is suggested that the care element would provide a care facility with 24 hour care for the frail elderly and will help to improve the overall quantity and quality of care services in the area for older people (particularly those with dementia).
- 6.74 The application was supported by several reviews of the need for extra care housing in the borough and surrounding areas, including a report by Contact Consulting (July 2017) which the Planning Statement identifies as the most up to date analysis. This review identifies a shortfall in extra care accommodation in the borough and a requirement for an additional 324 units as of 2017. On this basis, it concludes that there is a "*paucity of provision for older home owners within Reigate and Banstead*".
- 6.75 The scale of need identified in the applicant's submission is significantly higher than that identified in the Council's latest evidence to support the DMP (which identifies a need for 80 units if current levels of extra care provision are maintained). Even if extra care provision was significantly increased over the period to 2027 (to 25 units per 1,000 people over the age of 75 which is consistent with the level used in the evidence supporting the previous DMP consultation), somewhere around 275 additional extra care units would be required to meet requirements in full. The applicant's assessment of need is also significantly greater than the delivery target recommended in Surrey CC's latest draft Integrated Commissioning Statement for Accommodation with Care and Support in the East Surrey CCG Area (the CCG

area within which this site falls), which seeks an additional 120 units between 2015 and 2025. It should also be noted that SCC's Statement identifies that Reigate & Banstead has one of the highest ratios of extra care housing per 1,000 over 75s in the whole of Surrey (13 compared to an average of 7 across the County).

- 6.76 It is however appreciated that there is a growing move towards extra care housing. Surrey County Council's latest *Accommodation with Care & Support Strategy* identifies "a declining demand for residential care, a growing popularity of Extra Care housing and an increase in people being supported to live independently" and promotes maximising opportunities to deliver this type of accommodation.

*Lack of alternative sites/alternative options for meeting need*

- 6.77 The applicant's also argue that there are no alternative sites (supported by a "sequential site search") which could accommodate the identified need and that the Council's intended approach to meeting needs in the emerging Development Management Plan is flawed (as set out in the Planning Statement). This is consistent with representations which the applicant made to the last round of the DMP consultation.
- 6.78 Whilst the applicant's position and sequential test is acknowledged, it is not agreed that it is definitive in confirming that the identified need could not be met on alternative sites or that the Council's proposed strategy for future delivery would be ineffective.
- 6.79 The Sequential Test excludes all sites under 3.5ha on the basis that they would not be able to deliver an equivalent development. The applicant's justify this approach by reference to an appeal decision in Handforth where the Inspector considered the issue of needs being met on a disaggregated basis and concluded that "*the inclusion of smaller sites from the separation of these two elements of the proposal would not outweigh the benefits from the combined proposal on safeguarded land*". Whilst this appeal decision is acknowledged, it is not considered to justify the same approach in every circumstance – as can be seen from the quote above – it reflects a balancing exercise considering whether the extra over benefits which might accrue from a concentrated "retirement village" scheme as compared to meeting the needs in another way would outweigh the identified harm. In this case, given the site is within the Green Belt (not safeguarded land) where a higher test exists in the balancing exercise, it is not agreed that disaggregation should be disregarded.
- 6.80 Members will be aware that the emerging Development Management Plan identifies a number of potential site allocations (including sites within the urban area) upon which specialist older persons housing would be expected to be delivered. As above, this specifically includes the Colebrook site just outside of Redhill Town Centre and within the urban area which is understood as being actively being considered by the landowner (Surrey County Council) for extra care development and which would be potentially capable of delivery in the short term (the site is allocated in the DMP for 110 residential units in total and it is understood that the County Council is exploring a scheme which would delivery up to 45 units of extra care).

- 6.81 Over the longer term, further delivery of specialist older persons housing is also proposed through the emerging DMP on the sustainable urban extensions (SUEs). Three SUE allocations within the DMP include a specified requirement for specialist older persons housing and, given the size of the allocations and “critical mass” required for a viable extra care proposal, it is realistic that at least two of these (ERM2/3 and SSW2 - delivering 118 units) could be provided as extra care housing. These sites are considered to be in more sustainable locations than the application site and in which extra care could be delivered as part of a mixed community.
- 6.82 There are therefore considered to be sites and emerging allocation, both in the short and longer term, which could meet potential needs. It should be noted that potential delivery from the sites discussed above could exceed the 120 units which Surrey CC’s strategy recommends should be delivered in the East Surrey CCG area between 2015 and 2025.
- 6.83 In addition, as identified in the evidence supporting the Development Management Plan and Surrey CC’s latest *Accommodation with Care & Support Strategy* – residents care needs can also be met in mainstream housing and there is an increasing trend for this due to advances in adaptations and in technology such as telecare, enabling people to live independently and remain part of their existing local communities.
- 6.84 Whilst it is appreciated that these options may not offer the same “environment” or meet the needs of residents in exactly the same way to that which the applicant’s aspire to provide though this “retirement village” concept or with the same spin-off social benefits, these are nonetheless considered to be legitimate options to meeting the needs of residents.

*Conclusion on need and alternative provision*

- 6.85 Although the exact scale of need is debatable and it is questionable whether it is quite as high as suggested by the applicant, it is nonetheless agreed that there is a level of current and future need for additional extra care provision in the borough which this development would contribute to meeting. In this respect, the scheme would find favour with the Framework – which encourages local planning authorities to plans for a mix of housing (including for older people and people with disabilities). This weighs in favour of the proposal; however, as the Planning Practice Guidance advises, *“unmet housing need...is unlikely to outweigh harm to the Green Belt and any other harm to constitute the “very special circumstances” justifying inappropriate development on a site within the Green Belt.”* This guidance should be borne in mind in the overall planning balance.
- 6.86 However, whilst the applicant’s Sequential Test and Planning Statement are acknowledged, there are considered to be other legitimate options which would meet the needs of these residents, albeit this may not be in the specific form of a “retirement village”. The applicant’s allegation that the Council’s emerging strategy will be wholly inadequate to meet needs is not agreed, particularly since the emerging DMP incorporates allocations with the potential to deliver up to 180 units of specialist elderly accommodation, of which a significant proportion could realistically be delivered as Extra Care.

- 6.87 For this reason, the argument of an unmet need for extra housing is only considered to attract moderate weight in the planning balance.

*Social benefits*

- 6.88 In addition to the need for extra care housing, the applicant argues that additional social benefits would flow from providing such a facility. This includes health and social care implications for future occupants (such as reduced hospital stays, opportunities for social integration), reduced pressure on local health services and the freeing up of under occupied homes.
- 6.89 In principle it is acknowledged that a “retirement village” concept could give rise to the benefits suggested above, and that these benefits may be greater than if those needs were met through other formats of extra care or through enabling residents to stay in their existing homes supported by adaptations and/or technology. Indeed, Surrey County Council’s *Accommodation with Care & Support Strategy* acknowledges that delivery of extra care housing could support revenue savings (e.g. on social care costs).
- 6.90 The additional scale of such benefit is however very difficult, if not impossible to assert with any confidence and it cannot necessarily be guaranteed that they will indeed accrue. Whilst the Surrey CC Strategy assigns a potential figure of £1m in revenue savings, it must be uncertain whether such benefits would be felt at the local level (for example, the extra care scheme could attract in-migration of older residents from elsewhere which would deliver no real benefit of freeing up homes locally and would actually potentially increase pressure on local services).
- 6.91 As such, whilst there may be social benefits, they are considered to attract only moderate weight in the overall planning balance.

*Economic benefits*

- 6.92 The Planning Statement accompanying the briefly appraises the potential economic benefits of the proposed development. It identifies that the extra care scheme would generate jobs for approximately 27 staff (full time equivalent), with additional knock on benefits during construction and through the supply chain.
- 6.93 These benefits are acknowledged and, in the context of both the Framework and local policy, are afforded a limited degree of positive weight in the overall planning balance. For a development of what is relatively considerable scale, these economic benefits are however felt to be comparatively small.

*Other matters*

- 6.94 The Planning Statement argues that the proposals will deliver “environmental benefits to mitigate for the minor significant impacts” on the landscape. Clearly, as the statement identifies, these benefits are required to overcome harm and therefore cannot be considered to weigh in favour of the scheme.

- 6.95 The Planning Statement includes reference to environmental and ecological improvements to the site and the adjoining natural corridor (to the north of the site and within the applicant's ownership control). There is little, if any, detail at this stage of potential improvement to the adjoining natural corridor and hence very limited weight is attached to this benefit. In terms of ecological works on site, the Final Ecological Impact Assessment concludes that, for the most part, with the compensation/enhancements proposed, the residual impacts of the development on existing ecology on site would be largely neutral with one instance of "non-significant positive" effects and one instance of "non-significant negative effects". On this basis, the overall effect on the ecology within the site itself is largely neutral – any positive weight in favour of the scheme is negligible.
- 6.96 Other than general statements regarding the Council's housing land supply position and housing target (including the fact that it does not meet the full Objectively Assessed Need), no specific argument is advanced to justify the proposed private housing units. Based on the information submitted, there does not appear to be any functional link between these units and the extra care scheme, nor any argument that they are in some way required to enable (either operationally or financially), the extra care provision. This element of the scheme appears extraneous and gratuitous. It should be noted that the Council is currently able to identify a deliverable land supply (as set out in the published 2018 Housing Monitor) equivalent to 6.88 years and therefore clearly has a robust 5 year supply.
- 6.97 It is noted that the applicant puts forward within their submission, numerous appeal decisions in which similar schemes have been considered and allowed by Inspectors. Whilst these are acknowledged, it does not appear that any of these relate to sites within the Green Belt and thus their circumstances are materially different. They are not therefore considered to offer any assistance in determining this application which should be considered on its own merits.

#### Overall conclusions and planning balance

- 6.98 The proposal would introduce a significant scale and extent of built form onto what is presently an open, undeveloped site within the Green Belt, partially within the Surrey Hills Area of Outstanding Natural Beauty and within the locally Area of Great Landscape Value.
- 6.99 In terms of the Green Belt, the proposal would clearly be inappropriate development which is by definition harmful. In addition, it is considered that there would be a significant and appreciable adverse impact on the openness of the site and encroachment into the countryside, thus conflicting with one of the stated purposes of the Green Belt. It is concluded that the harm to the Green Belt would, in totality, be significant. In accordance with the Framework, this harm attracts substantial weight in the overall planning balance.
- 6.100 In addition, it is concluded that the proposals would constitute a major development within the Surrey Hills Area of Outstanding Natural Beauty, a fact which is accepted by the applicant. In this context, the specific tests in paragraph 172 of the Framework must be applied. The development is considered to give rise to a demonstrable adverse impact on landscape character at a localised scale and



would thus fail to conserve the landscape and scenic beauty of the AONB as described above. It would also erode the character of the locally designated AGLV, both as a landscape area in its own right and as a buffer to/the setting of the AONB.

- 6.101 The site is not considered to be in an optimal or accessible location for the purposes of development plan policies Ho21 or CS14, given the distance from shops, services and bus routes. Mindful of the response of the County Highway Authority, insufficient evidence has been provided to demonstrate that the proposals would not prejudice and harm to highway safety or appropriately support sustainable travel which further weighs against the proposal in the overall planning balance.
- 6.102 Taken together, it is therefore considered that the scheme gives rise to very substantial planning harm. Even if a satisfactory resolution was reached in respect of the transport and highway safety impacts, the harm to the Green Belt, valued landscapes and by virtue of poor location of the site would still be substantial.
- 6.103 The applicant has put forward a number of considerations and benefits to support the case for the extra care scheme. This includes evidence of a need for additional extra care accommodation in the borough (which in principle is not disputed), the health and social benefits offered by “retirement village” (some of which it is accepted would not be achieved to the same extent were the needs to be met through a different form of extra care provision), as well as additional limited economic and environmental benefits. The applicant’s argument that the need could not be met in other ways is not agreed and has not been robustly demonstrated so is afforded very limited weight.
- 6.104 Whilst these benefits of the scheme are appreciated and they are not considered individually or cumulatively to clearly outweigh the harm to the Green Belt and any other harm (which includes the landscape impacts and unresolved highway impacts) so as to constitute very special circumstances, particularly mindful of the advice in the National Planning Practice Guidance that *“unmet housing need (including for traveller sites) is unlikely to outweigh the harm to the Green Belt and other harm to constitute the “very special circumstances” justifying inappropriate development on a site within the Green Belt”*. It is not considered that resolution of the highways issues would tip this balance the other way.
- 6.105 For similar reasons, it is not considered that it has been sufficiently proven that the development would be in the public interest so as to justify exceptional major development in the designated Surrey Hills Area of Outstanding Natural Beauty.
- 6.106 Furthermore, the benefits advanced by the applicant focus almost exclusively on the extra care element of the scheme with no substantive justification provided by the applicant for the four private dwellings proposed (aside from observations on the Council’s housing land supply and housing requirement). Whilst the overall planning balance is a cumulative test and there is no requirement to justify individual elements of a scheme, in absence of any justification or functional link, this element of the scheme, and the additional harm to the Green Belt and AGLV which it causes, could be considered to appear as somewhat gratuitous and unnecessary, particular given advice in the Framework regarding unmet needs.

- 6.107 In terms of equalities considerations, it is acknowledged that the provision of specialist housing of the nature proposed would be likely to support and benefit older people and those with disabilities and therefore withholding permission may reduce opportunities for such groups to access housing. However, as concluded above there are other ways in which the needs of such groups could be met and overall it is concluded that the wider dis-benefits of the proposal to the community and environment and large outweigh the potential positive impact on those with protected characteristics.
- 6.108 Consequently, it is recommended that planning permission is REFUSED for the reasons set out below.

### **REASONS FOR REFUSAL**

1. The proposal development constitutes inappropriate development within the Metropolitan Green Belt and, by virtue of the likely resultant scale and spread of built form, would erode the openness of the Green Belt and conflict with the purposes thereof. The considerations in favour of the proposal are insufficient to clearly outweigh the harm to the Green Belt and any other harm, including the adverse landscape impacts and inaccessible location of the site, so as to constitute very special circumstances. As such, the proposal would be contrary to policy Co1 of the Reigate and Banstead Borough Local Plan 2005, policies CS1 and CS3 of the Reigate and Banstead Core Strategy and the provisions of the National Planning Policy Framework in relation to protecting Green Belt land.
2. The proposal represents major development within the Surrey Hills Area of Outstanding Natural Beauty (AONB) and is considered to have a significant adverse impact on the landscape character of this designated area and the Area of Great Landscape Value (AGLV). The considerations put forward in favour of the scheme are considered insufficient to demonstrate that the proposal would be in the public interest so as to overcome the harm to the AONB and AGLV. The proposal would therefore be contrary to policy Pc1 of the Reigate and Banstead Borough Local Plan 2005, policies CS1 and CS2 of the Reigate and Banstead Core Strategy and the provisions of the National Planning Policy Framework.
3. The site is in an inaccessible location and the applicant has failed to provide sufficient information to enable the County Highway Authority to fully assess the highway and transportation implications of the proposed development, including the effectiveness of proposed sustainable transport measures. In its current form, it has not been demonstrated that the proposal would support sustainable travel and furthermore, could potentially lead to conditions prejudicial to highway safety by virtue of the inappropriate traffic calming. The proposal would therefore be contrary to policies Ho21, Mo4 and Mo5 of the Reigate and Banstead Borough Local Plan 2005, policies CS14 and CS17 of the Reigate and Banstead Core Strategy, the objectives of the Surrey Transport Plan 2011-2026 and the provisions of the National Planning Policy Framework in relation to promoting sustainable transport.
4. In absence of a completed legal agreement to secure appropriate restrictions on the occupancy of the extra care units, including minimum levels of care needs, it has

not been satisfactorily demonstrated that the proposed units would not constitute Use Class C3 residential accommodation and thus the proposal fails to make adequate provision for affordable housing and is therefore contrary to policy CS15 of the Reigate and Banstead Core Strategy 2014 and the Affordable Housing SPD 2014.

5. In absence of a completed legal agreement to secure the required affordable housing contributions from the proposed private market dwellings, the proposal fails to make adequate provision for affordable housing and is therefore contrary to policy CS15 of the Reigate and Banstead Core Strategy 2014 and the Affordable Housing SPD 2014.

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

## **INFORMATIVES**

1. The applicant is advised that if an acceptable legal agreement was provided to secure the affordable housing financial contribution on the private residential dwellings and secure appropriate restrictions on the occupation of the extra care units, the Council would not pursue the fourth and fifth reasons for refusal in the event of an appeal.

# 17/01929/OUT - Land To The North Of Rockshaw Road, Merstham



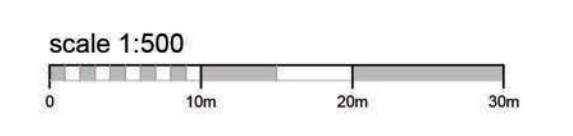
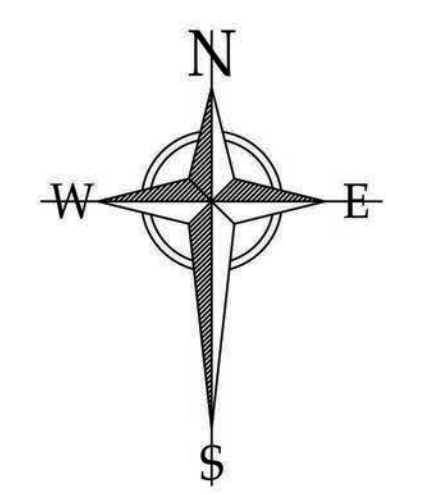




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REV	DESCRIPTION	DATE	AUTHOR	CHK'D
A	Planning Issue	08/17	ZC	



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PROJECT  
**Rockshaw Road**  
 Merstham, Surrey  
 For: Retirement Villages

DRAWING  
**Site Layout**  
 Parcel C and D

SCALE	DATE	AUTHOR	CHK'D
1:500 @ A1	July 17	PR	

JOB NO.	DRAWING NO.	REV
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**PROJECT**  
 Rockshaw Road  
 Merstsham, Surrey  
 For: Retirement Villages

**DRAWING**  
 Site Layout  
 Parcel B

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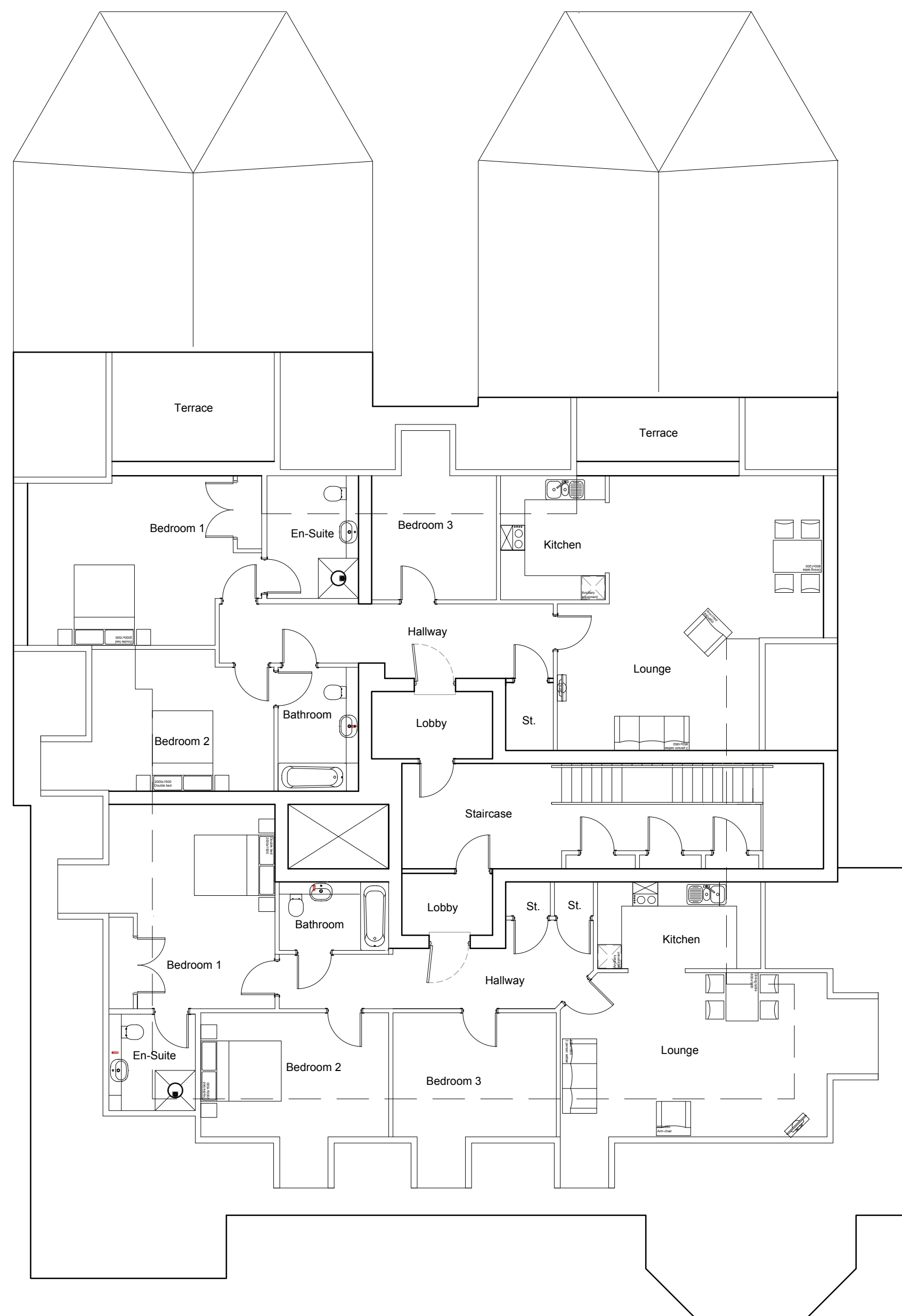


Rear Elevation

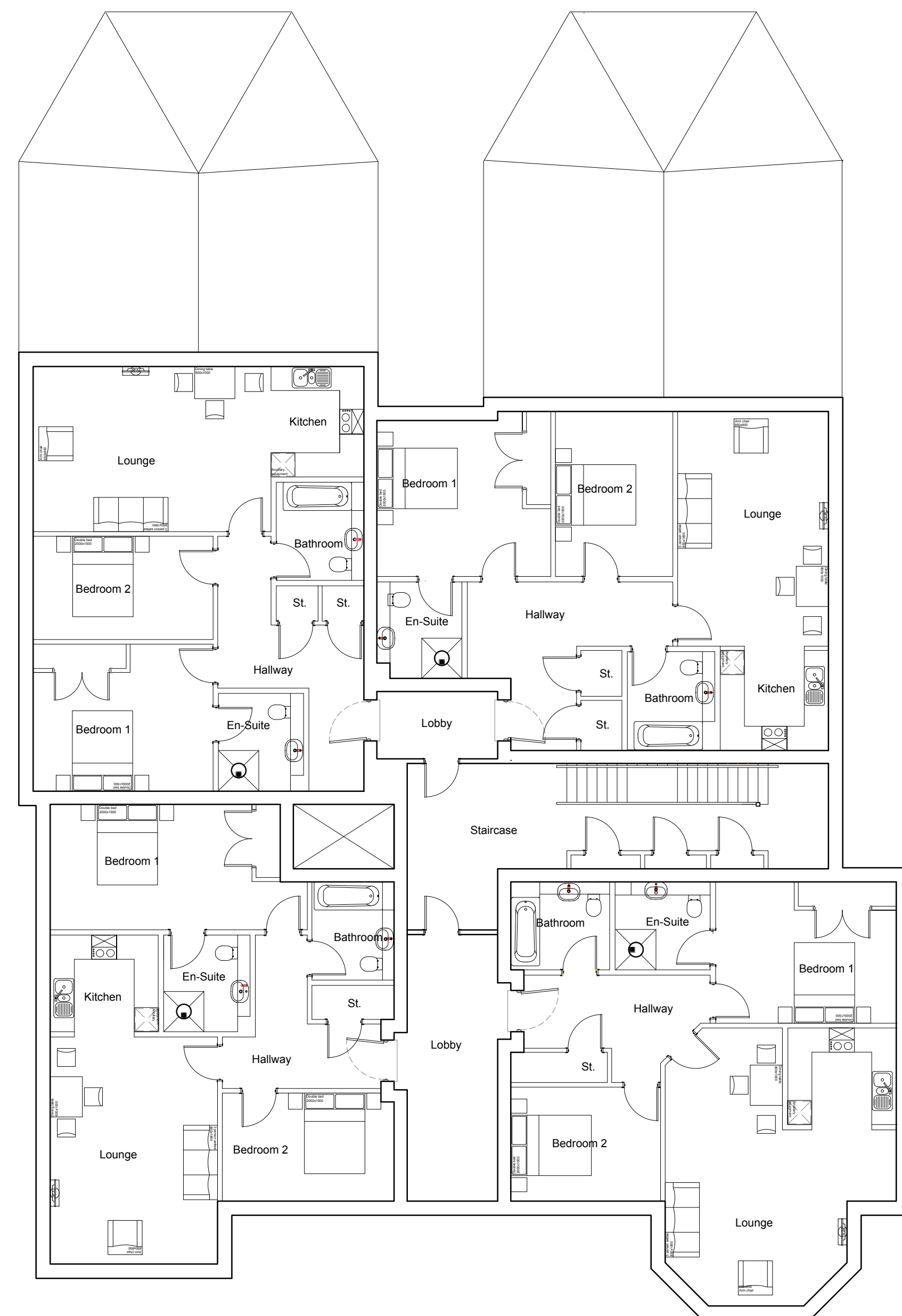
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Third Floor Plan



First / Second Floor Plan

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PROJECT

Rockshaw Road  
 Merstham, Surrey  
 For: Retirement Villages

DRAWING

Plots 65-70 including Club House  
 Floor Plans and Elevations

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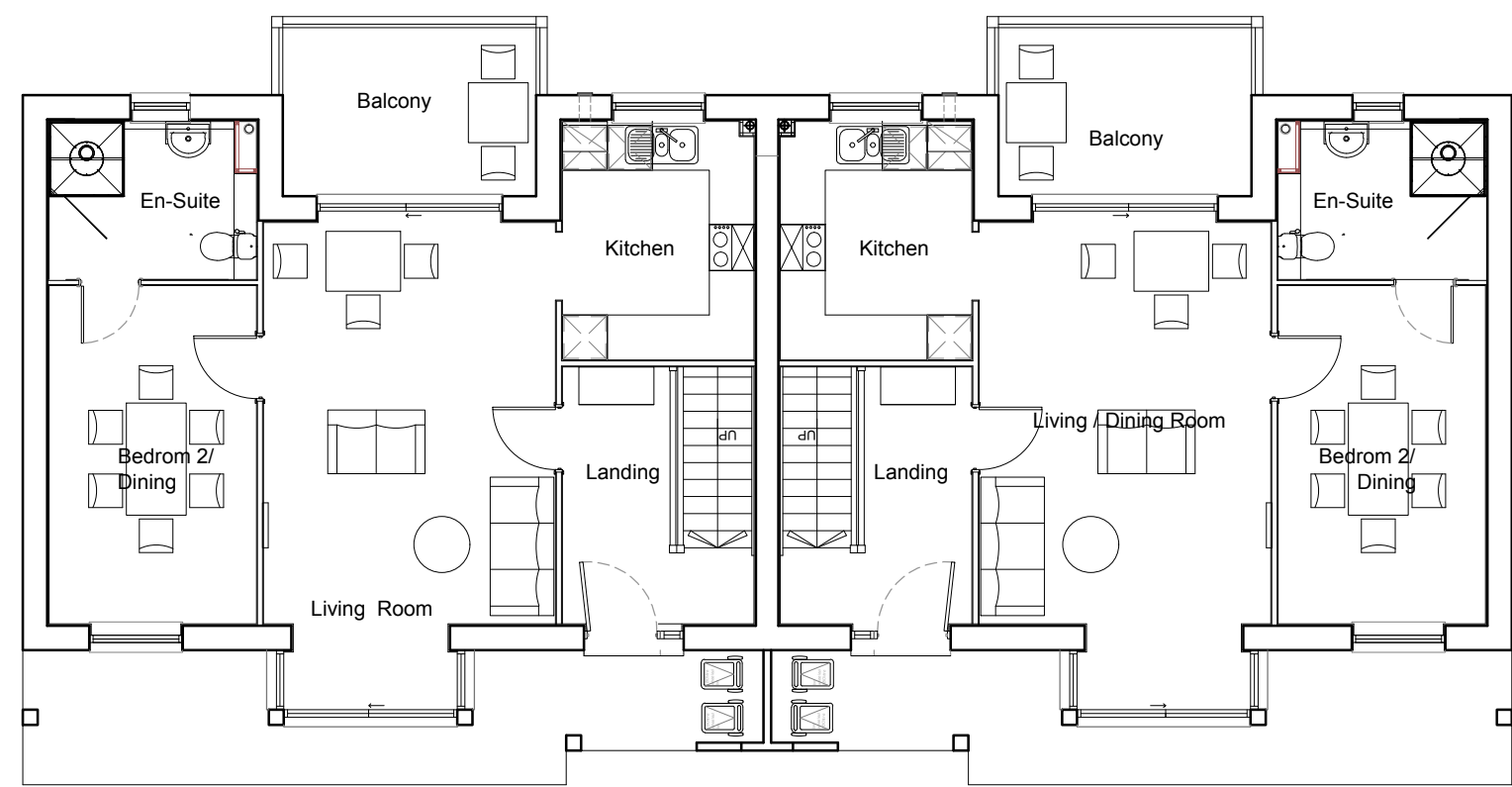
Front Elevation  
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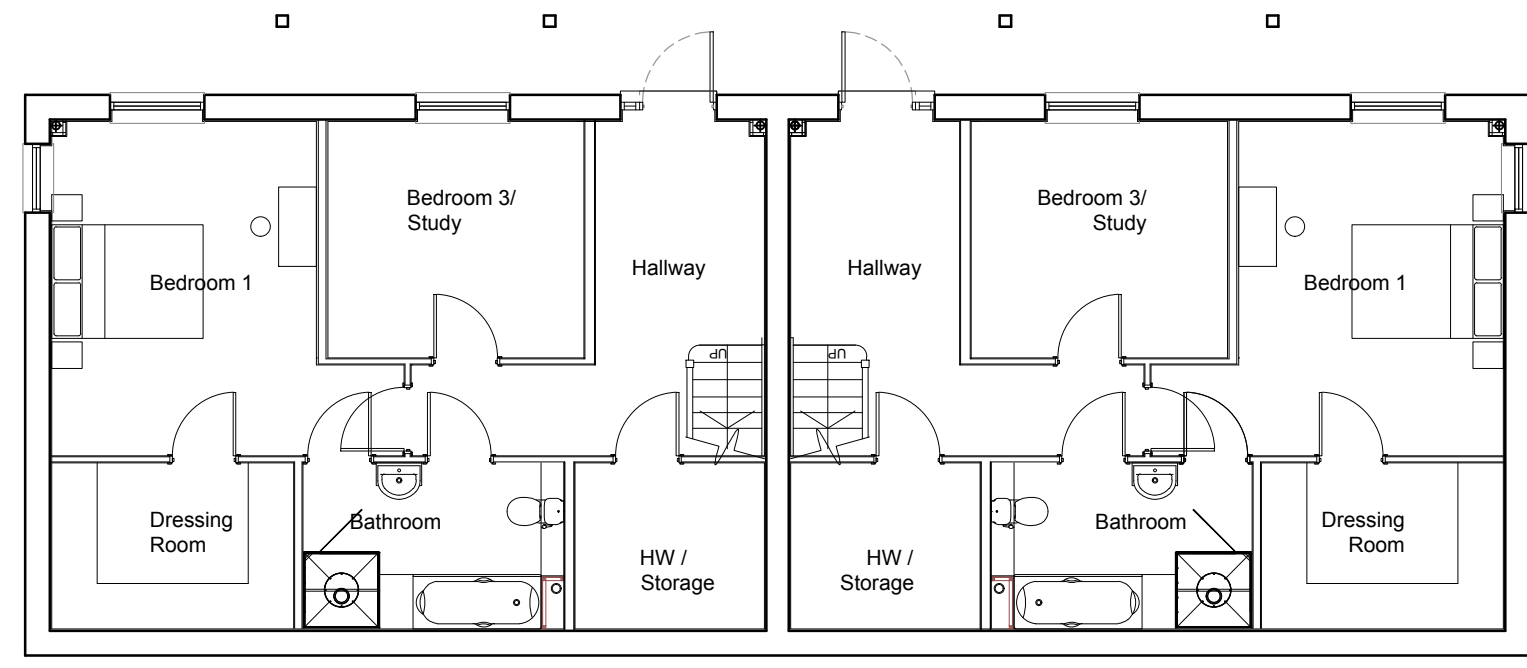
Side Elevation



Rear Elevation



Upper Floor Plan



Lower Floor Plan

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PROJECT  
**Rockshaw Road**  
 Merstsham, Surrey  
 For: Retirement Villages

DRAWING  
**House Type A**  
 Floor Plans and Coloured Elevations

SCALE	DATE	AUTHOR	CHK'D
1/100 @ A2	07/17	VL	ZC

JOB NO.	DRAWING NO.	REV
RETI130906	HT-A.cpe	


CLIENT REF.



# Agenda Item 6

Planning Committee  
3<sup>rd</sup> October 2018

Agenda Item: 6  
18/01313/F

 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	3 <sup>rd</sup> October 2018
	<b>REPORT OF:</b>	HEAD OF PLACES & PLANNING
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<b>AGENDA ITEM:</b>	6	<b>WARD:</b> Nork

<b>APPLICATION NUMBER:</b>	18/01313/F	<b>VALID:</b>	18 <sup>th</sup> June 2018
<b>APPLICANT:</b>	Denton Homes Ltd	<b>AGENT:</b>	WS Planning & Architecture
<b>LOCATION:</b>	<b>REAR OF 35-49 WARREN ROAD BANSTEAD SURREY SM7 1LG</b>		
<b>DESCRIPTION:</b>	<b>Demolition of 37 Warren Road, and erection of 8 dwellings to the rear of 35-49 Warren Road.</b>		
<b>All plans in this report have been reproduced, are not to scale, and are for illustrative purposes only. The original plans should be viewed/referenced for detail.</b>			

## SUMMARY

This is a full application for the demolition of 37 Warren Road, and erection of 8 dwellings to the rear of 35-49 Warren Road.

The application follows the refusal of a scheme of 11 houses on the site in 2015, under reference 15/02416/F, which was dismissed at appeal. The appeal decision and layout is attached and the specific concerns leading to the dismissal of the appeal were as follows:

- The greater ridge height of the terraced houses and their narrow width compared with the adjacent proposed detached properties would give the development a cramped appearance. In addition, extensive parking and circulation areas are proposed, with soft landscaping visible from the public realm limited to small front garden areas for the 3 detached houses and strips of planting to the front of the remaining dwellings or between parking areas and along the access road. Furthermore, Plots 2, 3, 6 and 7 have very small rear gardens. As a result the development would have an urban appearance at odds with the more spacious, suburban character of Warren Road.
- In relation to the siting of Plot 11, the proposal would harm the living conditions of neighbouring occupiers by reason of outlook.

An application followed this dismissed appeal in 2017 for a scheme of 9 dwellings. This application was refused by virtue of the layout and number of units, resultant small plot sizes and the isolated position of the house on plot 1 was considered to result in a cramped overdevelopment of the site which would be at odds with, and detrimental to, the more spacious character of the area.

This current scheme for 8 dwellings is considered to have overcome the particular concerns identified with the previous application for 9 and is considered acceptable. In particular the following changes have been made to overcome the three main concerns identified:

- The reduced number of dwellings creates a more spacious layout with greater separation distances between dwellings. There are greater levels of visual separation and increased areas of soft landscaping.
- The linear layout allows for increased rear garden depths and increased plot sizes.
- The linear layout increases the separation distances to neighbouring dwellings overcoming harm to neighbour to neighbour amenity previously identified.

These changes are considered to significantly improve the scheme from that dismissed at appeal and also the 9-unit scheme recently submitted. As a result the proposal appears more spacious with generous distances to site boundaries and improved relationships of built form to neighbours. It is not therefore considered to be harmful to the character of the area.

No concern was raised previously in the appeal decision with the detailed design of the proposed dwellings, access, parking, refuse or any other matters which are all considered to remain acceptable as now proposed.

#### **RECOMMENDATION(S)**

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

## Consultations:

Highway Authority: The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements subject to conditions.

Neighbourhood Services Team – require a plan to show vehicle tracking to ensure access can be achieved.

Nork Residents' Association – objects on the grounds of cramped layout, overlooking, out of character with surrounding area, design, inadequate parking, car dominated, noise and disturbance and development of greenfield site.

## Representations:

Letters were sent to neighbouring properties on 21<sup>st</sup> June 2018 and a site notice was posted 13<sup>th</sup> July 2018. 28 responses have been received raising the following issues:

<b>Issue</b>	<b>Response</b>
Crime fears	See paragraph 6.33
Inadequate parking	See paragraph 6.23 and condition 10
Inconvenience during construction	See paragraph 6.31 and condition 5
Increase in traffic and congestion	See paragraph 6.24
Noise and disturbance	See paragraph 6.32
Overlooking and loss of privacy	See paragraph 6.13 to 6.18 and condition 13 and 14
Impact on foundations	See paragraph 6.35
Light pollution	See paragraph 6.33
Impact on infrastructure	See paragraph 6.36
Harm to wildlife habitat	See paragraph 6.26 to 6.29 and condition 11
Alternative location/proposal preferred	See paragraph 6.1
Covenant conflict	See paragraph 6.35
Drainage/sewage capacity	See paragraph 6.30
Flooding	See paragraph 6.30
Harm to Conservation Area	See paragraph 6.34
Harm to listed building	See paragraph 6.34
Hazard to highway safety	See paragraph 6.23 and 6.24 and conditions 5, 6, 9 and 10
Loss of buildings.	See paragraph 6.34
Loss of private view	See paragraph 6.35

Loss of/harm to trees	See paragraph 6.20 to 6.22 and conditions 5 and 8
No need for the development	See paragraph 6.1
Out of character with surrounding area	See paragraph 6.3 to 6.12
Overbearing relationship	See paragraphs 6.13 to 6.18
Overdevelopment	See paragraph 6.3 to 6.12
Overshadowing	See paragraphs 6.13 to 6.18
Poor design	See paragraph 6.3 to 6.12
Property devaluation	See paragraph 6.35
Health fears	See paragraph 6.33
Human rights	See paragraph 6.33

## **1.0 Site and Character Appraisal**

- 1.1 The site consists of all of 37 Warren Road and rearmost sections of the rear gardens of No's 35 to 49 Warren Road. The frontage houses are predominantly semi-detached and detached with short front and long rear gardens and good levels of trees and hedging on boundaries. The dwellings vary in style and character however they are of a similar scale.
- 1.2 Warren Road is characterised by a mix of detached and semi-detached dwellings relatively wide within their plots, set back from the highway, generally with open aspect but with good levels of trees and hedging. Gardens to the rear are also long with mature trees that rise gradually in gradient towards the rear of the site. The dwellings follow a uniform building line, with green verges with street trees to the front.
- 1.3 Recent backland development has introduced cul-de-sacs within the locality, including within Reigate Road, Nork way and Fir Tree Road.

## **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 improvement in this way did not arise.
- 2.2 Improvements secured during the course of the application: During the course of the application amendments have been sought to overcome concerns regarding the proposed layout raised in the previous reason for refusal. This includes amending the scheme to a linear layout to better reflect the grain and pattern of development along Warren Road, switching two detached houses for a semi-detached pair to enable improved building spacing and plot sizes.
- 2.3 Further improvements to be secured through planning conditions or legal agreement: Conditions regarding landscaping and materials are recommended to ensure the development is high quality and complements the character of the area.

Conditions removing certain permitted development rights are exceptionally considered necessary in this case given the nature of the development and to preserve the amenity of existing and prospective occupants.

### 3.0 Relevant Planning and Enforcement History

- |     |            |  |  |
|-----|------------|--|--|
| 3.1 | 17/02931/F | The demolition of 37 Warren Road and the construction of a new access road to the site. The proposed construction of 5 detached houses and 4 semi-detached houses with associated parking and landscape. | Refused<br>9 February 2018<br>Appeal in progress             |
| 3.2 | 15/02416/F | Proposed development of 11 new dwellings   | Refused<br>5 April 2016<br>Appeal dismissed<br>28 April 2017 |
| 3.3 | 15/00455/F | Proposed development of 14 no. new dwellings   | Withdrawn<br>15 June 2015                                    |
- 3.4 Application 15/00455/F was withdrawn by the applicant at their request.
- 3.5 In dismissing the appeal under 15/02416/F, the Inspector raised no in principle objection to back land development on this site but found the proposal for 11 units including terraced houses to result in a cramped appearance. Furthermore, the Inspector identified concerns regarding the “*extensive parking and circulation areas proposed*” which they considered would result in an urban appearance, at odds with the more spacious, suburban character of Warren Road. The Inspector also identified in that scheme that there would be harm to the amenity of no.43 Warren Road by way of overbearing from Plot 11.

### 4.0 Proposal and Design Approach

- 4.1 This is a full application for the demolition of 37 Warren Road, and erection of 8 dwellings to the rear of 35-49 Warren Road. The dwellings would be accessed by a new access road, created in replacement of No. 37 Warren Road. The access road would be sited centrally within the channel vacated by No.37 Warren Road, before meandering into the development.
- 4.2 The proposed dwellings would be in the form of two detached houses and three pairs of semi-detached houses. All dwellings would be two storeys in height and would be of a traditional design with a mix of hipped and gable roof features. The two detached dwellings would feature catslide roofs to the front elevation with a dormer window above the integral garage. The semi-detached houses would have hipped roofs and would include a relatively modest single storey rear projection.

- 4.3 All dwellings would include two off street parking spaces and two additional parking spaces are proposed on the northern side of the access road opposite the front of the new dwellings. The new dwellings would have rear gardens ranging in depth from 15.3m to 16.2m and gaps between the dwellings would be 3.6m in width.
- 4.4 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a four-stage design process comprising:  
Assessment;  
Involvement;  
Evaluation; and  
Design.
- 4.5 Evidence of the applicant's design approach is set out below:

Assessment	The character of the surrounding area is assessed as a predominantly residential area to the west of the local town centre of Banstead. The general character reflects 1930s-1950s suburbia with few buildings which pre-date the 20th Century. The area is primarily detached dwellings of varying designs built on large elongated mature plots. The area is similarly interspersed with smaller infill developments comprising apartments, semi-detached and detached housing built to traditional design. 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 applicant's reasons for choosing the proposal from the available options were informed by the planning and appeal history.

- 4.5 Further details of the development are as follows:

Site area	0.41 hectares
Net increase in dwellings	7
Proposed parking spaces	18
Parking standard	16
Proposed site density	19.9 dwellings per hectare (dph)
Density of the surrounding area	16.25 dph (Chaucer Close) 16.1 dph (Burns Drive) 32.2 dph (Ash Close)

## 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),  
CS13 (Housing delivery)  
CS14 (Housing Needs)  
CS15 (Affordable Housing)

### 5.3 Reigate & Banstead Borough Local Plan 2005

Landscape & Nature Conservation	Pc4
Housing	Ho9, Ho13, Ho14, Ho16
Utilities	Ut4
Movement	Mo5, Mo6, Mo7

### 5.4 Other Material Considerations

National Planning Policy Framework	
National Planning Practice Guidance	
Supplementary Planning Guidance	Surrey Design Local Distinctiveness Design Guide Householder Extensions and Alterations Affordable Housing SPD Developer Contributions SPD
Other	Human Rights Act 1998 Community Infrastructure Levy Regulations 2010 (as amended)

## 6.0 Assessment

6.1 The application site is within the urban area, where there is a presumption in favour of sustainable development and where the principle of residential development is acceptable.

6.2 The main issues to consider are:

- Design appraisal
- Neighbour amenity
- Access and parking

- Impact on trees
- Highway matters
- Ecology
- Other matters
- Infrastructure contributions
- Affordable Housing

### Design appraisal

- 6.3 The proposed development would result in the demolition of No. 37 Warren Road and the erection of 8 dwellings to the rear of 35-49 Warren Road. The proposal follows recent applications for the redevelopment of the site, one which was dismissed on appeal (15/02416/F – 11 new dwellings – appeal dismissed April 2017). Whilst no in principle objection was raised to the redevelopment of the site, the Inspector noted:

*'of the 11 proposed dwellings, 6 would be terraced houses, set in two blocks of three. The greater ridge height of these terraced houses and their narrow width compared with the adjacent proposed detached properties would give the development a cramped appearance. This would be reinforced by the narrow gaps between most of the dwellings in the scheme...'*

*In addition, extensive parking and circulation areas are proposed, with soft landscaping visible from the public realm limited to small front garden areas for the 3 detached houses and strips of planting to the front of the remaining dwellings or between parking areas and along the access road. Furthermore, Plots 2, 3, 6 and 7 have very small rear gardens. As a result the development would have an urban appearance at odds with the more spacious, suburban character of Warren Road.'*

- 6.4 The key issues identified by the Inspectorate related to the cramped form of development, the extensive levels of hardstanding and small plot sizes. The more recent application (17/02931/F) for 9 dwellings was not considered to overcome the concerns raised by the Inspector by virtue of the layout and number of units, resultant small plot sizes and the isolated position of the house on plot 1 which was considered to result in a cramped overdevelopment of the site.
- 6.5 The current proposal seeks to overcome the Inspectors concerns. Both the most recent reason for refusal and, more pertinently, the appeal decision are material considerations in the assessment of this application.
- 6.6 One of the key issues identified by the Inspector in regard to the character of the area was the cramped layout proposed, at odds with the character of the area. To address this issue, this application proposes a reduction in the number of dwellings to 8 dwellings, arranged in a linear layout. The dwellings would be in the form of two detached dwellings at either end of the row, and three pairs of semi-detached dwellings. This reduction in the number of units and built form compared to the appeal scheme and consequent increase in separation distances between the dwellings would create greater visual separation between the houses. As a result the proposal appears more spacious with generous distances to site boundaries



and is considered to overcome the Inspector's concerns in this regard and the previous reason for refusal.

- 6.7 The now proposed linear layout and combination of semi-detached pairs and detached units complements the pattern and grain of development along the frontage of Warren Road. It is notable that the number of units accommodated across the width of the site would be no different to the number of units occupying the frontage of Warren Road over the same width. This reinforces the view that the overall pattern of development would be respected.
- 6.8 In terms of plot sizes, the linear layout allows for rear garden depths of between 15.3m and 16.2m. The garden depths allow for more generous plot sizes, as do the increased separation distances between dwellings. Accordingly, the reduction in the number of units, increased plot depths and separation distances are considered acceptable and overcome the Inspector's concerns. To avoid future overdevelopment of the plots, conditions would be attached to remove permitted development rights for extensions and other enlargements including dormers. Given the nature of the development, this is considered justified in both character and amenity terms.
- 6.9 The proposed layout allows for views into the site from Warren Road to be of the three most easterly of the proposed dwellings. All three of these dwellings would have areas for parking as well as areas of soft landscaping to the front gardens. Given the revised form of the dwellings, their extent of set back into the site and the opportunities for landscaping to the front of them, it is no longer considered that they would be dominant or prominent in views from Warren Road, even acknowledging the rising land level.
- 6.10 Unlike the appeal scheme, the current proposal also allows for substantially greater landscaping in the public areas of the site. This includes a generous belt of soft landscaping between the access road and the northern boundary of the site and front gardens to each plot. The access road would also include areas for landscaping along both sides and is more centred in its position when compared to the appeal scheme, allowing for increased levels of landscaping. As a result, it is considered that the current scheme would achieve an appropriate balance between hard and soft landscaping: it would no longer have the urban appearance that the previous Inspector found harmful but instead would assimilate comfortably into the suburban character of Warren Road and the wider surroundings. A condition is recommended to secure the detail of the planting and landscaping proposals in order to ensure that a high quality outcome is achieved.
- 6.11 The traditional design and appearance of the dwellings themselves is considered to integrate well with the character of the locality, which has a variance of dwelling types and styles.
- 6.12 Taking all of the above into account, the proposed development for 8 units is considered to overcome the concerns identified by the Inspector with regards to the previous appeal decision and the issues identified by the Council in the recent refused application for 9 units. The current scheme would not be detrimental to the

character of the area and would consequently comply with policies Ho9, Ho13, Ho14 and Ho16 of the Local Plan and the relevant provisions of the Framework.

### Neighbour amenity

- 6.13 The proposed development has been assessed with regards to its impact on the amenity of neighbouring properties.
- 6.14 In refusing the most recent application at the site, no harm was found to occur in terms of impact upon neighbour amenity. However, in dismissing the earlier appeal the Inspector concluded that in relation to the siting of Plot 11, the proposal would harm the living conditions of neighbouring occupiers by reason of outlook. This was as a result in the proposed flank wall extending partway across the rear boundary of No 41 and most of the way across the rear boundary of No 43. The revised layout would overcome this issue as the dwellings proposed would be sited between 12.3m and 21.2m from the rear boundaries of the frontage dwellings along Warren Road. This separation is more than adequate to ensure that there would not be unacceptable adverse impacts in terms of overbearing or overshadowing, even acknowledging the change in levels. Similarly, the separation distances would ensure that any views between properties would be sufficiently long range so as to not cause a harmful loss of privacy. Opportunity for landscaping along the northern boundary would further assist in screening the development front Warren Road.
- 6.15 The proposed dwellings would have a rear garden depth of between 15.3m and 16.2m. This would create a separation distance of approximately 33m to 36m to the rear elevations of 14 and 16 Roundwood Way. Due to the gradient of the land, these neighbouring dwellings occupy a higher land level than the application site and both dwellings have mature boundary vegetation providing some screening to the application site. Given the change in levels, boundary screening level of separation, the proposal is not considered to result in harmful overbearing impact when viewed from these dwellings. The level of separation is considered acceptable to avoid issues of overlooking were the application to be approved.
- 6.16 No.12a Roundwood Way is a dwelling or more recent construction and sits approximately 2m from the southern boundary of the application site. This dwelling has a ground floor w/c window and mid story window serving a staircase/hallway area. A close boarded fence of approximately 2m in height delineates the boundary. This flank wall would have a separation distance of approximately 19m to the first floor part of the rear elevations (17.5m at ground floor) of the nearest semi-detached dwellings. The main amenity space for 12A is sited to the north of this dwelling, with windows serving primary living spaces facing north and west. Give the non habitable nature of the windows facing the proposal, the separation distance and the arrangement of No. 12A the proposal is not considered to result in a harmful impact upon the amenities of this dwelling.
- 6.17 In regard to 23 Ash Close, the Inspector previously concluded that No 23 *'has a blank flank wall along the boundary and a detached garage. In addition, there is extensive mature landscaping of about 3 metres in height alongside the flank wall of No 23 outside the appeal site and there is nothing to suggest that this would be*

*removed. Consequently there would be no unacceptable loss of outlook from No 23.* The previous layout presented the flank wall of plot 4 closest to No. 23. The layout proposed within this application proposes the rear elevation of the most easterly dwelling facing the side boundary of No. 23. Given the presence of the mature hedge is still in place at a height of approximately 3m, and the change in levels resulting in the proposal occupying a lower land level, it is considered the hedge would provide adequate screening to overcome issues of overlooking and loss of privacy. A levels condition would be attached to a grant of permission requiring details of land levels and finished floor levels to ensure an acceptable relationship between the properties.

- 6.18 The proposed dwellings would be well separated from other neighbouring properties within Ash Close and Roundwood Way, the donor properties within Warren Road and neighbouring dwellings in Warren Road to ensure that no significant loss of light, overlooking or overbearing impact would occur as a result of the proposed development. A condition is proposed to ensure first floor side facing windows are obscure glazed.
- 6.19 Consequently, while giving rise to a degree of change in the relationship between buildings, the proposed scheme would not seriously affect the amenity or living conditions of neighbouring properties, and thus complies with policy Ho9, Ho13 and Ho14. The revised layout and siting of dwellings overcomes the issues identified by the previous Inspector.

#### Impact on trees

- 6.20 There are a number of trees and hedges within the application site, as is common for a backland site. Whilst none of these are formally protected, they are considered to contribute to visual amenity, providing a backdrop which reinforces the spacious suburban character.
- 6.21 No objection was raised in relation to trees in the previous scheme. In this case, whilst some trees would be lost as a result of the development, these are mostly less significant lower grade trees whose removal would not have an undue impact on overall tree cover and the local landscape and could be adequately compensated through replacement planting. The submitted AIA also shows how retained trees would be protected during the construction process.
- 6.22 In the previous appealed application, concern was particularly raised regarding the inadequate space for soft landscaping and over-dominance of hardstanding: this was considered to weigh negatively within a planning balance. The Planning Inspector noted the limited space for landscaping contributed towards the urban appearance of this previous application. In this case, the opportunity for landscaping has been substantially increased and it is considered that subject to a tree protection and landscaping condition, the proposal would comply with policy Pc4 of the Borough Local Plan in respect of trees.

#### Highway matters

- 6.23 The application proposes a new access road in place of No. 37 Warren Road and two off road parking spaces per dwelling, as well as two parking spaces sited to the north side of the access road. The total of 18 would therefore exceed the recommended standards in the Local Plan and would be adequate.
- 6.24 Whilst local residents have raised concerns in respect of traffic and congestion, the County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway.
- 6.25 The County Highway Authority therefore has no highway requirements subject to conditions.

### Ecology

- 6.26 Concern has been raised regarding the potential for harm to wildlife. Neighbour comments have noted the presence of bats. An ecology report submitted with the application concluded:

*“The Site is not covered by any statutory or non-statutory wildlife site designation and given the distance between such designated sites and the Site, and the scale and type of development being proposed, significant adverse impacts on designated wildlife sites are not anticipated as a result of the proposed redevelopment.*

*The habitats within the Site were common place garden habitats of low relative botanical and biodiversity value and are not considered to represent a significant development constraint.*

*The Site had the following potential protected animal species interest:*

*o The likely presence of a small assemblage of garden nesting birds in trees, introduced shrub and scrub habitats.*

*o No evidence of bat presence was found during the building inspection of 37 Warren Road and the building was deemed to be of low bat roost potential as it had a small number of potential bat roost features associated with gaps under ridge tiles.’*

- 6.27 The development involves the removal of several trees and other vegetation. This development offers opportunities to restore or enhance biodiversity and such measures will accord with paragraphs 170 and 175 of the NPPF to help offset any localised harm to biodiversity caused by the development process.
- 6.28 All bat species, their breeding sites and resting places are fully protected by law and the protected species legislation applies independently of planning permission. A condition would be attached to a grant of planning permission to ensure the proposal is undertaken in accordance with the mitigation methods and enhancements stated within the ecology report.

- 6.29 Whilst the proposal would result in the redevelopment of rear gardens, it is not considered likely to result in significant impact on existing wildlife habitats as evidenced by the submitted appraisal which identifies the habitat potential as low. Subject to compliance with the mitigation and enhancement in the ecology report, the proposal would comply with Policy Pc2G of the Local Plan.

#### Other matters

- 6.30 Concern has been raised from neighbouring properties regarding flooding and drainage/sewage. The site is located within flood zone 1 and sewage capacity would be assessed at building control stage.
- 6.31 Objection was raised on the grounds of inconvenience during the construction period/noise/vibration. Whilst it is acknowledged there may be a degree of disruption during the construction phase, the proposal would not warrant refusal on this basis and statutory nuisance legislation exists to control any significant disturbance caused during the construction of the proposal. A construction method statement would be secured by planning condition.
- 6.32 The proposed development would be in residential use, and the proposal is not considered to result in a harmful impact in terms of noise and disturbance to neighbouring dwellings.
- 6.33 The proposal would result in the redevelopment of rear gardens, new boundary treatment is proposed and the development is not considered to cause crime issues. No significant health issues are considered to arise as a result of the planning application. Given the scale of the proposed development and residential nature, the proposal is not considered to result in a harmful impact in regard to light pollution or nuisance from headlights. Regard has been had to the Human Rights Act 1998. 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.
- 6.34 The site is not within nor adjacent to a Conservation Area or Green Belt designation and does not include any Listed Buildings. The site is not within an area of high archaeological potential or county site of archaeological importance. However, during the course of the previous application the Surrey County Council Archaeological Officer noted there is a potential for archaeology to be present within the site and were the application to be recommended for approval a condition would be attached requiring a programme of archaeological evaluation be undertaken. The loss of the existing dwelling is not considered detrimental to the character of the locality.
- 6.35 Loss of a private view, conflicting with a covenant and property devaluation are not material planning considerations. Any damage to existing properties as a result of the proposal would be a private matter between land owners.

#### Infrastructure Contributions

- 6.36 The Community Infrastructure Levy (CIL) is a fixed charge which the Council will be collecting from some new developments from 1 April 2016. It will raise money to help pay for a wide range of infrastructure including schools, roads, public transport and community facilities which are needed to support new development. This development would be CIL liable although, the exact amount would be determined and collected after a grant of planning permission. However, an informal assessment would indicate a contribution of around £98,000 being required.

### Affordable Housing

- 6.37 Core Strategy Policy CS15 and the Council's Affordable Housing SPD require financial contributions towards affordable housing to be provided on housing developments of 1-9 units such as this.
- 6.38 However, in November 2014, the Government introduced policy changes through a Written Ministerial Statement (WMS) and changes to the national Planning Practice Guidance which restrict the use of planning obligations to secure affordable housing contributions from developments of 10 units or less and with a gross floor area of 1,000sqm or less. These changes were given legal effect following the Court of Appeal judgement in May 2016 and have subsequently been incorporated into the most recent version of the NPPF. This scheme falls within the scope of this exception.
- 6.39 In view of the above, and the resolution of the Planning Committee in November 2016, greater weight is therefore given to the national policy position in the WMS than the Council's adopted policy. For this reason, it is not considered justified to seek contributions towards affordable housing in this case and the absence of an agreed undertaking does not therefore warrant a reason for refusal 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.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Street Scene	060-02-33	A	28.08.2018
Elevation Plan	060-01-32	A	28.08.2018
Floor Plan	060-01-31	A	28.08.2018
Elevation Plan	060-01-28	A	28.08.2018
Floor Plan	060-01-27	A	28.08.2018
Location Plan	060-02-21	A	28.08.2018
Block Plan	060-02-26		28.08.2018
Site Layout Plan	060-02-25	A	28.08.2018
Survey Plan	S14/4352/01		15.06.2018
Elevation Plan	060-02-23		15.06.2018

Floor Plan 060-02-22

15.06.2018

Reason:

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

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

Reason:

To ensure the Local Planning Authority are satisfied with the details of the proposal and its relationship with adjoining development and to safeguard the visual amenities of the locality with regard to Reigate and Banstead Borough Local Plan 2005 policy Ho9.

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

Reason:

To ensure good arboricultural practice in the interests of the maintenance of 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 Pc4 and Ho9 of the Reigate and Banstead Borough Local Plan.

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) measures to prevent the deposit of materials on the highway
  - (g) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason:

The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and Policy Mo5 highway safety, Policy Mo7 Parking, and policy Mo6 Turning Space of the Reigate and Banstead Local Plan 2005.

6. Notwithstanding the approved plans, no development shall commence until a revised layout for the turning head of the access road and associated vehicle tracking demonstrating the manoeuvrability of a refuse lorry has 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:

The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and Policy Mo5 highway safety, of the Reigate and Banstead Local Plan 2005.

7. No development above ground floor slab level shall take place 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 Borough Local Plan 2005 policies Ho9 and Ho13.

8. No development above ground floor slab level shall take place until a scheme for the landscaping and replacement tree planting of the site including the retention of existing landscape features has been submitted and approved in writing by the local planning authority. Landscaping schemes shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme.

All hard and soft landscaping work shall be completed in full accordance with the approved scheme, prior to occupation or use of the approved development or in accordance with a programme agreed in writing with the local planning authority

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

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

Reason:

To ensure good arboricultural and landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies Pc4 and Ho9 of the Reigate and Banstead Borough Local Plan 2005 and the recommendations within British Standard 5837.



9. Notwithstanding the approved plans, the development hereby approved shall not be occupied until the proposed belmouth vehicular access to Warren Road has been provided with dropped kerbs and tactile paving at the pedestrian crossing points across the access in accordance with a revised scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason:

The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and Policy Mo5 highway safety, of the Reigate and Banstead Local Plan 2005.

10. The development shall not be occupied until the proposed parking and turning area have been provided in accordance with the approved plans, all to be permanently retained.

Reason:

The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and Policy Mo5 highway safety, Policy Mo7 Parking, and policy Mo6 Turning Space of the Reigate and Banstead Local Plan 2005.

11. The development hereby permitted shall be carried out in accordance with the recommendations set out within Ecology Report, produced by Applied Ecology and dated October 2017.

Reason:

In order to preserve and enhance the wildlife and habitat interest on the site and ensure species present on the site are afforded appropriate protection during construction works with regard to Reigate and Banstead Borough Local Plan 2005 policy Pc2G.

12. 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 Borough Local Plan 2005 policies Ho9 and Pc4.

13. The first floor windows in the east and west side elevations of the development hereby permitted shall be glazed with obscured glass which shall be fixed shut, apart from a top hung opening fanlight whose cill height shall not be less than 1.7 metres above internal floor level, 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 Borough Local Plan 2005 policy Ho9.

14. 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 Borough Local Plan 2005 policy Ho9.

15. 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 enlargements permitted by Classes A and B of Part 1 of the Second Schedule of the 2015 Order shall be constructed.

Reason:

To control any subsequent enlargements in the interests of the visual and residential amenities of the locality with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9, Ho13, and Ho16

16. The garages hereby permitted shall not be used for purposes other than ancillary to the residential use of the property and shall not be used as living accommodation.

Reason:

To ensure sufficient off street car parking exists within the development to prevent the development or surrounding area appearing car dominated with regard to Policy Ho9 of the Reigate and Banstead Borough Local Plan 2005.

## INFORMATIVES

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at [www.firesprinklers.info](http://www.firesprinklers.info).
2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions.
3. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, a 140 litre wheeled bin conforming to British Standard BSEN840 and a 60 litre recycling box should be provided for the exclusive use of the occupants of that dwelling. Prior to the initial occupation of any communal dwellings or flats, wheeled refuse bins conforming to British Standard BSEN840, separate recycling bins for paper/card and mixed cans, and storage facilities for the bins should be installed by the developer prior to the initial occupation of any dwelling hereby permitted. Further details on the required number and specification of wheeled bins and recycling boxes is available from the Council's Neighbourhood Services on 01737 276501 or 01737 276097, or on the Council's website at [www.reigate-banstead.gov.uk](http://www.reigate-banstead.gov.uk). Bins and boxes meeting the specification may be purchased from any appropriate source, including the Council's Neighbourhood Services Unit on 01737 276775.
4. 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](http://www.ccscheme.org.uk/index.php/site-registration).

5. 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
6. The use of a suitably qualified arboricultural consultant is essential to provide acceptable submissions in respect of the arboricultural tree condition above. All works shall comply with the recommendations and guidelines contained within British Standard 5837
7. The use of landscape/arboricultural consultant is considered essential to provide acceptable submissions in respect of the above relevant conditions. Replacement planting of trees and shrubs shall be in keeping with the character and appearance of the locality. There is an opportunity to incorporate structural landscape trees into the scheme to provide for future amenity and long term continued structural tree cover in this area. It is expected that the replacement structural landscape trees will be of minimum Advanced Nursery Stock size with initial planting heights of not less than 4.5m with girth measurements at 1m above ground level in excess of 16/18cm.

8. The permission hereby granted shall not be construed as authority to carry out anyworks on the highway or any works that may affect a drainage channel/culvert or watercourse. 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 on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice).
9. 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).
10. 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.

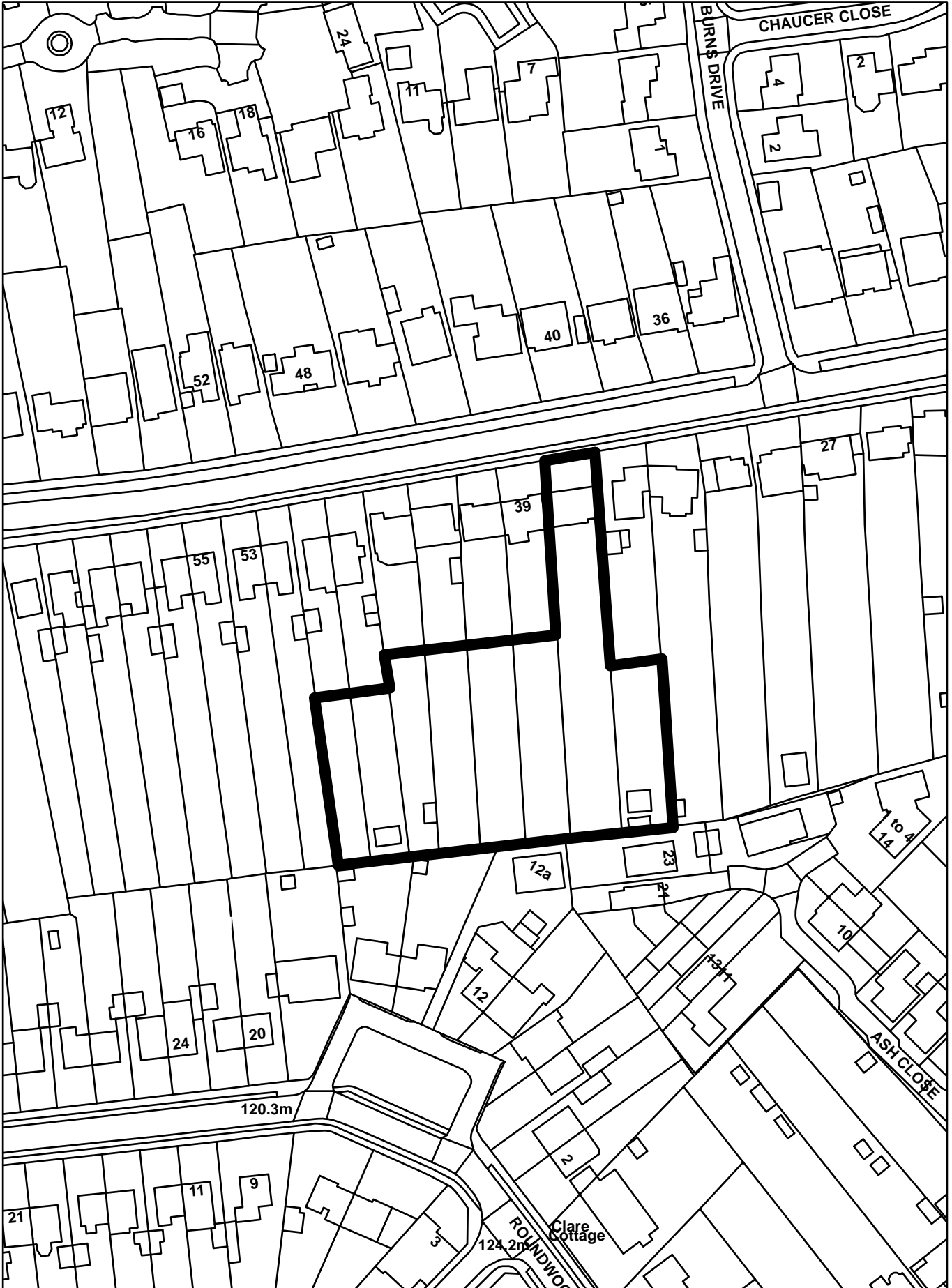
## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against development plan policies Pc4, Ho9, Ho13, Ho14, Ho16, Ut4, Mo5, Mo6, and Mo7 and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

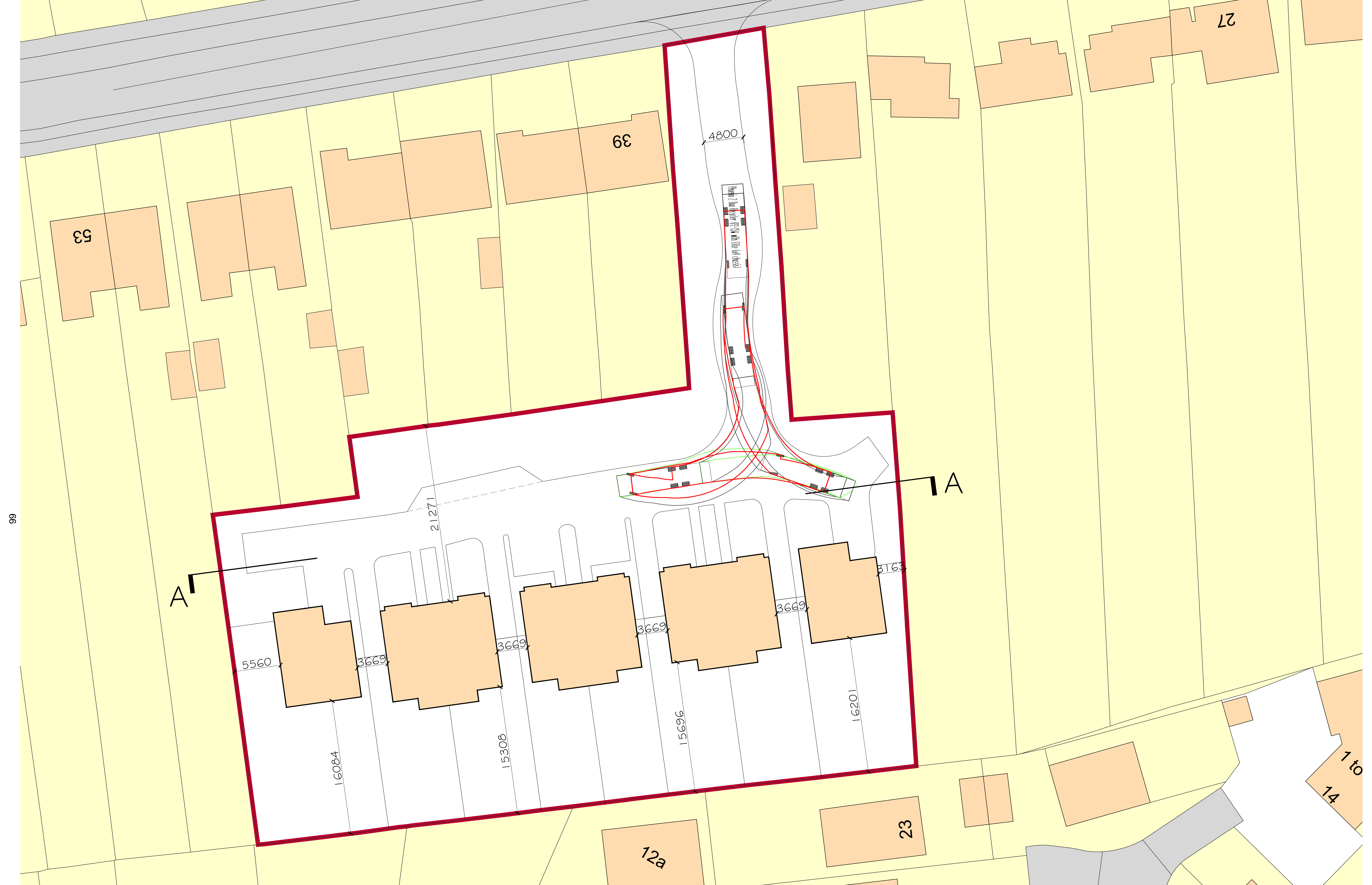
## **Proactive and Positive Statements**

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

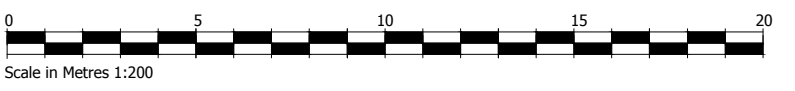
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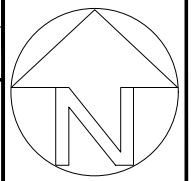


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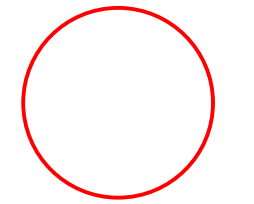
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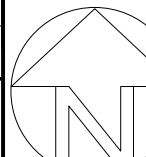
	Project	LAND TO R/O 35-49 WARREN ROAD			
	Drawing Title	PROPOSED SETTING OUT			
<small>           COPYRIGHT IN THE DRAWING AND WORK EXECUTED IN AND REMAINS THE PROPERTY OF THE DENTON HOMES LIMITED AND/OR ITS SUBSIDIARIES IN ACCORDANCE WITH THE PROVISIONS OF THE COPYRIGHT ACT. PERMISSION TO PRODUCE COPIES OR MODIFIED DRAWINGS IN WHOLE OR IN PART FOR ANY PURPOSE SHOULD BE OBTAINED FROM DENTON HOMES LIMITED &amp; ANY SUCH REPRODUCTIONS SHOULD INCLUDE THIS &amp; THE PRECEDING STATEMENT.         </small>	Date	Scale	Status	Drawing number	Rev
	June 2018	1:200@A1		60-02-26	
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	Proposed Trees
	Existing Trees Retained
	Existing Trees Removed

	Project				
	LAND TO R/O 35-49 WARREN ROAD				
	Drawing Title				
	PROPOSED SITE PLAN				
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	June 2018	1:200@A1		60-02-25	A
<b>DENTON HOMES LTD</b> THE REAR BARN, THE MANOR FARM, 124 MANOR ROAD NORTH THAMES DITTON, SURREY, KT7 0BH					





SECTION A-A

88



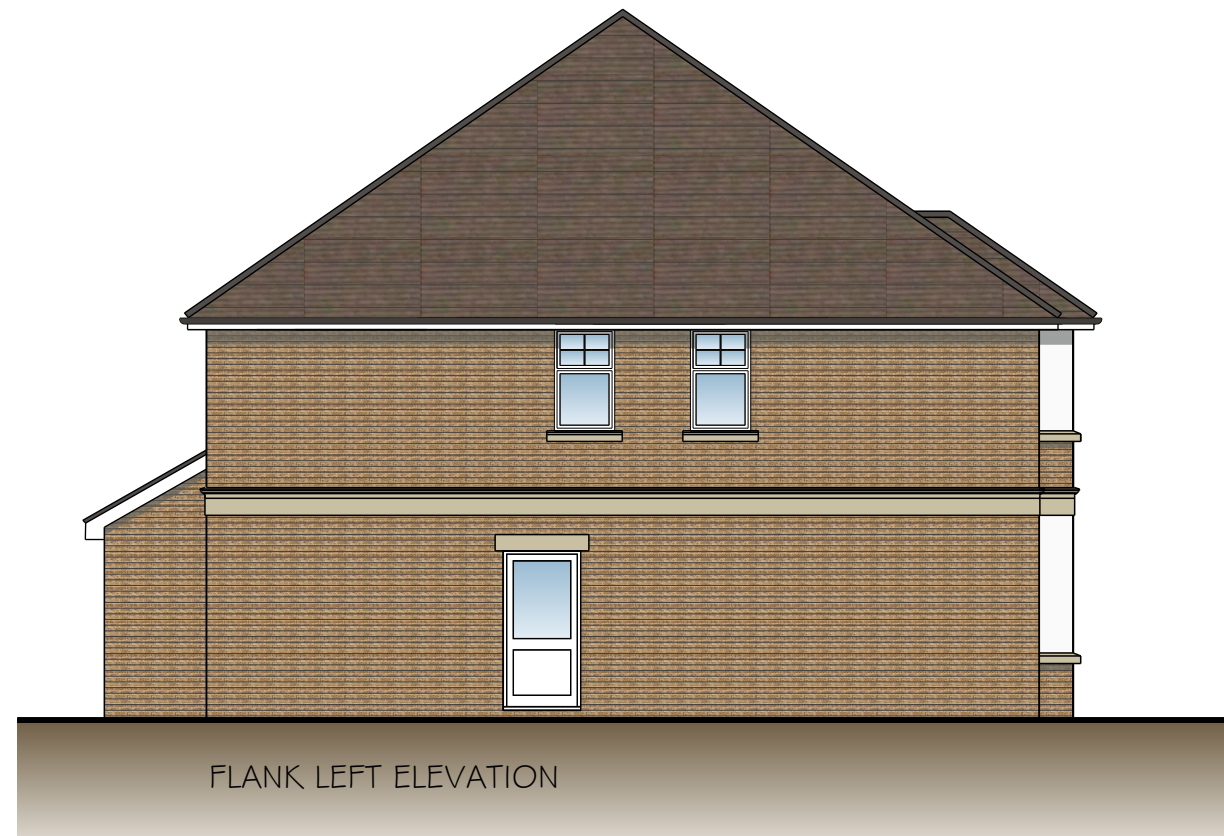
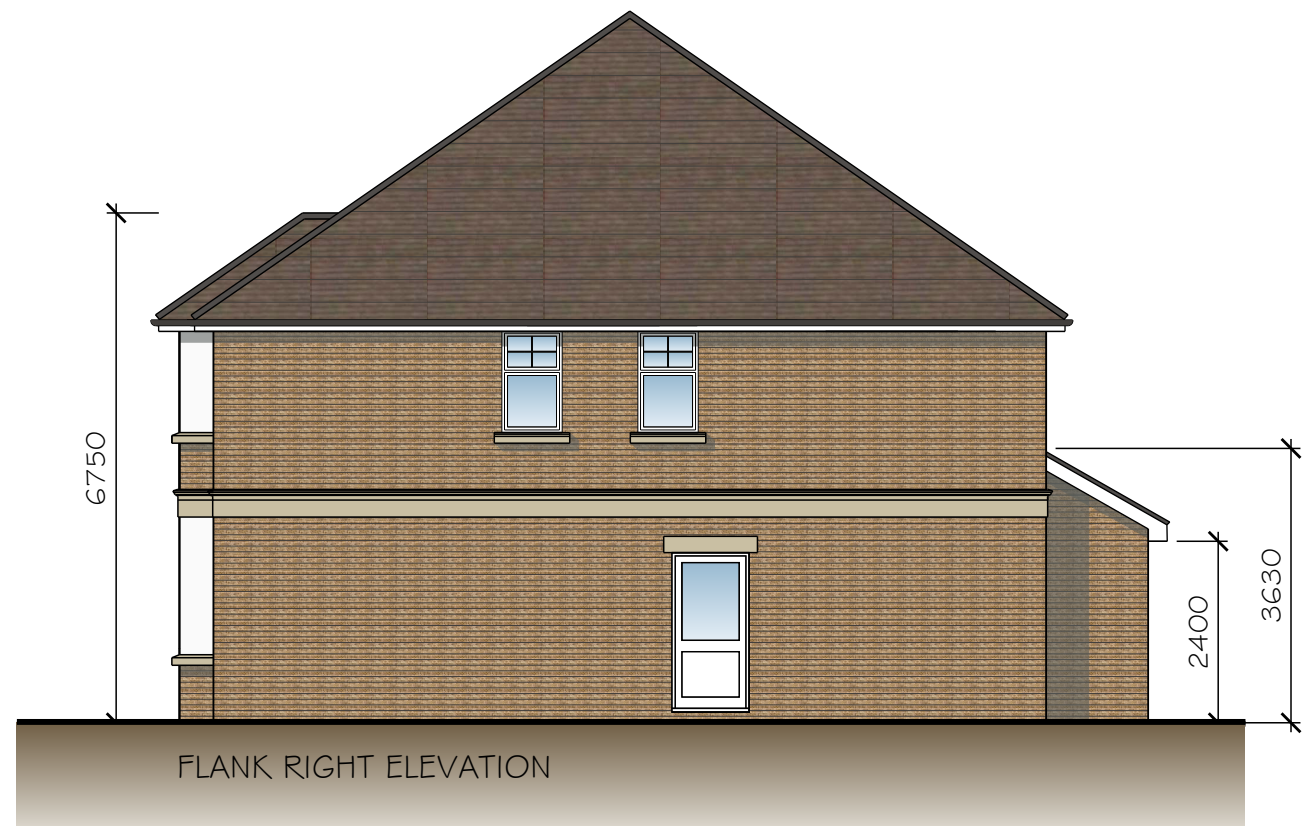
WARREN ROAD STREET SCENE



Rev A 27.11.17 Amendment to road layout

	<b>Project</b> LAND TO R/O 35-49 WARREN ROAD				
	<b>Drawing Title</b> SECTION A-A, B-B & STREET VIEW				
<small>603 COPYRIGHT IN THE DRAWING AND WORK EXECUTED IN AND REMAINS THE PROPERTY OF THE DENTON HOMES LIMITED AND/OR ITS SUBSIDIARIES IN ACCORDANCE WITH THE PROVISIONS OF THE COPYRIGHT ACT. PERMISSION TO PRODUCE COPIES OR MODIFIED DRAWINGS IN WHOLE OR IN PART FOR ANY PURPOSE SHOULD BE OBTAINED FROM DENTON HOMES LIMITED &amp; ANY SUCH REPRODUCTIONS SHOULD INCLUDE THIS &amp; THE FOREGOING STATEMENT</small>	<b>Date</b> June 2018	<b>Scale</b> 1:200@A1	<b>Status</b>	<b>Drawing number</b> 60-02-33	<b>Rev</b> A
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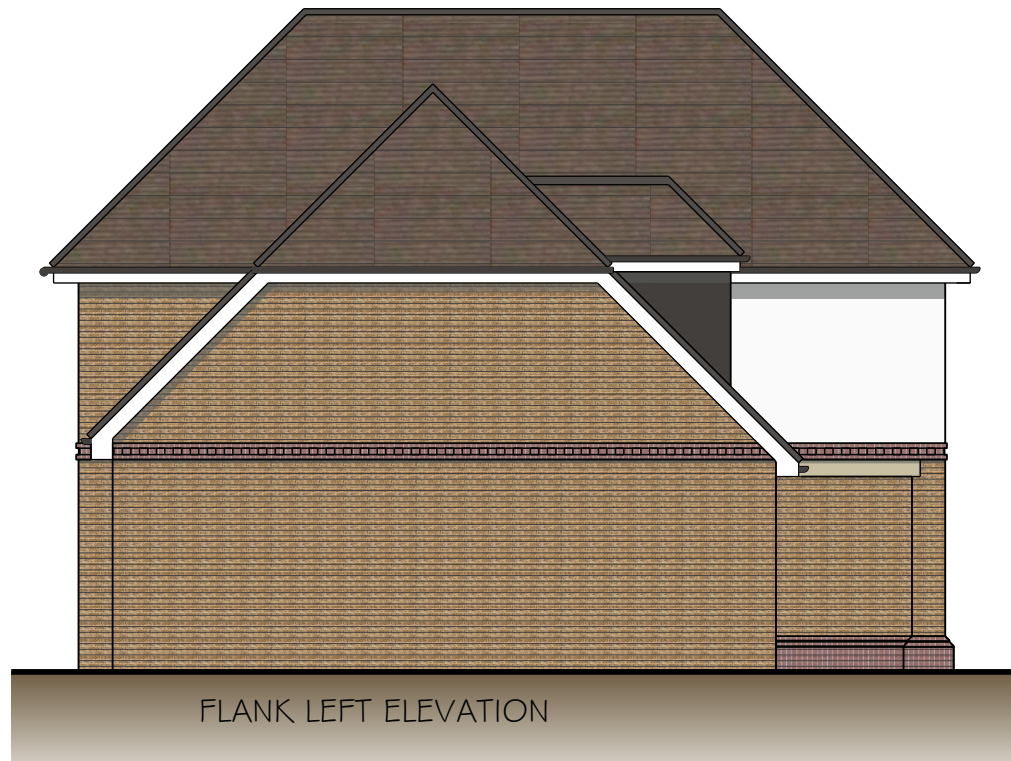
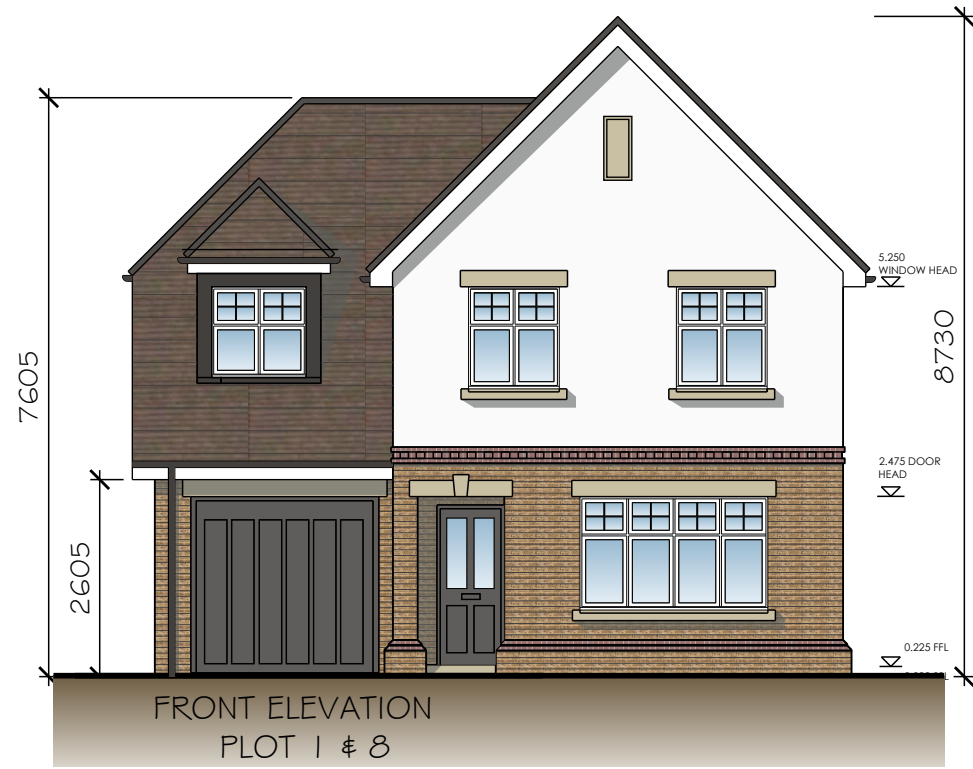
Project  
**LAND TO R/O 35-49 WARREN GARDENS**

Drawing Title  
**PROPOSED HOUSE TYPE A ELEVATIONS**

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June 2018	1:100@A3		060-01-28	A

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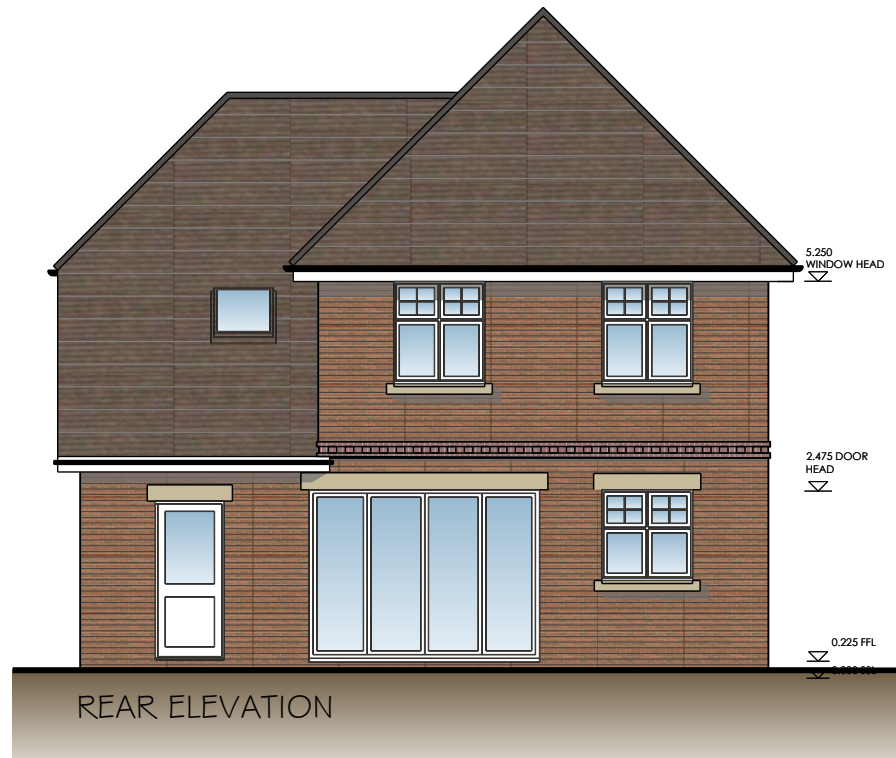
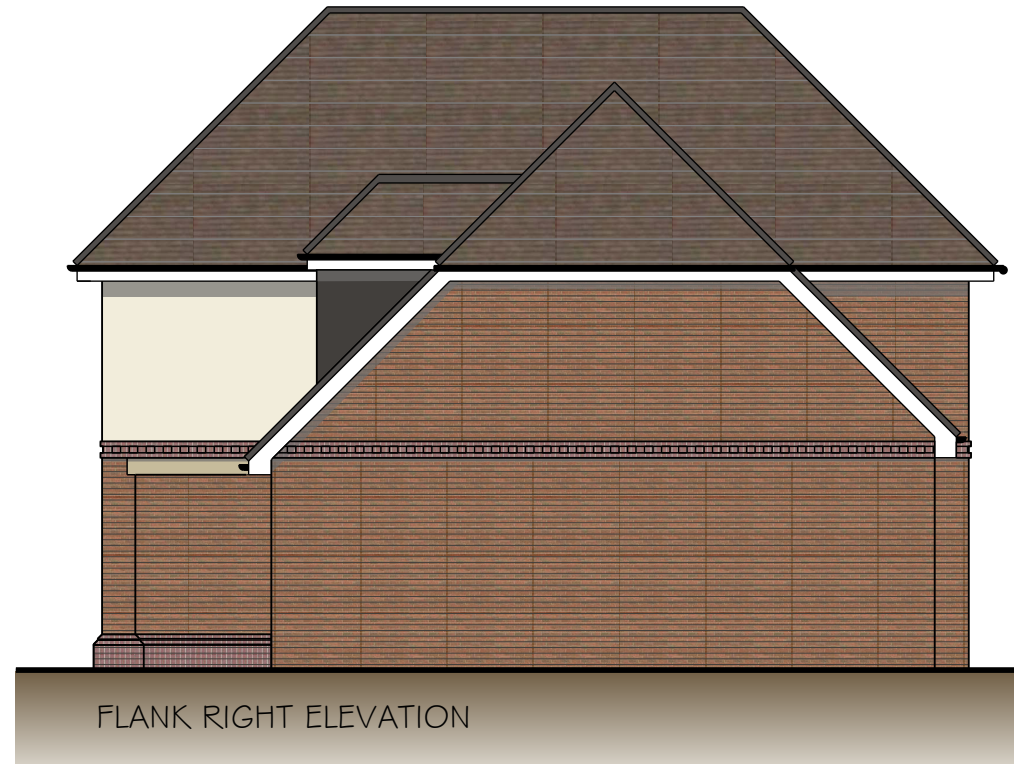
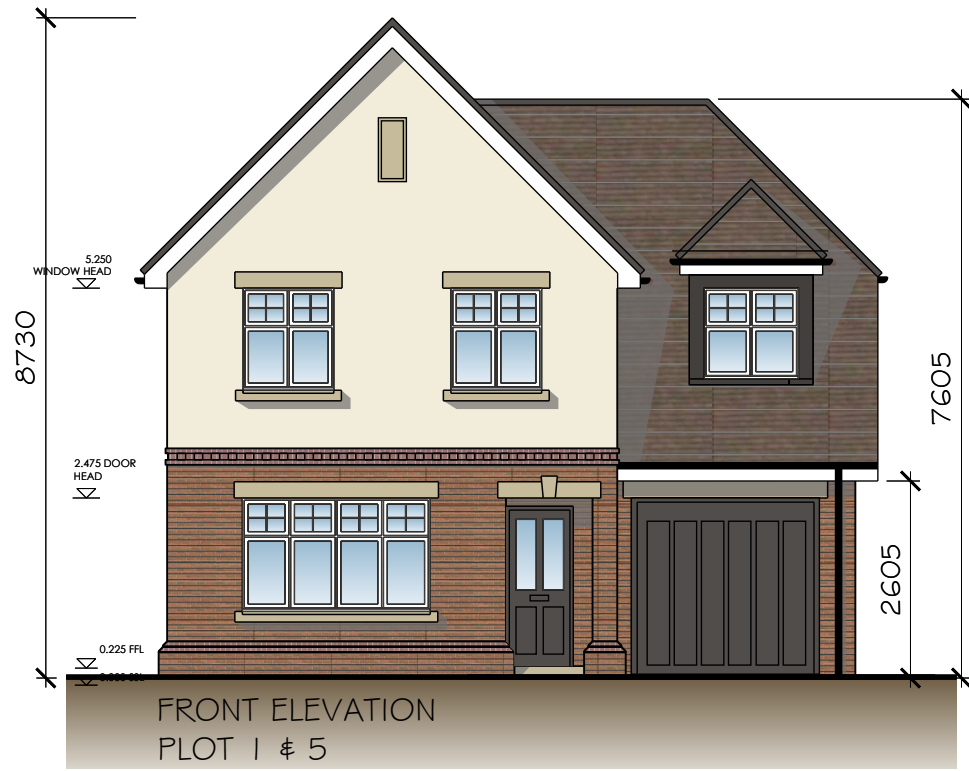
Project  
**LAND TO R/O 35-49 WARREN GARDENS**

Drawing Title  
**PROPOSED HOUSE TYPE B ELEVATIONS**

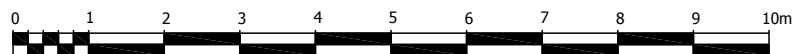
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Project  
**LAND TO R/O 35-49 WARREN GARDENS**

Drawing Title  
**PROPOSED HOUSE TYPE B ELEVATIONS**

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# Agenda Item 7

Planning Committee  
3<sup>rd</sup> October 2018

Agenda Item: 7  
18/00640/F

 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	3 October 2018
	<b>REPORT OF:</b>	HEAD OF PLACES & PLANNING
	<b>AUTHOR:</b>	John Ford
	<b>TELEPHONE:</b>	01737 276112
	<b>EMAIL:</b>	john.ford@reigate-banstead.gov.uk
<b>AGENDA ITEM:</b>	7	<b>WARD:</b> Reigate Hill

<b>APPLICATION NUMBER:</b>	18/00640/F	<b>VALID:</b>	4 April 2018
<b>APPLICANT:</b>	Montreaux Ltd	<b>AGENT:</b>	
<b>LOCATION:</b>	<b>MOUNT PLEASANT, COPPICE LANE, REIGATE</b>		
<b>DESCRIPTION:</b>	Demolition of existing residential dwelling (Use Class C3) and erection of 3 x family dwellings plus associated hard and soft landscaping measures.		
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**

## SUMMARY

The application relates to a large detached two storey building standing on the west side of Coppice Lane within the Metropolitan Green Belt (MGB), having a previous lawful C2 (Residential care home) use, understood to have been occupied by retired artists, with current permission for a C3 residential dwelling use. Apart from the self-contained staff flat being occupied by security staff, the building is vacant and remained at the time of the site inspection in its residential care home layout and fittings.

The site has an extensive recent planning and appeal history, which has resulted in three extant planning permissions for, in brief: (i) the conversion of the C2 use building to residential (Ref:17/00912/CU); (ii) the redevelopment of the site for two detached dwellinghouses (Ref:16/00544/F), or; (iii) the re-development of the site for a mixed development of six residential apartments and a detached house (Ref:17/01061/F, allowed on appeal), all with the associated works. The appeal decision on application, ref: 17/01061/F is a material consideration in this current proposal.

In this latest application it is proposed to demolish the building and erect three 4 bedroom detached houses of traditional design. The houses would be set rearwards of the rear (west) wall of the existing building. The house on Plot 2 would be largely within the footprint of the larger of the two dwellings (Plot 1) in the approved scheme ref. 16/00544/F; the southernmost house (Plot 1) would overlap the footprint and extend southwards towards the boundary with The Red House. The northernmost house (Plot 3) bears marked similarity to that approved under ref. 16/00544/F (Plot 2). The detached garage serving Plot 1 would be set forward of the house: on the other plots the garages would be

attached to the respective houses. Each of the three plots would have access from Coppice Lane via access drives, those for the two more northerly plots combined. There would be 4 parking spaces per dwelling, 12 spaces in total. No external materials are specified although the elevational drawings suggest traditional ones commensurate with the houses' designs.

The proposed Gross External Area (GEA) is 1629sqm, greater than for 16/00544/F (1619sq m) but less than for the appeal proposal 17/01061/F (1668sq m).

The Inspector in allowing the appeal for the development of 7 dwellings, in all, under application no. 17/01061/F concluded that: the level of activity for that development would be no more than that of the recent and previous lawful C2 use of the building, which by reason of its recent use remains a material consideration. The Inspector also concluded that the land and its curtilage fell to be Previously Developed Land (PDL), for the purposes of the NPPF.

The site remains in the MGB and it remains the view that the site at Mount Pleasant constitutes previously developed land (PDL) for the purposes of the revised NPPF 2018. In these circumstances, the provisions of paragraph 145(g) of the NPPF 2018 come into play; these allow for (as new buildings not inappropriate in the MGB) the *“limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development; or not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”*.

The current proposal would represent a 21.5% floorspace increase and 9% volume increase over the existing development on the site but are less than the development allowed on appeal (24% and 12.7% respectively). In allowing the appeal proposal the inspector concluded under the PDL policy that the development would have no greater impact on the openness of the MGB than the existing development. Whilst this current proposal includes a change in the built form with the house (plot 1) projecting southwards of the footprint of the approved dwelling under 16/00544/F (plot 1 under that permission), the overall scheme would have a neutral effect in terms of openness and other harm in comparison to the built form of the extant planning permission, ref: 16/00544/F and to the existing building. This is because each of the three dwellings would, in the separation distances one from another and from the site boundaries, maintain an adequate air of spaciousness to be expected in this locality as well as being respectful of scale and design.

As to traffic implications, the Highway Authority's writ does not run in Coppice Lane, which is a private road. Nonetheless the Authority does opine that, in the wider context, the proposal *“would not have a material impact on the safety and operation of the adjoining public highway.”* Moreover the proposal's traffic generation, it is considered, would not be such as to materially disturb the site's tranquil setting by reason of disturbance arising from comings and goings of vehicles and attendant noise. In the balance regarding this point is the development allowed on appeal for a total of 7 dwelling units where the inspector adjudged that intensity of activity would be no more than the existing building's C2 use.

On the basis of the planning history and the interpretation of PDL in relation to the proposed development it is concluded that the current development would not have a greater impact on the openness of the Green Belt, and the purpose of including land within it, than the existing development. The revised proposal is therefore considered to comply with local and national policy to protect the Green Belt.

The proposal would not result in any material harm to neighbour amenity by reason of the separation distances and proposed juxtaposition this together with an appropriate Arts & Crafts design approach to the three dwellinghouses would accord with the adopted housing policies and the associated guidance in the Local Distinctiveness Design Guide.

Accordingly it is recommended that planning permission be granted.

### **RECOMMENDATION**

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

## Consultations:

### Highway Authority:

*“The application site is accessed via Coppice Lane, which is a private road and does not form part of the public highway, therefore it falls outside the County Highway Authority's jurisdiction. The County Highway Authority has considered the wider impact of the proposed development and considers that it would not have a material impact on the safety and operation of the adjoining public highway.”*

## Representations:

Letters regarding the proposal were sent to neighbouring properties on 17 April 2018: a site notice was posted 24 April 2018. Letters relating to amendments to the proposal were sent on 14 June 2018.

10 responses (6 including 3 from one property as to the original proposal and 4 including 2 from one property regarding amended plans) have been received raising the following issues:

<b>Issue</b>	<b>Response</b>
Harm to MGB	See paragraph 6.7-6.13 incl
Harm to wildlife habitat	See paragraph 1.3
Loss of/harm to trees	See paragraphs 6.5 & 6.6
No need for the development	Proposal's individual merits
Out of character with locality	See paragraphs 6.3 & 6.4
Overdevelopment	See paragraphs 6.8 & 6.9
Overlooking	See paragraph 6.14 & 6.15
Hazard to highway safety	See paragraph 6.16 & 6.17
Increase in traffic congestion	See paragraphs 6.16 & 6.17
Noise and disturbance	See paragraph 6.14 & 6.15
Overbearing effect	See paragraph 6.14 & 6.15
Overshadowing	See paragraph 6.14 & 6.15
Alternative location preferred	Examined on individual merits
Crime fears	See paragraph 6.15
Drainage/sewage capacity	Mains drainage
Harm to Conservation Area	Site not in Conservation Area
Harm to listed building	Building is not listed
Harm to Conservation Area	Site not in Conservation Area
Inadequate parking	See paragraph 6.17
Loss of building	Not a listed building
Loss of private view	Not a material planning matter Not a material planning matter



## Property devaluation

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

- 1.1 The application relates to a vacant large detached 2 storey building of traditional arts and crafts design standing on the west side of Coppice Lane. Area of the site is 1.39ha. The premises have most recently been used as a home occupied by retired artists inclusive of a self-contained flat (occupied at the moment by security staff) and a 3 bedroom staff accommodation unit. The lawful use of the building is therefore C2: residential care home although there is an extant permission for conversion to C3 use. In the application form the use is described as “Residential C3 with Care Home C2” and in the Planning, Design & Access Statement “...The existing current lawful use is as residential (C3) with an element of care home use (C2).” An officer’s inspection has revealed that internally the building gives every sign of a C2 use, which use it is considered could arguably be lawfully resumed as the conversion to a dwellinghouse has not physically taken place.
- 1.2 The building stands in generously sized grounds within the Metropolitan Green Belt (MGB). The site is open in character with built form being concentrated towards its northern end. There are historic gardens to the rear of the site. The building is not listed, either statutorily or locally.
- 1.3 The site is not within a Conservation Area nor is it identified as being of ecological or other wildlife significance or within an area liable to flooding. Mount Pleasant is not listed, statutorily or locally and none of the trees on site is subject of a Tree Preservation Order (TPO). the site is within Flood Risk Zone 1 where there is low risk of flooding.
- 1.4 To the north and south of the site are substantial residential properties, The Coppice and The Red House respectively, in a neighbourhood composed of similarly scaled buildings. Between the south wall of the existing building and the northernmost wall of The Red House is an open gap of some 32m; the northernmost wall of the existing house and outbuildings runs along the northern boundary.

### **2.0 Added Value**

- 2.1 Improvements secured at the pre-application stage: none.
- 2.2 Improvements secured during the course of the application: revised elevations so that proposed houses more closely following local vernacular in terms of arts and crafts style.
- 2.3 Further improvements could be secured: conditions relating to external materials, tree protection measures, landscaping, tree works, Construction Transport Management Plan, boundary treatment, no further upper floor windows and removal of PD rights.

### 3.0 Relevant Planning and Enforcement History

3.1	14/01748/CU	Change of use from C2 residential home to C3 dwelling	Granted 24 October 2014
3.2	16/00544/F	Demolition of vacant residential care home and two dwelling houses and erection of two single dwelling houses with associated garaging, landscaping and other related works	Granted 16 May 2016
3.3	17/00912/CU	Change of use from residential care home (C2) to residential dwelling (C3)	Granted 29 June 2017
3.4	17/01061/F	Demolition of existing residential dwelling (Use Class C3) and erection of replacement buildings comprising 6 no. flats and 1 no. 5 bedroom dwelling house, plus associated hard and soft landscaping measures.	Refused 8 November 2017 Appeal allowed 4 July 2018
3.5	18/00172/F	Demolition of existing residential dwelling (Use Class C3) and erection of replacement buildings comprising 6 no. flats and 1 no. 5 bedroom dwelling house, plus associated hard and soft landscaping measures.	Refused 20 April 2018

### 4.0 Proposal and Design Approach

- 4.1 It is proposed to demolish the building and erect three 4 bedroom detached houses. The houses would be set rearwards of the rear (west) wall of the existing building. The house on Plot 2 would be largely within the footprint of the larger of the two dwellings (Plot 1) in the approved scheme ref. 16/00544/F; the southernmost house (Plot 1) would overlap the footprint and extend southwards towards the boundary with The Red House. The northernmost house (Plot 3) bears marked similarity to that approved under ref. 16/00544/F (Plot 2).
- 4.2 The detached garages serving Plots 1 and 2 would be set forward of the respective houses.

- 4.3 The buildings would be of individual traditional design, external materials unspecified.
- 4.4 The most southerly dwelling would have an individual access from Coppice Lane: the northernmost plots would have a shared access drive. There would be 4 parking spaces per dwelling, 12 spaces in total.
- 4.5 Gross External Area (GEA) is 1629sqm, greater than for 16/00544/F (1619sqm) but less than for the successful appeal proposal 17/01061/F (1668sq m).
- 4.6 In a covering letter the applicant makes the following points:
- the proposal would create a greater sense of openness and wreak an improvement to the MGB through the redevelopment of a brownfield site by demolition of the solid and extensive structure spanning the width of the plot and preventing east/west views through the site;
  - the three proposed separated buildings would break up the visual appearance of development in this location and allow views through the site;
  - the current proposal represents no increase in overall massing over the approved baseline for development in this location thereby improving the level of openness within the MGB.
- 4.7 An Energy Statement accompanying the application recommends the incorporation of renewable technologies in the development.
- 4.8 A Flood Risk Assessment concludes that the risk of flooding from fluvial sources is very low; residential development is suitable at this location (Flood Zone 1); and the risk of flooding from other sources such as groundwater, sewers and pluvial sources is low and the risk from tidal or coastal flooding is negligible.
- 4.9 The application also includes an Arboricultural Impact Assessment which concludes that proposal would allow for the long-term viability of retained and appropriate tree cover, and would not result in harm to the wider treescape: the principle of the proposed development, this document continues, is therefore considered supportable from the arboricultural perspective and in terms of local policy where it relates to trees, subject to appropriate mitigation planting and the adoption of safeguards for protecting trees.
- 4.10A Transport Statement accompanying the application concludes that the proposed development will result in no change to the amount of traffic on the local highway network and no intensification of use of the site: the development is in an accessible area which with a genuine choice of sustainable modes of travel.
- 4.11 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.

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

Assessment	The character of the surrounding area is assessed as semi-rural bounded by large single dwellings, within the Metropolitan Green Belt (MGB)
	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 applicant's reasons for choosing the proposal from the available options were that the design and proposed layout are virtually identical to those of the approved scheme (application no. 16/00544/F).

4.13 Further details of the development are as follows:

Site area	1.4ha
Existing use	C2/C3 (ancillary residential accommodation) See paragraph 1.1 above
Proposed use	C3 (3 detached houses)
Existing parking spaces	15
Proposed parking spaces	12
Parking standard	6
Net increase in dwellings	1 (allowing for 2 units in existing building)
Existing site density	1.4dph (on basis of 2 units in existing building)
Proposed site density	2.14dph

## 5.0 Policy Context

### 5.1 Designation

Metropolitan Green Belt (MGB)

## 5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)  
CS2 (Valued Landscapes and Natural Environment),  
CS3 (Green Belt)  
CS10 (Sustainable Development),  
CS11 (Sustainable Construction)

## 5.3 Reigate & Banstead Borough Local Plan 2005

Metropolitan Green Belt	Co1
Housing	Ho1, Ho9
Housing Outside Urban Areas	Ho24
Movement	Mo7

## 5.4 Other Material Considerations

National Planning Policy Framework	
National Planning Practice Guidance	
Supplementary Planning Guidance	Surrey Design Local Distinctiveness Design Guide
Other	Human Rights Act 1998

## 6.0 **Assessment**

6.1 The principle of new residential development on the site has been established with the grant of permission under 16/00544/F. The fundamental topic to be assessed is the impact of 3 detached houses as opposed to the two approved dwellinghouses..

6.2 The main issues to consider are:

- Design appraisal
- Impact on trees
- Impact on the MGB
- Neighbour amenity
- Highway implications
- Community Infrastructure Levy (CIL)
- Affordable Housing
- Other matters

### Design

6.3 Local distinctiveness plays an important role in the application's assessment. The design of the proposed houses derives from the Arts & Crafts school and in that

sense sits comfortably with existing neighbouring properties of individual traditional design. The Council's Conservation Officer has been consulted on this issue and raises no objection, subject to detailed conditions relating to the detailed design, specifications, restoration of features (including statuary) and landscaping. The Conservation Officer has summarised the characteristics of the present house as follows:

*“The existing house was built in 1934 for Sir Francis D'Arcy Cooper, the chairman of Unilever, to the designs of James Lomax-Simpson, the Unilever architect, responsible for the model village, Port Sunlight. The house bears a resemblance to his Port Sunlight buildings. The two sculptures at the north end of the west walk and the east end of the south lawn and the fountain statue on the lower pond fountain should be noted for retention on the garden layout, and will need protection during building works. They were all installed in the 1934. The lower pond fountain statue of a putto on a seahorse is by Gilbert Ledward.*

- 6.4 The proposed houses are of traditional design and materials (subject to condition), of individual appearance whilst following the arts and crafts genre and harmonising with the imposing residential properties of similar style in the locality. Hence the Conservation Officer's views are endorsed and the scheme is considered to accord with policy in terms of design and layout terms.

#### Trees

- 6.5 The site is distinguished by mature groups of trees and the application includes an Arboricultural Impact Assessment together a detailed Planting Plan. The Council's Tree Officer's comments thereon have been sought and whilst it is observed that Some trees are lost to the proposed development; these are mainly domestic plantings which are of internal landscape value only. Their removal would not result in any adverse affects on the local and wider landscape and their loss can be adequately mitigated by replacement planting secured by condition. A landscape scheme has been offered which is broadly acceptable, however tree species should be revisited and the use of natives or appropriate cultivars of native species should be given additional consideration. The proposed development would not have any significant adverse affect on the nearby ancient woodland. In addition the proposed development provides an opportunity to secure specimen and structural tree planting along with additional landscaping which will add value, enhance and improve the existing landscape.
- 6.6 The comments provide a similar approach to the previously approved development and with the required tree protection and landscaping the proposal would have an acceptable impact on the sylvan and landscaped character of the locality. The proposal in relation to the impact on present and proposed landscaping would therefore be consistent with adopted policies Ho9 and Pc4, subject to conditions with regard to replacement planting, landscaping and tree protection measures.

#### MGB

- 6.7 The site is located within the MGB which calls for the proposal to be scrutinised under policies Co1 and Ho24 of the Local Plan and CS3 of the Core Strategy and the

provisions of in particular para 145(g) of the NPPF 2018. The NPPF counsels that construction of new buildings is inappropriate in the MGB, with certain exceptions. These exceptions include: "...the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces..." The site constitutes previously developed land (PDL) and the NPPF provides that: "...limited infilling or the partial or complete redevelopment of previously developed land...which would not have a greater impact on the openness of the Green Belt than the existing development; or not cause substantial harm to the openness of the Green Belt, where the redevelopment would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority."

Policies Co1 and Ho24 contain similar provisions albeit in relation to replacement dwellings in particular and not buildings in general.

- 6.8 In terms of sizes of buildings, the respective figures for gross external area (GEA), volume and other data for the existing, approved, refused/allowed on appeal and proposed schemes are set out below. The GEA for the current application (1629sq m) would be 0.6% greater than for the approved scheme ref. 16/00544/F (1619sq m). Floorspace increase over the existing building (1341sq m) of the current proposal as well as ref. 16/00544/F and ref. 17/01061/F would be 21.5%, 20.7% and 24%. The GEA for the current proposal would be 2.3% less than for the scheme allowed on appeal under ref. 17/01061/F (1668 sq m). Volume of the current proposal is 5435cu m, 9% greater than the existing development (of 4984cu m) but less than the appeal proposal (5616cu m, 12.7%). Existing parking provision is indicated in the table as 15 spaces, reflecting the gravelled area that, while not formally laid out, could accommodate this number of vehicles.

(Note: Intentionally left blank: The table is on the next page)

	Floorspace GEA (sq m)	Floorspace increase over existing (%)	Parking spaces	Number of dwellings	Height of building in metres	Dwellings per ha / volume (cu m)
Existing building (C2 use inc 2 ancillary residential units)	1495-154  1341	N/A	15	2 (ancillary to main C2 use)	10.27	1.4 (on basis of 2 ancillary dwellings) / 4984
Application No. 16/00544/F (GRANTED) (2 dwellings, Plots 1 & 2))	1224 (Plot 1) 395 (Plot 2)  Total: 1619	20.7%	3+ (Plot 1) 2+ (Plot 2)	2	10.6 (Plot 1) 9.2 (Plot 2)	1.4 / 5608
Application no. 17/01061/F (REFUSED, ALLOWED ON APPEAL) (6 dwellings on Plot 1, 1 as approved on Plot 2)	1273 (Plot 1) 395 (Plot 2)  Total: 1668	24%	14 (Plot 1) 2+ (Plot 2)	7 (including approved dwelling on Plot 2)	10.45 (Plot 1) 9.2 (Plot 2)	5.03 / 4270 (Plot 1), 1346 (Plot 2)  Total: 5616
Application no. 18/00172/F (REFUSED) (6 dwellings on Plot 1, 1 as approved on Plot 2)	1224 (Plot 1) 395 (Plot 2)  Total: 1619	20.7%	14 (Plot 1) 4 (Plot 2)	7 (including approved dwelling on Plot 2)	10.6 (Plot 1) 9.2 (Plot 2)	5.03 / 4180 (Plot 1), 1346 (Plot 2)  Total: 5526
Application no. 18/00640/F (CURRENT) (3 dwellings, Plots 1-3 incl)	583 (Plot 1) 527 (Plot 2) 519 (Plot 3)  Total: 1629	21.5%	4 (Plot 1) 4 (Plot 2) 4 (Plot 3)	3	9.8 (Plot 1) 9.2 (Plot 2) 9.2 (Plot 3)	2.14 / 5435

6.9 The separation distances between the proposed buildings and their existing neighbours and between each of the proposed buildings, contrasting with the gap between the existing building on the site and The Red House, lends understanding to what extent the MGB's openness is affected. Thus the separation distance between the existing building and The Red House is some 32m; the distances between The Red House and the proposal on Plot 1, 16.7m; between the buildings on Plots 1 and 2, 5.57m; between the Plot 3 development and boundary with The Coppice, 2.4m; and between the side walls of the dwelling on Plot 2 and The Coppice, 22.4m. These gaps' dimensions would in total be less than the existing but the MGB's open qualities would be served and perceived by the breaking up of the bulk and mass of the existing building into three new buildings of a lesser scale.

6.10 The one net additional dwelling (three houses minus two dwellings in the existing building) represents a 50% development density increase in the existing situation. The question to be posed is to what extent this level of density increase is harmful,



in particular to the MGB. The proposed houses' traffic generation and domestic activities would be apparent but it is considered that this would not, based on the trip generation assessment, be materially different to the potential traffic generation of the site as a C2 Care home. The increase over existing floorspace would amount to 21.5%, cf 20.7% for the approved 2016 scheme and 24% for the development allowed on appeal. Like the 2016 and 2017 (allowed on appeal) scheme but pursuing a different design solution, the present proposal involves the breaking up of the massing presented by the present building and creating a situation where at the least there would be no adverse impact on the openness of the MGB and, looked at in the most favourable light, enhancing this quality.

- 6.11 The built scale of the development is comparable to the extant (2016 and 2017) permissions and the change in the level of activity would be commensurate with the lawful use of the building as a care home which as a recent lawful use is a material consideration. The vehicular movements emanating from the proposal would not be such as to materially adversely affect the site's setting within the MGB and it is opined that the proposal would have no greater impact on the openness of the MGB than the existing situation or the approved development and is in accord with the appropriate provisions of para 145(g) of the NPPF, with its constituting PDL, and of the Local Plan.
- 6.12 In considering previous proposals on this site consideration was given to the interpretation of the re-development as constituting inappropriate development in the MGB where Very Special Circumstances are required to outweigh the harm to openness and other harm. However the Appeal decision makes it clear that the site is PDL and therefore this approach is adopted in this current case.
- 6.13 Overall the proposal would be commensurate with the overall building scale on the site, offering new if different vistas, set back from the road and breaking up of mass, with a comparable level of activity in terms of vehicle movements to that of the lawful use as a care home. It is therefore considered that, in accordance with paragraph 145(g) of the Framework, the development of this PDL site would not on balance have a greater impact on the openness of the Green Belt and the purpose of including land within it. For these reasons, the development is not considered to be inappropriate development and would therefore accord with Policy Co1 of the Borough Local Plan 2005, Core Strategy Policy CS3 and the provisions of the NPPF 2018.

#### Neighbour amenity

- 6.14 The proposal, given its domestic scale and its layout and with the increase in number of dwelling units being only one, is not considered to have an adverse impact upon the amenities enjoyed by the occupants of neighbouring properties which are well spaced in generously sized plots and having mature boundary planting. Having regard to the various clearance distances between existing/proposed and proposed/proposed set out at 6.9, it is not considered, given this arrangement, that the living conditions of neighbouring properties or between proposed dwellings would be adversely affected in terms of overlooking, overshadowing or overbearing effect.

- 6.15 Local concerns have been raised about loss of privacy and the visual impact of the development. However, it is not felt that the proposal would lead to any undue harm on these counts to local residential amenities for the reasons set out above. Disturbance from construction activities would be by nature a temporary aberration but a condition regulating these through a Construction Transport Management Plan would be attached to any permission. As regards security matters, the development would be capable of adequate surveillance from neighbouring properties.

#### Highways

- 6.16 The Highway Authority has no remit for Coppice Lane which is a private road but taking a wider view does not adjudge that the development would give rise to highway safety or traffic flow problems. Notwithstanding that the Highway Authority thus makes no recommendations for conditions, it is considered appropriate to impose a condition relating to a Construction Transport Management Plan, as well for traffic safety as amenity justification.
- 6.17 Accompanying the application is a Transport Statement which identifies trip rate and travel demand figures for the existing C2 use and the proposal and concludes that that there would be no material intensification regarding traffic effects and no measurable harm. The Statement identifies that estimate average trip generation would be 14 trips between 0700 and 1900 and this compares to the 18 trips between 0700 and 1900 estimated for the approved appeal scheme. The impact and change would arguably be less than the extant appeal scheme and not therefore be materially harmful.

#### CIL

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

#### Affordable Housing

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

this resulting in a net gain of 10 units or less. The absence of an agreed undertaking does not therefore warrant a reason for refusal in this case.

### Other Matters

- 6.21 As well as arboricultural and traffic impact submissions which are discussed above, the application is accompanied by an energy statement and a flood risk assessment.
- 6.22 The energy statement specifies flue-gas heat recovery system for each dwelling and roof-mounted solar PV panels as the energy saving measures.  
In addition it is proposed to install a wood-burning stove into each house.
- 6.23 The flood risk assessment concludes that the risk of flooding from fluvial sources is very low; residential development is suitable at this location (Flood Zone 1); and the risk of flooding from other sources such as groundwater, sewers and pluvial sources is low and the risk from tidal or coastal flooding is negligible: the proposal is therefore in accordance with Policies CS10 and Ut4.

## CONDITIONS

- The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason:  
To comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
- The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Type	Reference	Version	Date Received
Location Plan	15-P1122-LP		22.03.2018
Context Plan	17-J1697-CP		22.03.2018
Site Layout	17-J1697-100.1	B	22.03.2018
Site Layout	17-J1697-100	C	22.03.2018
Plot 1-Plans	17-J1697-101	A	12.06.2018
Plot 1-Elevns	17-J1697-102	B	12.06.2018
Garage	17-J1697-103	A	12.06.2018
Plot 2-Plans	17-J1697-104	A	12.06.2018
Plot 2-Elevns	17-J1697-105	A	12.06.2018
Garage	17-J1697-106		22.03.2018
Plot 3-Plans	17-J1697-107	A	22.03.2018
Plot 3-Elevns	17-J1697-108	A	22.03.2018
Garage	17-J1697-109		22.03.2018
Street Scene	17-J1697-110	C	12.06.2018
Exg Fl Plans	15-P1122-411		22.03.2018
Exg Elevns	15-P1122-412		22.03.2018
Planting Plan	5886/ASP.PP.1	G	22.03.2018

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. Notwithstanding the drawings, the development hereby permitted shall be carried out using the external facing materials and details specified below.
- a) All tiles and tile hanging shall be of Wealden handmade sandfaced plain clay tiles and all elevations shall be tile hung above ground floor level.
  - b) All external joinery shall be of painted timber with architraved bargeboards and no box ends omitted.
  - c) All dormers shall have an ogee cornice.
  - d) All casement windows shall be of painted timber with casements in each opening.
  - e) All fascias shall be no more than two bricks depth.
  - f) All brickwork shall be of handmade sandfaced multistockbrick
  - g) The front courtyard, parking areas and drives shall be of gravel or fixed gravel.
  - h) The rooflight to the porch shall be a blacked painted metal conservation rooflights with a single vertical glazing bar.
  - i) All stonework, except the cills, shall be of natural sandstone.
  - j) All brick arches shall be of gauged brick.
  - k) The entrance gates shall be of dark stained timber.
  - l) The existing front hedge adjacent to the highway boundary shall be retained on an ongoing basis and managed to maintain a height of at least 1 metre hereafter. Any gaps or losses through death or disease shall be remedied by replacement in holly, to current landscape standards, within 1 year to maintain this feature.
  - m) Before works commence a specification and plan for the repair and retention of the garden sculpture shall be submitted to and approved in writing by the LPA before works commence, including the two sculptures at the north end of the west walk and the east end of the south lawn and the fountain statue on the lower pond fountain. Before works commence, protective fencing for the sculpture shall be erected and shall be maintained during the building process.
- There shall be no variation to the above specifications without the prior approval in writing of the Local Planning Authority.

Reason:

In the interests of the visual amenities of the locality having regard to policies Co1, Ho9 and Ho24 of the Reigate and Banstead Borough Local Plan 2005 and the provisions of the NPPF

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

the LPA. All works shall be carried out in strict accordance with these details when approved.

Reason:

To ensure good arboricultural practice in the interests of the maintenance of 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 Pc4 and Ho9 of the Reigate and Banstead Borough Local Plan.

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

All hard and soft landscaping work shall be completed in full accordance with the approved scheme, prior to occupation or use of the approved development or in accordance with a programme agreed in writing with the local planning authority

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

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

Reason:

To ensure good arboricultural and landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies Pc3, Pc4 and Ho9 of the Reigate and Banstead Borough Local Plan 2005 and the recommendations within British Standard 5837 and British Standard 8545 Trees from nursery to independence in the landscape –Recommendations.

6. 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) measures to prevent the deposit of materials on the highway
  - (f) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
  - (g) on-site turning for construction vehicles
- has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason:

The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users to satisfy policies Mo5 and Mo7 of the Reigate and Banstead Borough Local Plan 2005 and the objectives of the NPPF 2012.

7. 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 Borough Local Plan 2005 policies Ho9 and Pc4.

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 extensions permitted by Classes A, B, C, D or E of Part 1 of the Second Schedule of the 2015 Order in regard to the dwellinghouses hereby permitted shall be constructed.

Reason:

To control any subsequent enlargements in the interests of the visual and residential amenities of the locality with regard to Reigate and Banstead Borough Local Plan 2005 policy Ho9 and to restrict the enlargement of dwellings in this rural area with regard to Reigate and Banstead Borough Local Plan 2005 policies Co1 and Ho24.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking and re-enacting that Order with or without modification), 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 Borough Local Plan 2005 policy Ho9 and to restrict the enlargement of dwellings in this rural area with regard to the Reigate and Banstead Borough Local Plan 2005 policy Ho24.

## INFORMATIVES

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at [www.firesprinklers.info](http://www.firesprinklers.info).
2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions.

3. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, a 140 litre wheeled bin conforming to British Standard BSEN840 and a 60 litre recycling box should be provided for the exclusive use of the occupants of that dwelling. Prior to the initial occupation of any communal dwellings or flats, wheeled refuse bins conforming to British Standard BSEN840, separate recycling bins for paper/card and mixed cans, and storage facilities for the bins should be installed by the developer prior to the initial occupation of any dwelling hereby permitted. Further details on the required number and specification of wheeled bins and recycling boxes is available from the Council's Neighbourhood Services on 01737 276501 or 01737 276097, or on the Council's website at [www.reigate-banstead.gov.uk](http://www.reigate-banstead.gov.uk). Bins and boxes meeting the specification may be purchased from any appropriate source, including the Council's Neighbourhood Services Unit on 01737 276775.
4. 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](http://www.ccscheme.org.uk/index.php/site-registration).

5. The use of a suitably qualified arboricultural consultant is essential to provide acceptable submissions in respect of the arboricultural tree condition above. All works shall comply with the recommendations and guidelines contained within British Standard 5837.
6. The use of landscape/arboricultural consultant is considered essential to provide acceptable submissions in respect of the above relevant conditions. Replacement planting of trees and shrubs shall be in keeping with the character and appearance of the locality. The use of native species is preferred or appropriate cultivars of native species. There is an opportunity to incorporate structural landscape trees into

the scheme to enhance and improve the existing landscape and to make provision for future visual amenity and long term continued structural tree cover in this area. It is expected that the replacement structural landscape trees will be of a minimum Advanced Nursery Stock sizes with initial planting heights of not less than 6m with girth measurements at 1m above ground level in excess of 16/18cm.

7. The applicant is advised that they will likely be required to restore/make good any damage to Coppice Lane or its verges resulting from construction vehicle activity associated with the proposed development.

## **REASON FOR PERMISSION**

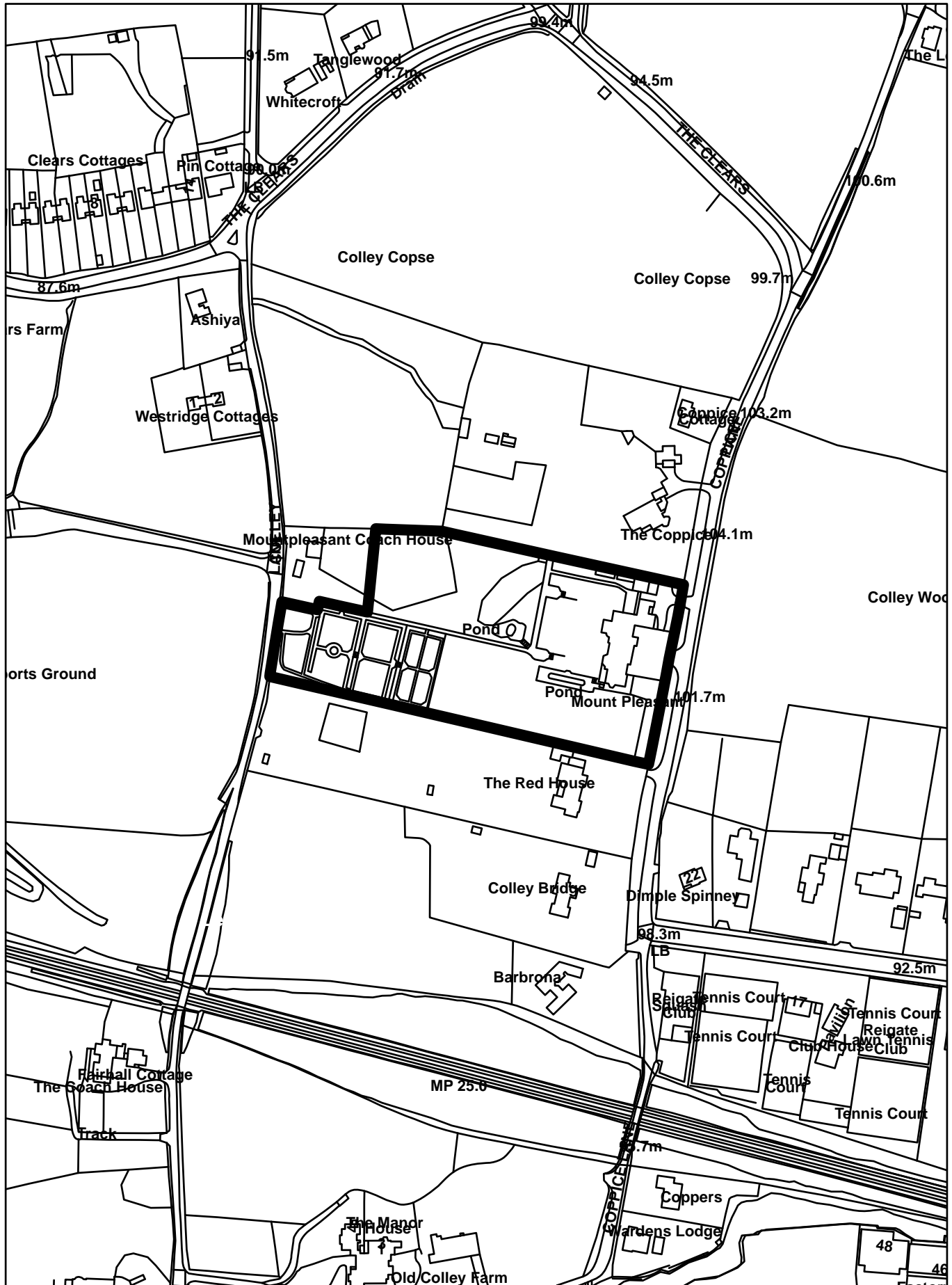
The development hereby permitted has been assessed against development policies CS1, CS2, CS3, CS10, CS11, Co1, Ho1, Ho9, Ho24, Mo7, Pc4 and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

## **Proactive and Positive Statements**

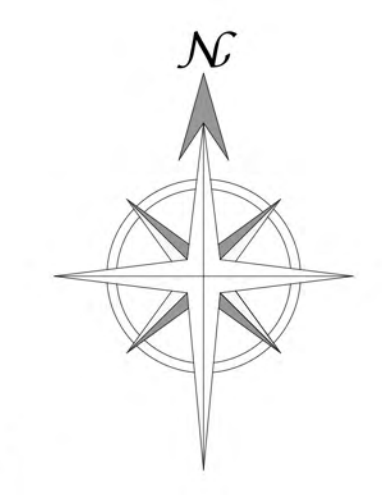
The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in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







# 18/00640/F - Mount Pleasant, Coppice Lane, Reigate







KEY

-  TREES TO BE RETAINED
-  EXISTING HEDGROW
-  PROPOSED TREES
-  INDICATIVE PROPOSED PLANTING



Rev.	B	24.05.18	Plot 1 and Plot 2 house type updated
	A	07.02.18	Changes to access to plots
Status	PLANNING ISSUE		



**ASCOT DESIGN**  
Timeless architecture

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www.ascotdesign.com

Client  
**MONTREAUX Ltd.**

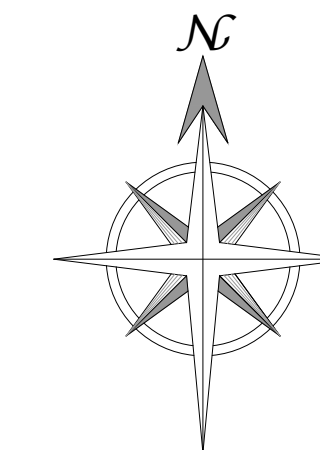
Project Title  
**MOUNT PLEASANT, COPPICE LANE  
REIGATE, SURREY, RH2 9JF**

DRAWING Title  
**SITE LAYOUT**

Scale:	1:250@A1	Date:	JAN' 18	Drawn:	KMB
DRAWING No.	17 - J1697-100.1	Rev.	A		

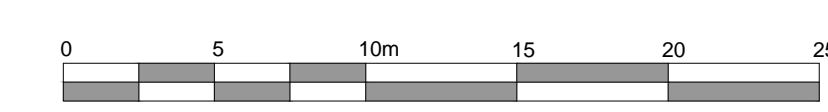
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**KEY**

- DASHED LINE INDICATES BUILDING TO BE DEMOLISHED
- DASHED LINE INDICATES OUTLINE OF CONSENTED SCHEME 1600544P
- TREES TO BE RETAINED
- EXISTING HEDGEROW
- PROPOSED TREES
- INDICATIVE PROPOSED PLANTING
- TREES TO BE REMOVED
- EXISTING TREE ROOT PROTECTION AREA
- +00.00 EXISTING SPOT SITE LEVELS
- PROPOSED LEVELS (Subject to confirmation at working drawings and site conditions)
- FFL 00.00 PROPOSED HOUSE FINISHED FLOOR LEVELS (SUBJECT TO CONFIRMATION AT WORKING DRAWINGS STAGE)



SCHEDULE OF ACCOMMODATION		
	G.E.A. SQ.M	G.E.A. SQ.FT
<b>PLOT 1</b>		
House+Garage	583	6279
<b>PLOT 2</b>		
House+Garage	527	5673
<b>PLOT 3</b>		
House+Garage	509	5479
<b>TOTAL</b>	<b>1619</b>	<b>17431</b>

C	24.05.18	Plot 1 and Plot 2 house types updated
B	07.02.18	Changes to access to plots
Rev. A	Date: 01.02.18	Detail: Dimensions added between Plot1 and Red House

Status: **PLANNING ISSUE**



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Client: **MONTREAUX Ltd.**

Project Title: **MOUNT PLEASANT, COPPICE LANE REIGATE, SURREY, RH2 9JF**

Drawing Title: **SITE LAYOUT**

Scale: 1:250@A1 Date: JAN 18 Drawn: KMB

Drawing No: 17 - J1697-100 Rev. C

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ise

96

The Red House

The Coppice

COPPICE LANE





Rev.	Date	Detail
B	24.05.18	Plot 1 and Plot 2 house types updated
A	07.02.18	Gate to Plot 1 omitted

Status: **PLANNING ISSUE**

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Client: **MONTREAUX Ltd.**

Project Title: **MOUNT PLEASANT, COPPICE LANE  
REIGATE, SURREY, RH2 9JF**

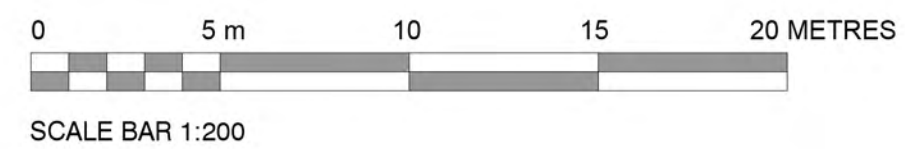
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Scale:	Date	Drawn
1:200@A1	JAN' 18	KMB

DRAWING No.	Rev.
17 - J1697-110	B

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SCALE BAR 1:200

Rev.	Date	Detail
C	06.06.18	Plot 1 roof lowered
B	24.05.18	Plot 1 and Plot 2 house types updated
A	07.02.18	Gate to Plot 1 omitted

Status **PLANNING ISSUE**

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www.ascotdesign.com

Client **MONTREAUX Ltd.**

Project Title **MOUNT PLEASANT, COPPICE LANE  
REIGATE, SURREY, RH2 9JF**

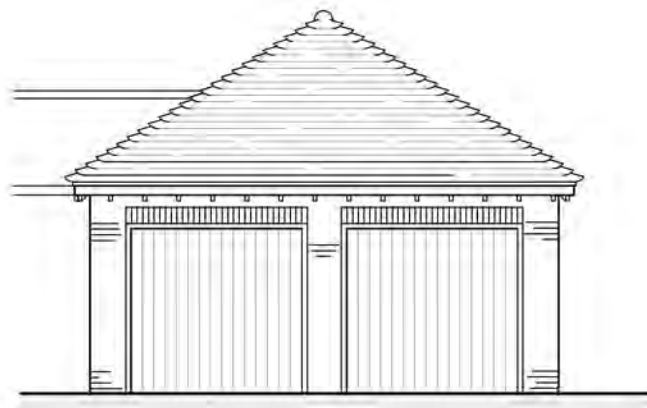
DRAWING Title **STREET SCENE**

Scale:	Date	Drawn
1:200@A1	JAN' 18	KMB

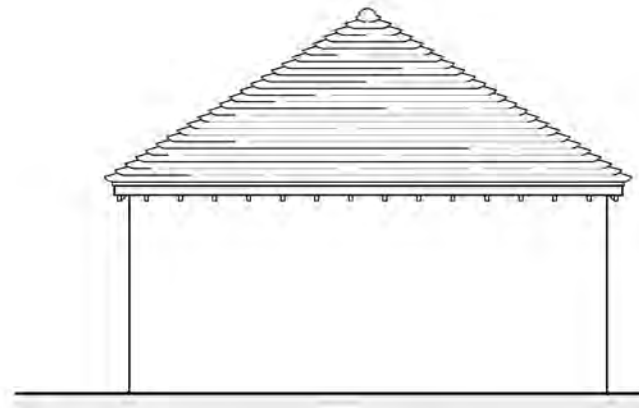
DRAWING No.	Rev.
17 - J1697-110	C

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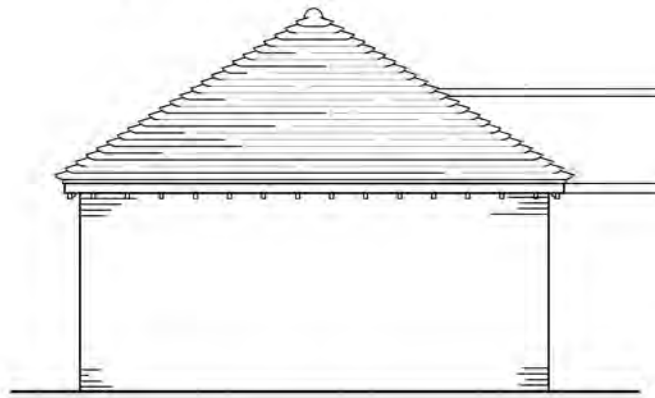




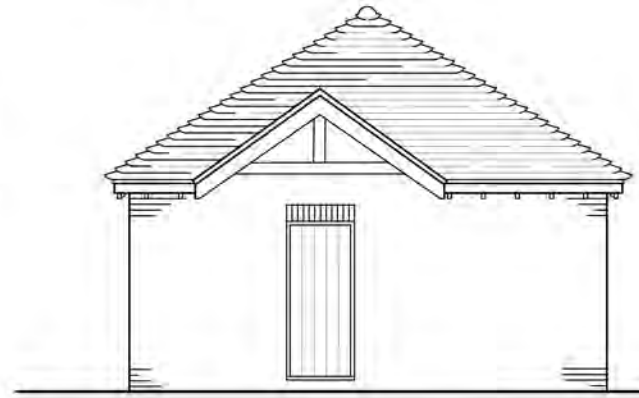
FRONT ELEVATION



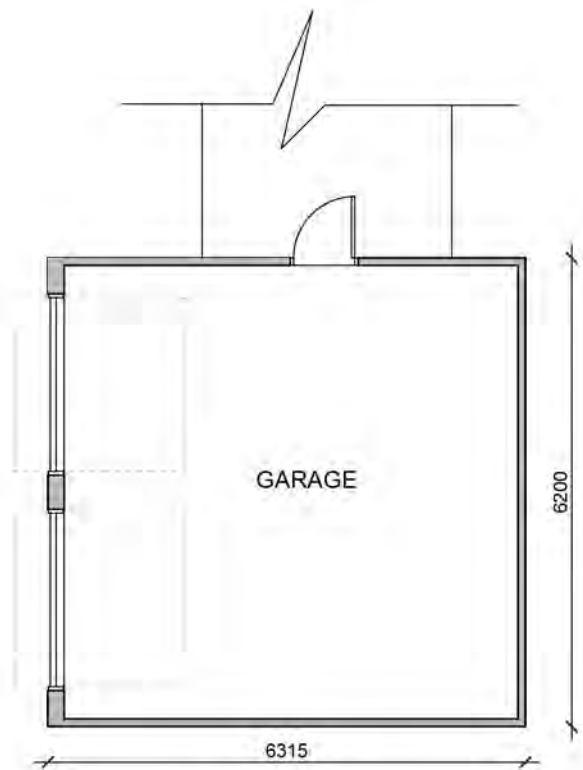
SIDE ELEVATION



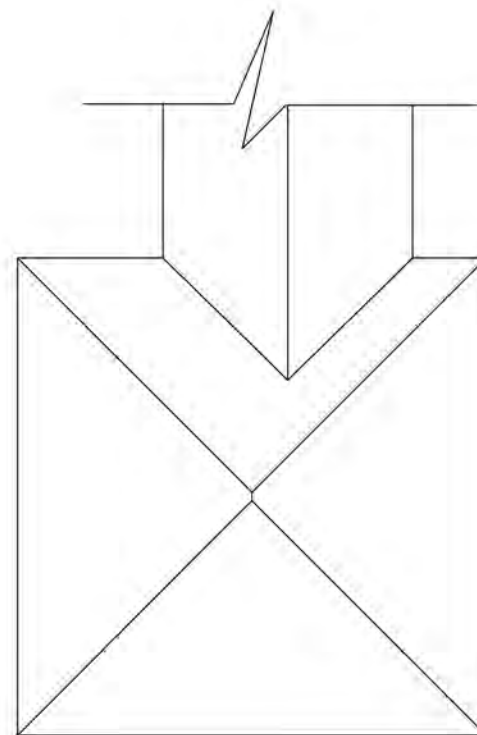
REAR ELEVATION



FLANK ELEVATION



GROUND FLOOR PLAN  
GEA 39sqm / 419sqft

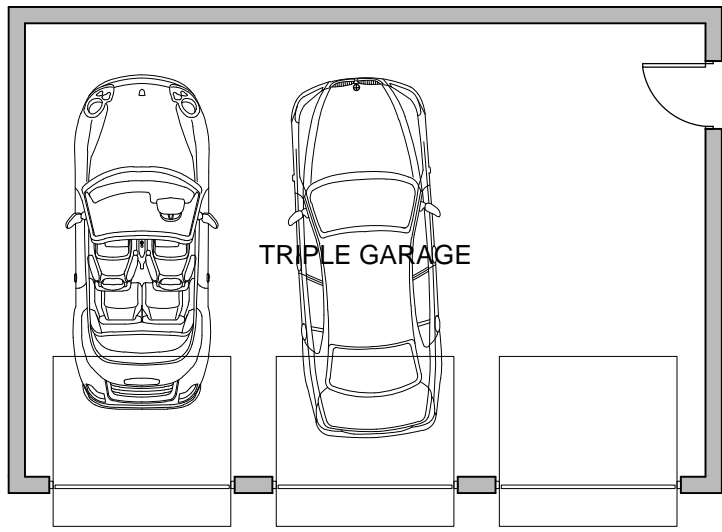


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Head Office: 148, Beakley House, 27 St. High Street, South, Bedford, MK45 7NY  
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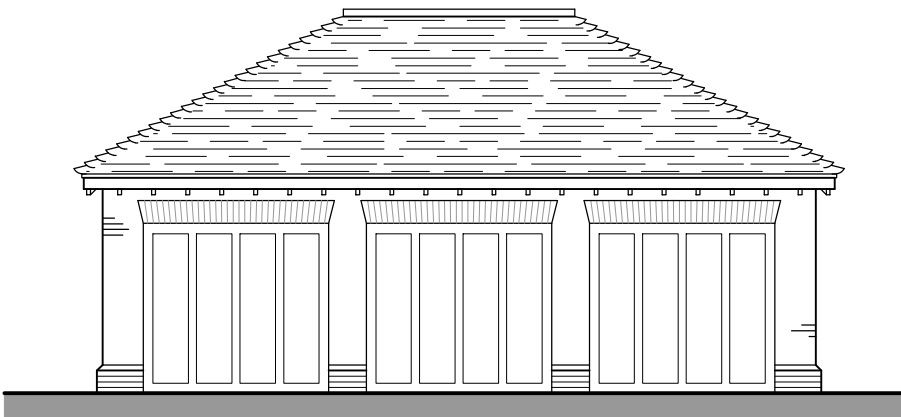
Status	<b>PLANNING ISSUE</b>
Client	<b>MONTREAUX LTD.</b>
Project Title	<b>MOUNT PLEASANT, COPPICE LANE REIGATE, SURREY RJ2 9JF</b>

Rev.	Date	Detail
DRAWING Title <b>GARAGE</b>		
Scale 1-100@A1	Date JAN'18	Drawn KMB
DRAWING No. 17-J1697-109	Rev.	-

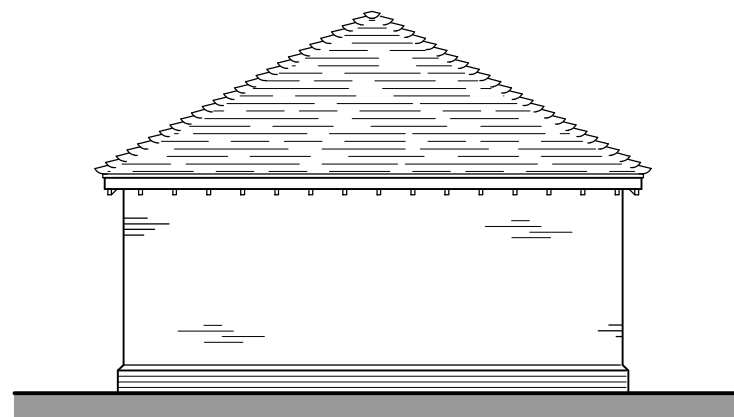


PLAN

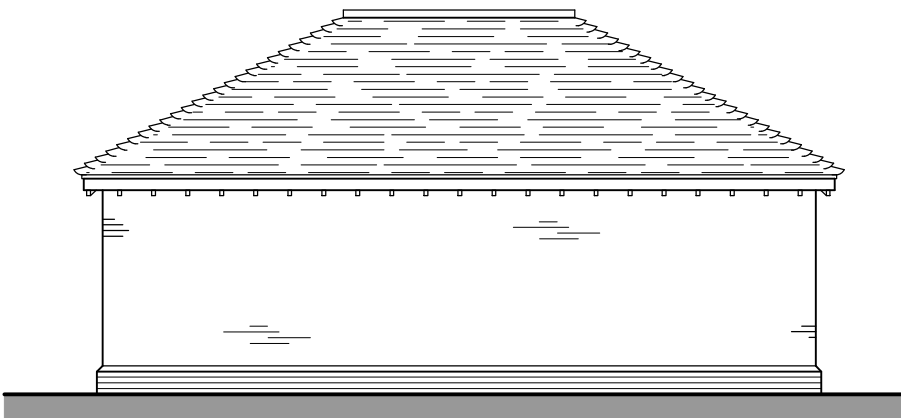
GEA: 61 sqm / 656 sqft



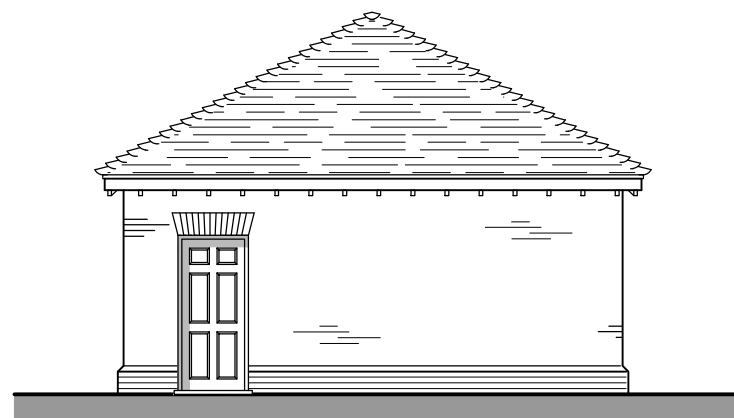
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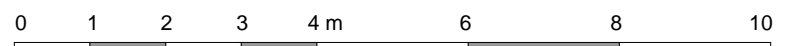
SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION



Scale 1:100

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<b>Status</b> PLANNING ISSUE		Rev. A	Date 24.05.18	Detail Garage type updated
<b>Client</b> MONTREAUX Ltd.		<b>DRAWING Title</b> GARAGE		
<b>Project Title</b> MOUNT PLEASANT, COPPICE LANE REIGATE, SURREY RJ2 9JF		Scale. 1-100@A1	Date JAN'18	Drawn KMB
		<b>DRAWING No.</b> 17-J1697-103	<b>Rev.</b> A	





FRONT ELEVATION  
PLOT 3



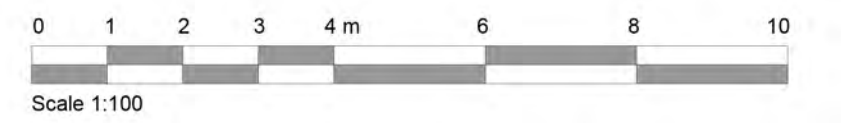
FLANK ELEVATION



REAR ELEVATION



SIDE ELEVATION



Rev.	Date	Detail
A	16.02.18	Balcony removed

Status: **PLANNING ISSUE**



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www.ascotdesign.com

Client: **MONTREAUX Ltd.**

Project Title: **MOUNT PLEASANT, COPPICE LANE  
REIGATE, SURREY, RH2 9JF**

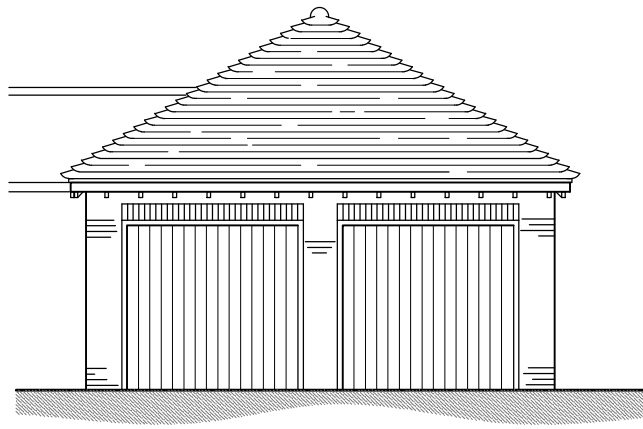
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Scale: 1:100@A1	Date: JAN'18	Drawn: KMB
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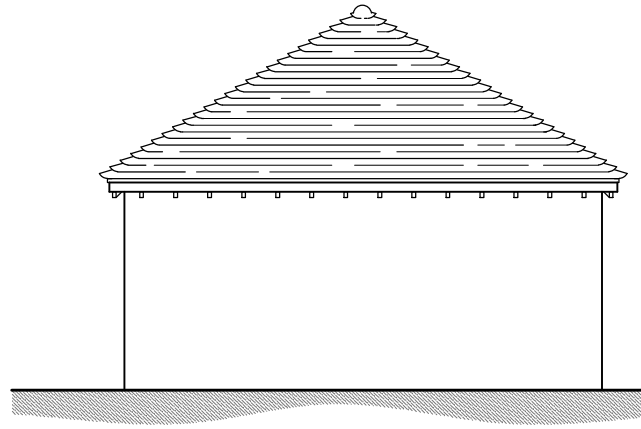
DRAWING No: 17 - J1697-108	Rev: A
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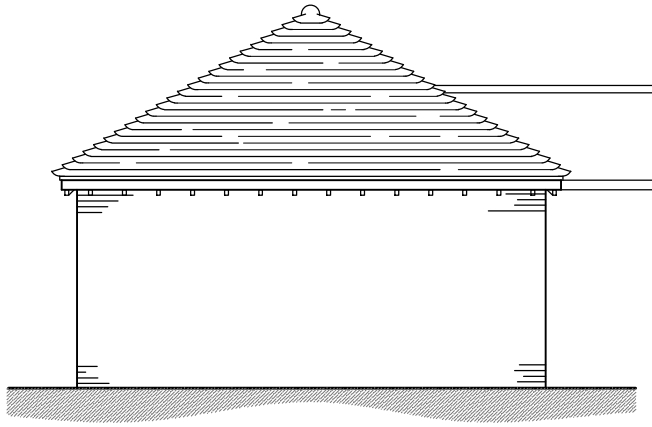




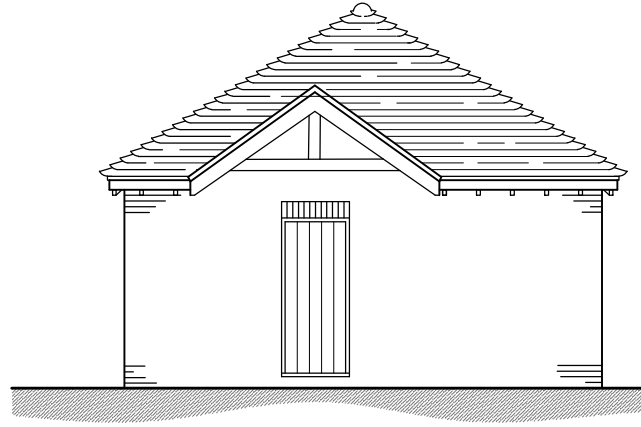
FRONT ELEVATION



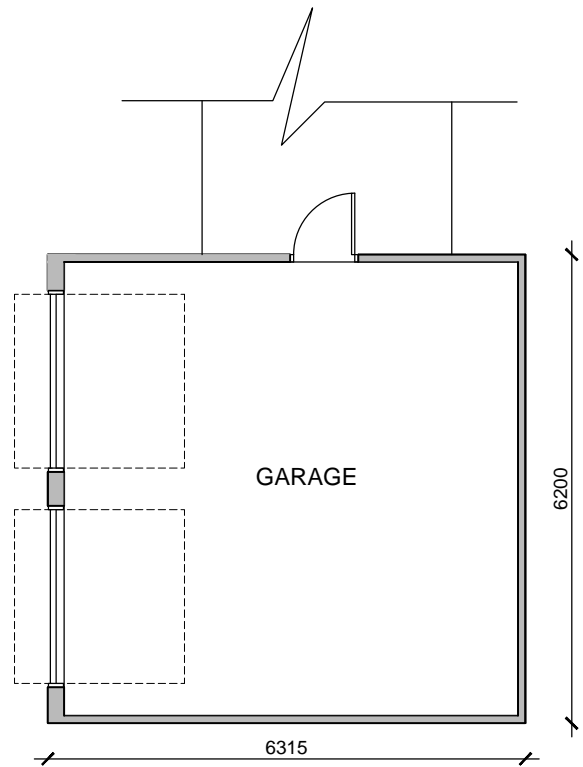
SIDE ELEVATION



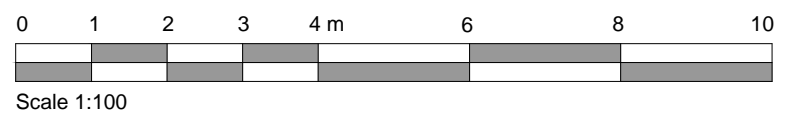
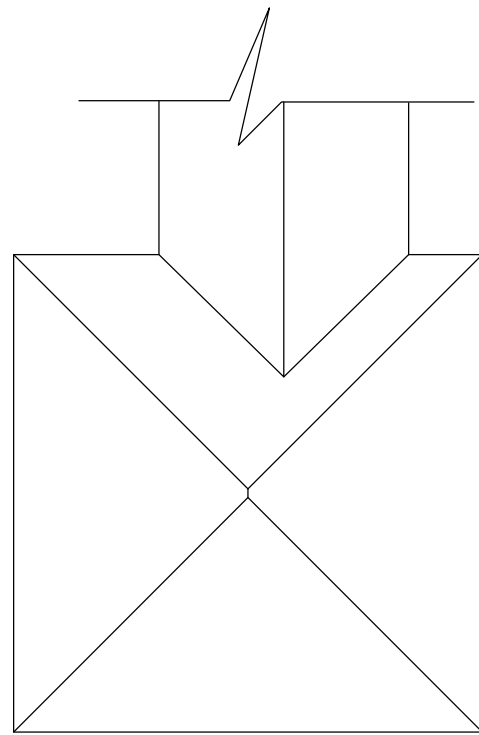
REAR ELEVATION



FLANK ELEVATION



GROUND FLOOR PLAN  
GEA 39sqm / 419sqft



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Status	<b>PLANNING ISSUE</b>
Client	<b>MONTREAUX Ltd.</b>
Project Title	<b>MOUNT PLEASANT, COPPICE LANE REIGATE, SURREY RJ2 9JF</b>

Rev.	Date	Detail
DRAWING Title		
<b>GARAGE</b>		
Scale	Date	Drawn
1-100@A1	JAN'18	KMB
DRAWING No.	Rev.	
<b>17-J1697-109</b>	-	





FRONT ELEVATION



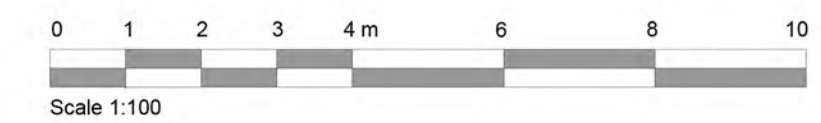
REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION



Rev.	Date	Detail
B	04.6.18	Roof lowered
Rev.	Date	Detail
A	24.05.18	House type updated

Status **PLANNING ISSUE**



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Client **MONTREAUX Ltd.**

Project Title **MOUNT PLEASANT, COPPICE LANE  
REIGATE, SURREY, RH2 9JF**

DRAWING Title **PLOT 1 - ELEVATIONS**

Scale:	Date	Drawn
1:100@A1	JAN'18	KMB

DRAWING No.	Rev.
17-J1697-102	B

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FRONT ELEVATION



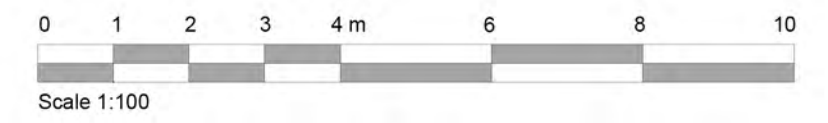
REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION



Rev.	Date	Detail
A	24.05.18	House type updated

Status **PLANNING ISSUE**

  
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Client **MONTREAUX Ltd.**

Project Title **MOUNT PLEASANT, COPPICE LANE  
REIGATE, SURREY, RH2 9JF**

DRAWING Title **PLOT 2 - ELEVATIONS**

Scale: <b>1:100@A1</b>	Date: <b>JAN'18</b>	Drawn: <b>KBG</b>
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DRAWING No: <b>17-J1697-105</b>	Rev: <b>A</b>
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FRONT ELEVATION  
PLOT 3



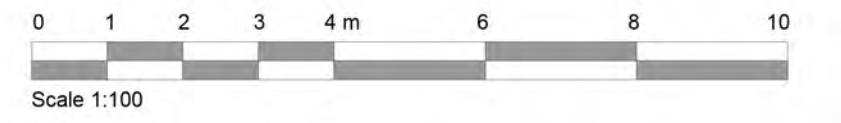
FLANK ELEVATION



REAR ELEVATION



SIDE ELEVATION



Rev.	Date	Detail
A	16.02.18	Balcony removed

Status: **PLANNING ISSUE**



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www.ascotdesign.com

Client: **MONTREAUX LTD.**

Project Title: **MOUNT PLEASANT, COPPICE LANE  
REIGATE, SURREY, RH2 9JF**

DRAWING Title: **PLOT 3 - ELEVATIONS**

Scale: 1:100@A1	Date: JAN'18	Drawn: KMB
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DRAWING No: 17 - J1697-108	Rev: A
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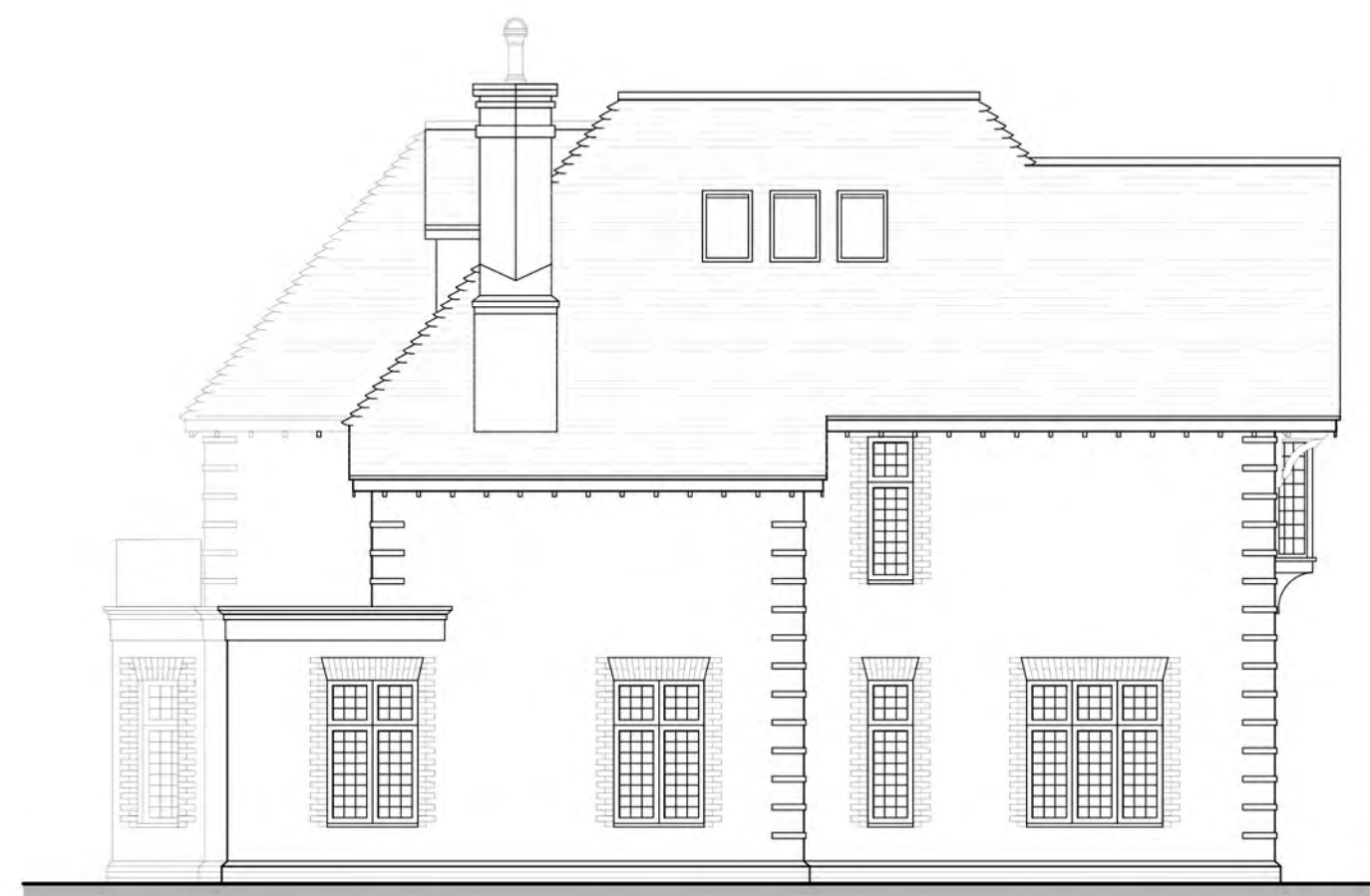




FRONT ELEVATION



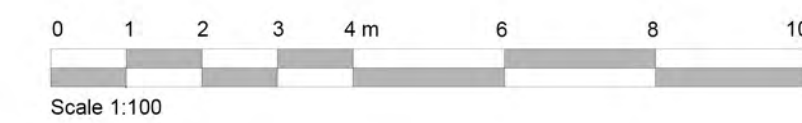
REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION



Rev.	Date	Detail
A	24.05.18	House type updated

Status: **PLANNING ISSUE**



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www.ascotdesign.com

Client: **MONTREAUX Ltd.**

Project Title: **MOUNT PLEASANT, COPPICE LANE  
REIGATE, SURREY, RH2 9JF**

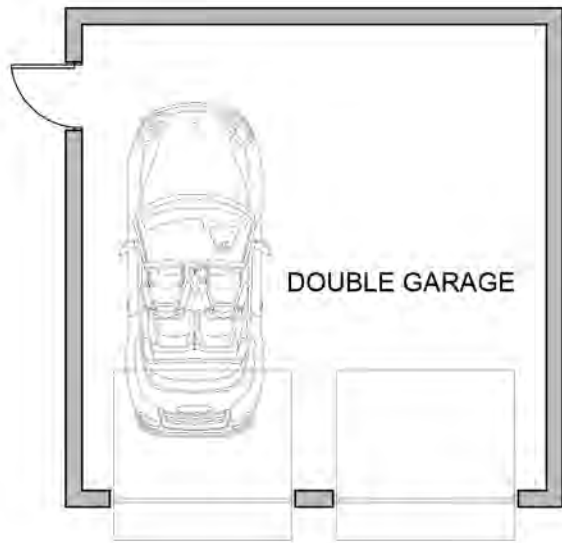
DRAWING Title: **PLOT 1 - ELEVATIONS**

Scale: 1:100@A1	Date: JAN'18	Drawn: KMB
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DRAWING No: 17-J1697-102	Rev: A
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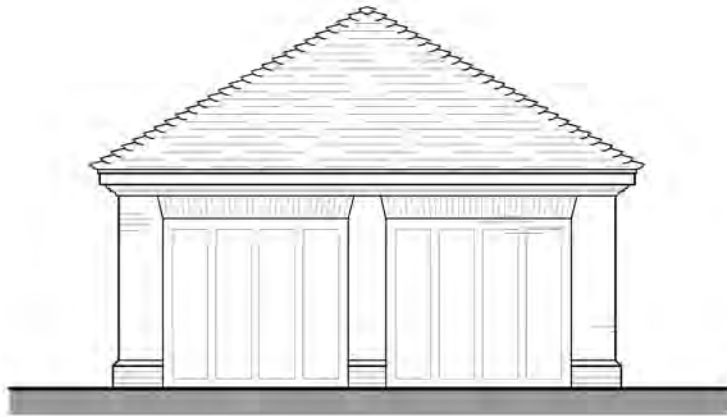
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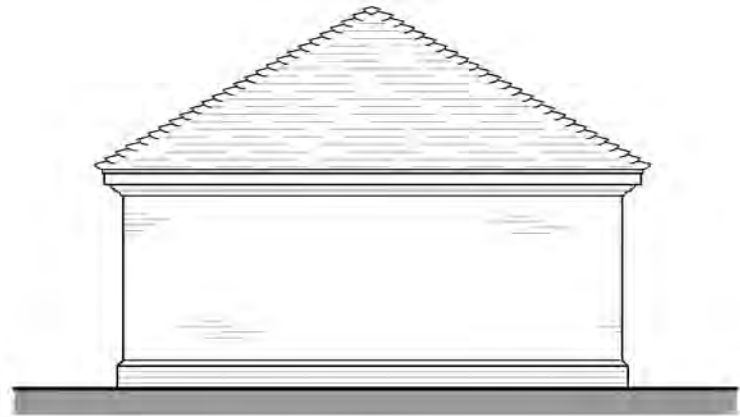


PLAN

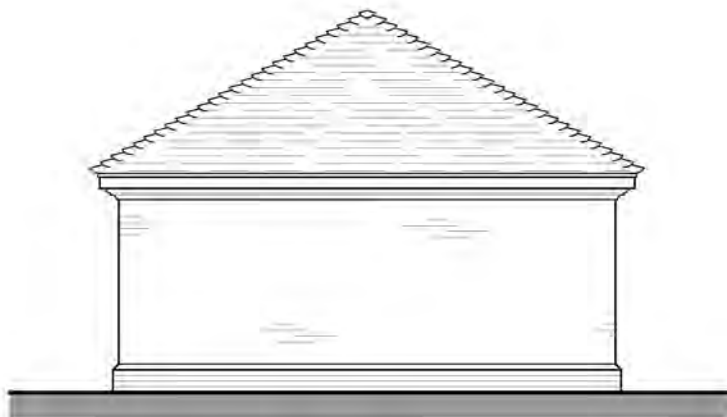
GEA: 43 sqm / 463 sqft



FRONT ELEVATION



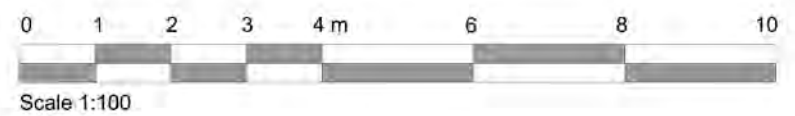
SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION



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Timeless architecture

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www.ascotdesign.com


Status	<b>PLANNING ISSUE</b>
Client	<b>MONTREAUX LTD.</b>
Project Title	<b>MOUNT PLEASANT, COPPICE LANE REIGATE, SURREY RJ2 9JF</b>

Rev.	Date	Detail
DRAWING Title <b>GARAGE</b>		
Scale 1-100@A1	Date JAN'18	Drawn KMB
DRAWING No. 17-J1697-106	Rev.	-

# Agenda Item 8

Planning Committee  
3 October 2018

Agenda Item: 8  
18/01414/F

 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	3 <sup>rd</sup> October 2018
	<b>REPORT OF:</b>	HEAD OF PLACES & PLANNING
	<b>AUTHOR:</b>	Rosie Baker
	<b>TELEPHONE:</b>	01737 276173
	<b>EMAIL:</b>	rosie.baker@reigate-banstead.gov.uk
<b>AGENDA ITEM:</b>	8	<b>WARD:</b> Banstead Village

<b>APPLICATION NUMBER:</b>	18/01414/F	<b>VALID:</b>	28/6/2018
<b>APPLICANT:</b>	Romans International Ltd	<b>AGENT:</b>	Hillman Design Ltd
<b>LOCATION:</b>	<b>ROMANS INTERNATIONAL LTD, BRIGHTON ROAD, BANSTEAD</b>		
<b>DESCRIPTION:</b>	<b>Erection of a row of garages to rear of site. As amended on 14/08/2018.</b>		
<b>All plans in this report have been reproduced, are not to scale, and are for illustrative purposes only. The original plans should be viewed/referenced for detail.</b>			

## SUMMARY

This is a full application for the erection of a row of 4 double garages for 8 cars to the rear of the site along the eastern boundary. As with the previous applications on the site the reason for the additional garaging is to enable more cars on the site to be kept undercover as opposed to outside. No intensification of the site is proposed.

The proposal follows a recent planning application (18/00478/F), granted consent earlier this year for an extension to the existing car showroom. This new proposal could be built out independently of that permission or in addition to it. Two proposed layouts have therefore been submitted, both with the same total number of parking spaces, dependant on if the extension is built out or not.

The proposed garages would be single storey in height and are of utilitarian appearance in keeping with their use. Their modest scale and form and siting to the rear of this commercial site is considered acceptable and would not be out of place in this location. Whilst sited proximate to residential properties bounding the site the visual appearance of the garages would be mitigated by the sedum roof and choice of dark green cladding proposed. Sufficient space is available to the rear of the garages and to the south along the boundary with 61 and 63 Diceland Road to secure a landscape scheme to mitigate proposed tree works and the visual impact of the development. The proposal in terms of its design and appearance is considered acceptable and a condition is proposed to secure materials.

The tree officer has confirmed that subject to conditions the application is acceptable from an arboricultural and landscape perspective. The noise and neighbour amenity aspects of the proposal have been considered and noting there is no intensification of the use of the

site, the existing use of this part of the site for parking and subject to the proposed landscape condition the proposal is considered acceptable.

In addition a revised parking layout has been secured to retain the existing level of provision for visitors (4spaces) and staff (10 spaces) and ensure the parking layout can be secured both with or without the extension consented under 18/00478/F.

## **RECOMMENDATION(S)**

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



## Consultations:

Highway Authority: No objection subject to condition.

The County Highway Authority has assessed the application on safety, capacity and policy grounds and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway with respect of access, net additional traffic generation and parking. The County Highway Authority therefore has no highway requirements subject to conditions

Environmental Health (Contaminated Land): There is some potential for contamination to be present associated with both historical and current garage use, as such conditions to deal with contaminated land and an informative to provide additional guidance is recommended.

Tree officer – No objection subject to conditions

## Representations:

Letters were sent to neighbouring properties on 2<sup>nd</sup> July 2018, a site notice was posted on 5<sup>th</sup> July 2018. Neighbours were re-notified on the revised plans for a 14 day period commencing 15<sup>th</sup> August 2018.

6 responses have been received raising the following issues:

<b>Issue</b>	<b>Response</b>
Inadequate parking	See paragraphs 6.12 to 6.14 and summary table at paragraph 4.7
Increase in traffic congestion	See paragraphs 6.12 to 6.14
Inconvenience during construction	See paragraphs 6.9 and 6.14
Out of character with surrounding area	See paragraphs 6.3 to 6.5
Overdevelopment	See paragraphs 6.3 to 6.5
Overlooking and loss of privacy	See paragraph 6.7
Overshadowing	See paragraph 6.7
Loss of / harm to trees	See paragraph 6.6
Harm to wildlife habitat	See paragraph 6.16
Noise & disturbance	See paragraph 6.8
No need for the development	Each application must be assessed on its own merits
Loss of private view	Not a material planning consideration
Property devaluation	Not a material planning consideration

## 1.0 Site and Character Appraisal

- 1.1 The application site is located on the eastern side of Brighton Road and comprises an existing car showroom, an open car storage / display area and a valeting / car preparation building to the rear. The car forecourt is situated between the car showroom and Brighton Road extending towards the north. To the rear of the site beyond the valeting building where the garages are proposed is an area of hardstanding currently used for staff and customer parking. Between the eastern boundary and the parking area is a strip of soft landscaping, which is overgrown and includes two mature oak trees and a holly. Trees are also present along the southern boundary.
- 1.2 The site fronts onto Brighton Road which on the eastern side of the road is characterised by commercial buildings to the south and north, including a petrol station to the south and Ford garage to the north. The wider area is predominantly residential with the nearest residential dwellings situated on Diceland Road to the south and Gerrards Mead to the east.

## 2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: The opportunity did not arise because the applicant did not approach the Local Planning Authority before submitting the application.
- 2.2 Improvements secured during the course of the application:
- Introduction of a landscape scheme to the rear of the garages and adjacent to rear residential gardens of 61 and 63 Diceland Road.
  - Garage panelling confirmed as dark green in colour with sedum roof covering.
  - Revised existing and proposed parking layouts provided. The proposed parking layout now retains 4 visitor spaces and 10 staff spaces as existing. In addition the proposed car sales parking has been rearranged to show phase 1 (without consented extension) and phase 2 (with consented extension 18/00478/F).
- 2.3 Further improvements could be secured through the use of conditions and a legal agreement to secure affordable housing provision. Conditions are proposed to gain various improvements to the scheme.

## 3.0 Relevant Planning and Enforcement History

- |     |                                       |  |  |
|-----|---------------------------------------|--|--|
| 3.1 | 18/00478/DET04, 05, 09, 10, 11 and 12 | Discharge of condition submissions relating to tree protection plan, construction transport method statement and contamination | Pending consideration                  |
| 3.2 | 18/00478/F                            | Extension and remodelling of existing car showroom   | Approved with conditions<br>12.06.2018 |

- |     |  |  |  |
|-----|--|--|--|
| 3.3 | 17/01883/F   | Extension to existing car showroom, and reduction in size of existing vehicle preparation building. As amended on 1/10/2017, on 08/11/2017 and on 07/12/2017 | Approved with conditions<br>21.12.2017 |
| 3.4 | 12/00101/DET03, 05, 06   | Discharge of condition submissions relating to materials, construction method statement and landscaping  | Approved                               |
| 3.5 | 12/00101/S73   | Demolition of existing public house and erection of extension to adjoining car showroom. Variation of condition 2 of 10/01393/F. Amendment to elevations     | Approved with conditions<br>16.03.2012 |
| 3.6 | 11/00389/CU  | Erection of temporary screening and use of front part of site for the sale of cars for a temporary period of two years.                                      | Approved with conditions<br>16.05.2011 |
| 3.7 | 10/01393/F   | Demolition of existing public house and erection of extension to adjoining car showroom  | Approved with conditions<br>24.11.2010 |
| 3.8 | 09/01881/F   | Demolition of existing public house and erection of extension to adjoining car showroom  | Refused<br>September 2010              |
| 3.9 | Note: A Grampian condition was attached to planning permission 10/01393/F requiring the use of 29 Diceland Road for vehicle valeting to cease prior to the use of the proposed valeting area commencing. The site of 29 Diceland Road has subsequently been redeveloped for housing (13/01889/OUT) and so this condition has been complied with. |  |  |

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

- 4.1 This is a full application for the erection of a row of 4 double garages for 8 cars to the rear of the site along the eastern boundary. As with the previous applications on the site the reason for the additional garaging is to enable more cars on the site to be kept undercover as opposed to outside.
- 4.2 The proposal follows a recent planning application (18/00478/F), granted consent earlier this year for an extension to the existing car showroom. This extension was smaller in scale to previous extant permissions on the site (proposing 186sqm net of floorspace, previously 352.5sqm net of floorspace was proposed) to allow seven additional cars to be stored inside as opposed to on the external display court.

- 4.3 This new proposal could be built out independently of that permission or in addition to it. The latter being more likely noting the Council has recently received discharge of condition submissions in relation to 18/00478/F. Two proposed layouts have therefore been submitted, both with the same total number of parking spaces, dependant on if the extension is built out or not.
- 4.4 The garage block would be single storey with a length of 26.5m, width of 6.5m and height of 3m. The garages would be constructed in dark green aluminium powder coated cladding panels, with roller shutter doors (4 no) and a sedum roof covering.
- 4.5 The applicant has provided the following information regarding parking to clarify the parking arrangements

	<b>Existing spaces</b>	<b>Proposed spaces</b>	
<b>Staff</b>	10	10	<u>No change to number of staff parking spaces but revised location.</u> The numbers of staff employed at the site will remain unchanged (19).
<b>Customers:</b>	4	4	Due to the high end nature of the cars for sale the majority of customers visiting the site are by pre-arrangement, having viewed the cars on-line, and it is rare that a customer will drop by to browse the stock. As such it is not envisioned that there will be any change to the way customers visit the site. Customer parking is currently provided to the rear of the site, under the proposal <u>the same number of visitor spaces will be retained, but moved to the front of the site</u> so visitors do not need to access the rear.
<b>Display cars</b>	Total 49 38 outside 11 Inside	Total 49	No change to total number of display vehicles. Phase 1: 8 garages, 30 outside, 11 inside Phase 2: 8 garages, 23 outside, 18 inside 18/00478/F: 31 outside, 18 inside
<b>Delivery of Vehicles</b>			Due to the high end nature of the cars, they are individually delivery to and taken away from the site via an enclosed trailer towed by a 4 x 4 vehicle. This is currently accommodated within the site and does not interfere with the surrounding streets.
<b>Operations within the site</b>			Onsite operations are restricted to the sale of the cars, their cleaning and preparation (scratch repair, glass polishing etc). No servicing takes place on site, so there is no parking or vehicle movements generated by this.

- 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 statement does not include an assessment of local character
	Protected trees are to be retained to the rear of the site.
Involvement	No community consultation took place.
Evaluation	The statement does not include any evidence of other development options being considered.
Design	The applicant's reasons for choosing the proposal from the available options were; it enables more cars to be kept undercover without increasing the number of cars on site. The number of staff and visitor parking spaces has been retained.

- 4.5 Further details of the development are as follows:

Site area	0.25ha
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## 5.0 Policy Context

### 5.1 Designation

Urban area  
Tree Preservation Order (BAN 65) to rear of site

### 5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)  
CS4 (Valued Townscapes and Historic Environment)  
CS10 (Sustainable Development),  
CS11 (Sustainable Construction),  
CS17 (Travel Options and accessibility)

### 5.3 Reigate & Banstead Borough Local Plan 2005

Landscape & Nature Conservation Pc4

Employment  
Movement

Em1, Em3  
Mo5, Mo6, Mo7

#### 5.4 Other Material Considerations

National Planning Policy Framework  
National Planning Practice Guidance  
Supplementary Planning Guidance

Surrey Design  
Local Distinctiveness Design Guide  
A Parking Strategy for Surrey  
Parking Standards for Development

Other

Human Rights Act 1998  
Community Infrastructure Levy  
Regulations 2010

### 6.0 **Assessment**

6.1 The application 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.

6.2 The main issues to consider are:

- Design appraisal
- Neighbour amenity
- Highway matters
- Community Infrastructure Levy

#### Design appraisal

6.3 The applicant states within the design and access statement that the proposal will not result in an intensification of the site, with no change in the way the site is currently used. As with previous schemes the requirement for the garages is solely to keep more cars on the site undercover. The business is the sale of very expensive and exotic cars, most of which are currently displayed in the open air, which leaves them vulnerable to damage from the traffic film generated by the A217 and vandalism, the proposal will help address this. The number of staff (19) would remain unchanged and the revised plans confirm staff and visitor parking will be retained at the same level.

6.4 The proposed garages would be single storey in height and are of utilitarian appearance in keeping with their use. Their modest scale and form and siting to the rear of this commercial site is considered acceptable and would not be out of place in this location. Whilst sited proximate to residential properties bounding the site the visual appearance of the garages would be mitigated by the sedum roof and choice of dark green colour proposed. Sufficient space is available to the rear of the garages and to the south along the boundary with 61 and 63 Diceland Road to secure a landscape scheme to mitigate proposed tree works and the visual impact

of the development. The proposal in terms of its design and appearance is considered acceptable and a condition is proposed to secure materials.

- 6.5 The proposed development would therefore be acceptable in terms of its design, would not appear out of place or cause harm to the character and appearance of the area and complies with policy Em3.
- 6.6 The site has protected oak trees to the rear together with other unprotected trees on the sites southern boundary. The tree officer was consulted on the proposal in order to assess the proposed development against impact upon existing trees and vegetation. No objection has been raised (see detailed comments below) and subject to conditions relating to tree protection and a scheme to secure additional landscaping, including replacement trees on land in the applicant's ownership to the rear of the proposed garages and along the southern boundary proximate to the rear gardens of 59, 61 and 63 Diceland Road, the application is considered acceptable and accords with policy Pc4 of the Local Plan.

*"I am familiar with the site and the two oak trees having visited it to assess recent tree work applications, the most recent application being 2018 , reference 18/00389/TPO to reduce the lateral branches by 2.5 metres and was approved subject to conditions. The garages will be located next to the two trees and the approved works have been completed resulting in the shortening of the lateral branches over the area. It will be necessary to prune the trees periodically to address any concerns the applicants may have, but as they are protected consent will be required before undertaking any remedial works. In order to increase the canopy cover in the local area additional landscaping will be required and this can be secured by condition. Therefore, based on the existing information I raise no objection subject to the following conditions."*

#### Neighbour amenity

- 6.7 The application is sited adjacent to the existing Ford garage to the north with residential development to the north-east, east and south. The closest property is 3 Gerrards Mead directly to the rear (east) of the proposed garages with 49 Garratts Lane (to the north-east) and 59, 61 and 63 Diceland Road to the south also proximate. 3 Gerrards Mead is sited at an angle and the garages would be located approximately 6.4m from the closest wall of this property. Two retained protected trees are located on the applicants land between the garages and this property, together with a strip of land approx 3.5m in width which is proposed to be planted. Given the single storey nature of the garages, the existing use of this part of the site, the retention of the TPO'd trees and other retained trees on the site, the improvements that can be secured by condition with respect to a landscape scheme (both on the strip of land to the rear of the garages and adjacent to 59, 61 and 63 Diceland Road) and materials (green coloured cladding and sedum roof) the proposal is considered to have an acceptable impact on this property with respect to outlook, dominance, overlooking and privacy and those further distanced from the proposal in Diceland Road and Garratts Lane. The single storey garages are not considered to result in harmful overshadowing

- 6.8 The site is currently in use as a car sales showroom and valeting facility. The application does not seek to change existing operations on the site, the garages being proposed to enable more cars to be kept under cover. The area where the garages are proposed is currently utilised for parking. In light of the above I do not consider the replacement of open parking for garages will result in a material change to the existing noise environment post construction.
- 6.9 Objection was raised on the grounds of inconvenience during the construction period. Whilst it is acknowledged there may be a degree of disruption during the construction phase, the proposal would not warrant refusal on this basis and statutory nuisance legislation exists to control any significant disturbance caused during the construction of the proposal. A construction method statement would be secured by planning condition.
- 6.10 Objections have been received due to the loss of private views but this is not a material planning consideration.
- 6.11 While giving rise to a degree of change in the relationship between buildings, the proposed scheme would not adversely affect the amenity of neighbouring properties, and complies with policy Em3.

#### Highway matters

- 6.12 The application is to introduce a row of garages for 8 cars to enable cars that are currently left out in the open to be stored and displayed inside. Details of parking provision are set out at section 4 of the report.
- 6.13 No change is proposed to the existing access arrangements or delivery arrangements. Provision for visitor parking would remain as existing but be relocated to the front of the site. The amended plans confirm provision for staff parking would be retained at the existing level of 10 spaces. Whilst there is some rearrangement in the provision of parking for vehicles for display, the application does not result in an intensification of the site and the parking provision is considered acceptable. Two proposed parking layouts have been submitted to clarify parking arrangements both before and after construction of the extension granted under 18/00478/F and a condition requiring the implementation of these at the appropriate time/stage is recommended to be imposed.
- 6.14 Subject to the amended plans the Highway Authority has assessed the application and raised no objection to the proposed development subject to a condition securing the parking layouts and a method of construction statement.

#### Community Infrastructure Levy (CIL)

- 6.15 The Community Infrastructure Levy (CIL) is a fixed charge which the Council will be collecting from some new developments from 1 April 2016. It will raise money to help pay for a wide range of infrastructure including schools, road, public transport and community facilities which are needed to support new development. This development would not be CIL liable.



Other matters

- 6.16 Concern has been raised regarding the potential for harm to wildlife. Bats and their roosts are protected by law and the protected species legislation applies independently of planning permission. New landscaping is proposed and would be secured by condition.

**CONDITIONS**

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

Reason:

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

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	ROM/G/001		27.06.2018
Proposed Plans	ROM/G/101	B	14.08.2018
Site Layout Plan	ROM/G/100	B	14.08.2018
Site Layout Plan	ROM/G/110		14.08.2018

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 proposal shall be constructed in accordance with the materials as specified on the approved plans, including use of dark green coloured panelling for the garages and sedum roof and there shall be no variation without prior approval and agreement in writing with the Local Planning Authority.

Reason:

To ensure that the development hereby permitted is only constructed using the appropriate external facing materials or suitable alternatives in the interest of the visual amenities of the area with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9 and Ho13

4. 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 Tree Protection Plan and Arboricultural Method Statement compiled by ACS Trees, reference ha/aiams1/2018romans dated 19th June 2018.

Reason:

To ensure good arboricultural practice in the interests of the maintenance of the character and appearance of the area and to comply with policy Pc4 of the Reigate and Banstead Borough Local Plan 2005 and the recommendations within British Standard 5837.

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

5. No development shall commence until details of hard and soft landscaping is submitted to and approved in writing by the Local Planning Authority (LPA). This shall include details of tree and hedge planting to the rear of the proposed garaging and additional landscape planting along the boundary to properties on 59, 61 and 63 Dicelands Road. The soft landscape details shall include an establishment maintenance schedule for a minimum of 2 years, full planting specifications, planting sizes & densities. Upon implementation of the approved development all the landscaping works shall be carried out in strict accordance with the landscape details as approved, and these shall be completed, before building completion, occupation or use of the approved development whichever is the earliest.

If any of the new or existing tree/s or hedge/s, detailed and approved under this condition, are removed, die, or become significantly damaged or diseased within 5 years of completion, it/they shall be replaced before the expiry of one calendar year, to a planting specification agreed in writing by the Local Planning Authority. The hedges detailed shall be retained at a minimum height of 1.8 metres, or if new, once grown to this height thereafter.

Reason:

To ensure good landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies Pc4, Em3 of the Reigate and Banstead Borough Local Plan 2005.

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

6. 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

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

Reason:

The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users to satisfy policies Mo5 and Mo7 of the Reigate and Banstead Borough Local Plan 2005 and the objectives of the NPPF 2012.

7. The new garages hereby permitted shall not be brought into use until space has been laid out in accordance with the approved plans (ROM/G/100 and 110) for vehicles to be parked.

The Phase 2 parking layout (shown on drawing no. ROM/G/110) shall only be implemented in the event that the works approved under permission reference 18/00478/F are also constructed.

The parking areas shall thereafter be retained exclusively for their designated purpose. Areas identified for staff or visitor parking on the approved plans shall only be used for these specific purposes.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users with regard to Reigate and Banstead Borough Local Plan 2005 policy Mo7

8. Prior to commencement of development a written comprehensive environmental desktop study report is required to identify and evaluate possible on and off site sources, pathways and receptors of contamination and enable the presentation of all plausible pollutant linkages in a preliminary conceptual site model. The study shall include relevant regulatory consultations such as with the Contaminated Land Officer and be submitted to the Local Planning Authority and is subject to the approval in writing of the Local Planning Authority and any additional requirements that it may specify. The report shall be prepared in accordance with the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR 11) 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 Reigate and Banstead Borough Council Core Strategy CS10 and the provisions of the NPPF

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

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 Reigate and Banstead Borough Council Core Strategy CS10 and the provisions of the NPPF

10. Prior to commencement of the development, a contaminated land site investigation and risk assessment, undertaken in accordance with the site investigation proposal as approved that determines the extent and nature of contamination on site and is reported in accordance with the standards of DEFRA's and the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR 11)

and British Standard BS 10175, shall be submitted to the Local Planning Authority and is subject to the approval in writing of the Local Planning Authority and any additional requirements that it may specify. If applicable, ground gas risk assessments should be completed in line with CIRIA C665 guidance.

Reason:

To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Core Strategy CS10 and the provisions of the NPPF

- 11a Prior to commencement of the development a detailed remediation method statement should be produced that details the extent and method(s) by which the site is to be remediated, to ensure that unacceptable risks are not posed to identified receptors at the site and details of the information to be included in a validation report, has been submitted to and approved in writing by the Local Planning Authority, and any additional requirements that it may specify, prior to the remediation being commenced on site. The Local Planning Authority shall then be given a minimum of two weeks written notice of the commencement of remediation works.
- 11b. Prior to occupation, a remediation validation report for the site shall be submitted to the Local Planning Authority in writing. The report shall detail evidence of the remediation, the effectiveness of the remediation carried out and the results of post remediation works, in accordance with the approved remediation method statement and any addenda thereto, so as to enable future interested parties, including regulators, to have a single record of the remediation undertaken at the site. Should specific ground gas mitigation measures be required to be incorporated into a development the testing and verification of such systems should be in accordance with 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 Reigate and Banstead Borough Council Core Strategy CS10 and the provisions of the NPPF

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

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 Reigate and Banstead Borough Council Core Strategy CS10 and the provisions of the NPPF

## INFORMATIVES

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

3. The applicant is advised that the essential requirements for an acceptable communication plan forming part of a Method of Construction Statement are viewed as: (i) how those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme; (ii) how neighbours will be notified prior to any noisy/disruptive work or of any significant changes to site activity that may affect them; (iii) the arrangements that will be in place to ensure a reasonable telephone response during working hours; (iv) the name and contact details of the site manager who will be able to deal with complaints; and (v) how those who are interested in or affected will be routinely advised regarding the progress of the work. Registration and operation of the site to the standards set by the Considerate Constructors Scheme (<http://www.ccscheme.org.uk/>) would help fulfil these requirements.

4. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders, (Highways Act 1980 Sections 131, 148, 149).
5. Environmental Health would like to draw the applicant attention to the specifics of the contaminated land conditional wording such as “prior to commencement”, “prior to occupation” and “provide a minimum of two weeks’ notice”.

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

## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against development plan policies Pc4, Em1, Em3, Mo5, Mo6 and Mo7, CS1, CS4, CS10, CS11 and CS17 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.

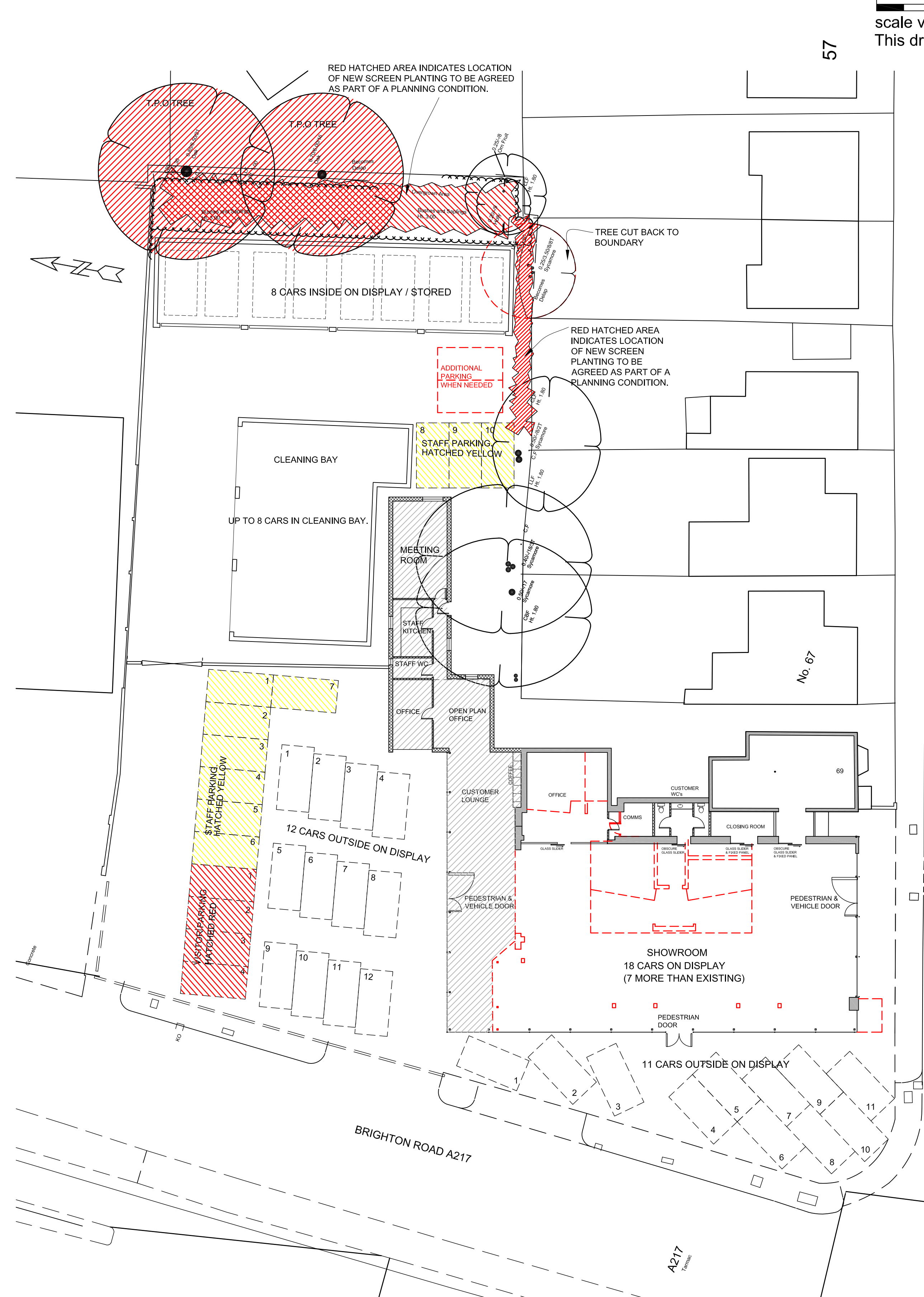
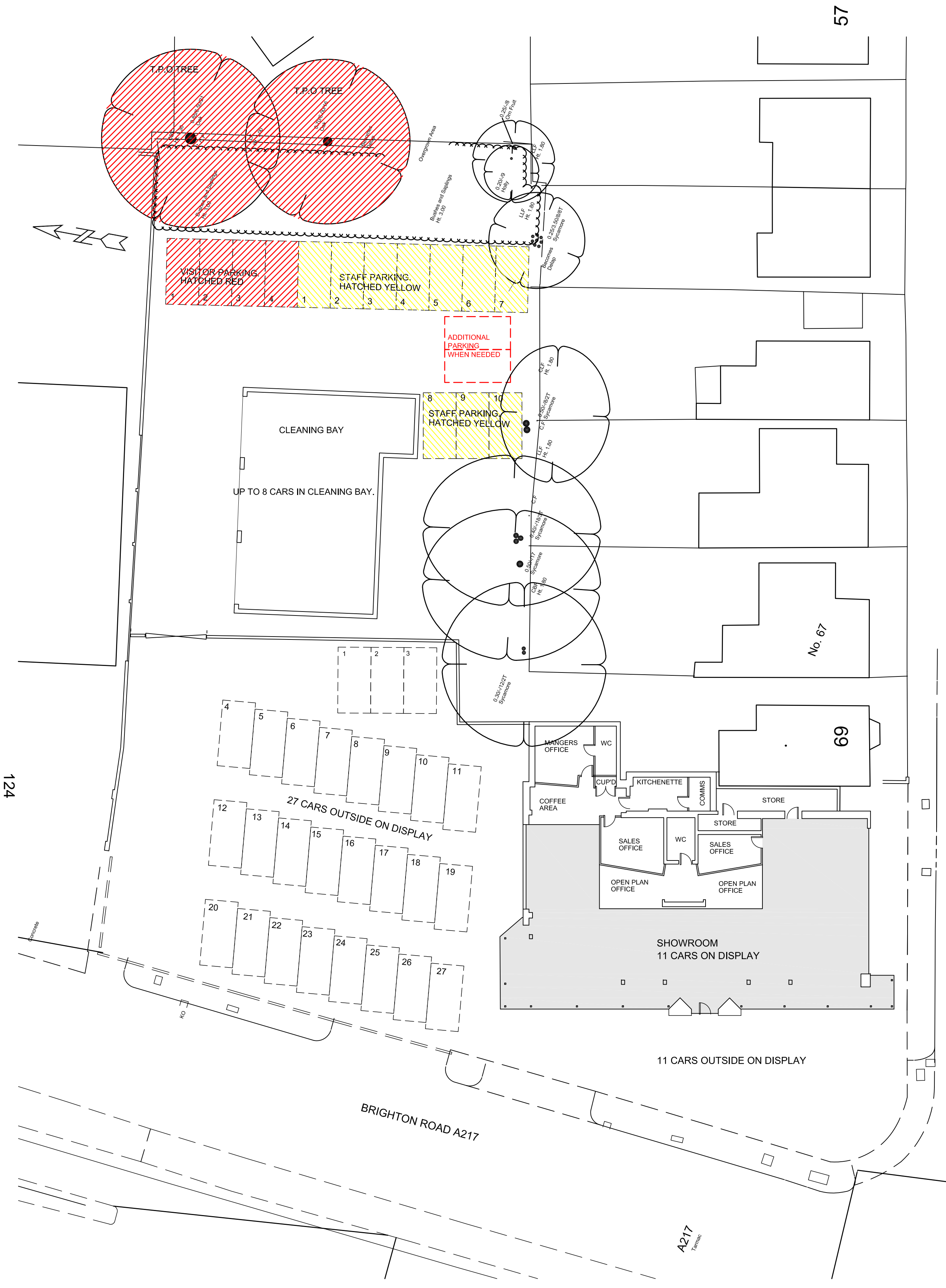
## **Proactive and Positive Statements**

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.

# 18/01414/F - Romans International Ltd, Romans Garage, Brighton Road, Banstead





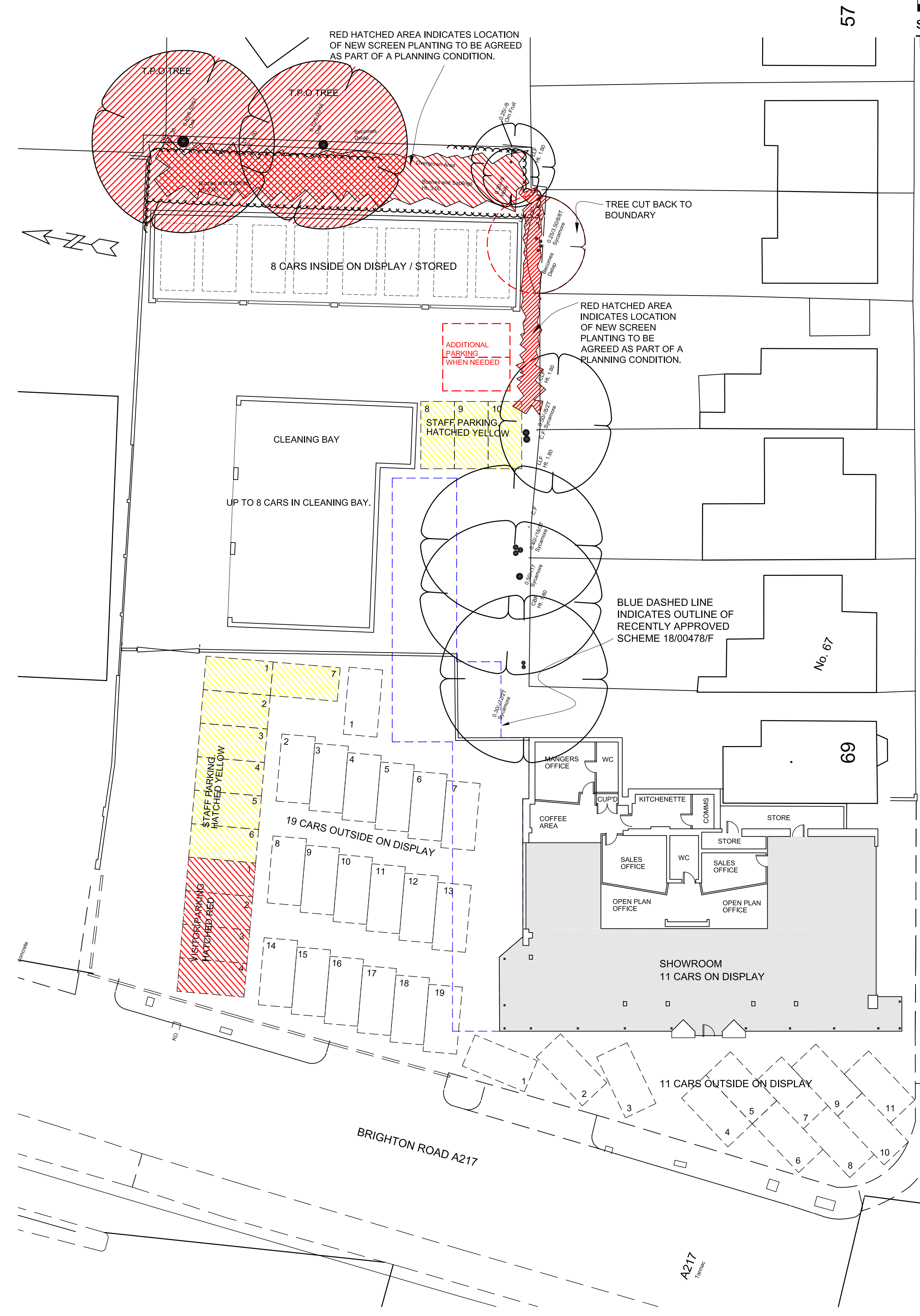
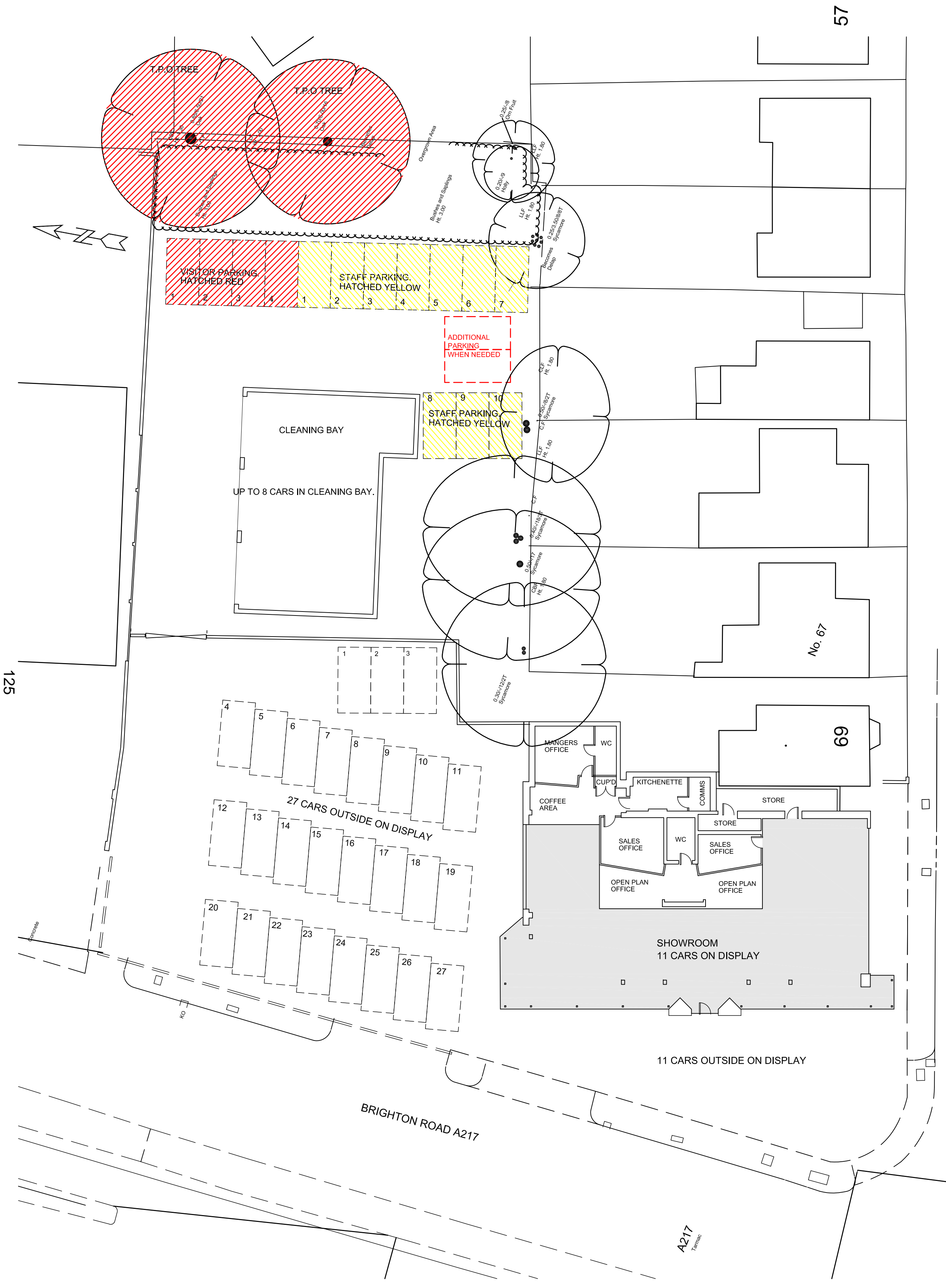


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PROJECT	ROMANS INTERNATIONAL BRIGHTON ROAD, BANSTEAD, SURREY SM7 1AT
DRAWING	PROPOSED GARAGES, EXISTING & PROPOSED SITE PLAN PHASE 2
SCALE	1:200
DATE	MAY 18
DRAWING NO	ROM/G/110
REVISION	





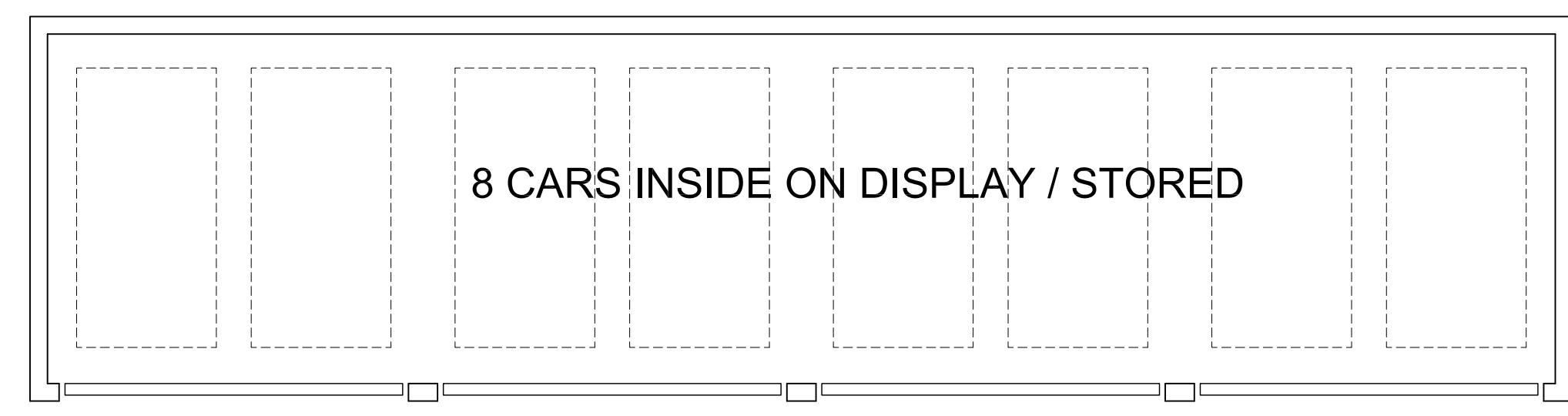
B) DRAWING LABELED "PHASE 1". 08.2018.  
A) PARKING CLARIFIED. 08.2018.

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PROJECT	
ROMANS INTERNATIONAL BRIGHTON ROAD, BANSTEAD, SURREY SM7 1AT	
DRAWING	
PROPOSED GARAGES, EXISTING & PROPOSED SITE PLAN PHASE 1	
SCALE	DATE
1:200	MAY 18
DRAWING NO	REVISION
ROM/G/100	B

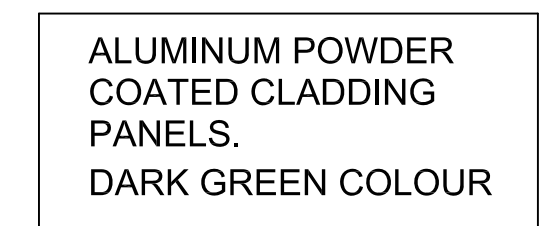




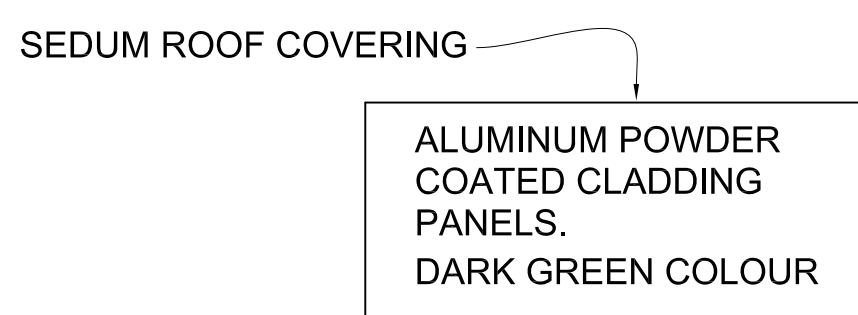
FLOOR PLAN 1:100



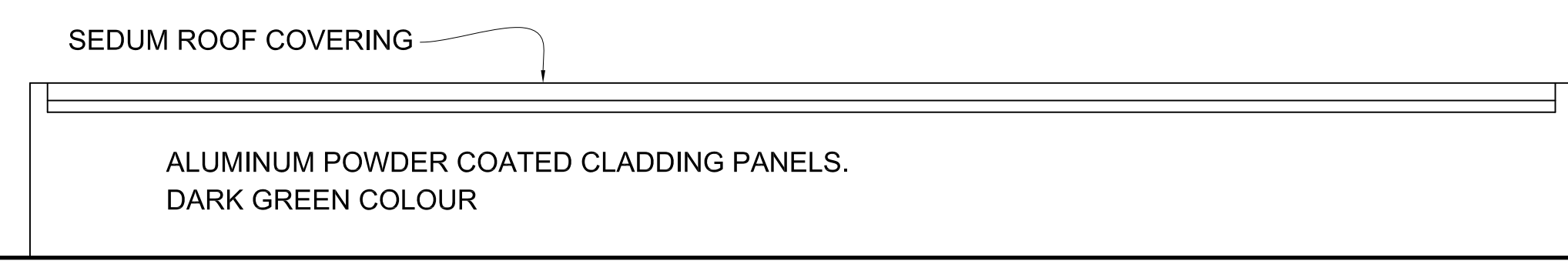
FRONT ELEVATION 1:100



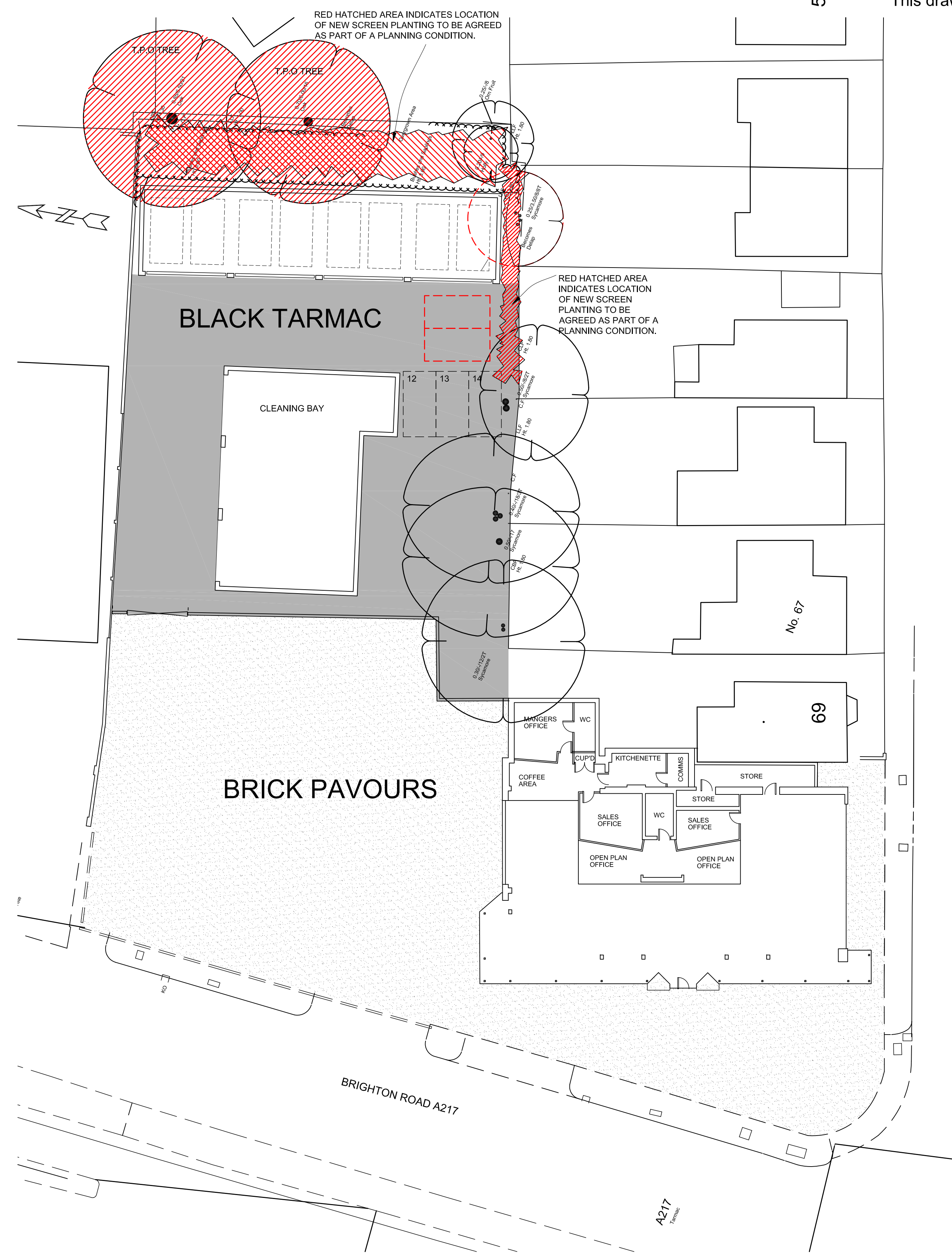
SIDE ELEVATION 1:100



SIDE ELEVATION 1:100



REAR ELEVATION 1:100



PROPOSED LANDSCAPE PLAN 1:200

B) LANDSCAPING ADDED TO REAR OF GARAGES. 08.2018.  
A) SEDUM ROOF & DARK GREEN CLADDING ADDED. 08.2018.

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PROJECT	
ROMANS INTERNATIONAL BRIGHTON ROAD, BANSTEAD, SURREY SM7 1AT	
DRAWING	
PROPOSED GARAGES. PROPOSED PLANS & ELEVATIONS LANDSCAPE PLAN	
SCALE	DATE
1:200	MAY 18
DRAWING NO	REVISION
ROM/G/101	B

# Agenda Item 9

Planning Committee  
3 October 2018

Agenda Item::9  
18/01424/F

 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	3 <sup>rd</sup> October 2018
	<b>REPORT OF:</b>	HEAD OF PLACES & PLANNING
	<b>AUTHOR:</b>	Billy Clements
	<b>TELEPHONE:</b>	01737 276087
	<b>EMAIL:</b>	billy.clements@reigate-banstead.gov.uk
<b>AGENDA ITEM:</b>	9	<b>WARD:</b> Merstham

<b>APPLICATION NUMBER:</b>	18/01424/F	<b>VALID:</b>	26 February 2018
<b>APPLICANT:</b>	The Limes Action Group Ltd	<b>AGENT:</b>	Michael Blacker Partnership
<b>LOCATION:</b>	<b>THE LIMES PUBLIC HOUSE, 58 ALBURY ROAD, MERSTHAM</b>		
<b>DESCRIPTION:</b>	<b>Demolition of an existing public house, and the construction of a new public house with flats over and associated parking on part of the site.</b>		
<b>All plans in this report have been reproduced, are not to scale, and are for illustrative purposes only. The original plans should be viewed/referenced for detail.</b>			

## SUMMARY

This is a full application for the erection of a new public house and first floor flats, together associated parking and outdoor space, on part of the site of the existing Limes Public House. This application follows the recent permission (18/00375/F) to redevelop the whole of The Limes site to provide a scheme of 10 dwellings.

This proposal would still result in the demolition of the existing pub; however, it would be replaced with a new, albeit smaller facility designed to serve the perceived needs of the local community. However, mindful of the fact that the total loss of the pub has already been accepted, this scheme, which would replace it with a new, albeit smaller facility designed to serve the perceived needs of the local community is supported in principle.

In terms of scale and massing, the building is considered to be compatible with the surroundings, including the scheme approved on the wider site. Enhancements to the design and appearance of the building have also been secured during the course of the application to better fit with local vernacular and the style of the recently consented scheme. Conditions securing materials and landscaping are recommended to reinforce a high quality finish.

The impact of the building on neighbouring properties has been carefully considered, including the potential future occupants of the housing scheme on the wider site. Reductions in the two storey depth of the building have been secured to ensure that the scheme would have an acceptable relationship with these potential neighbours in terms of overshadowing and overbearing. Adequate separation would be retained to existing



neighbours on Southcote Road and, in terms of use; this would be not different to the existing lawful pub use on the site.

The level of parking proposed, whilst limited, is considered to be acceptable in policy terms in the context of the use (as a pub) and the fact that it would likely serve a small catchment within the local community. The County Highway Authority has raised no objection to the proposed parking or the highway/transportation implications of the development subject to conditions.

Two first floor flats are included within the proposals. Mindful of the fact that these would not have an independent access or private amenity from the pub and given the potential disturbance issues which may arise from such a close relationship, it is considered that they would not provide satisfactory amenity for general market housing. The applicant has confirmed their intention for this accommodation to be used by staff and thus, given the issues identified, a condition requiring the flats to only be used in conjunction with the ground floor pub is considered necessary and reasonable. This overcomes any amenity concerns.

### **RECOMMENDATION(S)**

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

## Consultations:

Highway Authority: No objection subject to conditions. Response includes the following informative notes:

*To enable vehicles to safely manoeuvre into the parking spaces shown on the proposed site plan (drawing no. L2018/PL/003B), the existing vehicle crossover adjacent to number 14 Southcote Road would have to be modified by extending it to the boundary of the application site with number 14 Southcote Road (refer to area shaded pink on attached proposed site plan). The section of the redundant dropped kerb adjacent to the bus stop (refer to area shaded black on attached proposed site plan) would have to be raised and the footway reinstated to conform with the existing adjoining footway. Hence the requirement for condition 1.*

*The submitted plan (drawing no.L2018/PL/003B) shows 2 parallel parking spaces but does not indicate which of the 2 flats the spaces are allocated to. However, it is the CHA's understanding that the LPA intends to condition the flats so that they can only be used in conjunction with the pub (i.e. by a manager or member of staff) to avoid amenity issues. As such, it is not necessary to be specific at this stage about who the parking is assigned to since, essentially, they will be "staff" parking bays.*

## Representations:

Letters were sent to neighbouring properties on 17<sup>th</sup> July 2018 and on 20<sup>th</sup> August 2018 in relation to the amended plans. A site notice was posted at the site on 20<sup>th</sup> August 2018.

A total of 5 responses have been received (including duplicates on the original and amended plans); broadly three in support and two objections, raising the following issues:

<b>Issue</b>	<b>Response</b>
Noise & disturbance	See paragraphs 6.20 – 6.21 and condition 11
Overshadowing	See paragraphs 6.14 – 6.19
Overlooking and loss of privacy	See paragraphs 6.14 – 6.19
Overdevelopment	See paragraphs 6.7 – 6.13
Increase in traffic and congestion	See paragraph 6.26 - 6.31
Inconvenience during construction	See paragraphs 6.21 and condition 4
Inadequate parking	See paragraph 6.26 - 6.31 and conditions 8, 9, 10 and 11
No need for development	See paragraph 6.3 – 6.6 – each proposal must be considered on its own merits
Loss of private view	Not a material planning consideration
Community/regeneration benefit	See paragraphs 6.3 – 6.6
Economic growth/jobs	See paragraphs 6.3 – 6.6

## **1.0 Site and Character Appraisal**

- 1.1 The application site comprises part of the site of The Limes Public House, which is situated on the corner of Southcote Road and Albury Road. The wider site consists of the part single storey, part two storey pub with large surface car park to the front on Albury Road which occupies the northern half of the site along with a large garden area which occupies the southern half of the site. A mature protected Lime Tree is positioned centrally in the current pub garden area; but is off-site in relation to this application.
- 1.2 The site is within a predominantly residential area and is bounded by residential properties on all side which are typically detached/semi-detached and generally two storeys in scale. The Local Distinctiveness Design Guide identifies the site as lying within an area of Victorian/Edwardian development: buildings of this architectural era typify the immediate environs of the site; however, there are some instances of more modern 1950s/60s architecture, including the two semi-detached properties which adjoin the site on Albury Road.
- 1.3 The neighbouring properties on the southern side of Southcote Road are detached and set within long but relatively narrow plots often with generous landscaping and tree cover along the rear and side boundaries. Along Albury Road, the site is joined by a pair of semi-detached dwelling in more modest plots. The area has a relatively tightly space, fine urban grain.
- 1.4 As a whole, the application site has a site area of approximately 0.06ha.

## **2.0 Added Value**

- 2.1 Improvements secured at the pre-application stage: Pre-application advice was sought prior to submission of the application. Advice was given in relation to parking provision, the need to consider the depth, massing and siting of the building in relation to neighbouring properties amenity and in respect of achieving an acceptable high standard of design.
- 2.2 Improvements secured during the course of the application: A reduction in depth of the building at two storeys (by reducing the rear addition to single storey), significant enhancements to design approach and detailing and additional information in relation to cycle and car parking.
- 2.3 Further improvements to be secured through planning conditions or legal agreement: Conditions regarding landscaping and materials are recommended to ensure the development is high quality and complements the character of the area. A condition requiring the proposed first floor flat to be used only in connection with the pub is also recommended in the interests of amenity of future occupants.



### 3.0 Relevant Planning and Enforcement History

3.1	16/01772/F	Redevelopment of Public House for residential use, comprising block of 8 x 2 bed and 1 x 1 bed apartments, and 4 x 3 bed semi-detached dwellings.	Refused 9 <sup>th</sup> December 2016
	16/02909/F	Redevelopment of public house for residential use comprising block of 7 apartments (6 x 2 bed & 1 x 1 bed) and 4 x 3 bed detached/semi-detached dwellings.	Refused Appeal dismissed 28 <sup>th</sup> November 2017
	18/00375/F	Demolition of a public house with flat over, and construction of ten new dwellings consisting of five houses and a block of five flats, with associated parking and landscaping.	Approved with conditions 18 <sup>th</sup> May 2018

3.2 For clarity, application 18/00375/F proposed a residential redevelopment of the full site of The Limes Public House. The current application relates to only part of the site, effectively proposing the replacement pub in the location where two detached houses were previously approved under the above application.

### 4.0 Proposal and Design Approach

4.1 This is a full application for the erection of a new public house and first floor flats, together associated parking and outdoor space, on part of the site of the existing Limes Public House.

4.2 The building would accommodate the pub at ground floor (with additional basement) with a 2 bedroom flat and separate studio flat at first floor. Two parking spaces would be provided to the west side of the building with a small front courtyard and larger rear garden area.

4.3 The proposed building would have a hipped roof form, with front projecting gable and bay windows details.

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

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

Assessment	The Limes Public House is a 1960’s bow windowed property and is situated on the corner of Albury Road and Southcote Road. It is set back from Albury Road with a large carpark to the front of the property, and a beer garden to the side. The building is not within a Conservation Area.
	The existing pole signage would be re-used within the development.
Involvement	There is no direct evidence of community engagement/involvement in the evolution of the proposals in the submission documents; however, the D&A Statement notes that the proposal has arisen through community action (Limes Action Group) resulting from the existing pub being threatened with demolition. Formal pre-application advice was sought on the latest proposals.
Evaluation	There is no evidence of other options considered or evaluated within the D&A Statement.
Design	The applicant’s rationale for the proposals is to retain a pub of adequate size on the site and at the heart of the community. It is understood through discussions with the applicant that the size of the ground floor has been driven by the minimum space needs for a viable replacement pub. The D&A sets out that the proposals have been designed to not affect neighbouring properties daylight/sunlight.

4.6 Further details of the development are as follows:

Site area	0.06ha
Existing use	Public house, car park and garden area
Proposed use	Public house and residential
Proposed parking spaces	2
Parking standard	26 maximum (3 residential, 23 pub)
Net increase in dwellings	1
Proposed site density	34dph
Density of the surrounding area	Southcote Road – 38dph Albury Road (opposite site) – 30dph Endsleigh Road/Avenue Villas – 60dph

## 5.0 Policy Context

### 5.1 Designation

Urban Area  
Tree Preservation Order RE1464 (Lime) - adjacent

### 5.2 Reigate and Banstead Core Strategy

CS1(Presumption in favour of sustainable development)  
CS4 (Valued townscapes and historic environment)  
CS5 (Valued people/economic development)  
CS10 (Sustainable development),  
CS11 (Sustainable construction)  
CS12 (Infrastructure delivery)  
CS13 (Housing delivery)  
CS14 (Housing needs of the community)  
CS15 (Affordable housing)  
CS17 (Travel options and accessibility)

### 5.3 Reigate & Banstead Borough Local Plan 2005

Landscape & Nature Conservation	Pc4
Housing	Ho9, Ho13, Ho16
Community Facilities	Cf1, Cf2
Shopping	Sh2
Movement	Mo4, Mo5, Mo7
Utilities	Ut4

### 5.4 Other Material Considerations

National Planning Policy Framework	
National Planning Practice Guidance	
Supplementary Planning Guidance	Local Distinctiveness Design Guide Affordable Housing SPD Developer Contributions SPD
Other	Human Rights Act 1998 Community Infrastructure Levy Regulations 2010 (as amended)

## 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 residential development is acceptable in land use terms. The current proposal has been designed to address the reasons identified in the previously dismissed appeal.



- 6.2 The main issues to consider are:
- Principle of redevelopment
  - Design appraisal
  - Neighbour amenity
  - Trees and landscaping
  - Access and parking
  - Affordable Housing
  - Infrastructure contributions

#### Principle of redevelopment

- 6.3 The loss of the existing pub on the site has already been accepted and agreed in principle through the previous appeal case and subsequent recent approval for a residential development (18/00375/F).
- 6.4 This proposal would still result in the demolition of the existing pub; however, it would be replaced with a new, albeit smaller facility designed to serve the perceived needs of the local community. It is acknowledged, through the historic applications on the site, that the existing pub is viewed as a valued asset to some local residents and, for some, acts as a social “focal point” for the community.
- 6.5 Given this, and acknowledging that there is an existing pub on site, the development of a replacement pub is supported and a positive benefit in principle, particularly mindful of the provisions of the Framework (paragraph 92) which advises that planning authorities should plan positively for the provision of community facilities (such as pubs) to enhance the sustainability of local communities and “ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community”. There would be associated creation of jobs, albeit a potentially small number.
- 6.6 Being located in the urban area, there is no objection in principle to introduction of residential uses (as has been approved on the wider site). The interaction between the proposed residential units and pub in terms of amenity is discussed further below.

#### Design and effect on the character of the area

- 6.7 The proposed development would see the construction of a single, two storey building fronting onto Southcote Road.
- 6.8 In terms of scale and massing, the building is considered to be in keeping. The overall ridge height would be compatible with the heights of buildings in the immediate street scene – whilst slightly higher than the flat block approved on the corner as part of the wider Limes scheme (18/00375/F), it would be no higher than the previously approved detached dwellings on this part of the site and would also be slightly lower than the two detached houses immediately west of the site, thus providing an appropriate transition between the two. The eaves heights would similarly be compatible, resulting in a building which would read comfortably alongside existing and proposed neighbours.

- 6.9 The proposed building would have a relatively deep footprint, although not excessively so when compared to the two detached dwellings which were approved on this part of the site under 18/00375/F. The overall plot is considered to be adequate to accommodate a building of this size and whilst the depth results in an area of flat top crown roof, this feature would not be so prominent or conspicuous in the street scene so as to be harmful.
- 6.10 The standard of design and overall appearance of the building has been revised significantly during the course of the application and is now considered to respond more appropriately to the character of the area, with the introduction of a single front gable (typical feature of the area) and details such as bay windows and sash windows with stone detailing which better reflects the conventions and style of the Victorian/Edwardian properties which are distinctive to Albury Road and Southcote Road. Whilst the rear and side elevations are more ordinary and simple in their design, these are nonetheless felt to be acceptable and would be less visible within the street scene. The use of high quality materials will be critical to the success of the design and submission of material specification will be secured by condition.
- 6.11 The application proposes retention and re-siting of the existing pub sign (pole sign). This is not objectionable in principle but this signage, together with any on the building, would need separate advertisement consent in the fullness of time.
- 6.12 There would be a small front garden/courtyard to the front of the proposed public house. The plans appear to show that this would be enclosed along the frontage, although limited details of this – and any landscaping – have been provided at this stage. To ensure a high quality outcome, conditions regarding both landscaping and boundary treatments are recommended.
- 6.13 In conclusion, the proposal is considered to be well-designed and compatible with the character of the area. Subject to conditions, it would therefore comply with policy Cf2, Sh2 and Ho9 of the Borough Local Plan and policies CS4 and CS10 of the Core Strategy.

#### Effects on the amenity of neighbouring properties

- 6.14 The proposed development has been considered with regards to its impact on the amenity of neighbouring properties.
- 6.15 Given the similarity in the scale and form of the building, the relationship between the proposed development and properties opposite on Southcote Road would be similar to the relationships that were achieved in the approved residential scheme. The front to front distances of around 18-19m, which are dictated by the width of the road, are typical of an urban environment and adequate to ensure that there would not be any adverse impact in terms of overlooking, overbearing and overshadowing.
- 6.16 The building would generally follow the same building line as the neighbouring property at no.14 Southcote Road. Plot 1 would have a side driveway adjacent to the neighbour on Southcote Road such that the building would be around 2.8m

from the boundary. Whilst the proposed building would have a deeper footprint than this neighbour (no.14) and the previously approved detached dwelling (under 18/00375/F) – it is not considered that this would give rise to any significant adverse overbearing impact or undue dominance on 14 Southcote Road given the separation. Furthermore, an assessment in respect of overshadowing has been made applying the British Standard rules and, even acknowledging the additional depth of the proposed building; it would not infringe a 45 degree line taken from the rear windows of no.14. On this basis, whilst this neighbour may experience some change in relationship, it is not felt that the building now proposed would give rise to a harmful loss of amenity.

- 6.17 Consideration has also been given to the potential impact on the proposed dwellings on the wider residential scheme which was recently approved (18/00375/F), most notably Plots 3-7 and Plot 8. Whilst it is acknowledged that these units are yet to be built, the potential prejudice to their amenity is a material consideration in this case. With regard to the flats in the block at Plots 3-7, the building now proposed would be deeper along the shared eastern boundary with this block. The immediately adjoining proposed plot (Plot 3) has no windows in its rear (south) facing elevation; hence, whilst the now proposed building would be slightly deeper, it would not affect any windows in terms of outlook or overbearing. Proposed plot 3 has one side facing ground floor window towards the application site; however, in the approved scheme this would have faced onto the flank of another dwelling at any rate, thus the impact on it in this case would not be any different.
- 6.18 Plots 5 and 6 in the proposed block on the scheme approved under 18/00375/F both have a bedroom window which faces towards the application site. The flank wall of the building proposed in this application would extend deeper along the boundary with Plots 5-7 and would potentially occupy more of the aspect from these windows. However, it is considered that the building would be sufficiently far from this window (9.0m) such that the relationship would not be so different to the already approved situation. In coming to this view, account has been taken of the fact that the flank wall of the building proposed in this case would actually be c.0.8m further from the windows than under the approved scheme. The British Standard 25 degree rule would be passed in relation to both of these windows and thus it is not considered that they would experience unacceptable levels of overshadowing.
- 6.19 Plot 8 on the wider approved scheme comprises a single detached dwelling. The current scheme, as submitted, would have seen a two storey flank wall introduced along the vast majority of the rear end of its garden. Whilst there would have been some separation to the boundary, this would have been a significantly different relationship to the approved scheme and would have given rise to an overbearing impact detrimental to potential occupant's enjoyment of their garden. Through the course of the application, amendments were secured which reduce the rear projection on the proposed building to single storey. This change, which would significantly reduce the bulk as perceived from this neighbour, is considered sufficient to overcome the original concerns.



- 6.20 The retention of a pub use on this site, given the existing use, is not – in itself – considered to be incompatible or objectionable in terms of potential noise and disturbance for neighbours. The existing pub is not, from a planning perspective, subject to any controls regarding hours of use or numbers of patrons. The proposed pub and its garden would be considerably smaller than the existing and would, as a consequence, be likely to generate a reduced level of activity than the present. As above, other legislative regimes would protect neighbours from unneighbourly or anti-social behaviour arising from any visitors to the pub.
- 6.21 Concern has been raised from residents regarding inconvenience that may occur during the construction process if the application were to be granted. Whilst this is acknowledged, such impacts would be temporary and would not constitute a sustainable reason for refusal. Other legislative regimes, including statutory nuisance legislation, exist to protect neighbours and surrounding residents should significant unacceptable events and disturbance occur. Loss of a private view is not a material planning consideration.
- 6.22 For the reasons above, it is not considered that the proposals would give rise to an unacceptable impact on neighbour amenity. As such, it would comply with policies Sh2, Ho9 and Ho13 of the 2005 Borough Local Plan in this regard.

#### Amenity of future occupants

- 6.23 The proposal incorporates residential accommodation to the first floor above the ground floor pub. This is shown laid out as a two bedroom apartment and a separate smaller studio/bedsit type accommodation.
- 6.24 In and of itself, the two bedroom apartment would be of adequate internal size and layout to provide an acceptable day-to-day living environment. The smaller studio unit would just about satisfy the nationally described space standard. However, access to both units would be via a shared stairwell with the ground floor pub and through the pub garden to the rear. This lack of independent, private access together with the absence of any private amenity space and issues associated with the close relationship to, and potential disturbance from, the ground floor use are such that it is not felt that the apartments provide adequate overall amenity for general occupation but would be suitable for use by manager/staff associated with the pub as is typical of such businesses. The applicant has confirmed that their intention would be to use the units in this way.
- 6.25 Given this, and mindful of the parking provision which is discussed further below, it is considered reasonable and necessary to impose a condition requiring that the apartments are occupied only in conjunction with the ground floor pub use and are not sold, let or otherwise occupied for general housing needs. Subject to this condition, there would not be a conflict with Policy Ho9 in respect of amenity.

#### Accessibility, parking and traffic implications

- 6.26 The application proposes two parking spaces for serving the proposed pub which are located in a tandem arrangement to the side of the proposed building and accessed via a repositioned crossover from Southcote Road.

- 6.27 The proposed level of parking is significantly below the standard in the Borough Local Plan which would advise 26 spaces for the development; however, these are maximum standards, particularly for commercial developments. In this case, given the nature of the use (a pub), its size and the fact that it is intended to (and in all likelihood will) serve a localised catchment, the absence of parking for visitors is not considered to give rise to harm as there is a high likelihood that users will walk or alternatively use public transport (a bus stops directly outside the site). On street parking is not uncharacteristic of the area and there are demarcated bays on Albury Road which could be used by any customers who do drive, along with parking restrictions (double yellow lines) on the nearby junction which would prevent parking in dangerous positions. Furthermore, as above, the residential accommodation at first floor is proposed to be conditioned to be used only in conjunction with the pub (i.e. by manager or staff) which will ensure that the residential use does not give rise to its own parking demand. The County Highway Authority has raised no objection to the proposed level of parking, noting above the comments regarding local parking restrictions.
- 6.28 In terms of the access point, this is an existing access point to the rear yard of the existing pub which would be repositioned. The applicant has provided additional plans which demonstrate the satisfactory visibility and sight lines could be achieved. It is noted that the flow of traffic in an eastbound direction on Southcote Road is likely to be less given the western end of the road is subject to a one-way/no entry restriction. The County Highway Authority has raised no objection on the basis of safety of the access point subject to a condition requiring the modification of the existing crossover.
- 6.29 The proposals include provision of a bicycle store within the rear grounds of the pub which is considered adequate and would help to promote non-car travel by staff. A condition will be imposed requiring this to be installed prior to occupation.
- 6.30 The County Highway Authority has recommended the imposition of a Construction Transport Management Plan condition. Mindful of the tight residential nature of surrounding roads and the nearby park and football club which is likely to give rise to children and pedestrian activity, it is considered necessary and reasonable to impose such a condition in order to ensure that construction activities are managed and would not prejudice highway safety.
- 6.31 On this basis, the proposal is considered to be acceptable in respect of its parking provision and impact on the highway and therefore complies with policies Mo4 and Mo7 of the 2005 Borough Local Plan and Policy CS17 of the Core Strategy.

#### Trees and landscaping

- 6.32 The main feature of arboricultural interest on the wider site of The Limes is the mature Lime Tree which is protected by order RE1464. This tree is off-site in relation to the current application and is considered to be a sufficient distance from the footprint of the proposed building such that there would not be any adverse harm to it. There are also groups of smaller trees on the boundaries of

the beer garden and on adjoining neighbours gardens; however, these are also considered to be sufficiently separated from the proposed building such that specific tree protection measures are not warranted in this case.

- 6.33 As above, there is scope for some landscaping to be introduced within the front garden area of the proposed pub to help soften the frontage and provide consistency with the recently approved housing scheme. A landscaping condition is proposed to secure details of this.
- 6.34 Subject to the recommended conditions, the proposal would not therefore impact upon the tree stock and has the potential to enhance long term tree cover in the area, and thus would comply with policies Pc4 and Ho9 of the Borough Local Plan.

#### Affordable housing and infrastructure contributions

- 6.35 Core Strategy Policy CS15 and the Council's Affordable Housing SPD require financial contributions towards affordable housing to be provided on housing developments of 1-9 units such as this.
- 6.36 However, in November 2014, the Government introduced policy changes through a Written Ministerial Statement (WMS) and changes to the national Planning Practice Guidance which restrict the use of planning obligations to secure affordable housing contributions from developments of 10 units or less and with a gross floor area of 1,000sqm or less. These changes were given legal effect following the Court of Appeal judgement in May 2016. This scheme falls within the scope of this exception.
- 6.37 In view of the above, and the resolution of the Planning Committee in November 2016, greater weight is therefore given to the national policy position in the WMS than the Council's adopted policy. For this reason, it is not considered justified to seek contributions towards affordable housing in this case and the absence of an agreed undertaking does not therefore warrant a reason for refusal in this case.
- 6.38 As the proposals involve the creation of new dwellings, the development would be CIL liable. The exact amount of liability would be determined and collected after the grant of planning permission. A detailed assessment would be required in due course, taking account of existing buildings on the site and the overlap with the already consented housing scheme.
- 6.39 Legislation (Regulation 122 of the CIL Regulations) and national policy requires that only contributions that are directly required as a consequence of development can be secured through planning obligations. Requests of this nature must be fully justified with evidence including costed spending plans to demonstrate what the money requested would be spent on. In this case, no such requests have been made.



Other matters

- 6.40 The development would make effective use of a previously developed (brownfield) site, consistent with national and local policies which prioritise the use of sustainable urban sites. Both of these are considered to add further, albeit modest, weight in favour of the proposal. Objection has been raised in some representations regarding the already consented housing scheme on the wider site; however, the principle and acceptability of this has already been established and is not a matter which can be re-opened in the determination of this case.
- 6.41 The site is within Flood Zone 1 according to the Environment Agency Flood Maps and is not therefore considered to be at particular risk of fluvial flooding. Given the size of the scheme, a Sustainable Urban Drainage System is not required by policy.

**CONDITIONS**

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Elevation Plan	L2018/ELE/005	B	20.08.2018
Site Layout Plan	L2018/PL/003	B	20.08.2018
Floor Plan	L2018/GA/001	B	20.08.2018
Street Scene	L2018/ELE/006	C	10.09.2018
Block Plan	L2018/PL/002	B	20.08.2018
Location Plan	L2018/PL/001		28.06.2018

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 other than demolition shall take place until the developer obtains the Local Planning Authority's written approval of details of both existing and proposed ground levels across the site 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 Borough Local Plan 2005 policy Ho9.

4. No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) provision of boundary hoarding behind visibility zones

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:

To ensure that the development would not prejudice highway safety nor cause inconvenience to other highway users to satisfy policies Mo5 and Mo7 of the Reigate and Banstead Borough Local Plan 2005 and the objectives of the NPPF 2012.

5. No above ground or superstructure works on the building hereby approved shall take place until a scheme for the landscaping and replacement tree planting of the site including the retention of existing landscape features has been submitted and approved in writing by the local planning authority. The landscaping scheme shall include details of hard landscaping, front boundary walls, 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 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.

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 policies Pc4 and Ho9 of the Reigate and Banstead Borough Local Plan 2005 and the recommendations within British Standard 5837.

6. No above ground or superstructure works on the building hereby approved shall take place 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 Borough Local Plan 2005 policies Ho9 and Ho13.

7. Notwithstanding the submitted plans, the development hereby approved shall not be first occupied unless and until the proposed the existing vehicular access to Southcote Road adjacent to no.14 Southcote Road has been modified and provided with visibility zones in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall also include reinstatement of any redundant dropped kerbs and associated footway. Thereafter, the visibility zones to the modified access shall be kept permanently clear of any obstruction over 0.6m above ground.

Reason:

In order that the development should not prejudice highway safety nor pedestrian safety or cause inconvenience to other highway users with regard to policies Mo5 and Mo7 of the Reigate and Banstead Borough Local Plan 2005, Policy CS17 of the Reigate and Banstead Core Strategy and the objectives of the NPPF 2012.

8. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked. Thereafter the parking areas shall be retained and maintained for their designated purposes.

Reason:

In order that the development should not prejudice highway safety nor pedestrian safety or cause inconvenience to other highway users with regard to policies Mo5 and Mo7 of the Reigate and Banstead Borough Local Plan 2005, Policy CS17 of the Reigate and Banstead Core Strategy and the objectives of the NPPF 2012.

9. The development hereby approved shall not be first occupied unless and until secure and covered parking of a minimum of 2 bicycles has been provided within the development site in accordance with the approved plans. Thereafter, the said approved facility shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason:

To ensure that the development would promote sustainable transport choices with regard to Policy CS17 of the Reigate and Banstead Core Strategy 2014 and in recognition of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2012

10. The first floor residential units hereby approved shall only be used and occupied in connection with, and ancillary to, the proposed ground floor public house use and for no other purpose.

Reason:

In order to control the use in the interest of issues of the residential amenity of future occupants and in recognition of the level of car parking with regard to policies Ho9 and Mo7 of the Reigate and Banstead Local Plan 2005.

11. The ground floor unit hereby approved shall only be occupied as a public house falling within Use Class A4 and 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 change of use shall occur without planning permission obtained from the Local Planning Authority.

Reason:



To ensure there is adequate control over the future use of the unit in order to safeguard the amenity of surrounding occupiers and in view of the level of parking provision with regard to Reigate and Banstead Borough Local Plan 2005 policy Cf2, Sh2 and Mo7.

## INFORMATIVES

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at [www.firesprinklers.info](http://www.firesprinklers.info).
2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions.
3. The applicant is advised that prior to the occupation of the development, adequate provision should be made for waste storage and collection. You are advised to contact the Council's Recycling and Cleansing team to discuss the required number and specification of wheeled bins for both the individual dwellings, the communal dwellings/flats and the commercial space on [rc@reigate-banstead.gov.uk](mailto:rc@reigate-banstead.gov.uk) or on the Council's website at [http://www.reigate-banstead.gov.uk/info/20051/commercial\\_waste](http://www.reigate-banstead.gov.uk/info/20051/commercial_waste).
4. 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](http://www.ccscheme.org.uk/index.php/site-registration).

5. The use of landscape/arboricultural consultant is considered essential to provide acceptable submissions in respect of the above relevant conditions.

Replacement planting of trees and shrubs shall be in keeping with the character and appearance of the locality.

6. With respect to condition 4, details for the proposed boundary walls fronting Albury Road and Southcote Road will be expected to reflect the style and appearance of the brick and flint boundary walls which existing on properties opposite the site.
7. The application site is situated on or in close proximity to land that could be potentially contaminated by virtue of previous historical uses of the land. As a result, there is potential for a degree of ground contamination to be present beneath part(s) of the site. Groundworkers should be made aware of this so suitable mitigation measures and personal protective equipment measures (if required) are put in place and used. Should significant ground contamination be identified, the Local Planning Authority should be contacted promptly for further guidance.
8. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the highway authority before any works are carried out on any footway, footpath, carriageway, or verge to form or modify a vehicle crossover to install dropped kerbs. Please see [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs)
9. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road marking, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
10. When access is to be closed as a condition of planning permission and agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the adjoining existing surfaces at the developers expense.
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. 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](http://www.reigate-banstead.gov.uk/info/20277/street_naming_and_numbering)

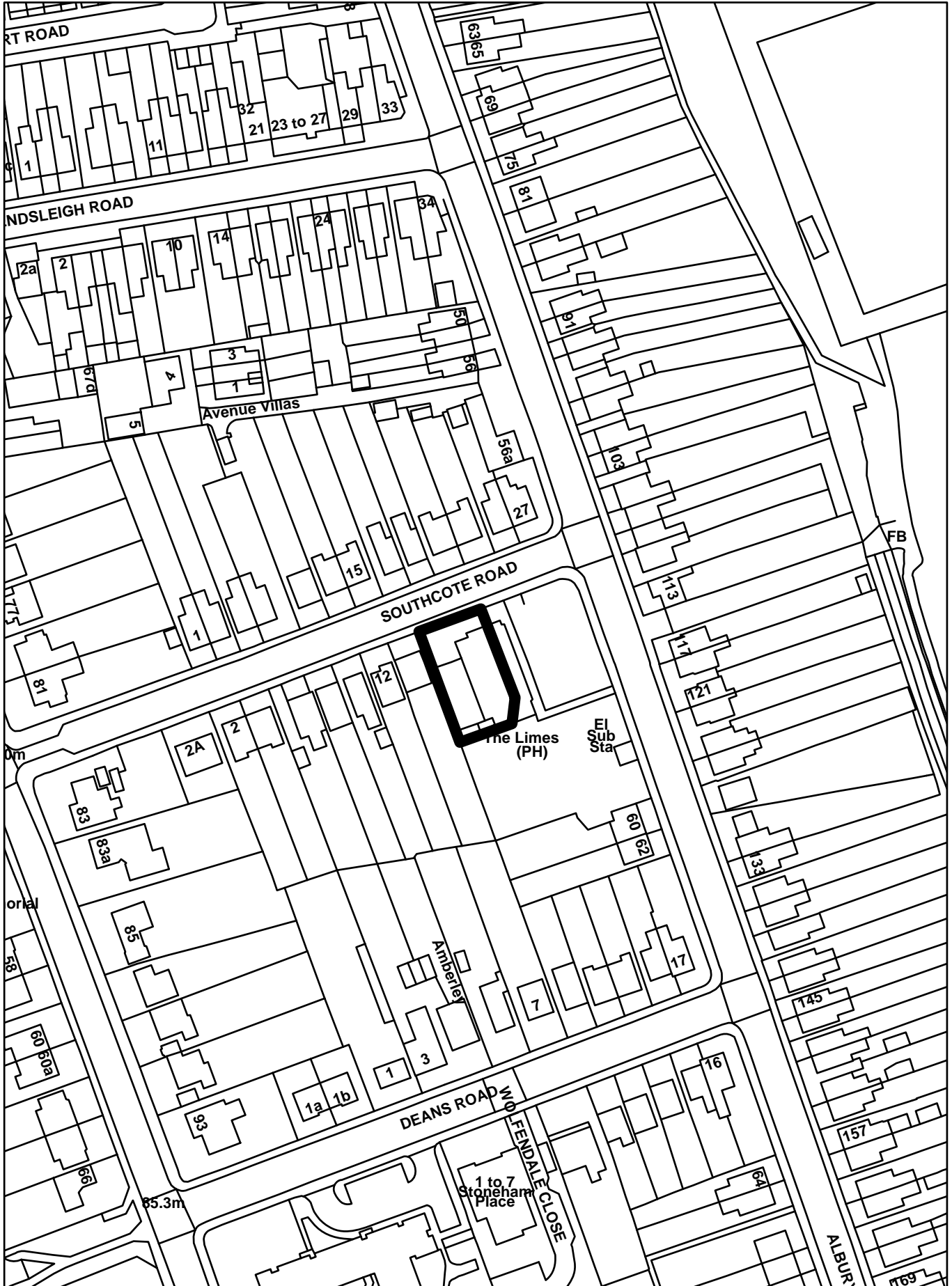
## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against development plan policies Ho9, Ho13, Ho16, Pc4, Cf1, Cf2, Sh2, Mo4, Mo5, Mo7 and Ut4 of the 2005 Borough Local Plan and policies CS1, CS4, CS5, CS10, CS11, CS12, CS13, CS14, CS15 and CS17 of the Reigate and Banstead Core Strategy and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

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



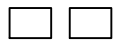
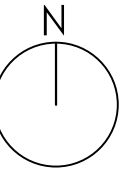
# 18/01424/F - The Limes Public House, 58 Albury Road, Merstham



ALBURY ROAD

Approx. 5 on-street parking spaces un-demarcated

Proposed Access



SOUTHCOOTE ROAD  
147

2.4 x 34m SITE LINE

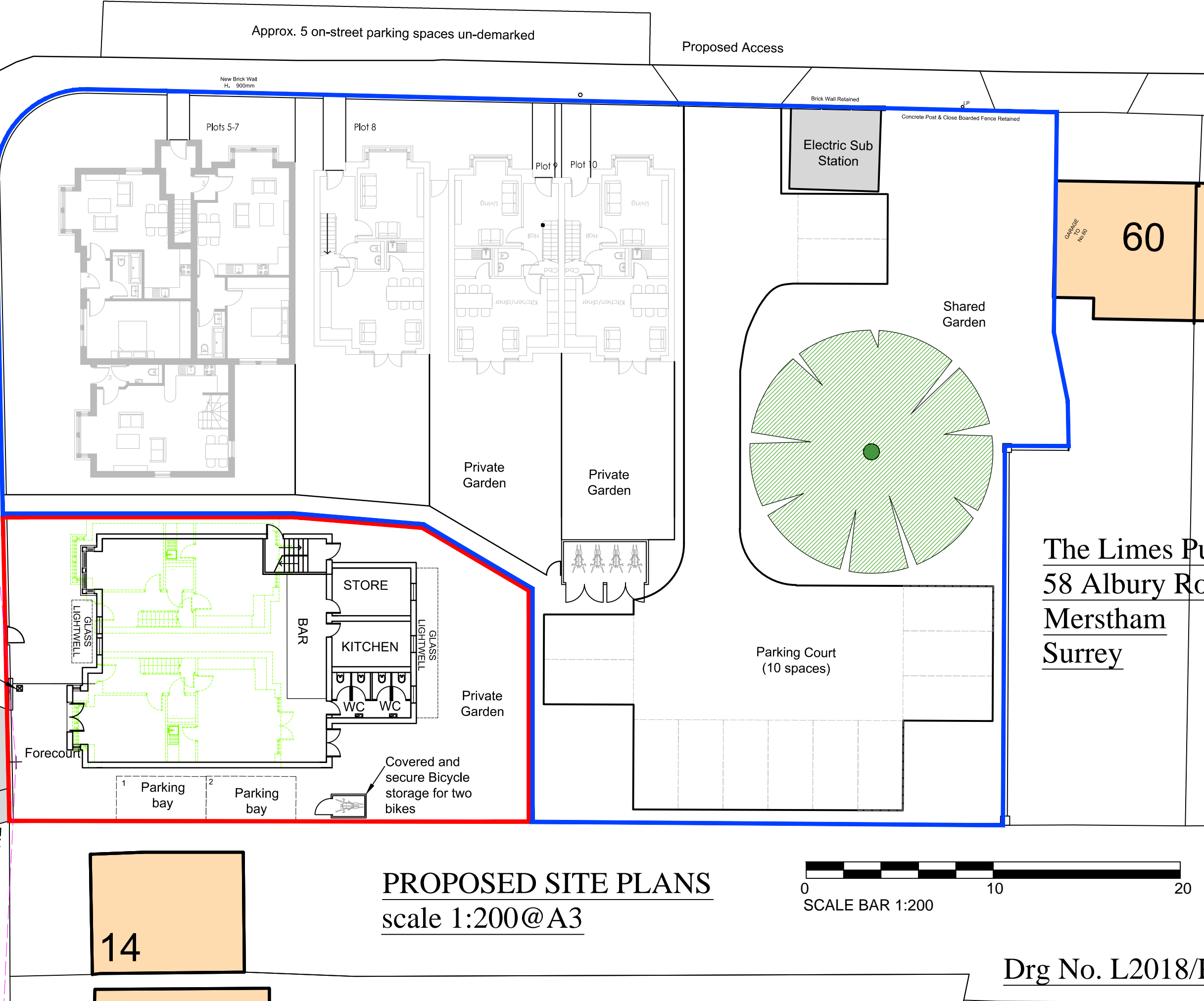
Original Pub signage to be retained and relocated

Bus Stop

Existing dropped kerb

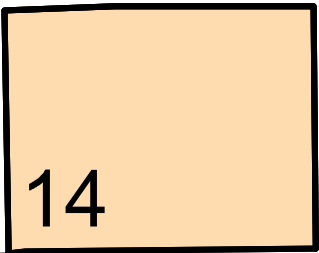
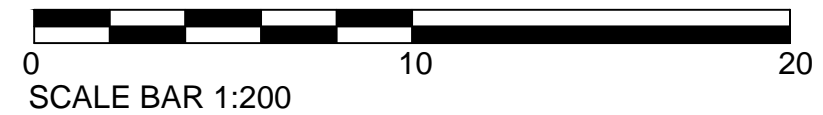
There are to be no obstructions within the sight line area above 0.6m high above the ground within the application site

2.4 x 34m SITE LINE

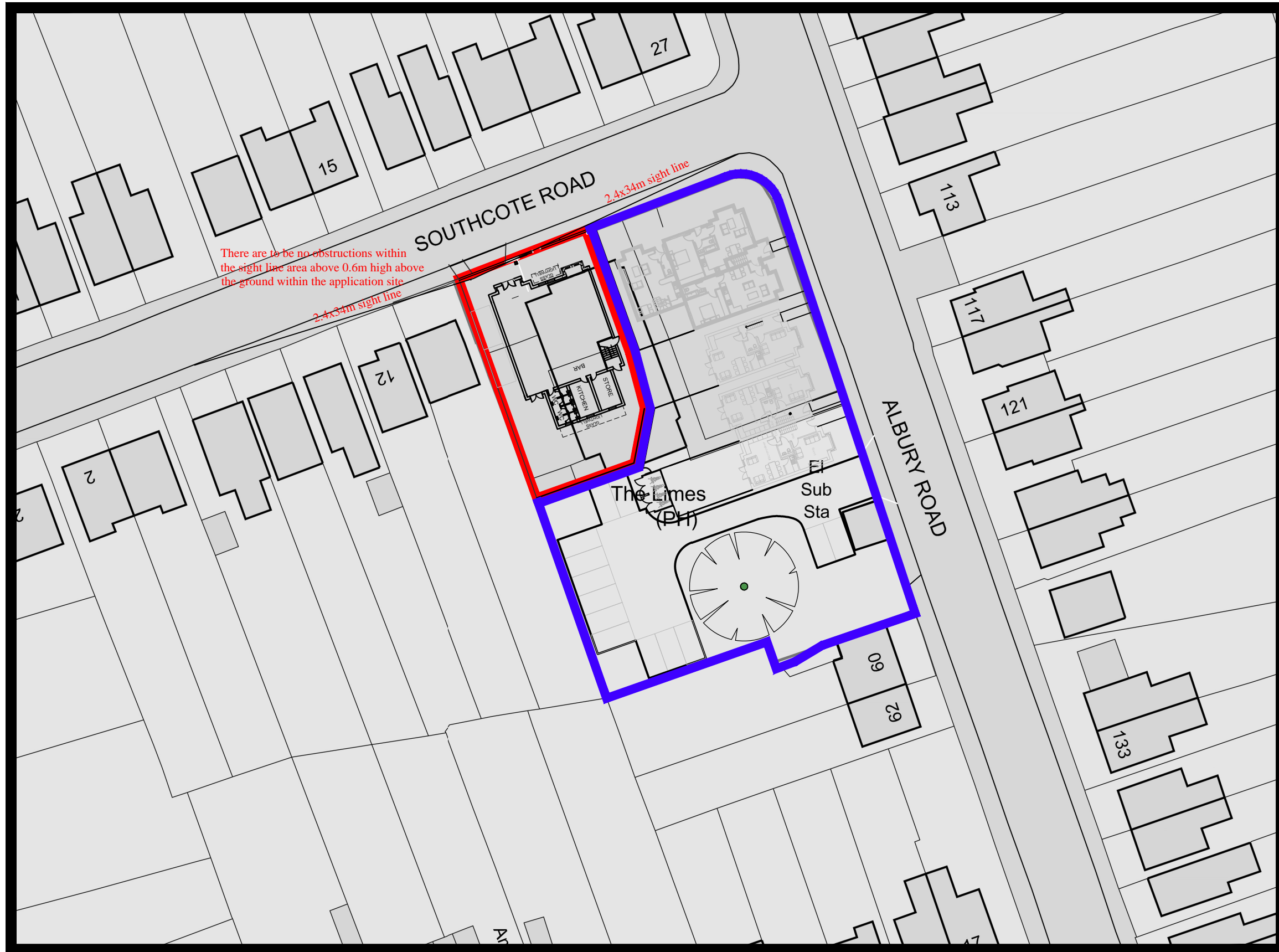


**The Limes Public House**  
**58 Albury Road**  
**Merstham**  
**Surrey**

**PROPOSED SITE PLANS**  
scale 1:200@A3

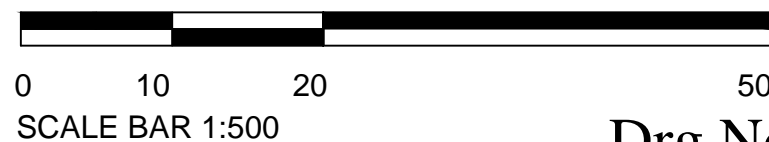
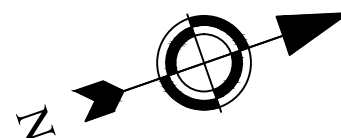


**Drg No. L2018/PL/003B**



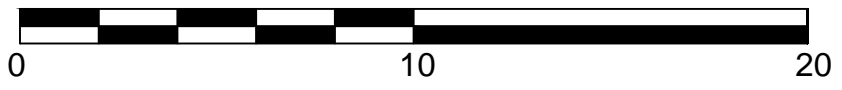
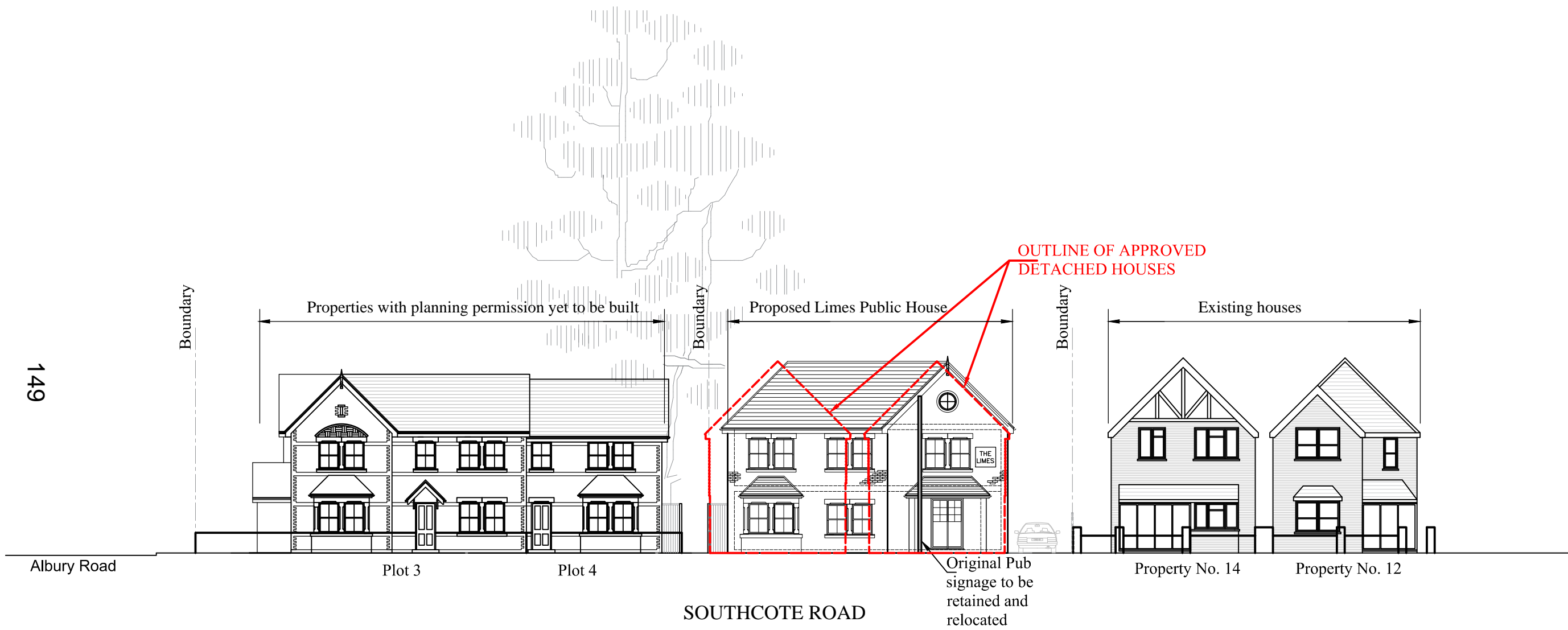
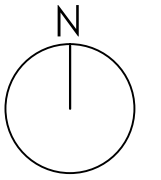
The Limes Public House  
58 Albury Road  
Merstham  
Surrey

BLOCK PLAN  
scale 1:500



Drg No. L2018/PL/002B





SCALE BAR 1:200

**PROPOSED STREET ELEVATION**  
**scale 1:200@A3**

The Limes Public House  
58 Albury Road  
Merstham  
Surrey

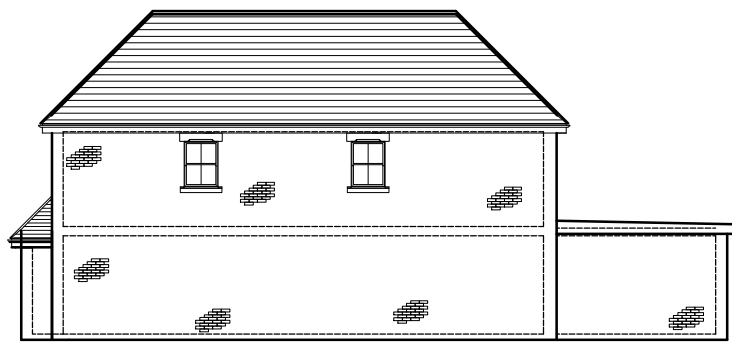
Drg No. L2018/ELE/006C



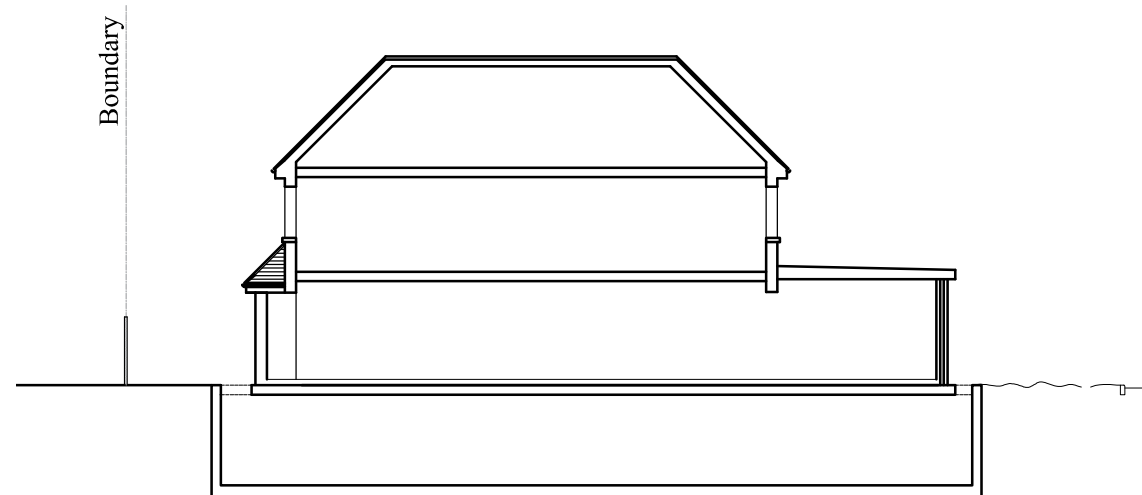
FRONT ELEVATION



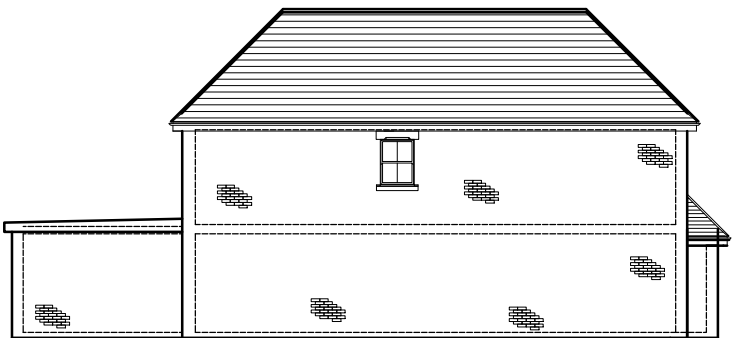
REAR ELEVATION



RH SIDE ELEVATION

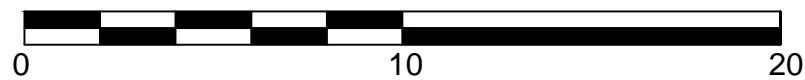


SECTION THRU



LH SIDE ELEVATION

150

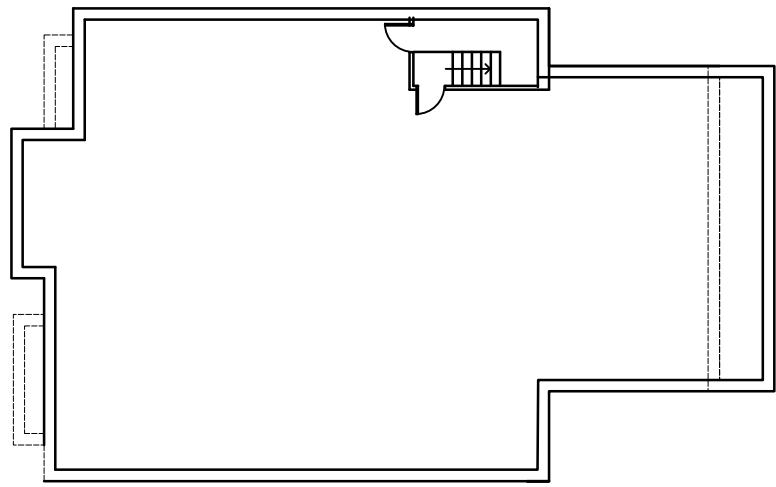


SCALE BAR 1:200

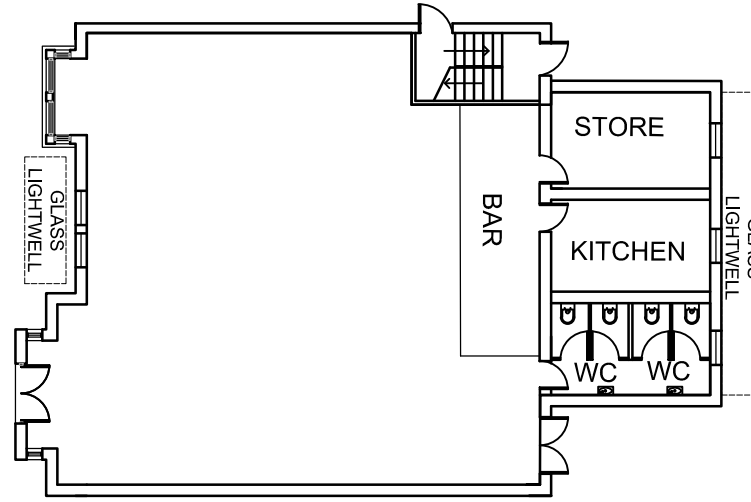
PROPOSED ELEVATIONS  
scale 1:200@A3

The Limes Public House  
58 Albury Road  
Merstham  
Surrey

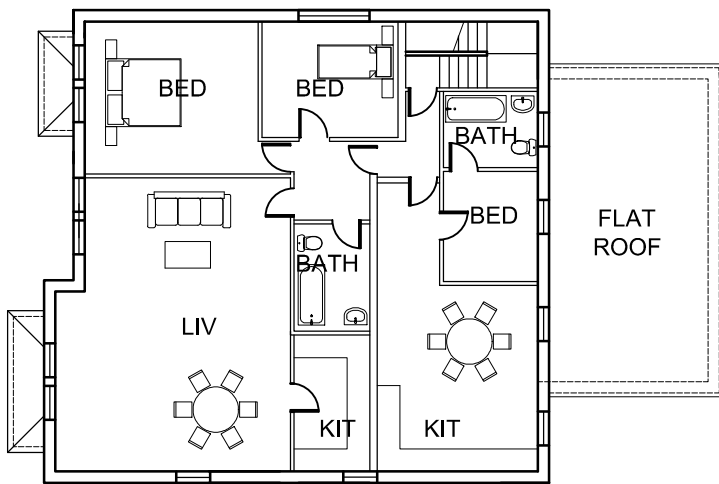
Drg No. L2018/ELE/005B



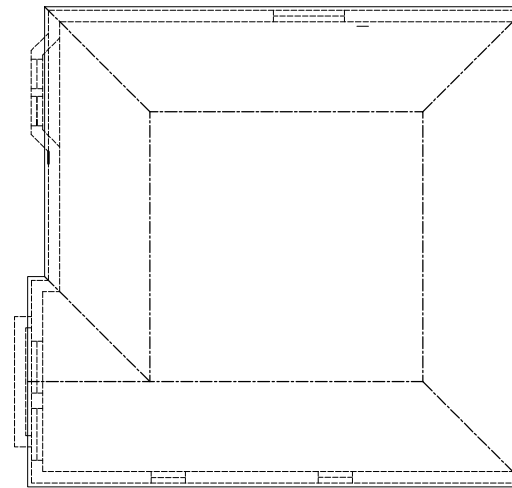
CELLAR  
206m<sup>2</sup>



GROUND FLOOR  
167m<sup>2</sup>

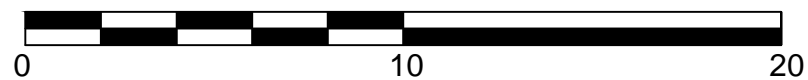


FIRST FLOOR



ROOF

151



SCALE BAR 1:200

PROPOSED FLOOR PLANS  
scale 1:200@A3

The Limes Public House  
58 Albury Road  
Merstham  
Surrey

Drg No. L2018/GA/001B




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# Agenda Item 10

Planning Committee  
3 October 2018

Agenda Item: 10  
18/01694/HHOLD

 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	3 October 2018
	<b>REPORT OF:</b>	HEAD OF PLACES & PLANNING
	<b>AUTHOR:</b>	Clare Chappell
	<b>TELEPHONE:</b>	01737 276004
	<b>EMAIL:</b>	Clare.Chappell@reigate-banstead.gov.uk
<b>AGENDA ITEM:</b>	10	<b>WARD:</b> Merstham

<b>APPLICATION NUMBER:</b>	18/01694/HHOLD	<b>VALID:</b>	<b>07/08/2018</b>
<b>APPLICANT:</b>	Mr R Bartholomew	<b>AGENT:</b>	The Michael Blacker Partnership
<b>LOCATION:</b>	<b>63 BLETCHINGLEY ROAD, MERSTHAM, REDHILL</b>		
<b>DESCRIPTION:</b>	<b>Construction of a new vehicle crossover.</b>		
<b>All plans in this report have been reproduced, are not to scale, and are for illustrative purposes only. The original plans should be viewed/referenced for detail.</b>			

**This application is referred to Committee in accordance with the Constitution as the applicant's agent is a Borough Councillor and a member of the Planning Committee.**

## SUMMARY

The application seeks permission for a vehicular crossover (dropped kerb). Planning permission is required as the road is classified as a 'C' road.

The proposed hard landscaping will result in a slight change to the appearance of the street scene but overall, the impact is not considered to be harmful to the character of the area. The Council's Tree Officer is satisfied that a condition securing tree protection measures will be adequate to ensure no harm occurs to the two nearby street trees during the construction phase.

## RECOMMENDATION(S)

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

## **Consultations:**

Highway Authority: No objection subject to standard conditions and informatives.

Tree Officer: No objection subject to tree protection plan condition.

## **Representations:**

Letters were sent to neighbouring properties on 8 August 2018. No representations have been received.

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

- 1.1 The application site comprises a modest two storey mid-terrace house set in a modest plot. The property is located on the north side of Bletchingley Road and is fairly well set-back from the road by a strip of Raven Housing Trust owned grass verge, the public footpath and a small frontage. There are two mature street trees (on the grass verge) that could be affected by the proposed development. The site is relatively flat but with a slight gradient from the Raven verge down to Bletchingley Road.
- 1.2 The application site is located in a predominately urban area. The surrounding area is characterised by semi-detached and terraces of post-war, low-rise, social housing.

### **2.0 Added Value**

- 2.1 Improvements secured at the pre-application stage: The opportunity did not arise because the applicant did not approach the Local Planning Authority before submitting the application.
- 2.2 Improvements secured during the course of the application: Location of parking space was added to the drawing to remove the need for later discharge of the second Highways condition.
- 2.3 Further improvements could be secured: A condition will be placed on the grant of permission to ensure that 'grasscrete' or similar, as specified in the application, is the material used for the hard surfaces. There will be a tree protection plan condition relating to the two street trees. There will also be Highways conditions.

### **3.0 Relevant Planning and Enforcement History**

- 3.1 No previous planning or enforcement cases.

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

- 4.1 The proposal is for a vehicular crossover (dropped kerb). Planning permission is required as the road is classified as a 'C' road. The crossover would be 4.8m wide at the dropped kerb, narrowing to 3.0m wide.



## 5.0 Policy Context

### 5.1 Designation Urban Area

### 5.2 Reigate and Banstead Core Strategy CS4 (Valued Townscapes and Historic Environment)

### 5.3 Reigate & Banstead Borough Local Plan 2005 Housing Ho9, Ho13, Ho16 Movement Mo5, Mo7

### 5.4 Other Material Considerations

National Planning Policy Framework

Supplementary Planning Guidance Householder Extensions and Alterations 2004

Other Human Rights Act 1998

## 6.0 Assessment

6.1 The application site is situated within the urban area where there is a presumption in favour of sustainable development.

6.2 The main issues to consider are:

- Impact on local character
- Neighbour amenity
- Highway Matters
- Impact upon trees

### Impact on local character

6.3 There is an existing garden to the front of the property with paving and some planting. There is a dwarf brick wall and metal gate along the front boundary. The creation of a hard surface would fall under permitted development and it is accepted that many homeowners choose to have off-street parking at the expense of a front garden. The proposed crossover and dropped kerb would allow access to a hard surfaced area for off-road parking. The proposed alterations would have little detrimental impact on the character of the area as no built volume would be created. The proposal specifies 'grasscrete' or similar for the crossover which is favourable because it preserves some of the green appearance of the grass verge. There are other similar examples of crossovers/dropped kerbs in the area which have been granted planning permission.

- 6.4 Overall, the proposal is considered acceptable in terms of its design and character impact and accords with policies Ho9, Ho13 and Ho16 of the Borough Local Plan 2005 and the Council's SPG 2004.

Neighbour Amenity

- 6.5 Whilst giving rise to a degree of change to the street scene, the proposed scheme would not adversely affect the amenity of neighbouring properties, and complies with policy Ho9.

Highway Matters

- 6.6 The application relates to a new access onto a classified road. The County Highway Authority was consulted on the application and has raised no objection to the proposals on highways safety, capacity and policy grounds subject to a number of conditions which are reflected in the recommendation below.
- 6.7 The response of the CHA did raise a point of clarification in that the plan submitted by the applicant (drawing no. 02) did not show a layout of the parking space. IN response to this, the applicant provided an updated drawing to indicate the car parking space in the existing front garden. Therefore, condition no.2 as recommended by the CHA can be amended as follows as there is no longer a need for a further submission.

Impact upon trees

- 6.8 The Council's Tree Officer was consulted on the application due to the two mature street trees (oaks) near to the proposed crossover.

The Tree Officer's initial comments were as follows:

"I cannot support this application because no arboricultural information has been provided demonstrating how the vehicle crossing can be constructed without causing damage to the highway tree. The case officer photographs clearly show it is a mature specimen and contributes to the street scene and therefore it would not be unreasonable for the relevant arboricultural information (tree protection plan and method statement ) is provided at the application stage, failure to do so will quite likely result in damage to the trees root system which is likely to lead to its decline. Therefore, in the absence of detailed arboricultural information I cannot support this application and recommend it is refused."

- 6.9 In response to the above comments, the agent for the application has produced a sketch showing the calculated root protection areas of the oak trees.

The Tree Officer's comments were as follows:

"Thank you for the additional information which goes part way addressing my initial concerns. Whilst the plan shows the RPA of the two street trees does not extend into the crossover, no consideration has been given to its location and the fact that the edge of the pavement is likely to act as a constraint to their rooting system means the RPA has to be modified to take into account of its location. Once modified it is likely the RPA will extend into the cross over area. As the surveyor has

graded one of the trees as an A grade specimen, it is imperative that it is protected and no harm occurs during construction phase. To address this concern it will be necessary for a detailed TPP to be attached to the decision notice.”

In accordance with the Tree Officer’s recommendation, a detailed tree protection plan condition is recommended to be attached to the permission as set out below.

## CONDITIONS

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan			07.08.2018
Combined Plan	01	B	23.08.2018
Combined Plan	02		03.08.2018

Reason:

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

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

Reason:

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

3. The materials to be used in the construction of the external surfaces of the development must be as specified within the application documents.

Reason:

To ensure that the development hereby permitted is only constructed using the appropriate external facing materials or suitable alternatives in the interest of the visual amenities of the area with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9 and Ho13.

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

Reason:

To ensure good arboricultural practice in the interests of the maintenance of 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 Pc4 and Ho9 of the Reigate and Banstead Borough Local Plan.

5. The proposed vehicular access to Bletchingley Road shall be constructed in accordance with the approved plans and thereafter permanently maintained.

Reason:

To ensure that the development would not prejudice highway safety nor cause inconvenience to other highway users with regard to the objectives of the NPPF (2012), and to satisfy policies Mo5 and Mo7 of the Reigate and Banstead Borough Local Plan (2005).

6. No vehicle shall access number 63 Bletchingley Road, unless and until space has been laid out within the site for vehicles to be parked in accordance with the approved plans. Thereafter the parking area shall be retained and maintained for its designated purpose.

Reason:

To ensure that the development would not prejudice highway safety nor cause inconvenience to other highway users with regard to the objectives of the NPPF (2012), and to satisfy policies Mo5 and Mo7 of the Reigate and Banstead Borough Local Plan (2005).

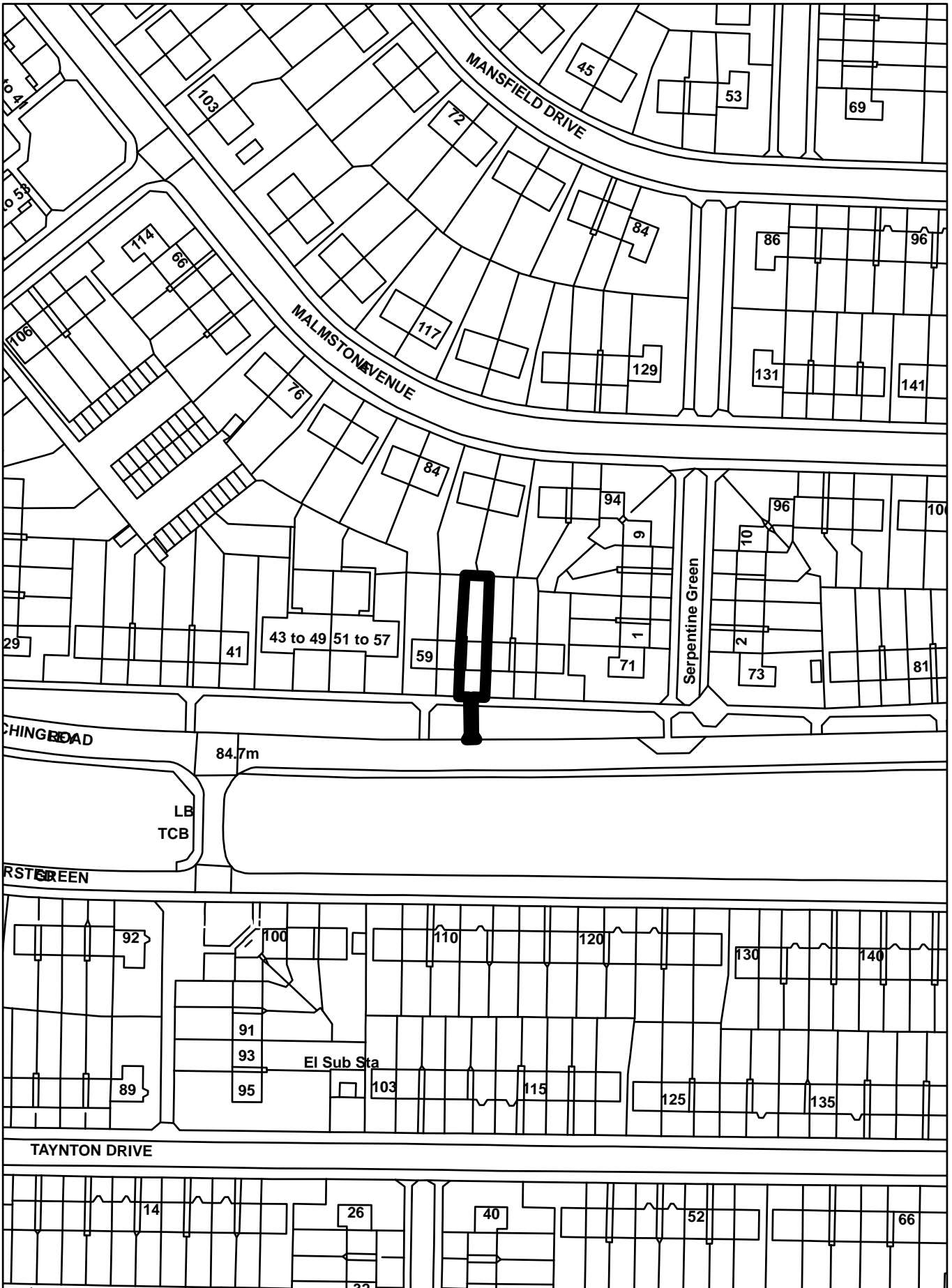
## **REASON FOR PERMISSION**

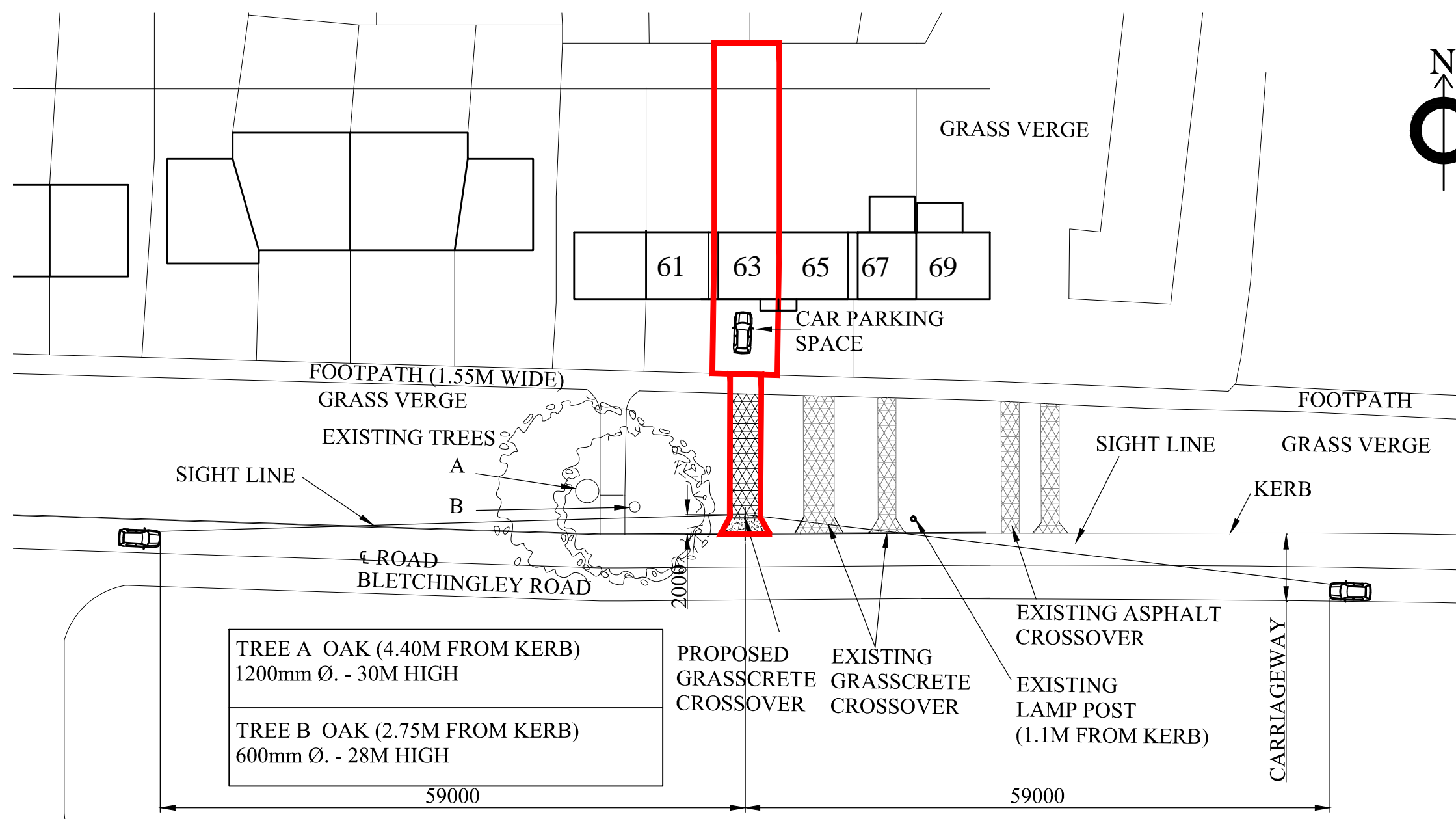
The development hereby permitted has been assessed against development plan policies Mo5, Mo7, Ho9, Ho13, Ho16 and CS4 and material considerations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the 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.

# 18/01694/HHOLD - 63 Bletchingley Road, Merstham

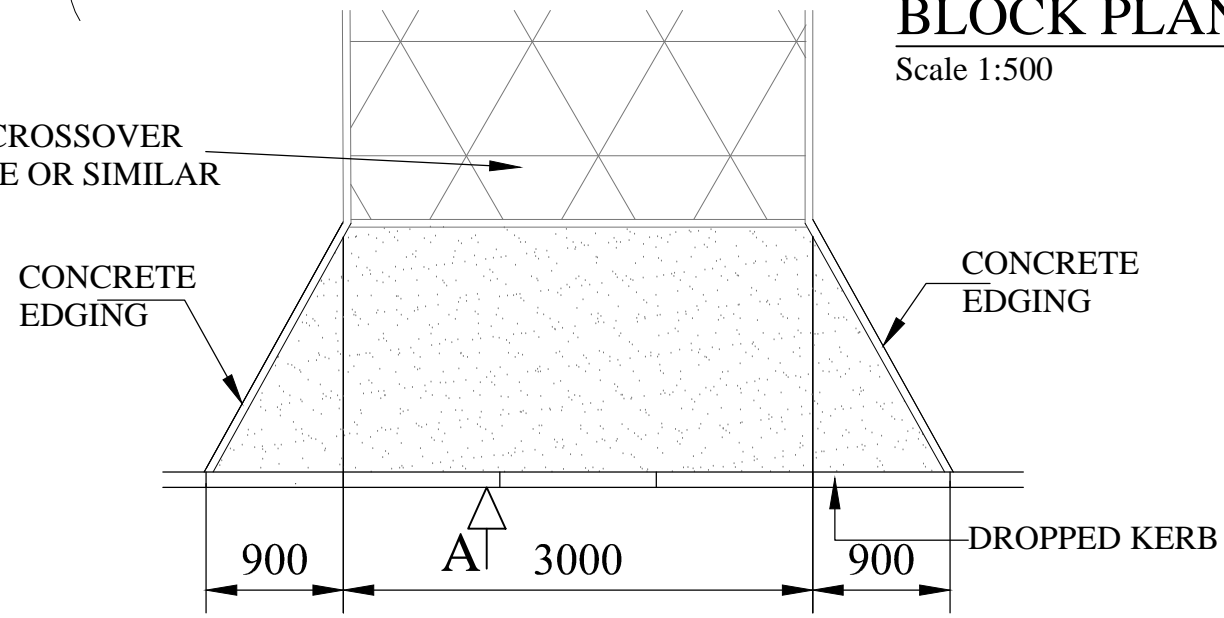




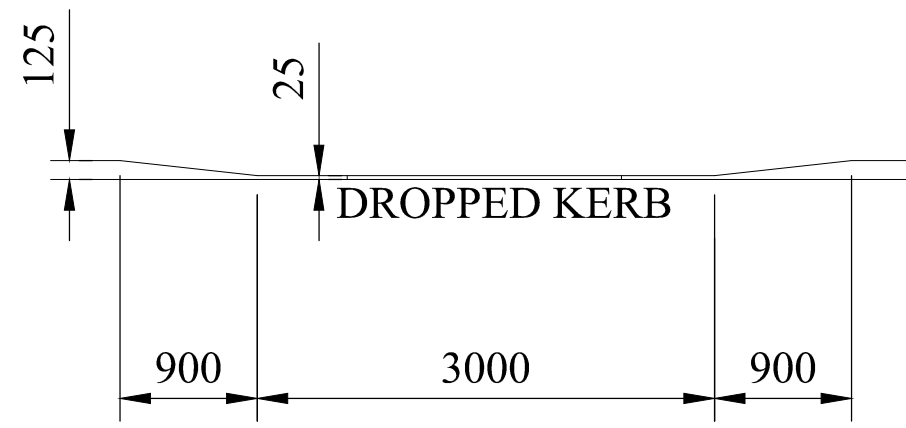
TREE A OAK (4.40M FROM KERB) 1200mm Ø. - 30M HIGH
TREE B OAK (2.75M FROM KERB) 600mm Ø. - 28M HIGH

**BLOCK PLAN**  
Scale 1:500

PROPOSED CROSSOVER  
GRASSCRETE OR SIMILAR  
APPROVED



**DROPPED KERB DETAIL**  
Scale 1:50



**ELEVATION A**  
Scale 1:50

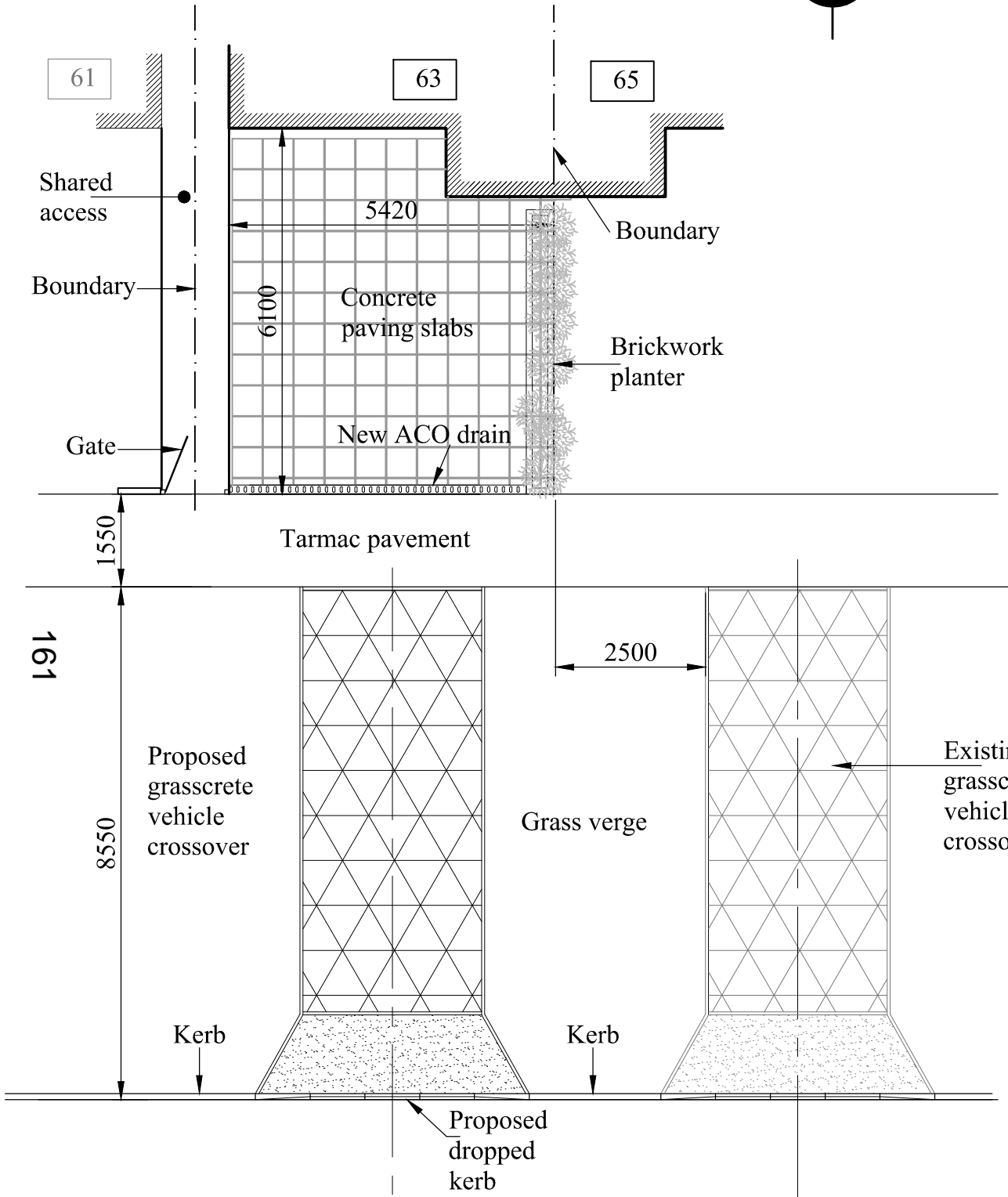
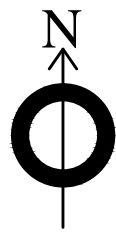
160



SCALE BAR 1:50

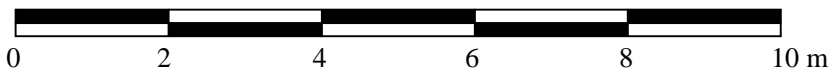
REV	DATE	DESCRIPTION
B	23.8.18	Car parking space note added to No63 drive.
A	6.8.18	Crossover land owned by Raven Housing indicated in red.
Drawing		
PROPOSED VEHICULAR ACCESS HIGHWAY CROSSOVER sheet 1 of 2		
Project		
63 BLETCHINGLEY ROAD MERSTHAM, SURREY RH1 3JJ		
Client		
MR RAY BARTHOLOMEW		
Architect		
<b>Michael Blacker Partnership</b>		
Michael S. Blacker C.Eng. F.I.Struct.E. Andrew Blacker B.Sc.(Hons) C.Eng. M.I.C.E.		
CONSULTING STRUCTURAL & CIVIL ENGINEERS		
No 1 MARK STREET, REIGATE, SURREY RH2 0BL		
E-MAIL: engs@blacker.co.uk		
TELEPHONE 01737 24486 FACSIMILE 01737 224556		
THE COPYRIGHT IN THIS DRAWING IS THE PROPERTY OF THE MICHAEL BLACKER PARTNERSHIP AND NEITHER THE DRAWING NOR ANY PART OF IT, NOR ANY INFORMATION CONTAINED THEREIN, SHALL BE REPRODUCED OR DISCLOSED TO ANY THIRD PARTY WITHOUT PRIOR CONSENT OF THE MICHAEL BLACKER PARTNERSHIP.		
Scale	Drawn	Checked
1:500 & 1:50 @ A3	GG	
Date	Job No.	Dwg. No.
July 18	4487	01
		Rev
		B



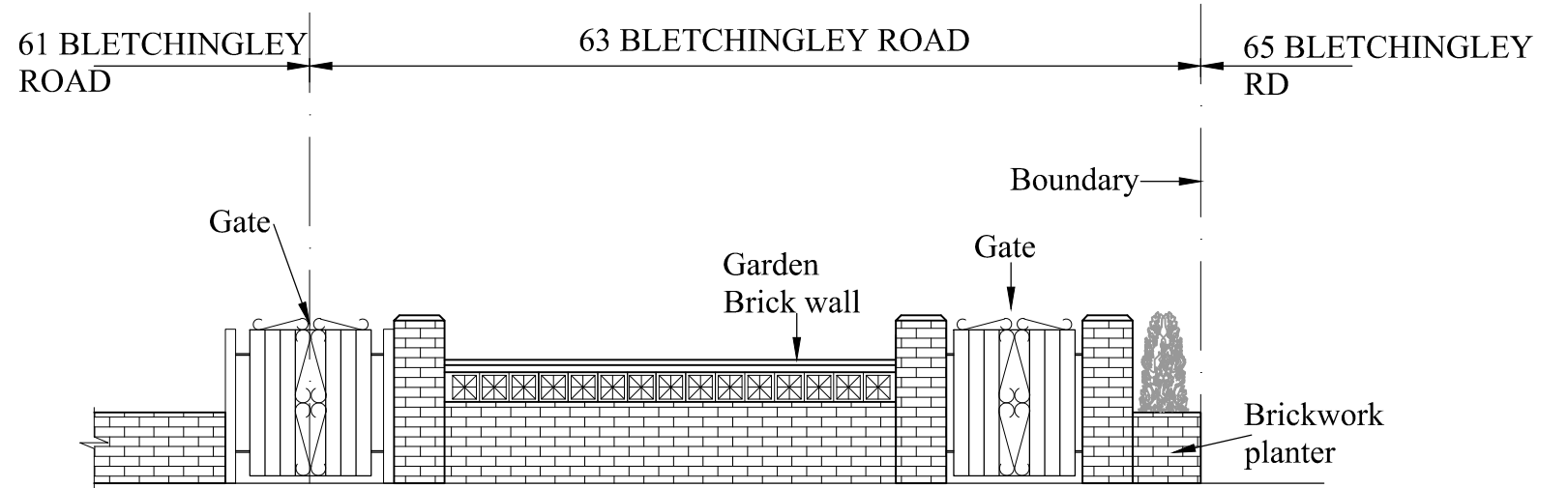


**PROPOSED PLAN ON  
DROPPED KERB**

Scale 1:100

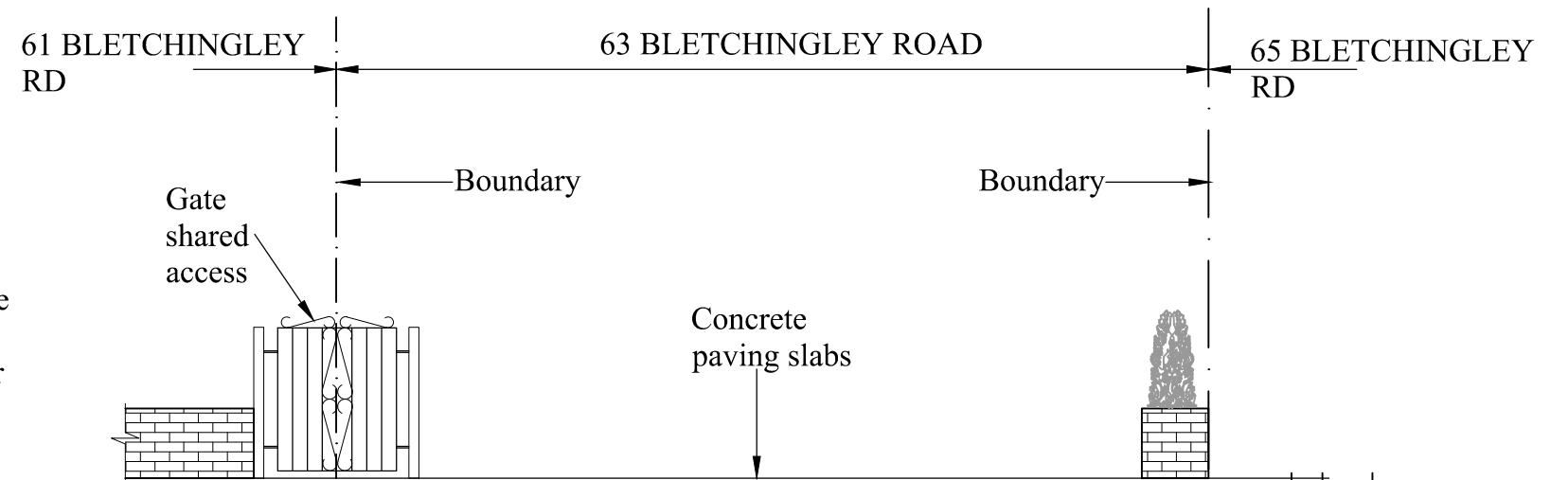


SCALE BAR 1:100



**EXISTING ELEVATION ON BACK  
OF FOOTPATH**

Scale 1:50



**PROPOSED ELEVATION ON BACK  
OF FOOTPATH**

Scale 1:50


REV	DATE	Drawing		
		PROPOSED VEHICULAR ACCESS HIGHWAY CROSSOVER sheet 2 of 2		
Project	63 BLETCHINGLEY ROAD MERSTHAM, SURREY RH1 3JJ			
Client	MR RAY BARTHOLOMEW			
Architect				
<b>Michael Blacker Partnership</b>				
Michael S. Blacker C.Eng. F.I.Struct.E. Andrew Blacker B.Sc.(Hons) C.Eng. M.I.C.E.				
CONSULTING STRUCTURAL & CIVIL ENGINEERS				
Not MARK STREET, REIGATE, SURREY RH2 0BL				
E-MAIL: engs@blacker.co.uk				
TELEPHONE 01737 244886 FACSIMILE 01737 224556				
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Scale	1:500 & 1:50 @ A3	Drawn	GG	Checked
Date	July 18	Job No.	4487	Drg. No.
			02	Rev

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# Agenda Item 11

Planning Committee  
3 October 2018

Agenda Item: 11  
18/01721/HHOLD

 <b>Reigate &amp; Banstead</b> <b>BOROUGH COUNCIL</b> Banstead   Horley   Redhill   Reigate	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	3 October 2018
	<b>REPORT OF:</b>	HEAD OF PLACES & PLANNING
	<b>AUTHOR:</b>	Clare Chappell
	<b>TELEPHONE:</b>	01737 276004
	<b>EMAIL:</b>	Clare.Chappell@reigate-banstead.gov.uk
<b>AGENDA ITEM:</b>	11	<b>WARD:</b> Tadworth And Walton

<b>APPLICATION NUMBER:</b>	18/01721/HHOLD	<b>VALID:</b>	<b>09/08/2018</b>
<b>APPLICANT:</b>	Mr & Mrs B Paul	<b>AGENT:</b>	Mr Alex Coleman
<b>LOCATION:</b>	<b>48 CHAPEL ROAD, TADWORTH</b>		
<b>DESCRIPTION:</b>	<b>4.5 metre-deep single-storey rear extension.</b>		
<b>All plans in this report have been reproduced, are not to scale, and are for illustrative purposes only. The original plans should be viewed/referenced for detail.</b>			

This application is referred to Committee in accordance with the Constitution as the applicants are relations of a Borough Councillor and a member of the planning committee.

## SUMMARY

The application seeks permission for the demolition of an existing conservatory and the construction of a single storey rear extension.

The proposed extension would have a conventional design and would not be visible from the front of the property or from wider public viewpoints, and therefore is not considered to affect to the character of the area.

The proposed extension would result in additional built form alongside the boundary with the adjoining semi-detached property. However, this adjoining property already has a conservatory and so the proposed relationship between buildings is not considered to give rise to a harmful loss of amenity.

The other adjacent property is set-back further than the application property, and consequently, the proposed extension would not result in any change to light, outlook or privacy to the other adjoining property.

The proposal is therefore considered acceptable and compliant with policy.

## RECOMMENDATION(S)

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



## **Consultations:**

Tadworth & Walton Residents Association: No response.

Banstead Common Conservators: No objection. An informative about Banstead Commons is suggested.

## **Representations:**

Letters were sent to neighbouring properties on 13 August 2018. No representations have been received.

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

- 1.1 The dwelling is a two storey semi-detached house set in a modest plot. The house appears on the 1935 historic map. There are no significant trees likely to be affected by the proposed development. The site is relatively flat.
- 1.2 The surrounding area is characterised by a mixture of properties in terms of architectural style and age. The house is well set-back from the road with an area of common land in front of the residential curtilage.

### **2.0 Added Value**

- 2.1 Improvements secured at the pre-application stage: The opportunity did not arise because the applicant did not approach the Local Planning Authority before submitting the application.
- 2.2 Improvements secured during the course of the application: None – the scheme is considered acceptable as submitted.
- 2.3 Further improvements could be secured: A condition will be placed on the grant of permission to ensure that materials are similar in appearance to those used on the existing house.

### **3.0 Relevant Planning and Enforcement History**

18/01529/PDE - Single storey rear extension. 4.5m from rear wall. 3.5m height. 2.8m height at eaves. WITHDRAWN (did not comply with permitted development criteria).

18/01490/CLP - Flank wall and miscellaneous internal alterations. PERMITTED DEVELOPMENT

Please note, there is no planning history for the existing conservatory but aerial photographs indicate it has been in existence since 2003 (and is therefore lawful through the passage of time).

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

- 4.1 The proposal is for a single storey rear extension which would extend across almost the full-width of the original rear wall and would project 4.5m / 5.0m from the stepped original rear wall. It would have a rectangular footprint and a shallow pitch, lean-to tiled roof with two rooflights. There would be a window and glazed doors to the rear elevation and a side facing window to the west elevation.

#### **5.0 Policy Context**

- 5.1 Designation  
Urban Area

- 5.2 Reigate and Banstead Core Strategy  
CS4 (Valued Townscapes and Historic Environment)

- 5.3 Reigate & Banstead Borough Local Plan 2005  
Housing Ho9, Ho13, Ho16

- 5.4 Other Material Considerations

National Planning Policy Framework

Supplementary Planning Guidance      Householder Extensions and Alterations 2004

Other      Human Rights Act 1998

#### **6.0 Assessment**

- 6.1 The application site is situated within the urban area where there is a presumption in favour of sustainable development.

- 6.2 The main issues to consider are:

- Design and effect on the character of the area
- Neighbour amenity

##### Design and effect on the character of the area

- 6.3 The extension would be to the rear of the house and not visible from Chapel Road or other public viewpoints and so it would not be harmful to the character of the local area. Furthermore, its form is fairly conventional for a single storey rear extension and, in my view, would not be detrimental to the aesthetic of the rear elevation of the property. I acknowledge that the extension is deeper than the 3.3m recommended by the Council's SPG on Householder Extensions and Alterations with a maximum projection of 5.0m approx. from the original rear wall. However, the acceptability of the scale of the extension is more of a neighbour amenity concern (see section below), rather than a design concern as the building and plot

are considered to be of sufficient size to accommodate the proposed extension without it appearing as an overdevelopment.

- 6.4 The extension would be built in materials of a similar appearance to those used on the main house. The application form specifies concrete interlocking tiles rather than the plain clay tiles which exist on the main roof. I consider that it would be possible to source interlocking concrete tiles which have a similar appearance to plain clay tiles, and that this would be adequate given the inconspicuous position at the rear of the house.
- 6.5 Overall, the proposal is considered acceptable in terms of its design and character impact and accords with policies Ho9, Ho13 and Ho16 of the Borough Local Plan 2005 and the Council's SPG 2004.

#### Neighbour Amenity

- 6.6 The detached house at no.50 Chapel Road is sited further back than the application house (no.48) (i.e. its rear elevation is 5.0m approx. deeper relative to the original rear wall of no.48. Currently, the patio area at no.48 is flanked by the windowless side elevation of no.50. The proposed extension would be 4.5m deep on this side and would not extend any deeper than the rear building line at no.50. It follows, therefore, that there would be no issues of overshadowing or loss of outlook with respect to the rear facing accommodation or garden at no.50.
- 6.7 The adjoining semi-detached house at no.46 Chapel Road would notice an increase to the built form alongside the common boundary. The existing conservatory at no.48 extends approx. 3.3m alongside the boundary and then a further 1.0m approx. but this additional depth is stepped away from the boundary by virtue of the chamfered corners of the conservatory. The proposed extension would have a straight flank wall extending 5.0m alongside the common boundary. The roof of the existing conservatory is hipped away from the boundary, whereas the proposed extension would create a gable wall (with no hipped roof profile) alongside the boundary.
- 6.8 No.46 has an existing conservatory alongside the common boundary. This extends approx. 2.5m alongside the boundary and then a further 0.8m approx. but this additional depth is stepped away from the boundary by virtue of the chamfered corners of the conservatory.
- 6.9 The Council's SPG on Householder Extension and Alterations prescribes a 3.3m depth limit for extensions on semi-detached houses. This limit is important in terms of the impact on the rear facing windows/accommodation at the semi-detached neighbour. Given that the difference in depth between the rear elevation of the conservatory at no.46 and the proposed rear elevation of the extension at no.48 would be 2.5m (at the worst position at the back of the chamfered corner), I do not consider the extension would result in a harmful loss of light or outlook to the rear elevation of the conservatory at no.46. Furthermore, the 45 degree assessment (section 4.4 of the Council's SPG) would pass in the horizontal and vertical planes, thus indicating that there would not be a significant loss of light the rear facing elevation of the conservatory at no.46.

- 6.10 The proposed extension would only include ground floor windows and therefore does not pose any overlooking or privacy concerns to either neighbouring property.
- 6.11 In summary, while giving rise to a degree of change in the relationship between buildings, the proposed scheme would not adversely affect the amenity of neighbouring properties, and complies with policies Ho9, Ho13 and Ho16 of the Borough Local Plan 2005 and the Council's SPG 2004.

## CONDITIONS

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	01806-001		09.08.2018
Block Plan	01806-002		09.08.2018
Block Plan	01806-003		09.08.2018
Floor Plan	01806-010		09.08.2018
Floor Plan	01806-011		09.08.2018
Roof Plan	01806-013		09.08.2018
Elevation Plan	01806-014		09.08.2018
Elevation Plan	01806-015		09.08.2018
Floor Plan	01806-030		09.08.2018
Floor Plan	01806-031		09.08.2018
Roof Plan	01806-033		09.08.2018
Elevation Plan	01806-034		09.08.2018
Elevation Plan	01806-035		09.08.2018

Reason:

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

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

Reason:

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

3. The materials to be used in the construction of the external surfaces of the extension (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing building.

Reason:

To ensure that the development hereby permitted is only constructed using the appropriate external facing materials or suitable alternatives in the interest of the visual amenities of the area with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9 and Ho13.



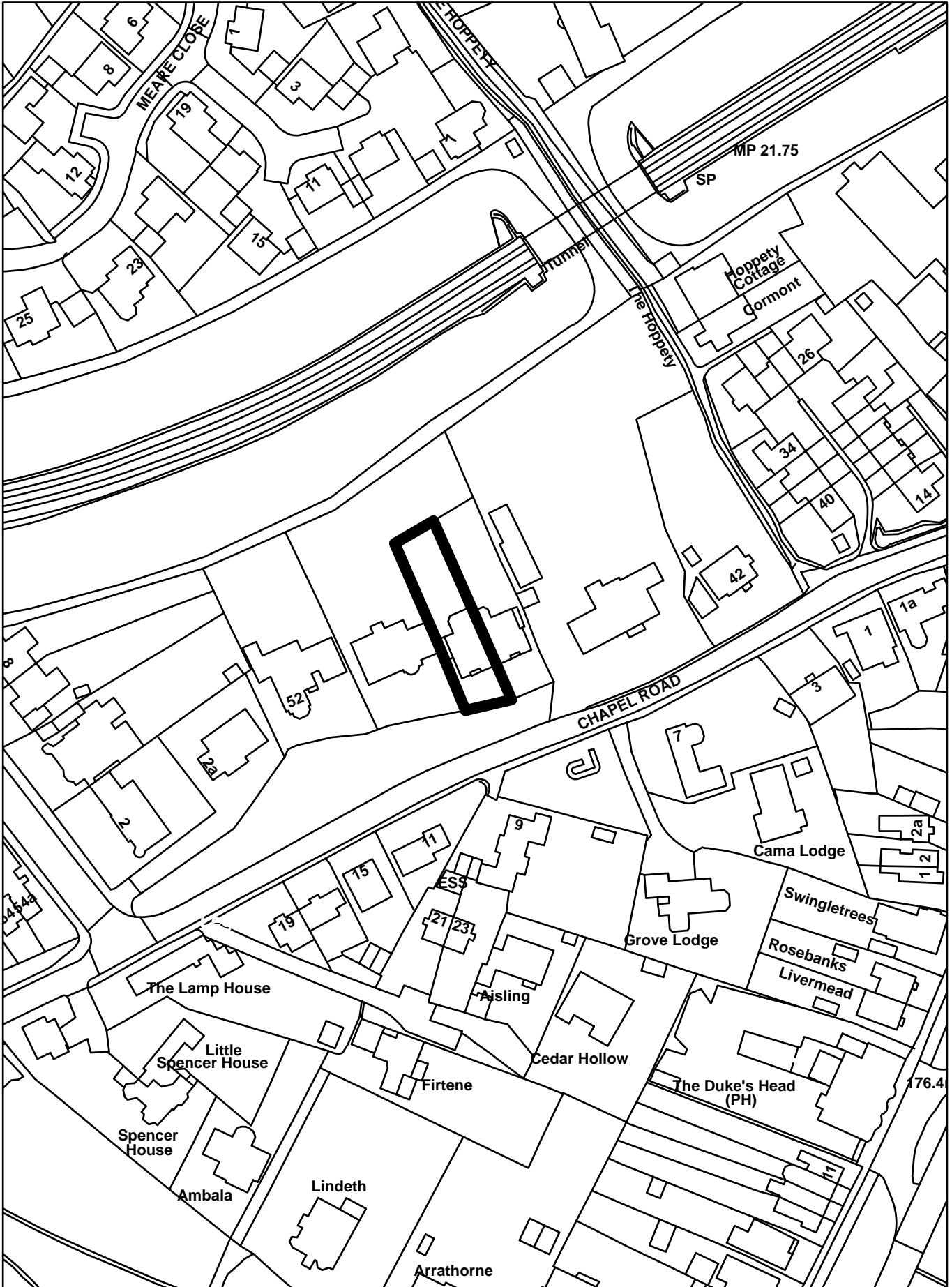
## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against development plan policies Ho9, Ho13, Ho16 and CS4 and material considerations. 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.

# 18/01721/HHOLD - 48 Chapel Road, Tadworth





General Notes

This drawing shall not be scaled.

All dimensions shall be checked on site prior to commencing the works and errors and omissions to be reported to the Architectural Designer.

All works shall conform to the current edition of the Building Regulations and other statutory requirements.

All materials and workmanship shall conform with the relevant British Standard Specifications and Code of Practice.

All dimensions are in mm unless otherwise stated.

This drawing incorporates information from other professions of such information. The Architectural Designer cannot accept responsibility for the integrity and accuracy of such information.

Any clarification and/or additions that are required appertaining to such information should be sought from the relevant profession or their appointed representative.

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REVISION	DESCRIPTION	DATE
CLIENT MR AND MRS B. PAUL		
CONTRACT HOUSE EXTENSION & ALTERATIONS, 48 CHAPEL ROAD, TADWORTH, SURREY KT20 5SB		
DESCRIPTION BLOCK PLAN		
<b>alex coleman associates</b> architecture and design		
<small>40 Copse Edge Avenue, Epsom, Surrey KT17 4HS            Tel: 01372 742535 Email: alex@alexc Coleman.com www.alexc Coleman.com</small>		
SCALE: 1:500@A3		DATE: 07/05/18
DRAWN AJC	DRAWING No. 01806-003 PLANNING	REVISION -
PLOT DATE = 07/05/2018		

**General Notes:**

This drawing must not be scaled.

All dimensions must be checked on site prior to commencing the works and errors and omissions to be reported to the Architectural Designer.

All works shall conform to the current edition of the Building Regulations and other statutory requirements.

All materials and workmanship shall conform with the relevant British Standard Specifications and Code of Practice.

All dimensions are in mm unless otherwise stated.

If this drawing incorporates information from other professions, the Architectural Designer does not accept responsibility for the integrity and accuracy of such information.

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Loft \_\_\_\_\_ 5.910

First floor \_\_\_\_\_ 3.050

Ground floor \_\_\_\_\_ 0.000



171

**REAR ELEVATION**  
*(North West)*

No.46

No.48

No.50

EXTENSION

Loft \_\_\_\_\_ 5.910

First floor \_\_\_\_\_ 3.050

Ground floor \_\_\_\_\_ 0.000



**CHAPEL ROAD**

No.48

EXTENSION

**SIDE ELEVATION**  
*(South West)*

REVISION	DESCRIPTION	DATE
CLIENT MR AND MRS B. PAUL		
CONTRACT HOUSE EXTENSION, 48 CHAPEL ROAD, TADWORTH, SURREY KT20 5SB		
DESCRIPTION ELEVATIONS 2 - PROPOSED		
<p style="text-align: right;"><b>alex coleman associates</b> architecture and design</p> <p style="text-align: right;"><small>40 Copse Edge Avenue, Epsom, Surrey KT17 4HS Tel: 01372 742535 Email: alex@alexcoleman.com www.alexcoleman.com</small></p>		
SCALE: 1:50@A1; 1:100@A3		DATE 07/05/18
DRAWN AJC	DRAWING No. 01806-035 PLANNING	REVISION -
<small>PLOT DATE = 18/06/2018</small>		






# Agenda Item 12

Planning Committee  
3 October 2018

Agenda Item: 12  
18/01813/ADV

 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	3 October 2018
	<b>REPORT OF:</b>	HEAD OF PLACES & PLANNING
	<b>AUTHOR:</b>	John Ford
	<b>TELEPHONE:</b>	01737 276112
	<b>EMAIL:</b>	john.ford@reigate-banstead.gov.uk
<b>AGENDA ITEM:</b>	12	<b>WARD:</b> Banstead Village

<b>APPLICATION NUMBER:</b>	18/01813/ADV	<b>VALID:</b>	24 August 2018
<b>APPLICANT:</b>	Mr Brian Ransom	<b>AGENT:</b>	
<b>LOCATION:</b>	<b>LAND PARCEL AT 524983 160245, WINKWORTH ROAD, BANSTEAD</b>		
<b>DESCRIPTION:</b>	Village sign		
<b>All plans in this report have been reproduced, are not to scale, and are for illustrative purposes only. The original plans should be viewed/referenced for detail.</b>			

**This application is referred to Committee in accordance with the Constitution as the application site is owned by the Council**

## SUMMARY

This is an application for express consent for a non-illuminated sign announcing Banstead and depicting historic buildings and scenes. The display would be on land within the Council's ownership and within the Metropolitan Green Belt.

It is concluded, taking into account criteria of amenity and public safety, that the sign is acceptable.

## RECOMMENDATION

Express consent is **GRANTED** subject to conditions.

## Consultations:

Highway Authority: subject of standing highway design advice for minor development: no objection.

Banstead Common Conservators: no response.

Banstead Village Residents' Association: no objection.

RBBC Principal Asset Manager: confirms that site is owned by RBBC and consent would be given subject to planning.

Tree Officer: No objection subject to tree protection condition

UK Power Networks: no response.

## Representations:

Letters were sent to neighbouring properties on 31 August 2018.

Seven responses have been received raising the following issues:

Issue	Response
Design	See paragraph 6.4.
Highway implications	See paragraph 6.6
Alternative location preferred	Each application assessed on its own merits

### 1.0 Site and Character Appraisal

1.1 The application relates to a triangular shaped piece of grassed land on the south side of Winkworth Road at the junction with Bolters Lane (east side). The site is owned by RBBC. Surroundings are predominantly residential in character but the site falls within the Metropolitan Green Belt (MGB). Adjoining trees to the south and east are covered by Tree Preservation Order (TPO) BAN41.

### 2.0 Added Value

2.1 Improvements secured at the pre-application stage: applicant advised of planning requirements for this proposal.

2.2 Further improvements could be secured: standard express consent conditions.

### 3.0 Relevant Planning and Enforcement History

3.1 None

### 4.0 Proposal and Design Approach

4.1 The application seeks express consent for a non-illuminated "village sign" of traditional appearance, of cast aluminium sculpted in low relief, mounted on an oak post. Height from the ground to base of the advertisement would be 2m, the advertisement panel itself measuring 1.05m by 0.825m. Total height, taking into account the decorative sign surrounds, would be 3.3m. Maximum height of individual letters/symbols would be 0.08m. The advertisement would announce "Banstead" and feature pictures of historic buildings.

4.2 Consent is sought for an indefinite period.

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 statement does not include an assessment of local character
	No site features worthy of retention were identified.
Involvement	Community views were sought by the applicant for over a year: publicity for the proposal in community newsletters at local events, schools etc.
Evaluation	The statement does not include any evidence of other development options being considered.
Design	The statement does not explain why the proposal was chosen

4.5 Further details of the development are as follows:

Site area	0.021ha
Existing use	vacant
Proposed use	For advertisement display



## 5.0 Policy Context

### 5.1 Designation

Metropolitan Green Belt  
Adjacent to TPO  
Area of Special Advert Control

### 5.2 Reigate and Banstead Core Strategy

CS4 (Valued Townscapes and Historic Environment)

### 5.3 Reigate & Banstead Borough Local Plan 2005

Landscape & Nature Conservation	Pc4
Metropolitan Green Belt	Co1

### 5.4 Other Material Considerations

National Planning Policy Framework  
(NPPF)

National Planning Practice Guidance  
(NPPG)

Other	Human Rights Act 1998 Town and Country Planning (Control of Advertisements) Regulations 2007
-------	--

## 6.0 Assessment

6.1 The main issues to consider are:

- Neighbour amenity
- Visual amenity
- Public safety
- Impact on trees

### Neighbour amenity

6.3 The proposal would have no discernible impact on neighbouring residential properties as regards overlooking, overshadowing or overbearing effect.

### Visual amenity

6.4 The NPPF counsels under the "Requiring good design" section, para 132 as follows.

"...The quality and character of places can suffer when advertisements are poorly designed and sited...Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts."

- 6.5 Whilst it is noted that the site is within the Metropolitan Green Belt, the sign is small scale and of limited height in comparison with adjacent street furniture and is of rustic appearance and materials befitting its verdant setting. Overall, the proposed display is considered to be of pleasing design and appearance and in sympathy with its surroundings and would not give rise to detriment to visual amenity.
- 6.6 Representations have been received regarding the historic/geographic accuracy of some of the images depicted on the sign. Whilst these are acknowledged, the sign's contents in this case are not a matter for advertisement control and are considered to result in the sign being unacceptable from a visual amenity perspective.
- 6.7 It is noted that the location of the proposed sign is within an Area of Special Advert Control (in common with all of the countryside in the borough). This designation only restricts certain "deemed" consent classes and does not prevent express consent being granted if the sign is considered to be acceptably designed as is the case here.

#### Public safety

- 6.8 The proposal does not pose a risk to public safety: the Highway Authority confirms this in its advice on minor developments. The sign would be positioned off the carriageway, would not interfere with passing traffic or pedestrians and would be unlikely to cause a dangerous distraction based on its sign and appearance.

#### Trees

- 6.9 The Council's Tree Officer comments as follows.

*"Within the proposed site layout reference is made to pruning a sycamore located on council owned land, although the extent of the pruning works is not clear at this stage. As the tree is on council land it will be necessary to seek permission from the Trees and Woodland Officer who is responsible for managing council owned trees who will ensure best arboricultural practice is implemented.*

*Whilst the nature of this development is minor, it is necessary for a tree protection condition to be attached to decision notice to ensure the rooting environment is not damaged during the excavation phase.*

- 6.10 As this is an application for Advertisement Consent, the issues which the Council is able to consider and condition are limited and, as such, the condition recommended by the Tree Officer cannot be imposed. At any rate, the likely nature and extent of the below ground works required (relatively limited) and the Council would have some control by virtue of the fact that the trees are within its ownership (and therefore could supervise works). On this basis, an informative is instead recommended to raise the applicant's awareness.

## CONDITIONS

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To comply with Regulation 6(1) and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

2. No advertisement shall be sited or displayed so as to: (a) endanger persons using any highway, railway, waterway, dock, harbour, or aerodrome (civil or military); (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or (c) hinder the operation of any device used for the purpose of security or surveillance of for measuring the speed of any vehicle.

Reason: To comply with Regulation 6(1) and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To comply with Regulation 6(1) and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To comply with Regulation 6(1) and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

5. Where an advertisement is required under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To comply with Regulation 6(1) and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

## REASON FOR EXPRESS CONSENT

The advertisement hereby granted consent has been assessed against Regulation 3 of the Town and Country Planning (Control of Advertisements)(England)Regulations 2007 (as amended). It has been concluded that the advertisement would not have a harmful effect on amenity or public safety, having regard to the provisions of the Development Plan in so

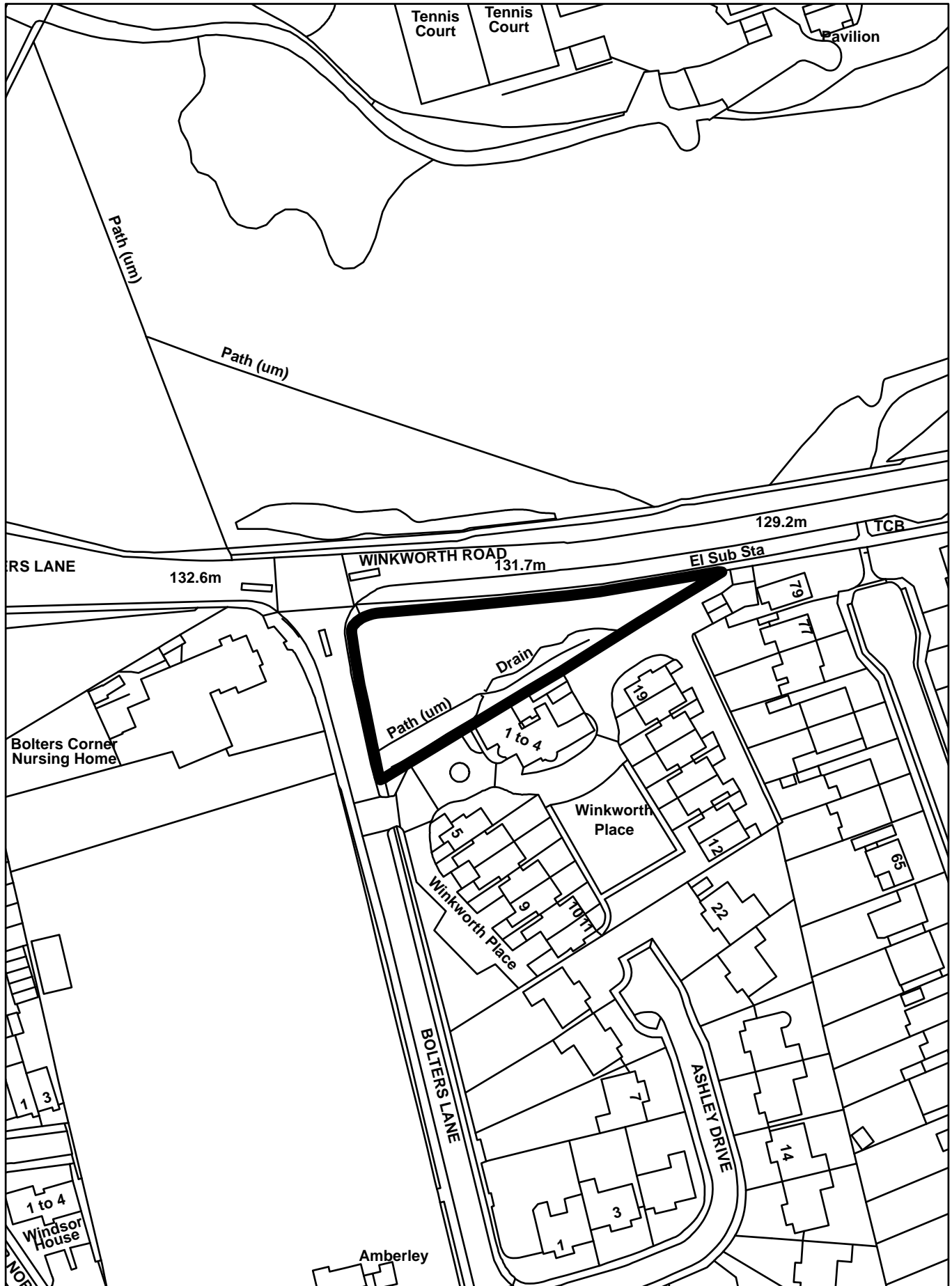
far as they are material; and there are no other material considerations that justify refusal in the public interest.

## **INFORMATIVES**

1. The applicant's attention is drawn to the proximity of the proposed signage to trees which are not within their control. As the tree is on land owned by Reigate and Banstead Borough Council, it will be necessary to seek permission from the Trees and Woodland Officer who is responsible for managing council owned trees who may wish to supervise any works being undertaken. Furthermore, to ensure no harm occurs to the neighbouring trees during the construction phase, the Council as the tree owner may require that a tree protection plan is produced by an arboricultural consultant prior to the commencement of the approved works.

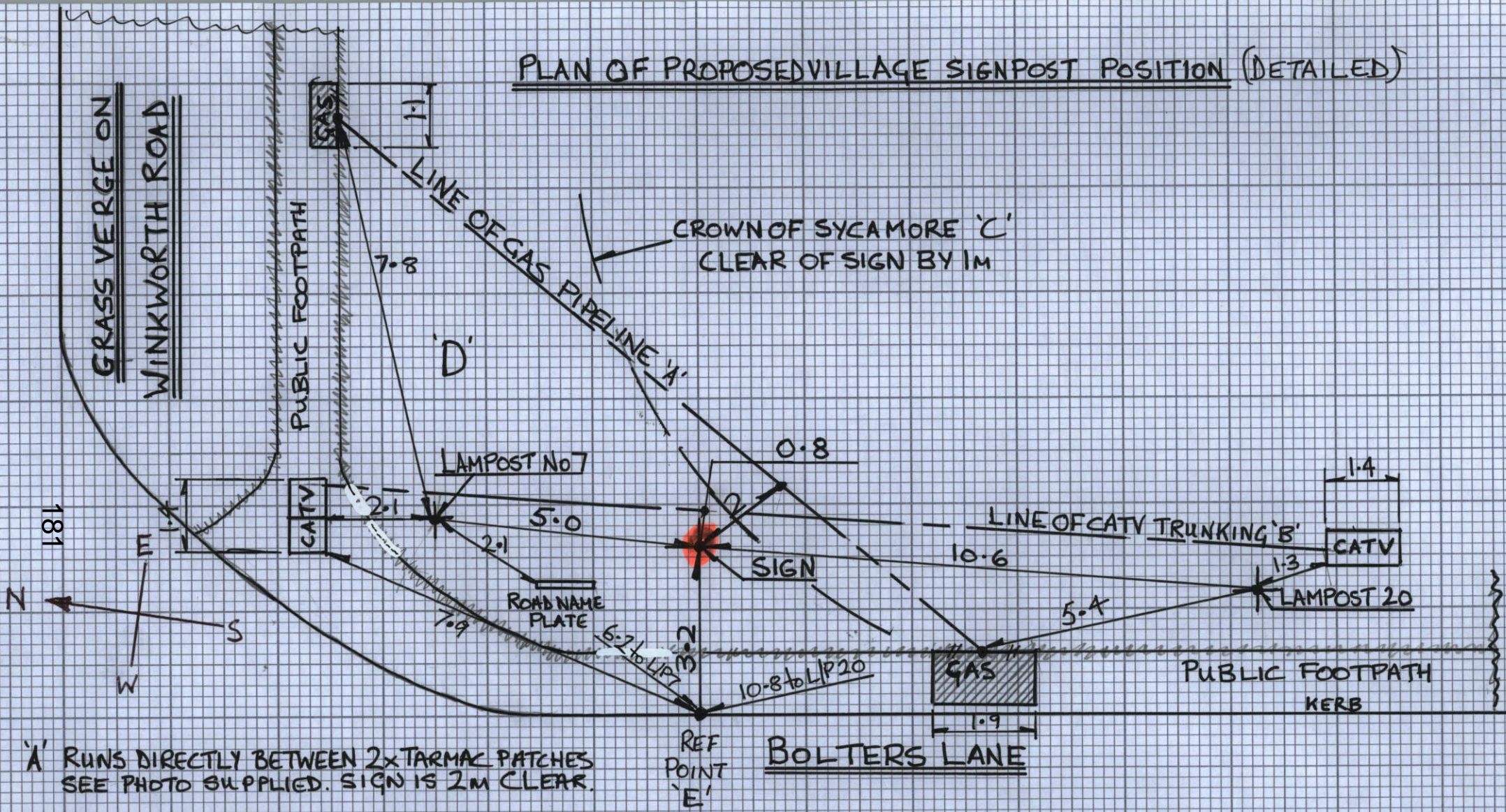


18/01813/ADV - Land Parcel At 524983 160245,  
Winkworth Road, Banstead





# PLAN OF PROPOSED VILLAGE SIGNPOST POSITION (DETAILED)



'A' RUNS DIRECTLY BETWEEN 2x TARMAC PATCHES SEE PHOTO SUPPLIED. SIGN IS 2m CLEAR.

'B' CATV TRUNKING RUNS DIRECT FROM EAST END OF DOUBLE M/H TO CENTRE OF M/H ALONG BOLTERS LANE. SIGN POSITION IS 0.8m CLEAR

'C' CROWN OF SYCAMORE MAY HAVE TO BE TRIMMED BACK IN THE VICINITY OF SIGN. BACK BY 1m TO GIVE 2m CLEARANCE (WILL ONLY AFFECT ONE BRANCH)

'D' GRASS AND WILDFLOWER AREA.

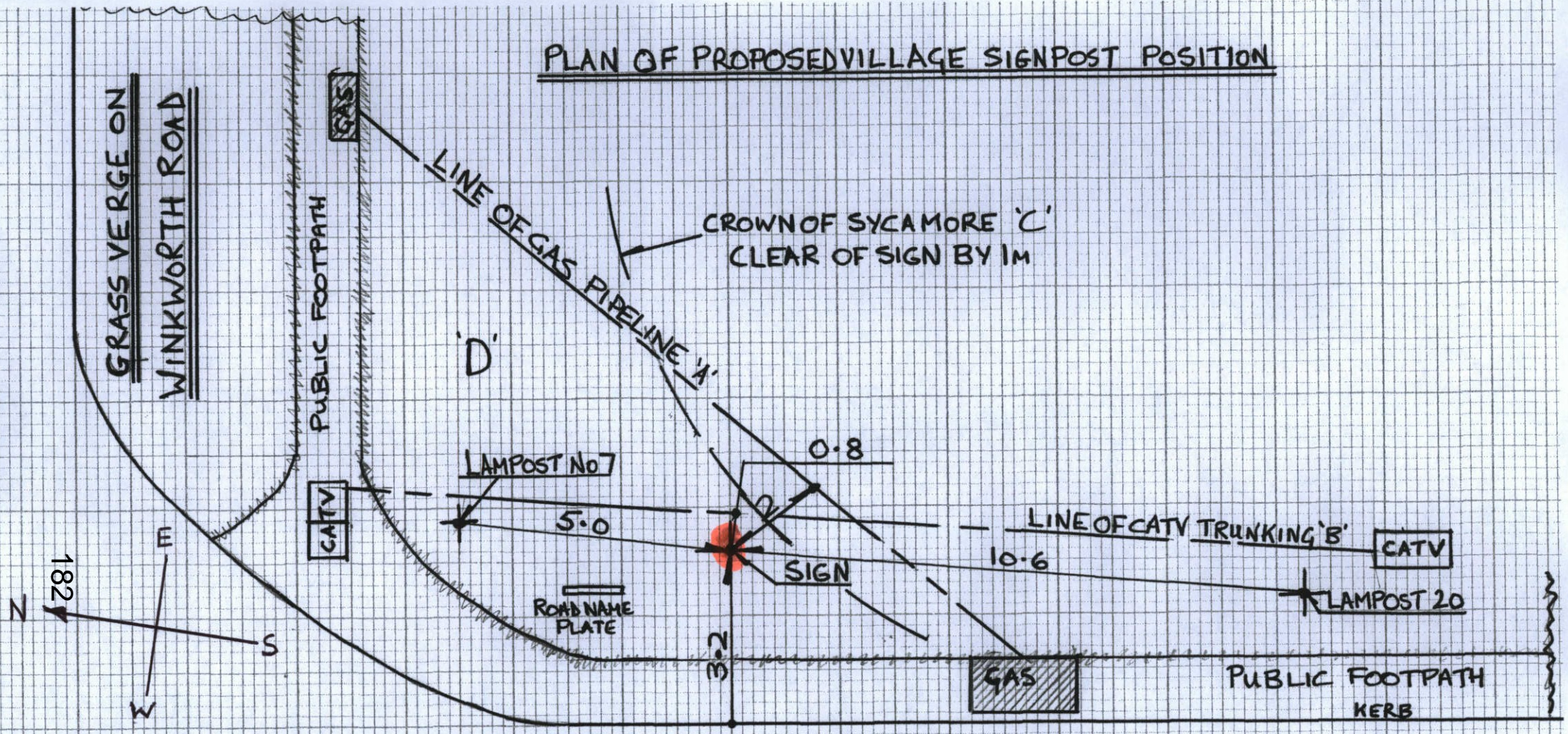
REFERENCE POINT 'E' 10.8 to L/P 20  
6.2 to L/P 7

ALL DIMENSIONS IN METRES.  
SCALE 1m = 1cm

B. RANSOM 27/7/2018



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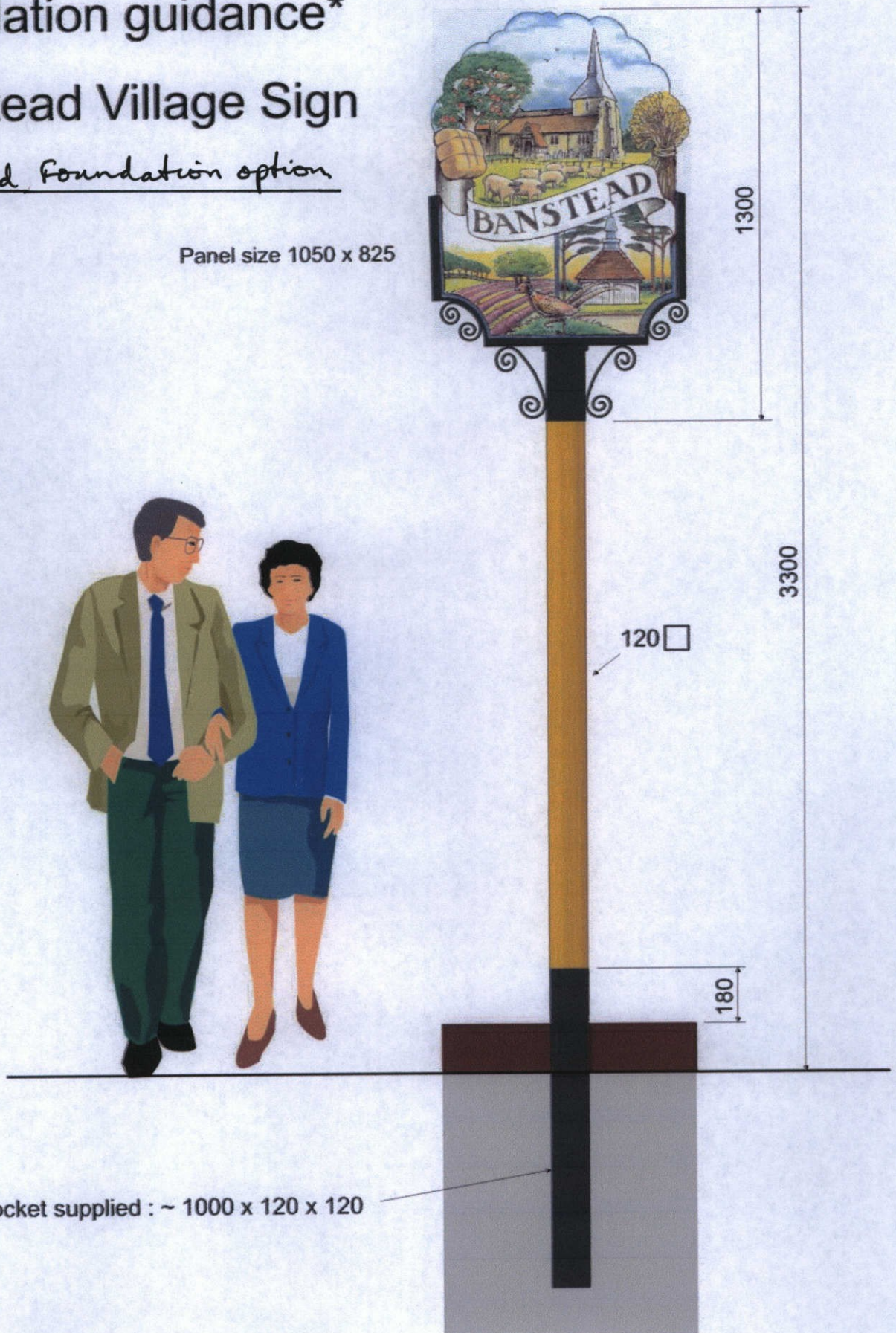
ALL DIMENSIONS IN METRES.  
SCALE 1m = 1cm  
B. RANSOM 27/7/2018



# Installation guidance\* for Banstead Village Sign

Preferred Foundation option

Panel size 1050 x 825



\* N.B. The details in this drawing are offered as guidance only and as such should not be taken to imply any structural integrity whatsoever.

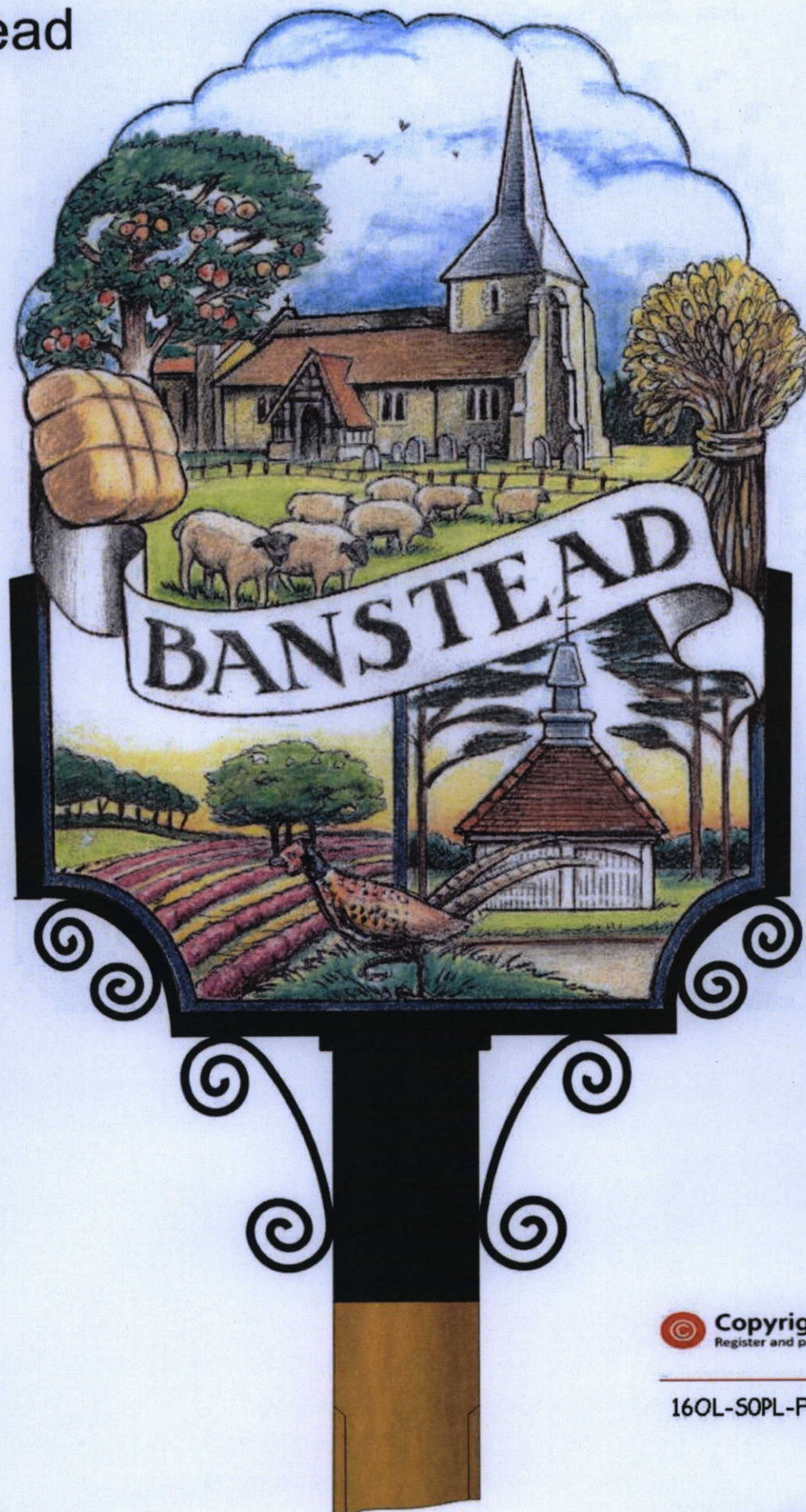
Dimension in millimetres

188 Not Scale

vsp©7318



# Proposed Village Sign for Banstead



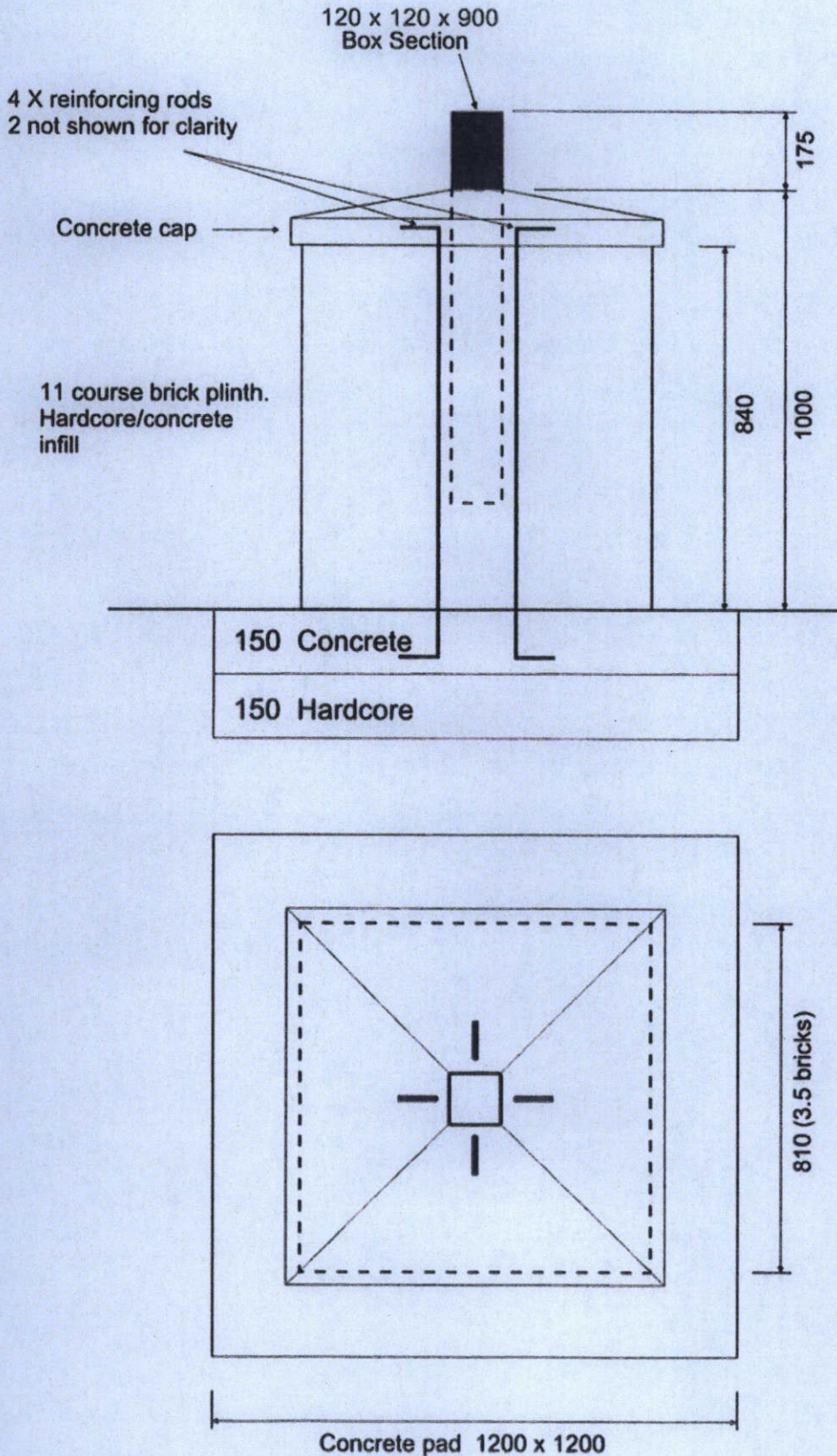
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16OL-SOPL-FJWU-UX0J



ALTERNATE PLINTH DESIGN

# Village sign plinth guidance diagram.



**N.B. The details in this drawing are offered as guidance only and as such should not be taken to imply any structural integrity whatsoever.**

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