 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	14 <sup>th</sup> April 2021
	<b>REPORT OF:</b>	HEAD OF PLACES & PLANNING
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<b>AGENDA ITEM:</b>	9	<b>WARD:</b> <i>Tattenham Corner and Preston</i>

<b>APPLICATION NUMBER:</b>	20/02510/F	<b>VALID:</b>	02/12/2020
<b>APPLICANT:</b>	Devine Homes Plc	<b>AGENT:</b>	None
<b>LOCATION:</b>	<b>10 WEST DRIVE AND LAND TO THE REAR OF 9,11 AND 12 WEST DRIVE, BURGH HEATH, SURREY, KT20 5PA</b>		
<b>DESCRIPTION:</b>	<b>Demolition of dwelling at 10 West Drive, and erection of 7 residential dwellings on land to the rear of 9-12 West Drive, associated landscaping, parking, access onto West Drive, and associated ancillary work. As amended on 05/02/2021</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 10 West Drive and the erection of 7 dwellings on land to the rear, with associated landscaping and car parking. The dwellings would comprise 2 x 2 bedroom and 5 x 3 bedroom semi-detached and detached bungalows and chalet bungalows and a total of 16 parking spaces are proposed (2 spaces per unit and 2 visitor bays).

There is recent planning history (ref: 17/01261/F) at the site for a more substantial backland development, comprising of 9 two storey semi-detached and terraced dwellings in a similar layout to the current proposal.

An appeal was dismissed in March 2018 with the Inspector finding harm to the character of the area, by virtue of the urban form of development which would not amount to a subservient form of development in this location and would fail to promote or reinforce the distinctive characteristics of this established residential area. The appeal decision and previous layout are attached.

The Inspector also raised concerns about the scale and two storey form of the proposed dwellings, different to those typically found in the area and limited opportunity to soften the impact of development through a comprehensive landscaping scheme.

This application has made amendments to reduce the number of units from 9 to 7, to reduce the scale of the dwellings to a bungalow and chalet style bungalows and to increase separation distances to side boundaries. Cumulatively, the revisions to the layout, design, and scale of the dwellings is considered to have overcome the harm identified by the Inspector. It is considered that the proposal would respect the character of the existing area and the reductions in scale would allow for a more spacious form of development.

The proposed dwellings would be of a traditional design with brick and hanging elevations and pitched roofs finished with clay tiles, a form of design which reflects which would be in keeping with the character of the area. Each dwelling would be of the appropriate size in terms of the Nationally Described Space Standards and would be provided with private amenity space.

The impact on the amenities of neighbouring properties is considered acceptable due to good separation and the single storey nature of the proposed dwellings.

The proposal would meet the Council's parking standards as set out within the Development Management Plan. The County Highways Authority have raised no objection to the proposal subject to recommended conditions.

The Council's tree officer has reviewed the plans and considers that the gardens will not be heavily shaded by the trees and therefore his original concerns on this issue have been addressed. He also notes that future applications to undertake tree work will be assessed on a case by case basis and this will ensure trees of value will be retained protecting the local canopy cover. Conditions are recommended to ensure that the tree protection measures are implemented and maintained during the construction period and for details of landscaping to be submitted.

The Council's Neighbourhood Services team have confirmed that the provision of a refuse bin presentation point along the access road into the development would be acceptable, whilst the provision of a turning head at the site entrance would allow the refuse collection vehicle to better access existing properties in West Drive, where at present, due to the narrow width of the road, turning within the highway is not possible.

The proposals would make efficient use of this previously developed site for new housing without harming the amenities of neighbouring properties and are considered acceptable.

## **RECOMMENDATION**

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

## **Consultations:**

Highway Authority: No objection subject to conditions. 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 which would require the visibility splays and tactile paving at the entrance to the site from West Drive, for the provision of the parking spaces and turning areas prior to occupation, the provision of a construction transport management plan, the provision of electric vehicle charging sockets, the provision of an extended pavement along the proposed access road and the provision of a refuse collection point alongside the access road.

Neighbourhood Services – Have confirmed that the use of a private collection service would not be acceptable option as waste collection is a statutory duty that the Council has a duty to provide.

It is acknowledged that West Drive is already a difficult road to access, and it is considered that a properly constructed turning head access into the site would be advantageous. In order to support this, state that they would require a tracking diagram which shows how a 26 tonne RCV can access a refuse collection point no more than 9m from the existing highway along the proposed access drive. All new developments should be planned to comply with the Health & Safety requirements. Reversing manoeuvres are usually not acceptable and must be kept to a minimum in line with Health & Safety Executive directives.

In support of the application, a tracking drawing has been submitted which shows that a refuse collection vehicle could access the site, utilise the site entrance as a turning head and collect the refuse from a collection point alongside the site access.

The Neighbourhood Services team have confirmed that these arrangements would be acceptable and have also asked that the edges of the bellmouth access be strengthened to give added protection should a refuse collection vehicle run over them.

Surrey CC Countryside Access – Provide advice and guidance on the need to ensure that the adjoining public right of way is not affected by the proposed development.

Reigate Ramblers: the application site abuts a public right of way on its west boundary, ie the footpath designated UF/1014/25/10. This footpath provides access from Great Tattenhams to the Lonesome Ponds area on Burgh Heath. As such the footpath provides access for recreation, a short cut to the Asda superstore, bus routes and the shops on the A217 on Burgh Heath. The footpath is narrow (just over 1.0m wide) unlit and is bordered for most of its length by 1.8m high close boarded fencing interspersed with a few patches of similar height chain link fencing/brick wall.

Concerns are raised with the proposed development and the site location plan which shows a narrowing of the footpath that is not evident when walking the path. Their requirement would be that the proposed development does not cause any reduction in width to the existing footpath. For safety of footpath users, it is recommended that the fencing alongside the footpath should remain as straight as possible and thus not provide any hidden sight lines that could be potential hiding spots for muggers or other criminals.

Given the residential location of the footpath, and its closed fenced-in nature, it is not considered that there will be objections from footpath users over the proposed development itself.

### **Representations:**

Letters were sent to neighbouring properties on 8<sup>th</sup> December 2020. Neighbours were re-notified on the revised plans for a 21 day period commencing 16<sup>th</sup> February 2021.

29 responses have been received raising the following issues:

<b>Issue</b>	<b>Response</b>
Inadequate parking	See paragraph 6.31
No need for the development	See paragraph 6.2
Noise & disturbance	See paragraph 6.23 – 6.28
Inconvenience during construction	See paragraph 6.28
Out of character with surrounding area	See paragraph 6.4 – 6.17
Increase in traffic and congestion	See paragraph 6.30 – 6.32
Overdevelopment	See paragraph 6.4 – 6.17
Hazard to highway safety	See paragraph 6.30 – 6.32
Overlooking and loss of privacy	See paragraph 6.25
Overbearing relationship	See paragraph 6.25
Crime fears	See paragraph 6.46
Health fears	See paragraph 6.25
Poor design	See paragraph 6.6 – 6.17
Loss of/harm to trees	See paragraph 6.37 – 6.42
Harm to wildlife habitat	See paragraph 6.47

Drainage/sewage capacity	See paragraph 6.46
Flooding	See paragraph 6.46
Harm to Conservation Area	The site is not located within a conservation area
Harm to Green Belt/countryside –	The site is not located within the green belt / countryside
Loss of buildings	The buildings are not designated and there is no in-principle objection to their loss
Property devaluation	This is not a material planning consideration
Covenant conflict	This is not a material planning consideration
Loss of private view	This is not a material planning consideration

## **1.0 Site and Character Appraisal**

- 1.1 The application site is located on the northern side of West Drive and comprises no 10 West Drive and the rear gardens of 9, 11 and 12 West Drive located on the northern side of the road. West Drive is a relatively narrow residential cul-de-sac, which leads off the west side of Reigate Road (A240). The area is characterised by detached bungalows, a number extended to the rear, set in good sized plots with extensive rear gardens. The bungalows are set back from the road on a uniform building line, with a green verge with street trees and set back pavement, all giving the street a verdant and spacious feel. Land levels fall away from West Drive towards dwellings in Great Tattenhams to the north. The majority of the application site sits at a lower level than the dwellings on West Drive.
- 1.2 Gardens to the rear are mature with many large amenity trees and significant tree cover to the rear of the site. The trees at the back of the site are protected by an area tree protection order RE701. The low form of development, visual separation between the bungalows and predominance of mature trees seen behind the bungalows and between dwellings, coupled with the space and predominance of landscaping to the front all contribute to the sylvan character of the area.
- 1.3 The surrounding area is characterised by single storey detached bungalows with some 1.5 storey development where loft space has been converted. This form of development is typical of the surrounding roads including development on Great Tattenhams to the north, the adjoining A240 (west side) and Waterer Gardens to the east. Development in Chapel Way where it abuts West Drive to the west is considered of a different character to the application site where the form of development is much denser with significantly smaller (narrower and shorter) plot sizes and some two storey forms. Burgh Heath adjoins development in West Drive to the south and forms the boundary to the green belt.

## 2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: Pre-application consultation was undertaken on a scheme for 7 units with a mixture of single storey and two storey development. It was noted that the number of units has been reduced following the dismissed appeal together with the scale of development. However, concerns were raised with regards to the provision of two storey development on the site. Given the prevailing character of single storey bungalows on West Drive, with only limited roof space conversions, it is considered that single storey or 1.5 storey development (chalet style development) would only be permitted.
- 2.2 Improvements secured during the course of the application: Revised plans have been submitted which have reduced the scale and height of the proposed dwellings so that the proposed dwellings would be either single storey or chalet style bungalows with rooms in the roof space. The revised plans also show the provision of car barns in place of detached garages.
- 2.3 Further improvements could be secured through the use of conditions.

## 3.0 Relevant Planning and Enforcement History

- |      |            |  |   |
|------|------------|--|---|
| 3.12 | 94/03910/F | 6 -14 West Drive- Erection of 9 dwellings with associated external works   | Refused<br>25.05.1995                                   |
| 3.1  | 17/01261/F | Demolition of dwelling at '10 West Drive', and erection of 9 residential dwellings on rear land afforded to properties 9-12 West Drive, associated landscaping, parking, access onto West Drive, and associated ancillary work | Refused<br>03.08.2017<br>Appeal dismissed<br>20.03.2018 |
- 3.3 Application ref: 17/01261/F for the demolition of dwelling at '10 West Drive', and erection of 9 residential dwellings was refused for the following reason:
- The proposal, by virtue of the scale, height and dense building forms and the poorly considered layout dominated by excessive areas of hardstanding and car parking, would result in a cramped and visually dominant overdevelopment of the site which would be out of keeping with, and seriously harmful to, the character and appearance of the locality. It would therefore be contrary to policies Ho9, Ho13, Ho14 and Ho16 of the Reigate and Banstead Local Plan 2005, policies CS1 and CS4 of the Reigate and Banstead Core Strategy 2014, the Reigate and Banstead Local Distinctiveness Guide SPD and the provisions of the Framework in relation to "Good Design".*

- 3.4 As noted above, the subsequent appeal was dismissed. A copy of the appeal decision is attached as an Appendix to this report. The comments made by the Inspector are discussed below.

#### 4.0 Proposal and Design Approach

- 4.1 This is a full application for the demolition of the existing bungalow at 10 West Drive and the erection of 7 single and 1.5 storey detached and semi-detached dwellings on land to the rear of 9-12 West Drive, the provision of a new access onto West Drive, associated landscaping, parking car ports and garages, and associated ancillary work.

- 4.2 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.

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

Assessment	The character of the immediate surrounding area is assessed as being characterised by single storey detached dwellings, some of which have been extended into the roof space. Further afield it is noted that there are many examples of infill and backland forms of development where rear garden areas have been developed.
	Site features meriting retention are listed as trees at the rear of the site, some of which are protected by TPO
Involvement	No community consultation took place.
Evaluation	The other development options considered included a more intense form of development for 9 units which was refused in 2017 and dismissed on appeal.
Design	The applicant's reasons for choosing the proposal from the available options were influenced by the previous appeal decision and following pre-application advice from the Council.

- 4.6 Further details of the development are as follows:

Site area	0.47 ha
Existing parking spaces	2

Proposed parking spaces	16
Parking standard	16
Number of affordable units	0
Net increase in dwellings	6
Existing site density	2 dpha
Proposed site density	15 dpha
Density of the surrounding area	10 dpha

## 5.0 Policy Context

### 5.1 Designation

Urban area  
TPO RE701

### 5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)  
CS10 (Sustainable Development),  
CS11 (Sustainable Construction),  
CS14 (Housing Needs)  
CS17 (Travel Options and accessibility)

### 5.3 Reigate and Banstead Development Management Plan 2019

DES1 (Design of New development)  
DES2 (Residential garden land development)  
DES4: Housing Mix  
DES5: Delivering high quality homes  
DES8: Construction management  
TAP1: Access and Parking  
NHE3: Protecting trees, woodland areas and natural habitats  
CCF1: Climate Change  
INF3: Electronic communication networks

### 5.4 Other Material Considerations

National Planning Policy Framework  
National Planning Practice Guidance  
Supplementary Planning Guidance

Surrey Design  
Local Distinctiveness Design Guide  
Vehicle and Cycle Parking  
Guidance 2018

Other

Human Rights Act 1998



Community Infrastructure Levy  
Regulations 2010

**6.0 Assessment**

- 6.1 The application site is within the urban area where there is a presumption in favour of sustainable development and where the principle of residential development is acceptable.
- 6.2 There is no objection in principle to a potential redevelopment of the site and such a redevelopment would help the Council meet some of the Borough's identified housing need and furthermore would be welcomed as a contribution to housing supply. However, the principle of acceptability in this case rests upon considering the impact of the proposal and resultant harm and the need to provide additional housing, and its resultant benefit. The following report sets out the key considerations.
- 6.3 The main issues to consider are:
- Design appraisal
  - Housing Mix and Standard of Accommodation
  - Neighbour amenity
  - Highway matters
  - Trees and Landscaping
  - Energy, Sustainability and Broadband
  - Community Infrastructure Levy

Design appraisal

- 6.4 DMP Policy DES1 relates to the Design of New Development and requires new development to be of a high quality design that makes a positive contribution to the character and appearance of its surroundings. New development should promote and reinforce local distinctiveness and should respect the character of the surrounding area. The policy states that new development will be expected to use high quality materials, landscaping and building detailing and have due regard to the layout, density, plot sizes, building siting, scale, massing, height, and roofscapes of the surrounding area, the relationship to neighbouring buildings, and important views into and out of the site.
- 6.5 At the previous appeal, the Inspector referred to Policy CS4 of the Core Strategy and paragraph 60 (NPPF 2012) which state that it is proper to promote or reinforce local distinctiveness. He considered that the previous proposal failed to do this by proposing an urban form of development which would be similar in appearance to a small estate rather than a discreet individual development that would not amount to a subservient form of development in this location and would fail to promote or reinforce the distinctive characteristics of this established residential area.

- 6.6 The Inspector noted that whilst the design of the proposed dwellings would be acceptable, the scale and two storey form of the proposed dwellings would nevertheless be substantial in this location and the overall plot size of the dwellings would be very different to those typically found in the area. He found that there would be limited opportunity to soften the impact of development through a comprehensive landscaping scheme. He stated that although they would be set back and stepped down, the proposed dwellings, by virtue of their scale and massing would appear visually cramped, compromise the sense of space and openness in the area and interrupt the established pattern of development in the area.
- 6.7 In order to address these concerns, the current proposal is for 7 units rather than 9, and the scale of the proposed dwellings has been reduced, both in terms of the footprint and floor area of the proposed units and in terms of their maximum height. In the previous application and dismissed appeal, the proposed dwellings varied in height from 8.7m (plots 7 to 9) to 8.9m (plots 1 to 6).
- 6.8 In the current application Plot 1, proposed as a chalet style bungalow with rooms in the roof would have a maximum height of 6.6m to the top of the front gable and a height to the main ridge height of 5.8m. Plots 2 and 3 which are proposed as a pair of semi-detached chalet style bungalows would have a maximum height of 5.8m. Plot 7 would be a traditional detached bungalow with a maximum height 6.5m. The existing dwelling at 10 West Drive has a maximum height of 5.4m.
- 6.9 As a result of the reduction in the number of units proposed and, in the scale and height of the proposed dwellings, the revised proposals appear more sympathetic to the character of the area and would be reflective of the scale and design of existing dwellings in West Drive. The location of the proposed dwellings on the lower site levels to the rear also reduces their impact when viewed from West Drive. The additional space between the proposed dwellings would provide more space whilst the revised layout also reduces the overall amount of hard surfacing on the site providing further opportunities for landscaping.
- 6.10 Since the appeal decision, the Council has adopted the Development Management Plan. Policy DES2 relates to Residential Garden Land development. It states as follows:

*Development of residential garden land, including infilling schemes and development on back garden land, will be required to comply with the following criteria: Proposals must:*

*a. be designed to respect the scale, form and external materials of existing buildings  
in the locality to reinforce local distinctiveness*

*b. be of a height, bulk, mass, and siting to ensure the development is in keeping with the existing street scene*

- 6.11 The current application has proposed a number of changes, as noted above, in order to address the concerns raised by the Inspector in the previous appeal. The number of units has been reduced together with the scale of development. The application proposes single storey or 1.5 storey development (chalet style development) which would be compatible with the form and scale of development in West Drive, which is characterised by bungalows, some of which have been extended into their roof spaces.

*c. for infilling, incorporate plot widths, front garden depths, building orientation and spacing between buildings in keeping with the prevailing layout in the locality*

- 6.12 The proposed development, although not an infill proposal, would nevertheless incorporate plot widths similar to others in the area and would maintain similar spacing to frontage development in West Drive. Given that the dwellings would be sited in a back garden location, the orientation of dwellings would be considered acceptable with good separation between proposed and existing properties.

*d. provide well-designed access roads, with space for suitable landscaping and maintain separation to neighbouring properties*

- 6.13 The proposed access road has been designed as such to allow for a suitable landscape mitigation scheme to soften the impact of the proposed development and allow suitable separation to adjoining neighbours. This aspect of the proposed development was not objected to by the previous Inspector and is considered acceptable.

*e. retain mature trees and hedges, and other significant existing landscape features, and include grass verges and street planting that supports wildlife and maintains green corridors*

- 6.14 The impact of the proposals on protected trees on the site is discussed in more detail below. With regards to landscaping, the space alongside the proposed access road and in front of the proposed dwellings would allow for a suitable scheme of landscaping to be implemented and which would soften the impact of the proposed development and provide a landscaped setting.

*f. demonstrate they have been carefully designed to ensure a good standard of amenity for all existing and future occupants; and*

- 6.15 The revised layout shows good separation to existing dwellings fronting onto West Drive. The previous application proposals were considered to have an acceptable impact on the amenities of neighbouring properties. Given the reduced scale and quantum of development in the revised scheme, it is not considered that the current proposals would cause harm to the amenities of neighbouring properties.

*g. does not create an undue disruption to the character and appearance of an existing street frontage, particularly where the form and rhythm of development within the existing street frontage is uniform.*

- 6.16 The proposals would involve the demolition of a single property in order to facilitate the access into the site. The proposed dwellings would be located at the rear of nos. 9-12 and there would only be limited visibility from West Drive of the proposed development. As a result, it is not considered that this form of development would lead to undue disruption to the character and appearance of the area. It is also acknowledged that there are other similar backland type developments in the area.
- 6.17 In light of these comments, it is considered that the current proposals address the concerns raised by the Inspector who dealt with the previous appeal and accord with Development Management Plan policies DES1 and DES2.

#### Housing Mix and Standard of Accommodation

- 6.18 Policy DES4 requires that on sites of up to 20 homes, at least 20% of the housing should be provided as smaller (1 and 2) bed homes, unless it can be demonstrated that it is not financially viable or technically feasible to do so, that there would be no need or market demand for a particular size of homes (as may be the case for certain types of specialist accommodation), or that doing so would have an adverse impact on the character of the surrounding area.
- 6.19 The application proposes a total of 7 dwellings, two of which (plots 2 and 3) would be provided with two bedrooms at first floor level and a third room at ground floor level which is labelled as a study/bedroom 3. The other 5 dwellings would provide 3 bedrooms at first floor level in each property. The area round the site is characterised by a mixture of 3 and 4 bedroom detached dwellings and it is considered that the mix proposed would be acceptable and would accord with the requirements of the policy.
- 6.20 Policy DES5 requires that all new residential development must provide high quality adaptable accommodation and provide good living conditions for future occupants. New accommodation must meet the relevant nationally prescribed internal space standard for each individual unit unless the council considers that an exception should be made. Sufficient space must be included for storage, clothes drying and the provision of waste and recycling bins in the home. Adequate outdoor amenity space including balconies and terraces and /or communal outdoor space should be provided.
- 6.21 Each dwelling would have a floor area which accords with the relevant standard in the Nationally Described Space Standards and each dwelling would also be provided with appropriate private amenity areas. The orientation of the proposed dwellings would also allow the main habitable rooms to be penetrated by adequate levels of sunlight and daylight.

- 6.22 In light of these comments it is considered that the proposed development would provide an appropriate mix of housing and provide a high standard of accommodation in accordance with DMP policies DES4 and DES5.

Neighbour amenity

- 6.23 In addition to the comments noted above DMP Policy DES1 also requires new development to provide an appropriate environment for future occupants whilst not adversely impacting upon the amenity of occupants of existing nearby buildings, including by way of overbearing, obtrusiveness, overshadowing, overlooking and loss of privacy.
- 6.24 The proposed development has been assessed with regards to its impact on the amenity of neighbouring properties. Local concerns have been expressed about the impact of the proposal on local residential amenities, as regards overdevelopment, overbearing effect and impacts with respect to overshadowing, overlooking and loss of privacy.
- 6.25 Given the separation distances between the new houses and existing development on West Drive (over 20m), it is not considered that the proposed buildings would cause such a level of harm to neighbour amenity in terms of overbearing, overlooking, loss of light or loss of outlook so as to warrant refusal.
- 6.26 Due to the design, siting and aspect between the proposed dwellings and neighbouring properties, no direct loss of privacy, overshadowing or loss of light would occur.
- 6.27 The separation and privacy within the site between dwellings whilst tight in some respects, is not considered to form a reason for refusal in this case. The development proposes a new access road and the additional movements generated are not considered likely to cause undue noise and disturbance or unreasonable harm with respect to car headlights.
- 6.28 Objection has been 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.
- 6.29 While giving rise to a degree of change in the relationship between buildings, the proposed scheme would not unacceptably affect the amenity of neighbouring properties and would comply with policy DES1.

Highway matters

- 6.30 Policy TAP1 of the Development Management Plan 2019 requires new development to demonstrate that it would not adversely affect highways safety or the free flow of traffic, that it would provide sufficient off-street

parking in accordance with published standards and that it would constitute development in a sustainable location.

- 6.31 The developer has provided turning overlays that show drivers of transit and grocery delivery vans can enter and leave the site in forward gear without having to drive to the other side of the road where cars could potentially be parked. In the event that cars are parked on the site side of West Drive, this may affect the ability of transit and grocery delivery plans from safely entering and leaving the site as shown in the submitted plans numbered 201340/TR/04 and 201340/TR/05 from Lanmor Consulting. As such parking restrictions would be required to prevent this problem from occurring and the County Highway Authority recommend a condition that the access and associated parking restrictions and the first 20 metres of the new access road are provided before commencement of development. This will help in preventing dirt getting to the highway and causing a highway safety problem and parked vehicles preventing vehicles from entering and leaving the site access.
- 6.32 The application site is located in an area with low accessibility to public transport and other services. In such areas, dwellings with two or three bedrooms should be provided with 2 parking spaces and a further 2 visitor spaces should be provided. The submitted drawings show that each dwelling would be provided with 2 parking spaces comprising garages, car ports and open spaces. The proposed garages would be of an appropriate width to qualify as a parking space. This complies with Reigate and Banstead Minimum parking standards for the location of the proposed development.
- 6.33 In terms of refuse collection, the developer has provided a plan numbered 17008 A PL 064 Rev A that shows a refuse vehicle could enter and leave the site in a forward gear but that it would take up the entire width of the carriageway in order to do this. This is likely to cause a highway safety problem in the event of parked cars. The County Highway Authority have therefore recommended a condition that a refuse collection point is provided within 25 metres of the highway. The refuse collection point shown in the plan 7008 A PL 064 Rev A is located within 25 metres of the highway. Serving the site from the highway would be no different to existing arrangements and would therefore be acceptable for the proposed development too.
- 6.34 The Council's Neighbourhood Services team have been consulted on this part of the proposals and consider that West Drive is already a difficult road to access, and it is considered that a properly constructed turning head access into the site would be advantageous. In order to support this, the applicants have submitted a tracking drawing which shows how a 26 tonne RCV can access a refuse collection point no more than 9m from the existing highway along the proposed access drive. Neighbourhood Services also state that all new developments should be planned to comply with the Health & Safety requirements and that reversing manoeuvres are usually not acceptable and must be kept to a minimum in line with Health & Safety Executive directives.

- 6.35 The tracking drawing demonstrates that a refuse collection vehicle could access the site, utilise the site entrance as a turning head and collect the refuse from a collection point alongside the site access.
- 6.36 The Neighbourhood Services team have confirmed that these arrangements would be acceptable and have also asked that the edges of the bellmouth access be strengthened to give added protection should a refuse collection vehicle run over them. A condition is recommended to require further details of the refuse collection point be submitted.

#### Trees and Landscaping

- 6.37 Policy NHE3 advises that unprotected but important trees, woodland and hedgerows with ecological or amenity value should be retained as an integral part of the development.
- 6.38 The tree officer was consulted on the proposal in order to assess the proposed development against impact upon existing trees and vegetation.
- 6.39 A detailed arboricultural report has been submitted in support of the application. The tree officer notes that the additional arboricultural report by DAA, dated February 2021, demonstrates the gardens will not be heavily shaded by the trees and therefore his original concerns on this issue have been addressed. He also notes that future applications to undertake tree work will be assessed on a case by case basis and this will ensure trees of value will be retained protecting the local canopy cover.
- 6.40 The arboricultural information provided to date does not identify underground services or whether there will changes in levels, therefore it will be necessary for a finalised tree protection condition to be attached to the decision notice.
- 6.41 With regards to the proposed landscape scheme, this shows that a mixture of trees and shrubs will be planted, which overtime will enhance the development.
- 6.42 Therefore, based on the information submitted the tree officer is able to support this application.

#### Energy, Sustainability and Broadband

- 6.43 In accordance with adopted policy, conditions are imposed to seek the installation of carbon reduction measures within the dwellings hereby permitted to secure energy savings through the use of renewable technologies where appropriate and the provision of fast broadband services for future residents to ensure that the dwellings are future proofed.

#### Withdrawal of Permitted Development Rights

- 6.44 Given the relatively small plot sizes for the proposed dwellings it is also recommended that permitted development rights be withdrawn for the

proposed dwellings so that the Council is able to retain control of the size and design of further extensions at ground floor level and within the roof space.

#### Community Infrastructure Levy (CIL)

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

#### Other Issues

- 6.46 Objections have been received due to the loss of property value, loss of private views and conflict with covenants, but these are not material planning considerations. Concern has been raised from neighbouring properties regarding fear of crime, flooding and drainage/sewage. The proposal would result in the redevelopment of a rear garden area, new boundary treatment is proposed, and the development is not considered to cause crime issues. The site is not located within a flood zone and sewage capacity would be assessed at building control stage. The proposal is considered to have a satisfactory impact with regards flooding and drainage/sewerage capacity. It is noted a condition could be applied to a grant of permission to ensure that sustainable drainage is present on the site and an appropriate surface water drainage scheme implemented.
- 6.47 Concern has been raised regarding the potential for harm to wildlife by neighbouring residents. 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 for protected species and may provide opportunities to incorporate features into the design which are beneficial. Measures to enhance biodiversity within the site could be designed in to the development in accordance with para 118 of the NPPF and secured by a planning condition. No issues were previously identified in this regard by the previous appeal inspector and bats and their roosts are protected by law and the protected species legislation applies independently of planning permission.

### **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</b>
Site Location Plan	17008-A-PL-050	A	15/02/2021
Proposed site layout	17008-A-PL-051	E	23/03/2021
Proposed site layout	17008-A-PL-052	E	23/03/2021
Proposed block plan	17008-A-PL-053	E	23/03/2021
Combined Plan	17008-A-PL-054	D	15/03/2021
Combined Plan	17008-A-PL-055	D	15/03/2021
Combined Plan	17008-A-PL-056	B	15/02/2021
Combined Plan	17008-A-PL-057	C	15/03/2021
Combined Plan	17008-A-PL-058	A	15/02/2021
Combined Plan	17008-A-PL-059	A	15/02/2021
Proposed sections	17008-A-PL-060	B	15/02/2021
Proposed sections	17008-A-PL-061	E	23/03/2021
Proposed sections	17008-A-PL-062	B	15/02/2021
Proposed sections	17008-A-PL-063	C	11/03/2021
Unilateral Undertaking plan	17008-A-PL-065	E	23/03/2021
Proposed site layout	17008-A-PL-066	D	23/03/2021
Existing combined plan	17008-A-PL-067	A	15/02/2021
Tracking plan	17008-A-PL-068	A	15/02/2021
Proposed site layout	17008-A-PL-069	E	23/03/2021
Tracking plan	17008-A-PL-071	B	23/03/2021
Arboricultural Plan	TCP01		15/02/2021

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 Development Management Plan 2019 policy DES1.

4. No development shall take place above slab level until written details of the materials to be used in the construction of the external surfaces, including fenestration and roof, have been submitted to and approved in writing by the Local Planning Authority, and on development shall be carried out in accordance with the approved details.

Reason: To ensure the Local Planning Authority are satisfied with the details of the proposal and its relationship with adjoining development and to

safeguard the visual amenities of the locality with regard to Reigate and Banstead Development Management Plan 2019 policy DES1.

5. No development shall commence including demolition and or 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 (RPA) of trees shown to scale on the TPP, including the installation of service routings type of surfacing for the entrance drive and location of site offices. The AMS shall also include a pre-commencement meeting, supervisory regime for their implementation and 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 DES1 and NHE3 of the Reigate and Banstead Development Management Plan 2019.

6. No development, groundworks or demolition processes shall be undertaken until an agreed scheme of supervision for the arboricultural protection measures have been submitted to and approved in writing by the local planning authority. The pre commencement meeting, supervision and monitoring shall be undertaken in accordance with these approved details. The submitted details shall include.
  1. Pre commencement meeting between the retained arboricultural consultant, local planning authority Tree Officer and individuals and personnel responsible for the implementation of the approved development
  2. Timings, frequency of the supervision and monitoring regime and an agreed reporting process to the local planning authority.
  3. The supervision monitoring and reporting process shall be undertaken by a qualified arboriculturist.

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

7. 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.

Any trees shrubs or plants planted in accordance the approved scheme which are removed, die or become damaged or diseased within five years of

planting shall be replaced within the one year by trees, shrubs of the same size and species in the same location.

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 DES1 and NHE3 of the Reigate and Banstead Development Management Plan 2019 and the recommendations within British Standard 5837:2012 Trees in relation to design, demolition and construction

8. Notwithstanding the submitted plan titled Sight Lines Plan numbered 17008 A PL 066 Rev C the development shall not be commenced until the proposed bellmouth vehicular access to West Drive and the first 20 metres of the new access road have been provided with tactile paving at the pedestrian crossing points of the access and parking restrictions along the both sides of West Drive for a distance of 43 metres in both directions from the access in accordance with a revised scheme to be submitted to and approved in writing with 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 2019 and Policy TAP1 Parking, access, and Servicing of the Reigate and Banstead Local Plan Development Management Plan September 2019.

9. No development shall commence until a scheme for the disposal of foul and surface water drainage from the site has been submitted to and approved by the Local Planning Authority. The scheme shall be implemented as approved prior to the occupation of the dwelling hereby permitted.

Reason: To ensure that the site is satisfactorily drained with regard to Development Management Plan policy CCF2 and National Planning Policy Framework 2019.

10. The development hereby approved shall not be commenced unless and until a pedestrian inter-visibility splay measuring 2m by 2m has been provided on each side of the access to West Drive, the depth measured from the back of the footway and the widths outwards from the edges of the access in accordance with a scheme to be submitted to and approved in writing with the Local Planning Authority. No obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

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

11. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with approved plan

titled Proposed Site Layout and numbered 17008 A PL052 Rev C for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

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

12. No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) programme of works (including measures for traffic management)
  - (e) provision of boundary hoarding behind any visibility zones
  - (g) vehicle routing
  - (h) measures to prevent the deposit of materials on the highway
  - (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
  - (k) on-site turning for construction vehicles
  - (i) hours of construction

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 2019 and DES8 Construction Management of the Reigate and Banstead Local Plan Development Management Plan September 2019.

13. The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and Reigate and Banstead Core Strategy 2014 Policy CS17 (Travel Options and Accessibility).

14. Notwithstanding the submitted plan titled Proposed Site Layout dated October 2020 and numbered 17008 A PL052 Rev C the development shall not be commenced until the north eastern access road footway has been extended to the south east boundary of plot 13 in accordance with a revised scheme to be submitted to and approved in writing with 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 2019 and Policy TAP1 Parking, access, and Servicing of the Reigate and Banstead Local Plan Development Management Plan September 2019.

15. The development shall not be occupied until a refuse collection area has been provided in accordance with the approved submitted plan 17008 A PL 071 Rev A, all to be permanently retained and maintained.

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

16. The development hereby approved shall not be occupied until a plan for the management of the bin presentation point area has been submitted to and approved in writing by the Local Planning Authority. The plan be informed by the Council's Making Space for Waste in New Developments, including requirements for the bins to be positioned there only on bin collection day. Upon occupation the plan shall be implemented, and the bin presentation point maintained in accordance with the approved details.

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

17. 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 policy DES1 of the Reigate and Banstead Development Management Plan 2019.

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

19. 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 and C of Part 1 of the Second Schedule of the 2015 Order shall be constructed.

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

20. The development hereby approved shall not be first occupied unless and until an Energy and Water Efficiency Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall detail how the development will:
- a) Ensure that the potential water consumption by occupants of each new dwelling does not exceed 110 litres per person per day
  - b) Achieve not less than a 19% improvement in the Dwelling Emission Rate (DER) over the Target Emission Rate (TER) as defined in Part L1A of the 2013 Building Regulations

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

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

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

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

22. The development hereby permitted shall not be occupied until a scheme for the provision of measures to improve the bio-diversity interest of the site are

submitted to the Council and approved in writing. The approved measures shall be implemented in full and maintained thereafter.

Reason: To ensure that the development would not harm wildlife or protected species and deliver a biodiversity enhancement in accordance with Policy NHE2 of the Development Management Plan, Natural England standing advice 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.org.uk](http://www.firesprinklers.org.uk).
2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions. Further information can be found on the Council website at : [Climate Change Information](#).
3. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, to contact the Council's Neighbourhood Services team to confirm the number and specification of recycling and refuse bins that are required to be supplied by the developer. The Council's Neighbourhood Services team can be contacted on 01737 276292 or via the Council's website at [http://www.reigate-banstead.gov.uk/info/20085/planning\\_applications/147/recycling\\_and\\_waste\\_developers\\_guidance](http://www.reigate-banstead.gov.uk/info/20085/planning_applications/147/recycling_and_waste_developers_guidance)
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 applicant is advised that the Borough Council is the street naming and numbering authority and you will need to apply for addresses. This can be done by contacting the Address and Gazetteer Officer prior to construction commencing. You will need to complete the relevant application form and upload supporting documents such as site and floor layout plans in order that official street naming and numbering can be allocated as appropriate. If no application is received the Council has the authority to allocate an address. This also applies to replacement dwellings. If you are building a scheme of more than 5 units please also supply a CAD file (back saved to 2010) of the development based on OS Grid References. Full details of how to apply for addresses can be found [http://www.reigatebanstead.gov.uk/info/20277/street\\_naming\\_and\\_numbering](http://www.reigatebanstead.gov.uk/info/20277/street_naming_and_numbering)
7. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
8. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
9. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath,



carriageway, verge or other land forming part of the highway. All works 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).

10. 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).
11. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
12. The developer 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.
13. The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.
14. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
15. The developer is advised that that the parking restrictions required by the above access condition would need to be approved and advertised through

Surrey County Council and then provided by the developer. The aforementioned is all at the developer's own expense.

16. The use of a suitably qualified landscape/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.

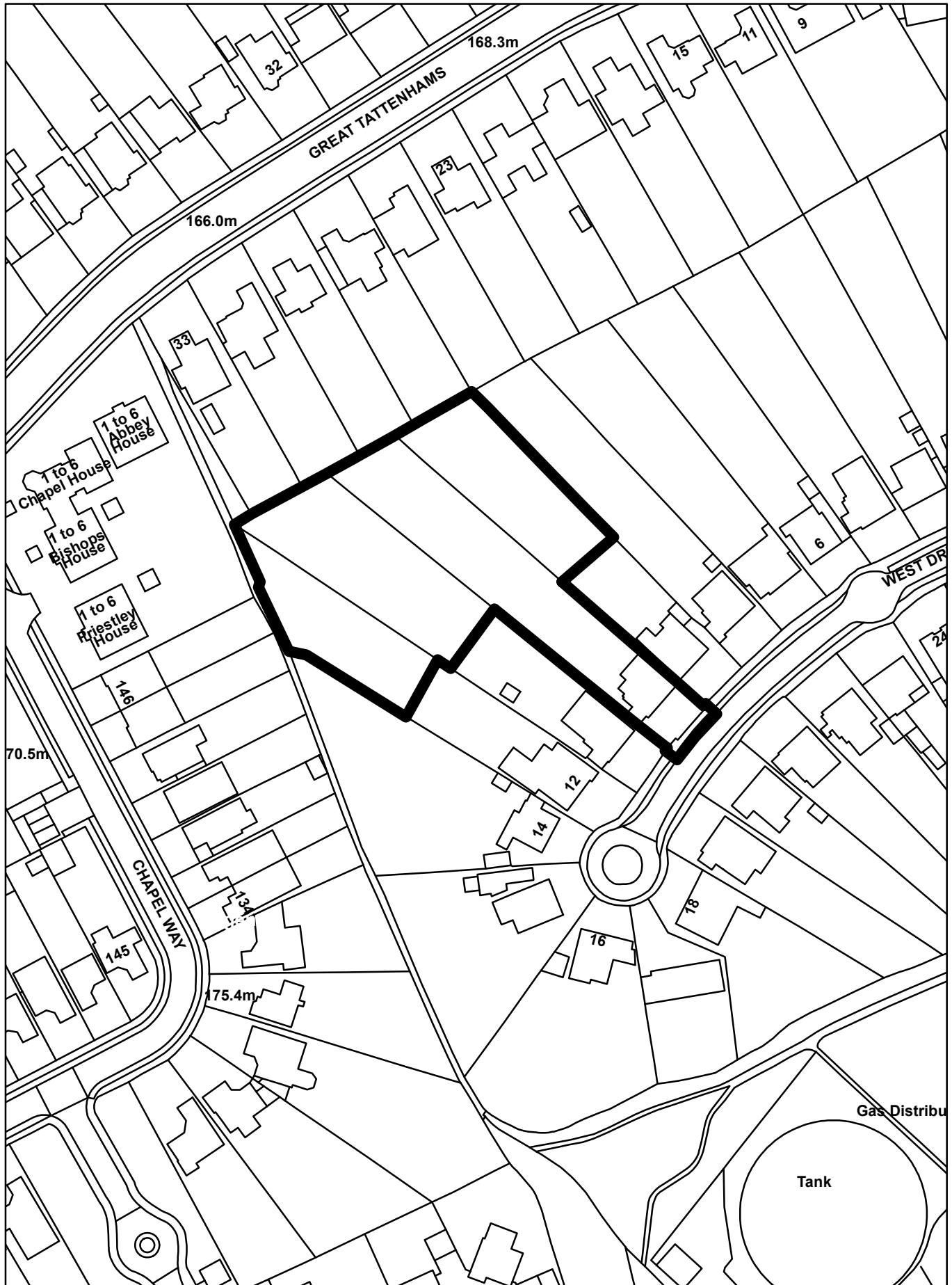
## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against development plan policies CS1, CS10, CS11, CS14, CS17, DES1, DES2, DES4, DES5, DES8, TAP1, NHE3, CCF1, INF3 and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

## **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.

# 20/02510/F - 10 West Drive And Land To The Rear Of 9,11 And 12 West Drive, Burgh Heath





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## Appeal Decision

Site visit made on 20 February 2018

by **David Troy BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 March 2018

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### Appeal Ref: **APP/L3625/W/17/3184390**

### **9-12 West Drive, Burgh Heath KT20 5PA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Devine Homes PLC against the decision of Reigate & Banstead Borough Council.
  - The application Ref 17/01261/F, dated 30 May 2017, was refused by notice dated 3 August 2017.
  - The development proposed is demolition of dwelling at '10 West Drive', and erection of 9 residential dwellings on rear land afforded to properties 9-12 West Drive, associated landscaping, parking, access onto West Drive, and associated ancillary work.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

### Reasons

3. The appeal site forms part of the rear garden areas of Nos. 9-12 West Drive, a row of detached bungalows set within large spacious plots on a residential cul-de-sac. It is located in a mature well-established residential area that has a mixed suburban character with a range of two storey and single storey properties of varying styles and ages.
4. The properties on West Drive are typically characterised by detached bungalows set back from the road behind small front gardens/driveways and larger spacious rear gardens. To the north, south and west are the garden areas and the outbuildings associated with the adjacent properties. Where outbuildings and other structures exist behind the residential properties, these are very low, small in scale, clearly subsidiary and have little impact upon the sense of space and openness in the area. This gives the area a strong unifying character and appearance, which is further enhanced by the presence of mature landscaping and established trees within the appeal site and surrounding gardens including a group of trees subject to a Tree Preservation Order. The topography of the site slopes away gently from the existing dwellings towards the garden areas and properties at the rear.
5. The proposal would involve the demolition of the existing dwelling at no. 10 West Drive and the erection of 9 no. two storey semi-detached and terraced

- dwelling with associated parking, landscaping and garden areas, which would be served via a new access road off West Drive. The proposed two storey dwelling would be set back from the boundaries of the site and would be stepped down to utilise the natural sloping topography of the site.
6. Whilst visually the design of the proposed dwellings would be acceptable, the scale and two storey form of the proposed dwellings would nevertheless be substantial in this location and the overall plot size of the dwellings would be very different to those typically found in the area. The proposed semi-detached dwellings on Plots 1 to 4 and the end terraced dwelling on Plot 9 would be positioned on the highest part of the site and located in close proximity to the rear boundary of the adjacent properties on West Drive. This would provide limited opportunity to soften the impact of development through a comprehensive landscaping scheme. As such, although they would be set back and stepped down, the proposed dwellings, by virtue of their scale and massing would appear visually cramped, compromise the sense of space and openness in the area and interrupt the established pattern of development in the area.
  7. Policy CS4 of the Reigate and Banstead Local Plan Core Strategy 2014 (CS) and Paragraph 60 of the National Planning Policy Framework (the Framework) state that it is proper to promote or reinforce local distinctiveness. In this case, the siting and layout of the proposed development would result in an urban form of development similar in appearance to a small estate rather than discreet individual development that would not amount to a subservient form of development in this location and would fail to promote or reinforce the distinctive characteristics of this established residential area. In addition, the proposed layout would result in the proposed dwellings on Plots 1 to 5 backing onto the shared open space providing limited natural surveillance to ensure safety and security contrary to the advice in the local design guidance<sup>1</sup>.
  8. The consequential harm would not in my view be sufficiently resolved by the limited effect of the proposed dwellings on the street scene. In any case, the site is viewed from the rear of a number of surrounding properties and the adjacent public rights of way. These shortcomings would be exacerbated by the proposed removal of a number of the established trees within and along the boundaries of the site which make an important contribution to the verdant character and appearance of the area. As such, irrespective of the design approach, I consider the proposed development would adversely harm rather than positively contribute to the character and appearance of the area.
  9. I have considered the appellant's arguments that the site layout and the design of the dwellings have been carefully considered in order to minimise any impacts on adjacent dwellings and the area and would be in keeping with the other properties in the area. Whilst I recognise there is some variation in heights and housing styles in the area and the use of matching materials, fenestrations, landscaping and boundary treatment would assist with integrating the proposal with the area and would reduce overall visual impact of the proposed access, car parking and hardstanding areas within the site, these aspects do not overcome the adverse effects outlined above.
  10. Consequently, I conclude that the proposed development would have a harmful effect on the character and appearance of the area. The development conflicts with saved Policies Ho9, Ho13 and Ho14 of the Reigate and Banstead Borough

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<sup>1</sup> Reigate and Banstead Local Distinctiveness Design Guide SPG (March 2004) Page 39

Local Plan 2005, CS Policies CS1 and CS4 and the Reigate and Banstead Local Distinctiveness Design Guide Supplementary Planning Guidance 2004. These policies and guidance seek, amongst other things, to ensure developments are of a high quality design that reflects the existing character of the area and the local distinctiveness. In addition, it would not accord with the aims of the Framework that development should seek to secure a high quality of design (paragraph 17) and to respect the local character (paragraph 58).

### **Other Matters**

11. I have noted the other developments in the area drawn to my attention by the appellant. However, whilst there are some issues that are similar to the proposed development, all of the examples provided including that at Stanton Lodge and Shelveys Way, Tadworth<sup>2</sup> and Epsom Lane North, Epsom Downs<sup>3</sup>, are located on different streets with different development and locational characteristics to the appeal scheme. In any event, I am required to deal with this proposal on its own merits and such I accord them limited weight as precedents in this case.
12. The Framework places significant emphasis on the delivery of new housing and the Council has not disputed the contribution small sites can make towards new housing in the area. The appellant states that the proposal constitutes a sustainable form of development that would be well connected to existing services and facilities and provide some social and economic benefits through contributing to the supply and mix of housing, making effective and efficient use of the land in an accessible location and contributing to the local economy. The additional dwellings would make a positive, albeit modest contribution to the supply of housing in the area and the vitality and viability of the local services and the economy.
13. However, while I note the appellant's view that the scheme's design and the retention and enhancement of the mature landscaping and trees on the site would amount to environmental benefits, I have found above that taken overall the development would harm the area's character and appearance. This harm would conflict with the environmental dimension of sustainable development and, in my view, would be sufficient to outweigh the scheme's benefits when assessed against the policies in the Framework as a whole. The proposal would not therefore amount to sustainable development in the terms of the Framework.
14. I have noted the objections raised by local residents to the proposal. However, in light of my findings on the main issue of the appeal, my decision does not turn on these matters.

### **Conclusion**

15. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

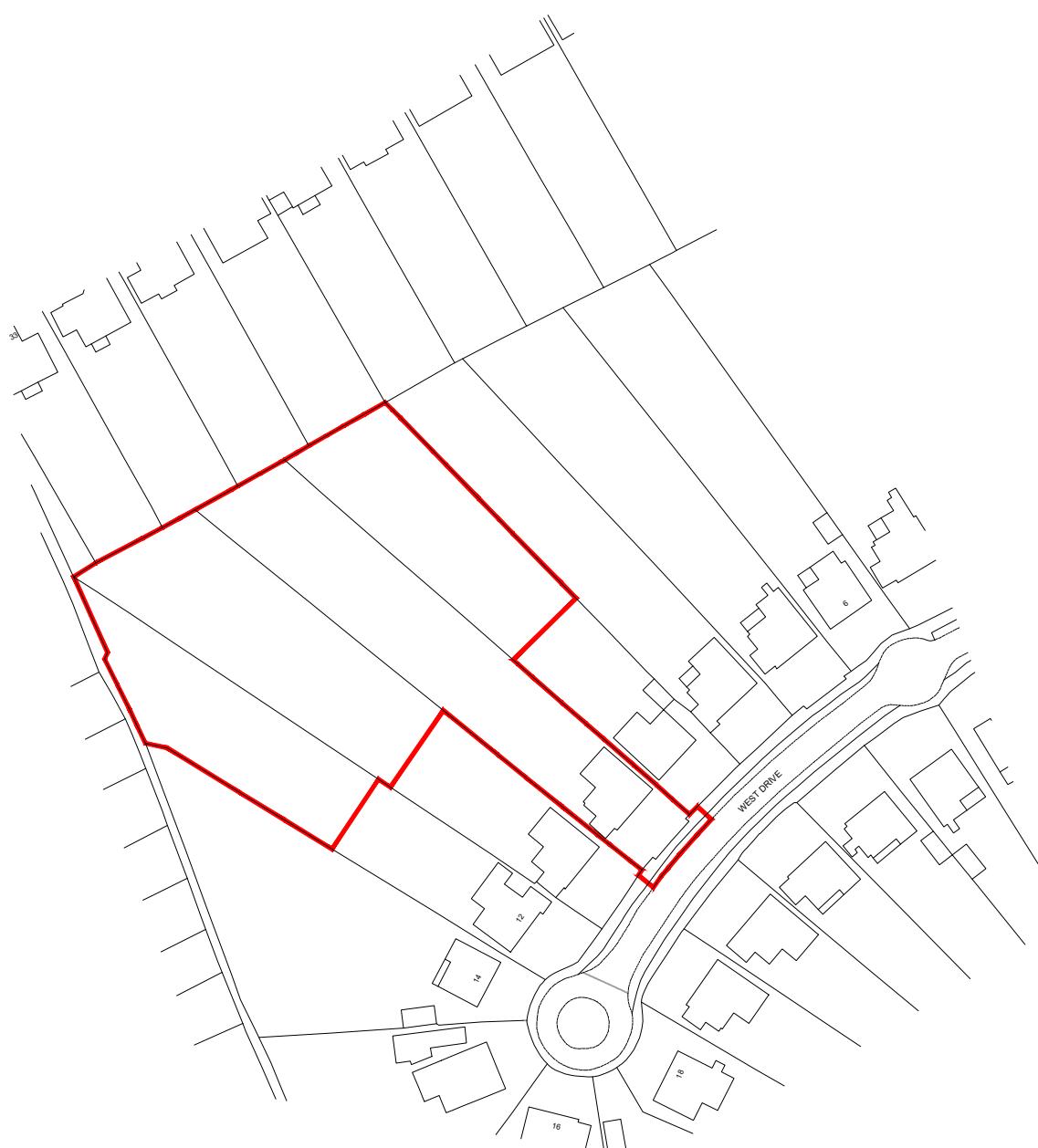
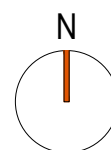
*David Troy*

INSPECTOR

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<sup>2</sup> APP/L3625/W/16/3150102

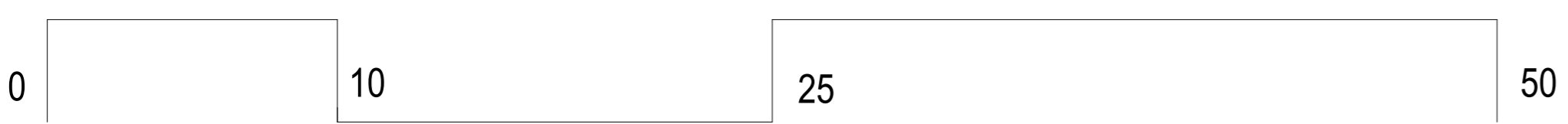
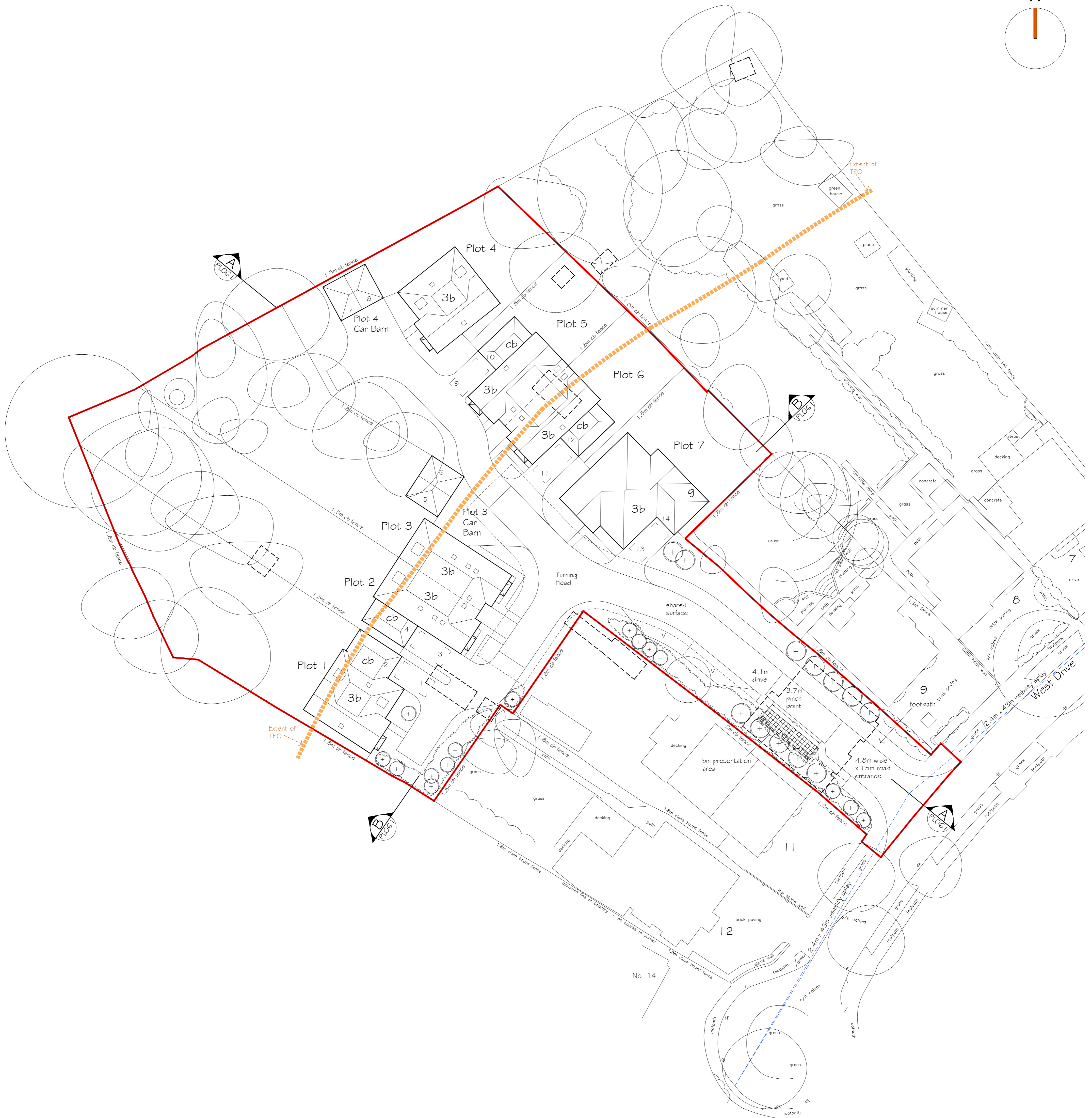
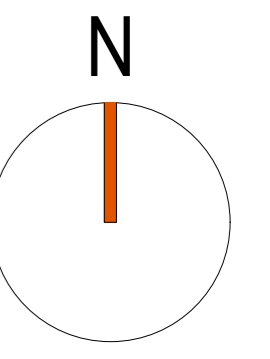
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			date: October 2020	project: 9 to 12 West Drive, Tadworth. KT20 5PA.	
			checked: dp	status: PLANNING APPLICATION	



ACCOMMODATION SCHEDULE	
Application Site Area = 4666 sq.m / 0.47 hectares / 1.15 acres	
PLOT / TYPE	QUANTITY
Plots 1 & 4 - 3 Bedroom Chalet Bungalows (135.9 sq.m / 1463 sq.ft)	2
Plots 2 & 3 - 3 Bedroom Chalet Bungalows (110.2 sq.m / 1186 sq.ft)	2
Plots 5 & 6 - 3 Bedroom Chalet Bungalows (117.2 sq.m / 1261 sq.ft)	2
Plot 7 - 3 Bedroom Bungalow (115.0 sq.m / 1238 sq.ft)	1
<b>TOTAL</b>	<b>7</b>
Parking	14 spaces

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MODEL FILE REFERENCE- 17008-A-P-PL

rev.	description	date	by	ch
F	Bin presentation area re-located / fence heights with No.11 adjusted / radius to bellmouth to south side amended	2021.03.23	AJC	dp
E	Bin presentation area added/ Plots 1 and 2 garages changed to car barns/ northern footpath extended	2021.03.10	AJC	dp
D	Tree canopies amended/ bin collection point removed	2021.02.11	AJC	dp
C	Plots 2 & 3 roof plan amended	2021.01.20	AJC	dp
B	Plots 1 to 6 roof plans amended	2021.01.12	AJC	dp
A	Planning Issue	2020.10.27	AJC	dp
P1	Preliminary Issue	2020.10.21	AJC	dp

scale: 1:250 @ A1 client: DEVINE HOMES PLC

date: October 2020 project: Land at 9 to 12 West Drive, Banstead. KT20 5PA.

drawn: AJC drawing: Proposed Site Layout

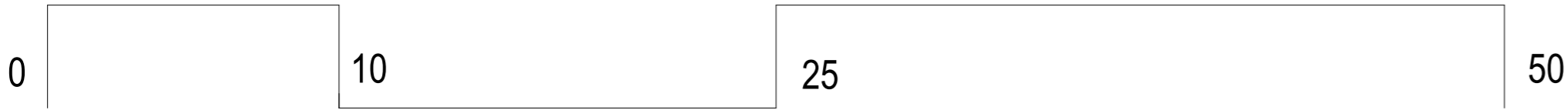
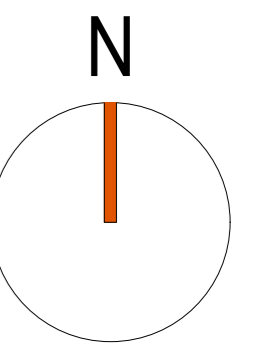
checked: dp status: PLANNING APPLICATION

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t: 01794 830660 e: enquiries@vision-architects.org.uk

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drawing No: **17008-A-PL-51** revision: **F**





ACCOMMODATION SCHEDULE	
Application Site Area = 4666 sq.m / 0.47 hectares / 1.15 acres	
PLOT / TYPE	QUANTITY
Plots 1 & 4 - 3 Bedroom Chalet Bungalows (135.9 sq.m / 1463 sq.ft)	2
Plots 2 & 3 - 3 Bedroom Chalet Bungalows (110.2 sq.m / 1186 sq.ft)	2
Plots 5 & 6 - 3 Bedroom Chalet Bungalows (117.2 sq.m / 1261 sq.ft)	2
Plot 7 - 3 Bedroom Bungalow (115.0 sq.m / 1238 sq.ft)	1
<b>TOTAL</b>	<b>7</b>
Parking	14 spaces

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MODEL FILE REFERENCE- 17008-A-P-PL

rev.	description	date	by	ch
E	Bin presentation area re-located / fence heights with No.11 adjusted / radius to bellmouth to south side amended	2021.03.23	AJC	dp
D	Bin presentation area added/ Plots 1 and 2 garages changed to car barns/ northern footpath extended	2021.03.10	AJC	dp
C	Tree canopies amended/ bin collection point removed	2021.02.11	AJC	dp
B	Plots 1 to 6 roof plans amended	2021.01.25	AJC	dp
A	Planning Issue	2020.10.27	AJC	dp
P1	Preliminary Issue	2020.10.21	AJC	dp

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date: October 2020 project: Land at 9 to 12 West Drive, Banstead. KT20 5PA.

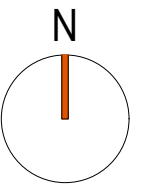
drawn: AJC drawing: Proposed Site Layout (coloured)

checked: dp status: PLANNING APPLICATION

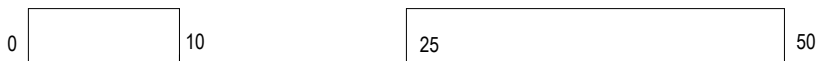
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drawing No: 17008-A-PL-052 revision: E



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**MODEL FILE REFERENCE-17008-A-P-PL**

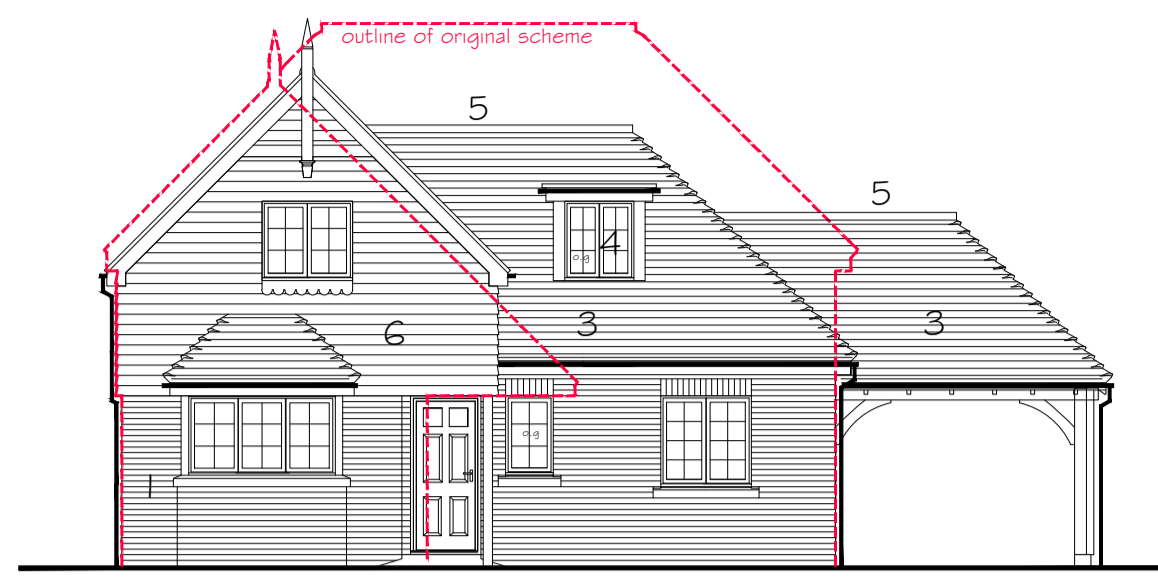
rev	description	date	by	ch.
E	Bin presentation area re-located / radius of bellmouth to south side amended	2021.03.23	AJC	dp
D	Bin presentation area added/ northern footpath extended	2021.03.10	AJC	dp
C	Bin collection point removed	2021.02.11	AJC	dp
B	Plots 1 to 6 roof plans amended	2021.01.25	AJC	dp
A	Planning Issue	2020.10.27	AJC	dp
P1	Preliminary Issue	2020.10.21	AJC	dp

scale: 1:500 @ A3 client: DEVINE HOMES PLC  
 date: October 2020 project: 9 to 12 West Drive, Tadworth. KT20 5PA.  
 drawn: AJC drawing: Block Plan  
 checked: dp status: PLANNING APPLICATION

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 t: 01794 830660 e: enquiries@vision-architects.org.uk

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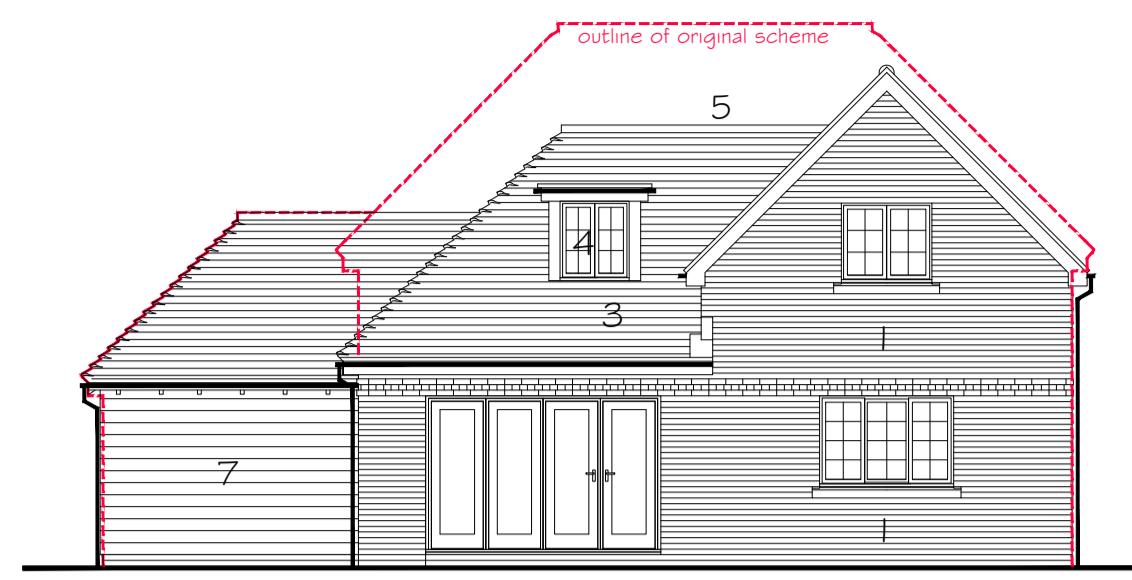
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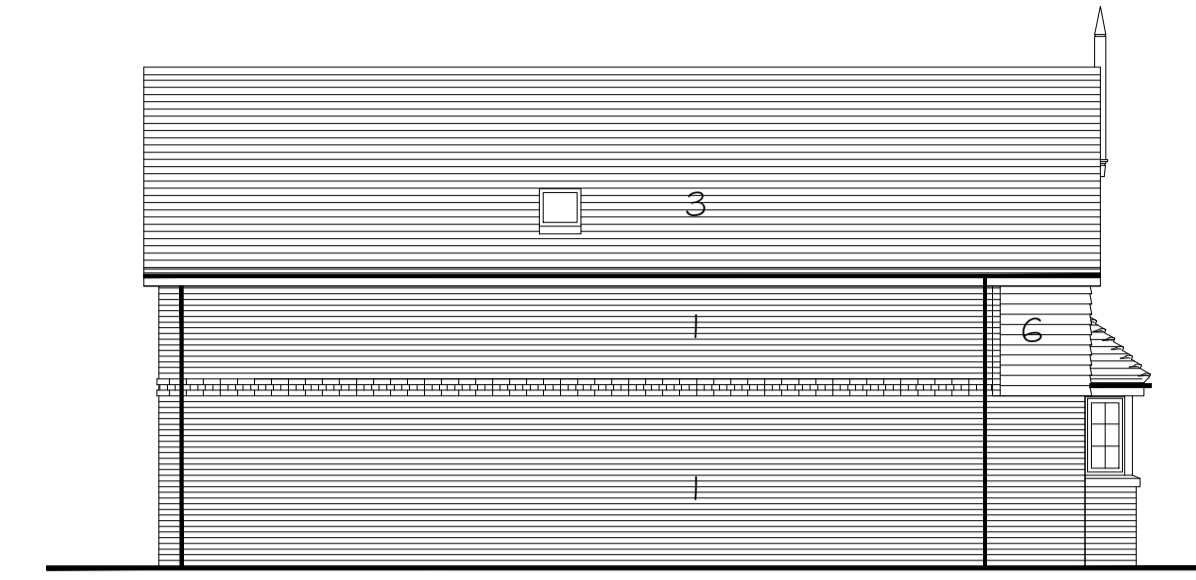
SOUTH EAST ELEVATION



NORTH EAST ELEVATION

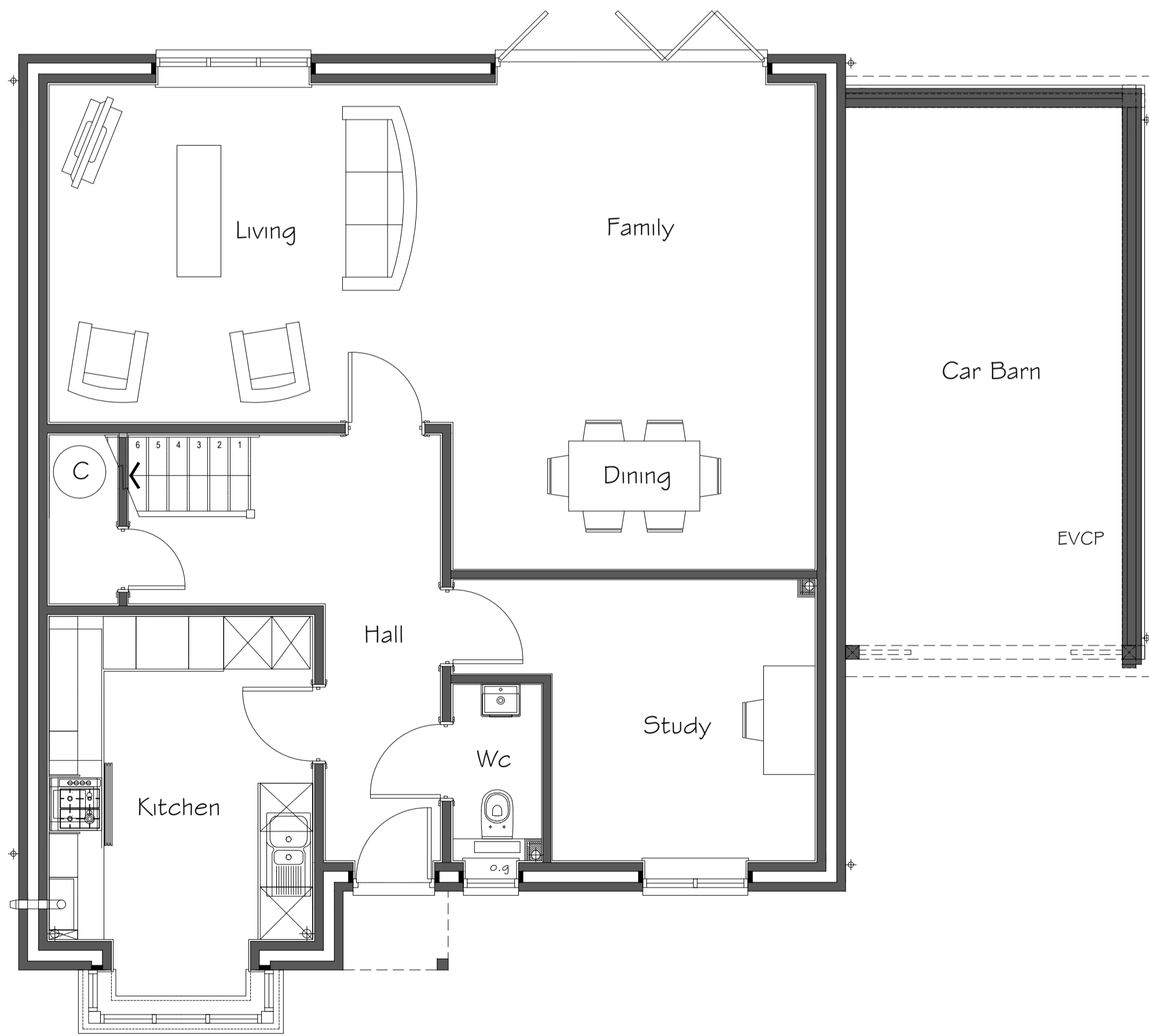
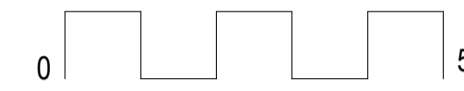


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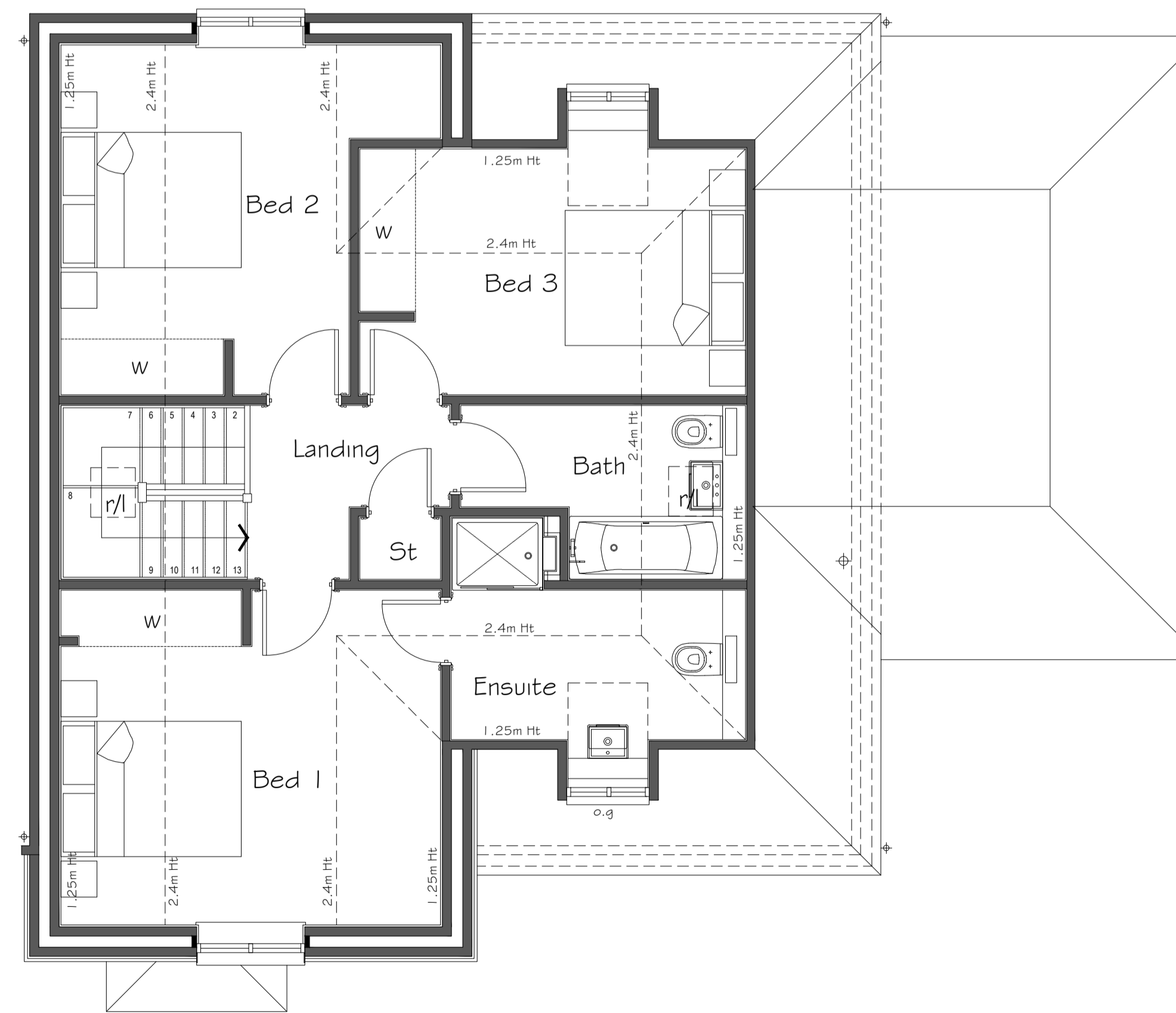


SOUTH WEST ELEVATION

KEY TO MATERIALS	
1	Facing Brckwork
2	Render
3	Plain Tiles
4	uPVC Windows and Doors
5	Single Ply Membrane
6	Plain Tile Hanging
7	Timber Boarding



GROUND FLOOR PLAN



FIRST FLOOR PLAN

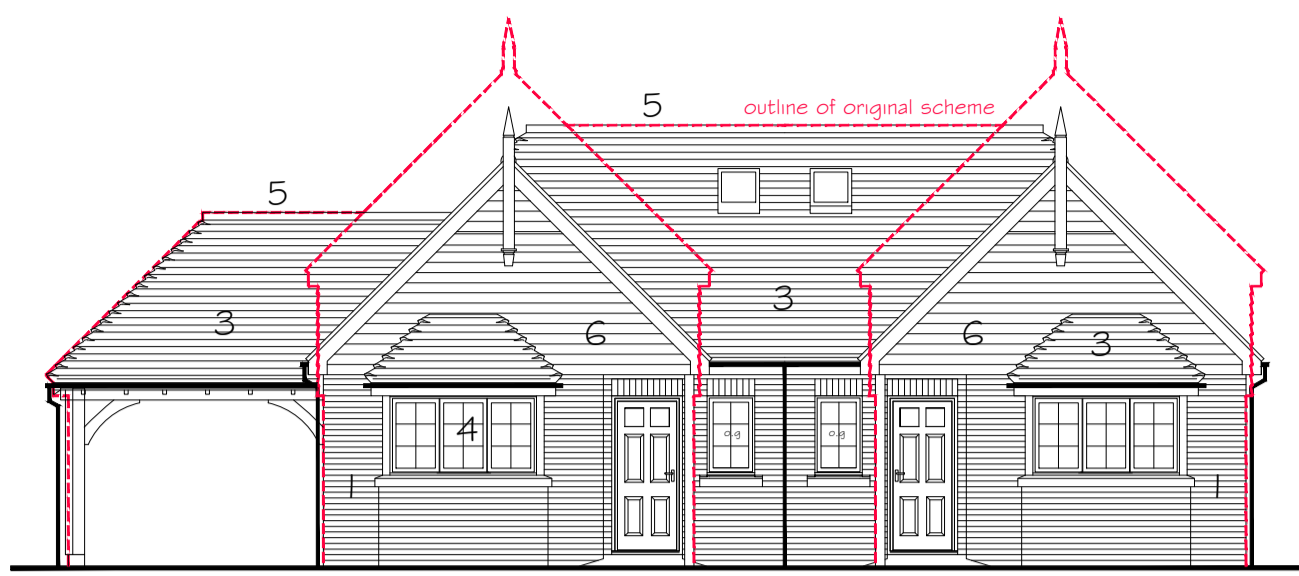
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drawn:	AJC	drawing:	Plot 1 - Proposed Floor Plans & Elevations
checked:	dp	status:	PLANNING APPLICATION

rev	description	date	by	ch
D	Ground floor plan updated with car barn.	2021.03.10	AJC	dp
C	Garage replaced with car barn.	2021.03.10	AJC	dp
B	Unit re-designed.	2021.01.25	AJC	dp
A	Planning issue	2020.10.27	AJC	dp
P1	Primary issue	2020.10.27	AJC	dp

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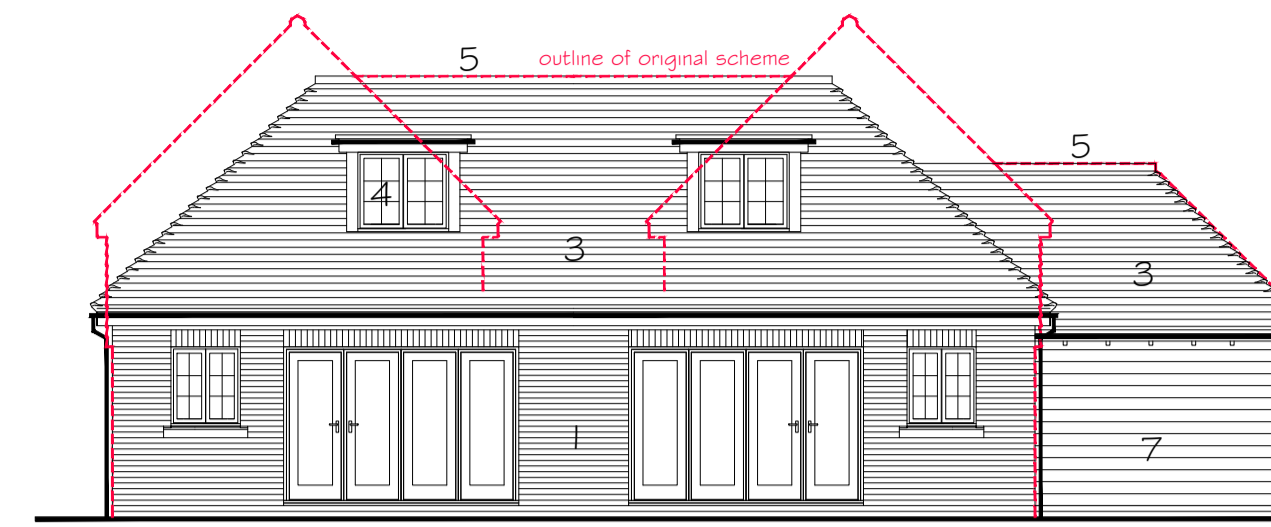
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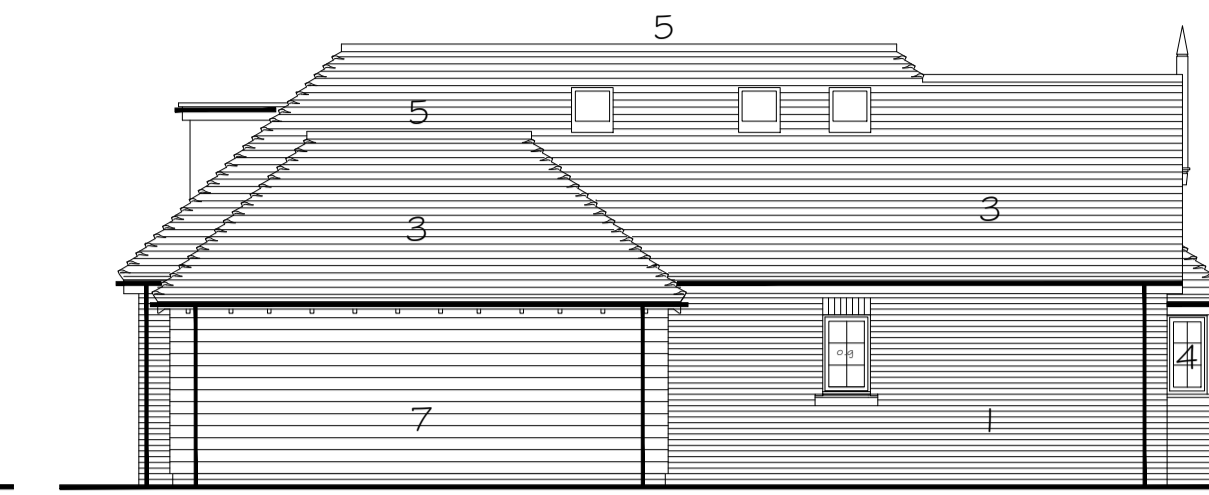
SOUTH EAST ELEVATION



NORTH EAST ELEVATION

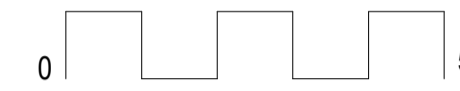


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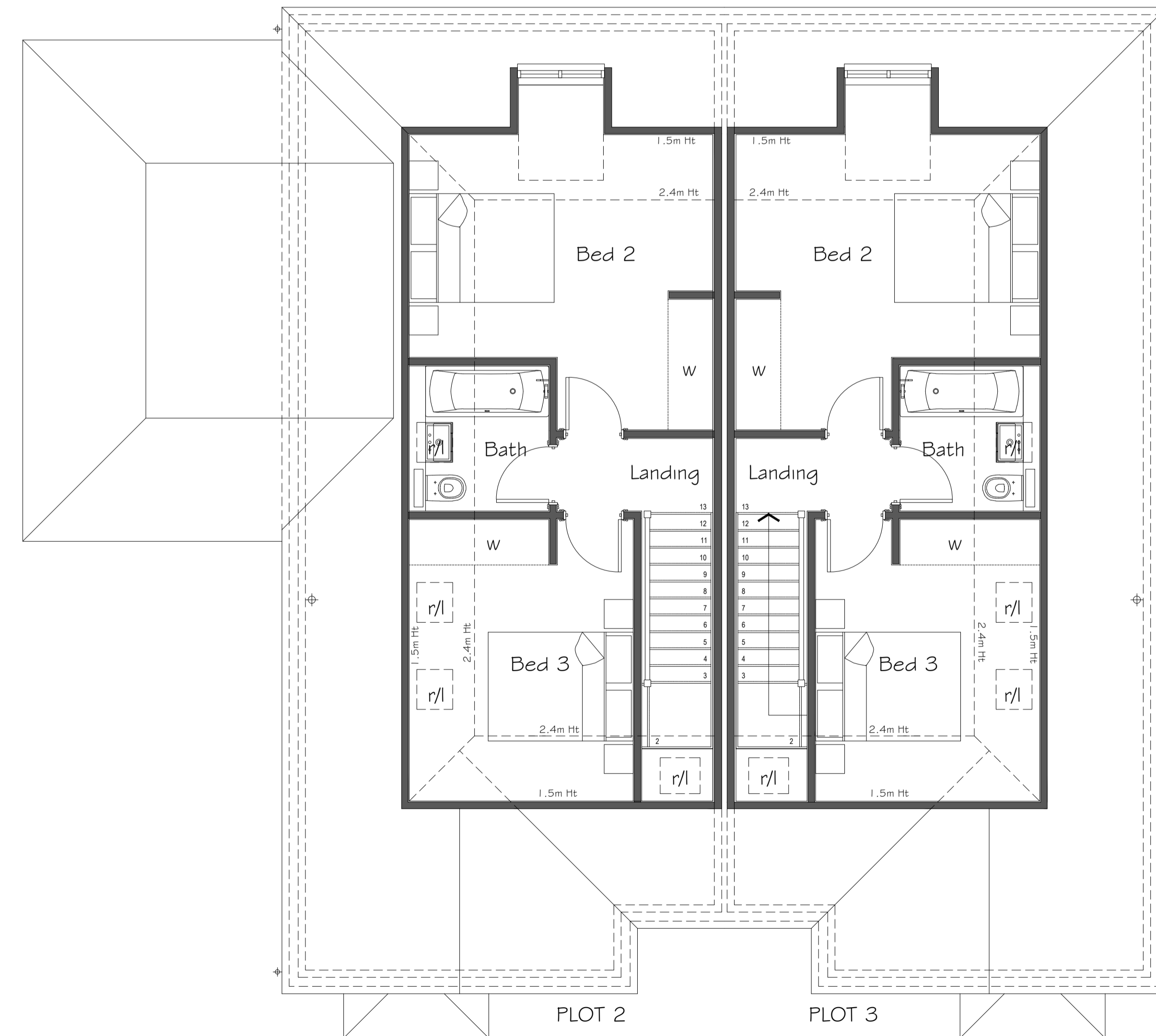


SOUTH WEST ELEVATION

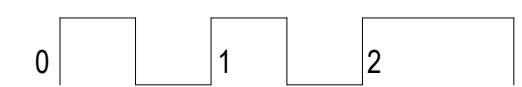
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1	Facing Brickwork
2	Render
3	Plain Tiles
4	uPVC Windows and Doors
5	Single Ply Membrane
6	Plain Tile Hanging
7	Timber Boarding



GROUND FLOOR PLAN

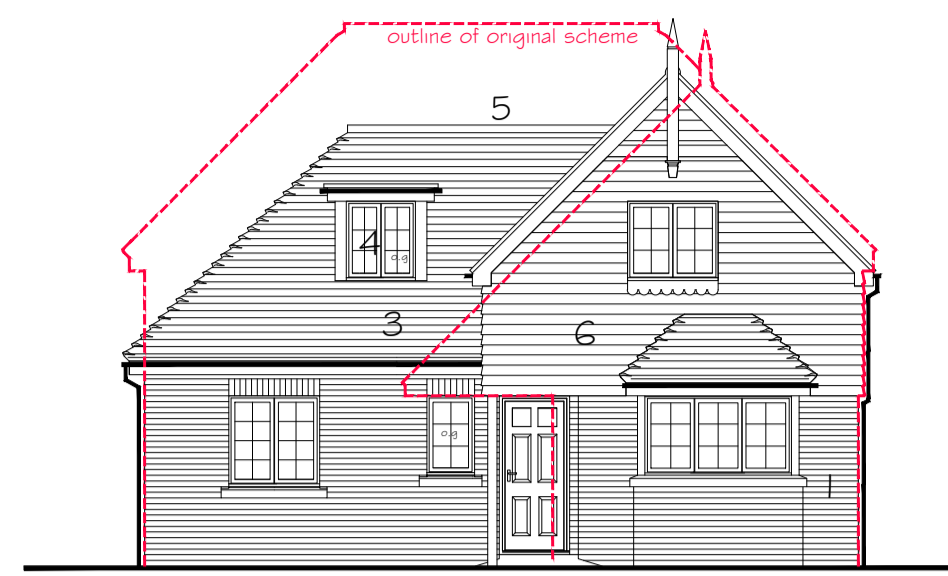


FIRST FLOOR PLAN

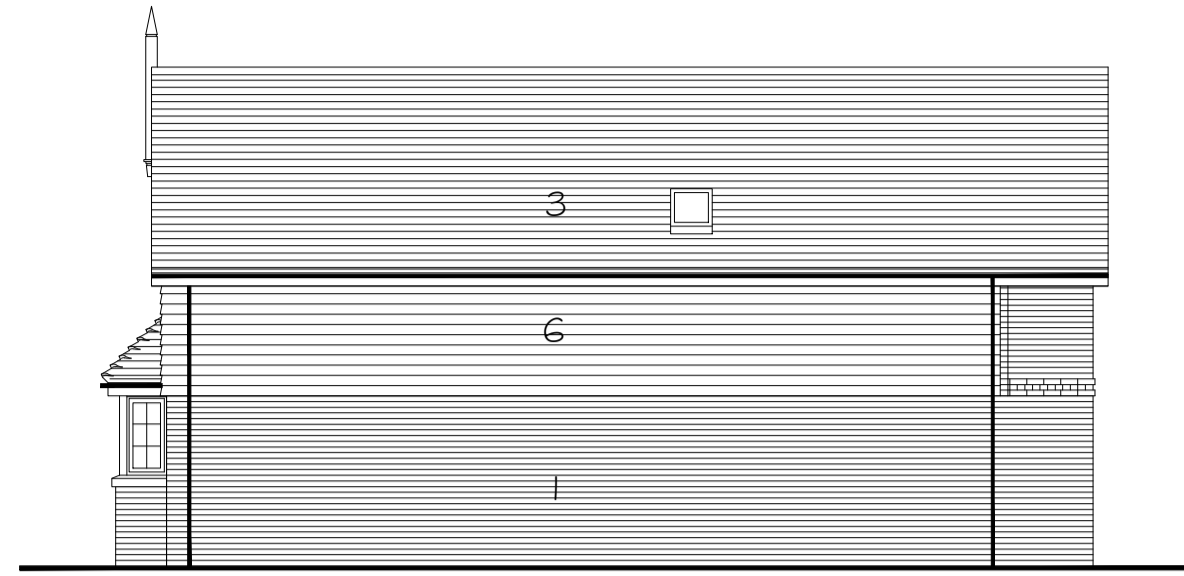


rev	description	date	by	ch
D	Ground floor plan updated with car barn.	2021.03.10	A/JC	dp
C	Plot 2 garage replaced with car barn.	2021.03.10	A/JC	dp
B	Units re-designed.	2021.01.20	A/JC	dp
A	Planning Issue	2020.10.27	A/JC	dp
P1	Primary Issue	2020.10.21	A/JC	dp

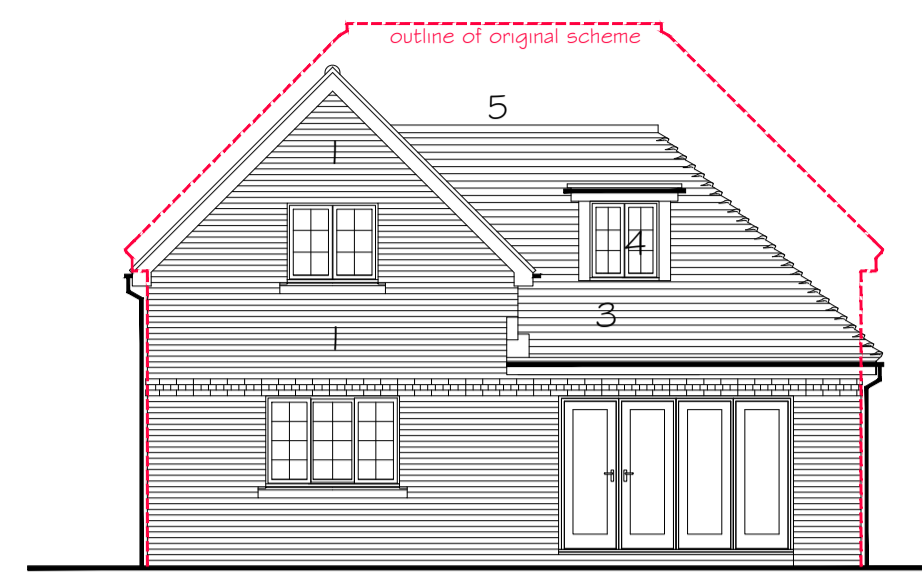
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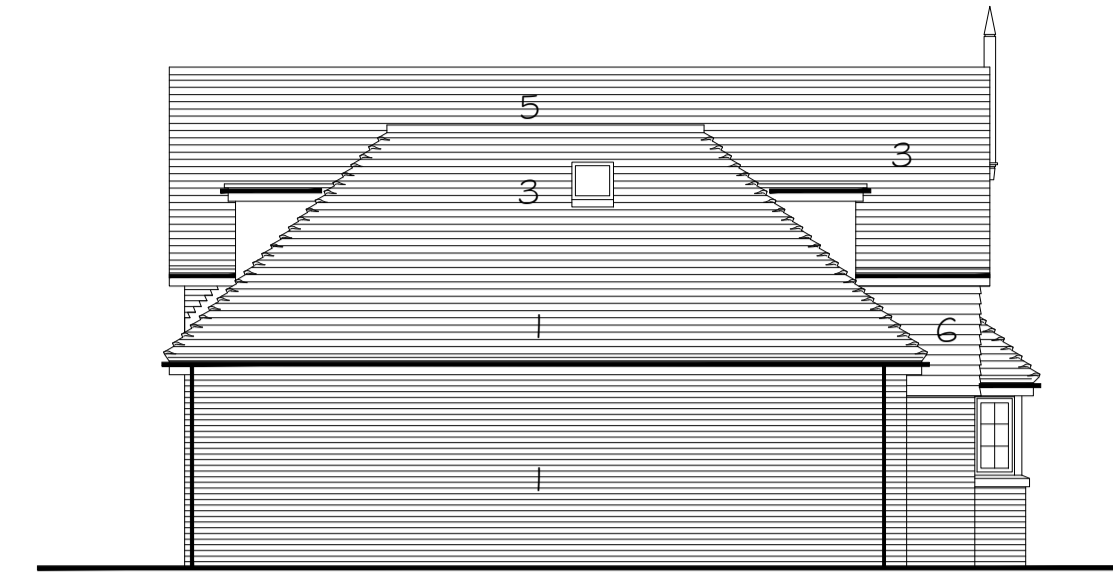
SOUTH WEST ELEVATION



SOUTH EAST ELEVATION



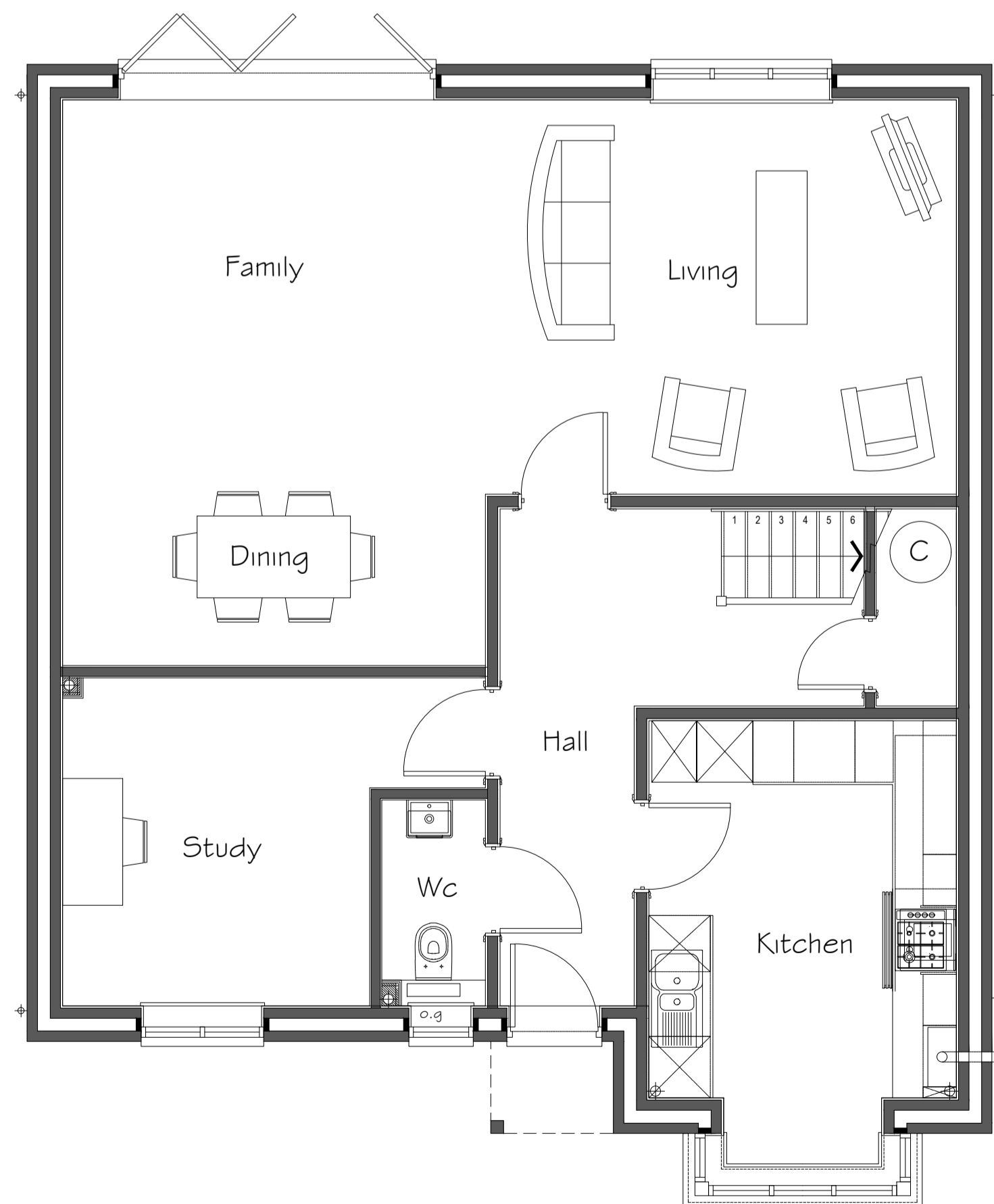
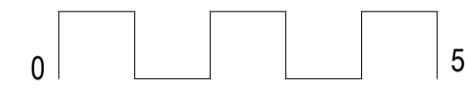
NORTH EAST ELEVATION



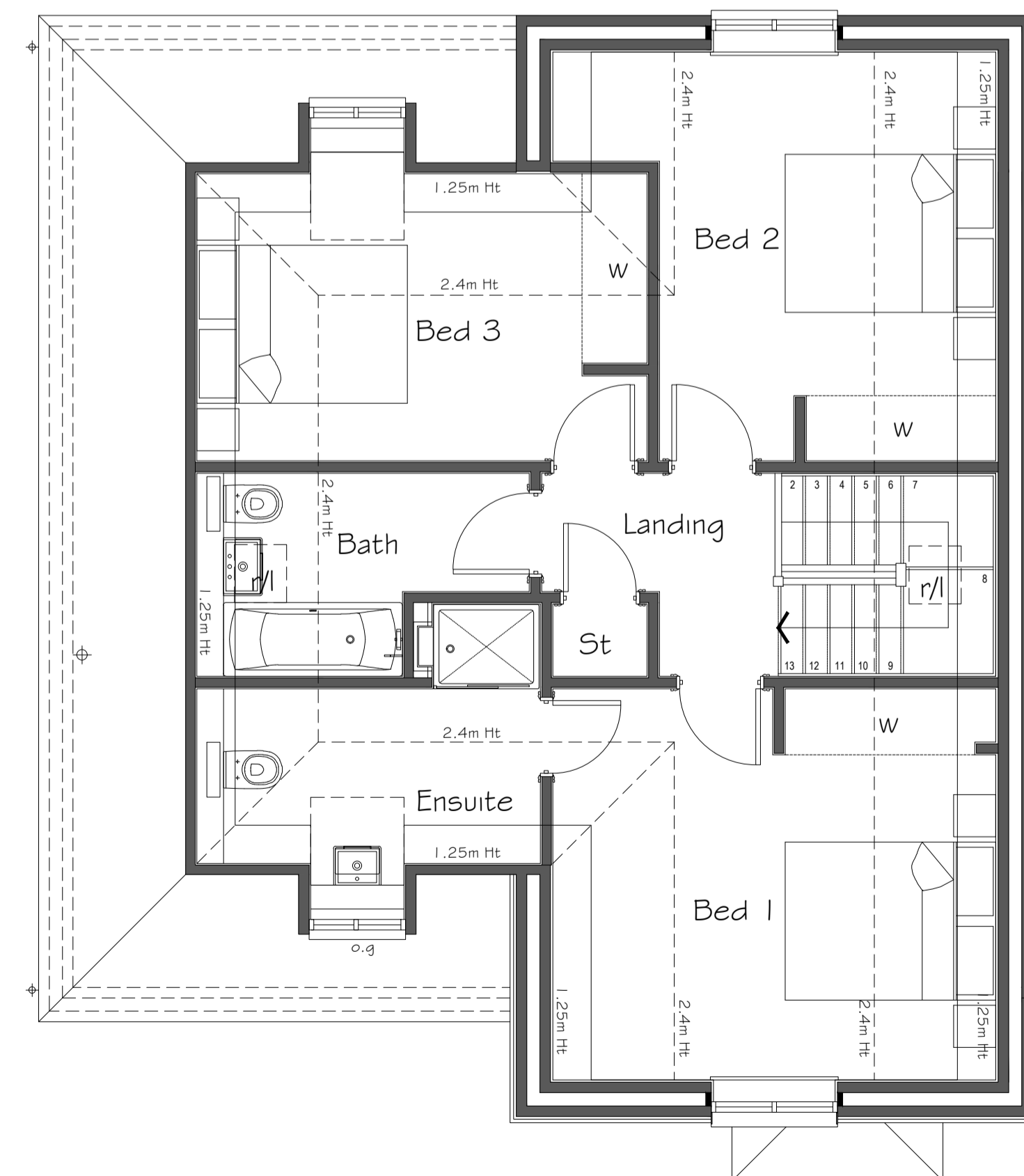
NORTH WEST ELEVATION

KEY TO MATERIALS

1	Facing Brickwork
2	Render
3	Plain Tiles
4	uPVC Windows and Doors
5	Single Ply Membrane
6	Plain Tile Hanging
7	Timber Boarding



GROUND FLOOR PLAN



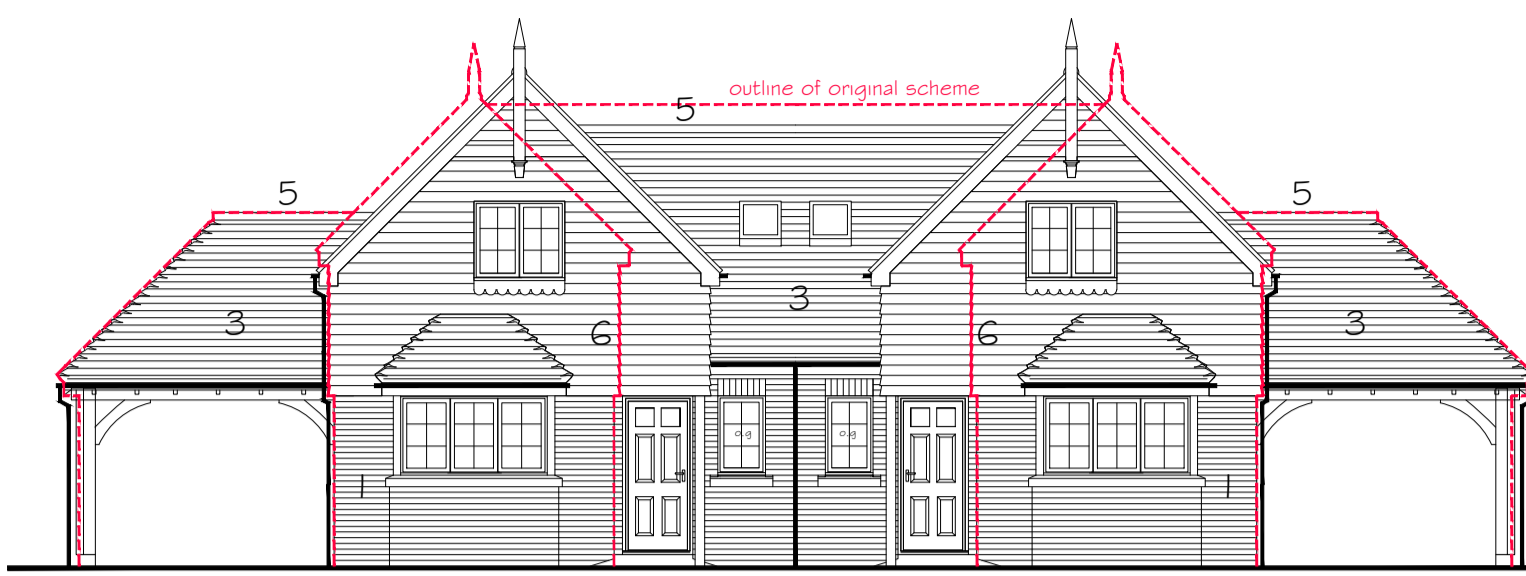
FIRST FLOOR PLAN



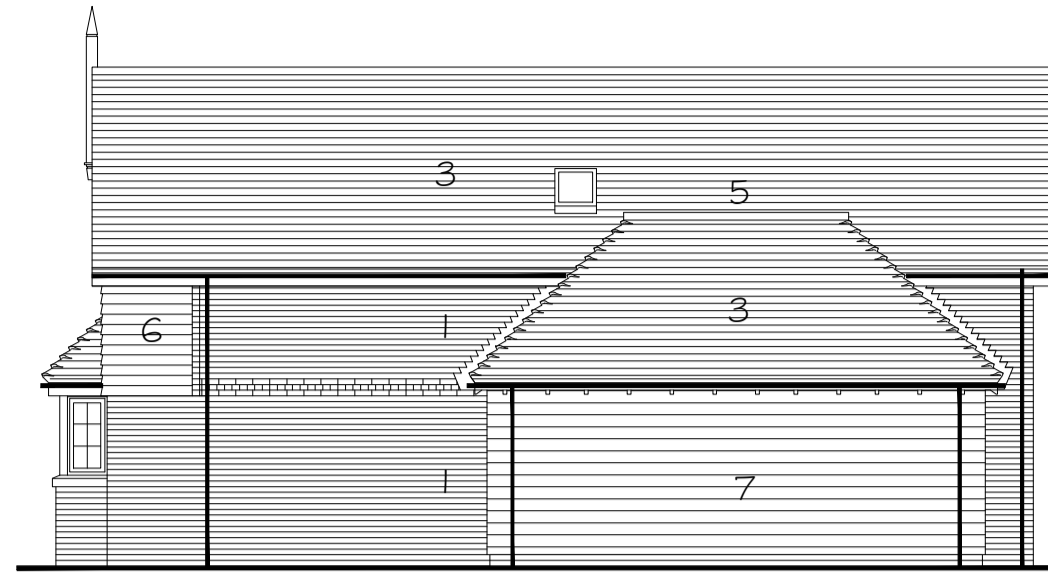
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 drawn: AJC drawing: Plot 4- Proposed Floor Plans & Elevations  
 checked: dp status: PLANNING APPLICATION

rev	description	date	by	ch
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A	Planning Issue	2020.10.27	AJC	dp
P1	Primary Issue	2020.10.21	AJC	dp

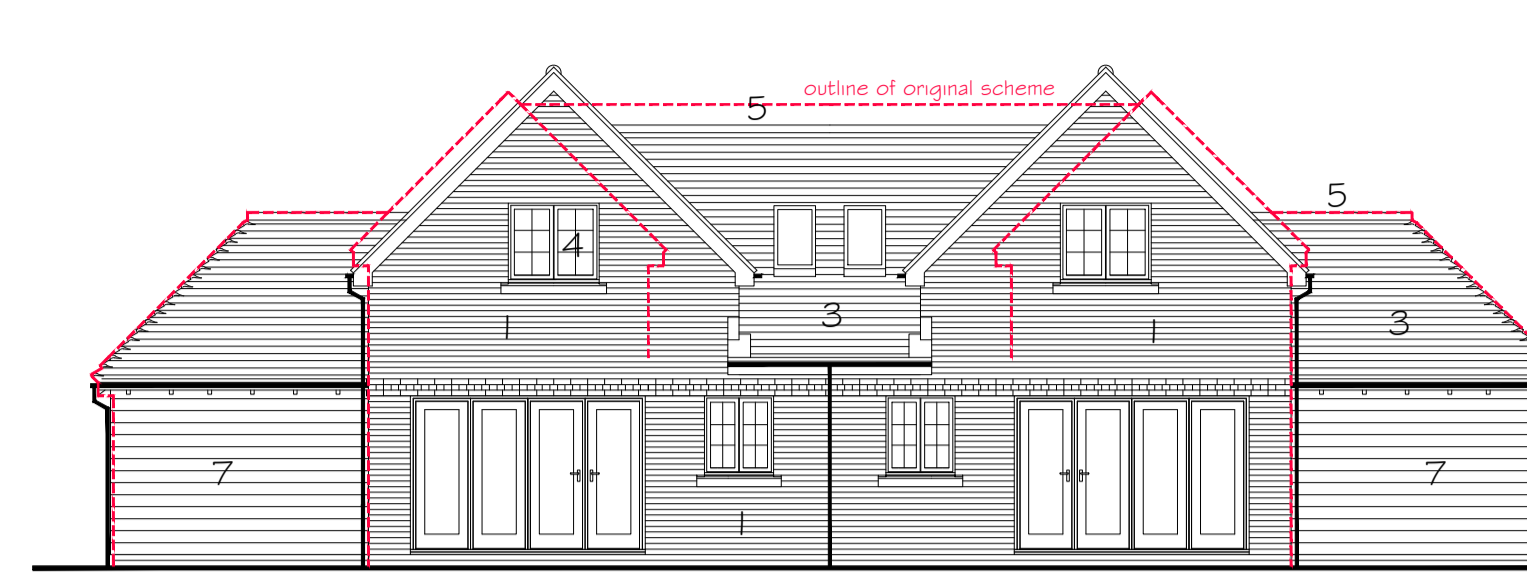
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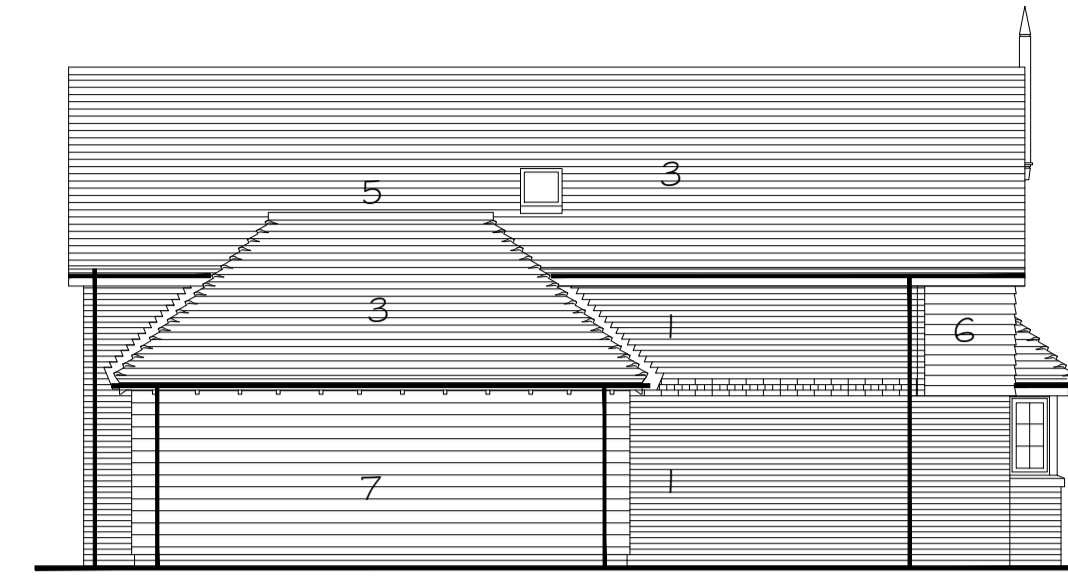
SOUTH WEST ELEVATION



SOUTH EAST ELEVATION

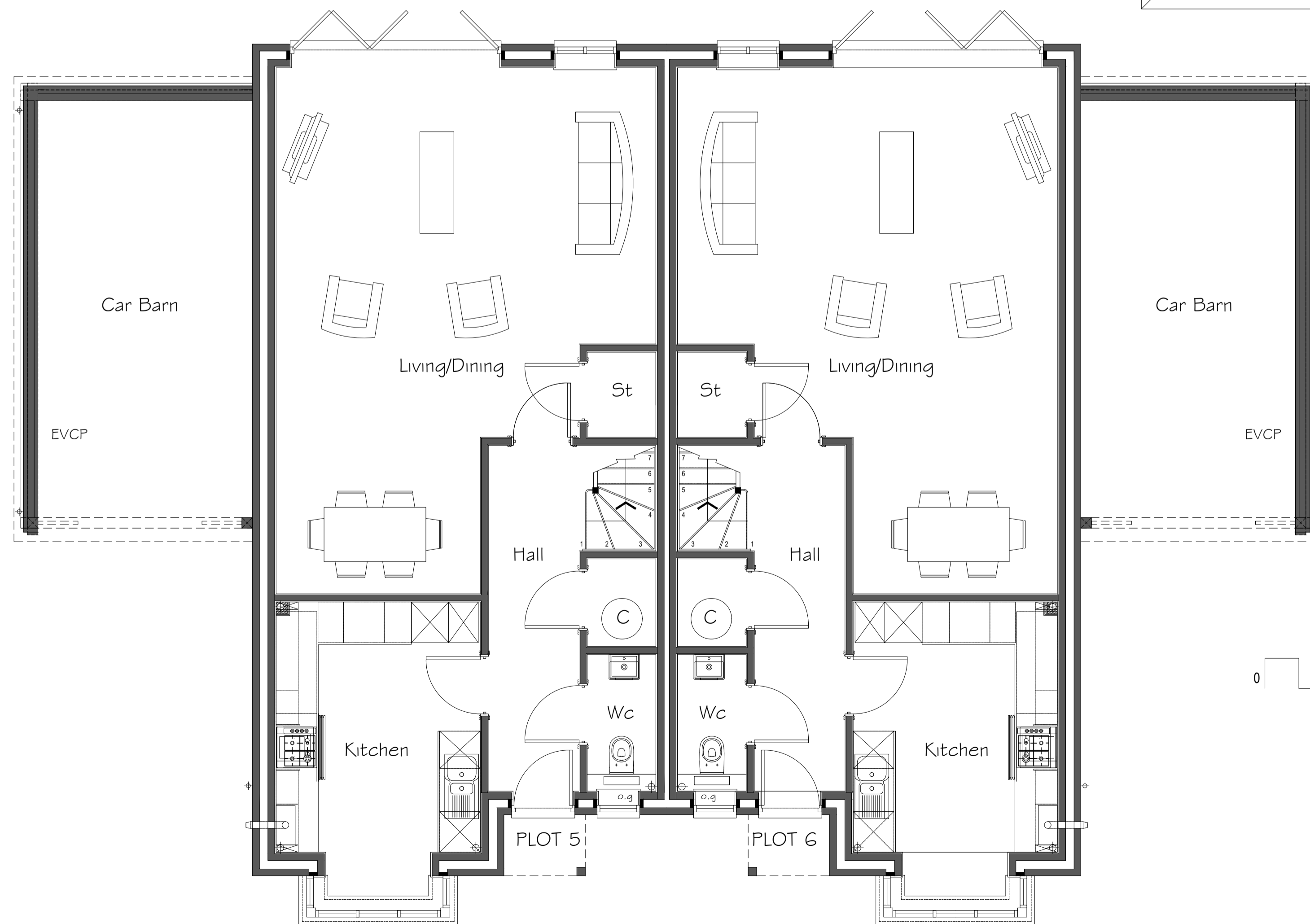


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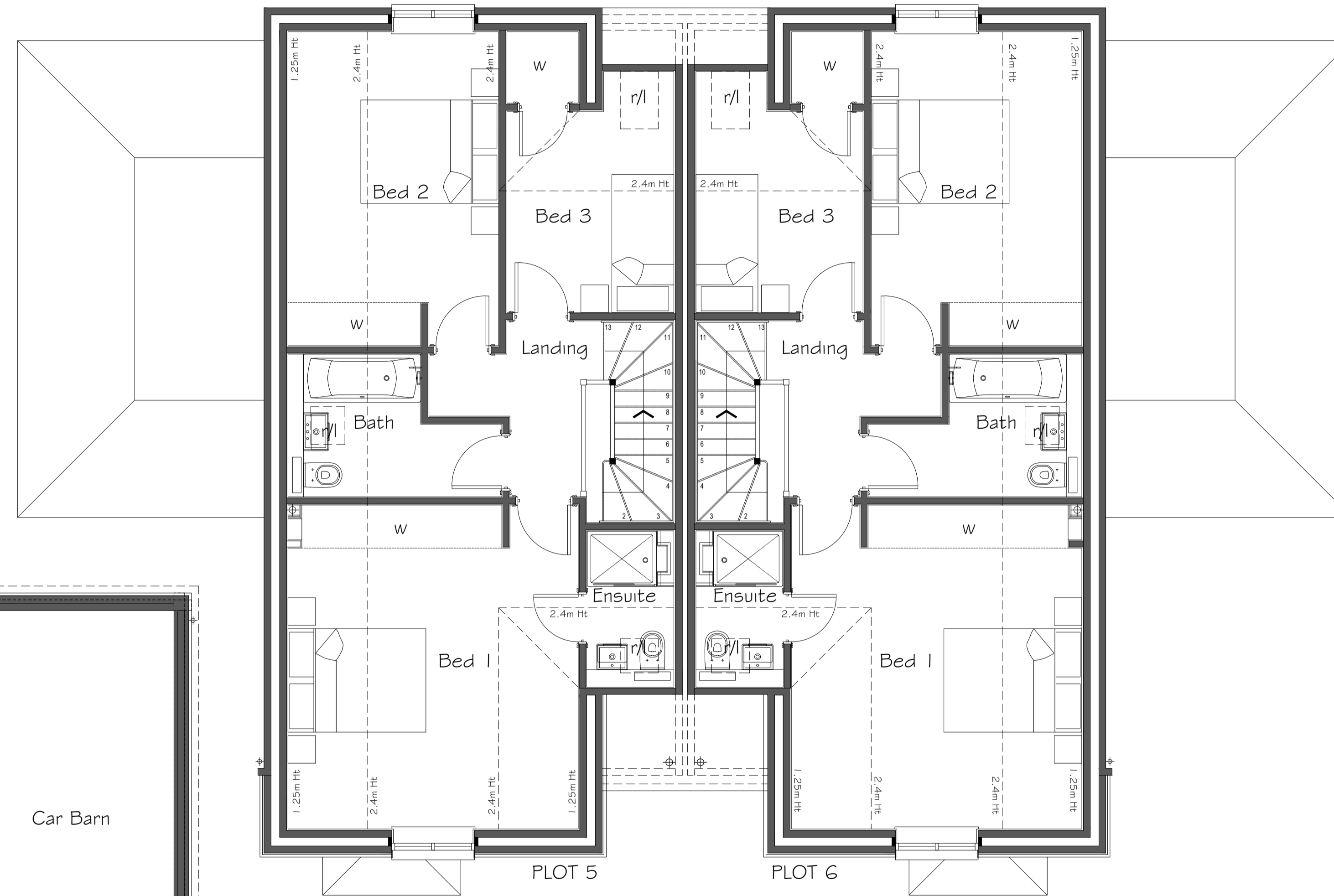


NORTH WEST ELEVATION

KEY TO MATERIALS	
1	Facing Brickwork
2	Render
3	Plain Tiles
4	uPVC Windows and Doors
5	Single Ply Membrane
6	Plain Tile Hanging
7	Timber Boarding



GROUND FLOOR PLAN



FIRST FLOOR PLAN

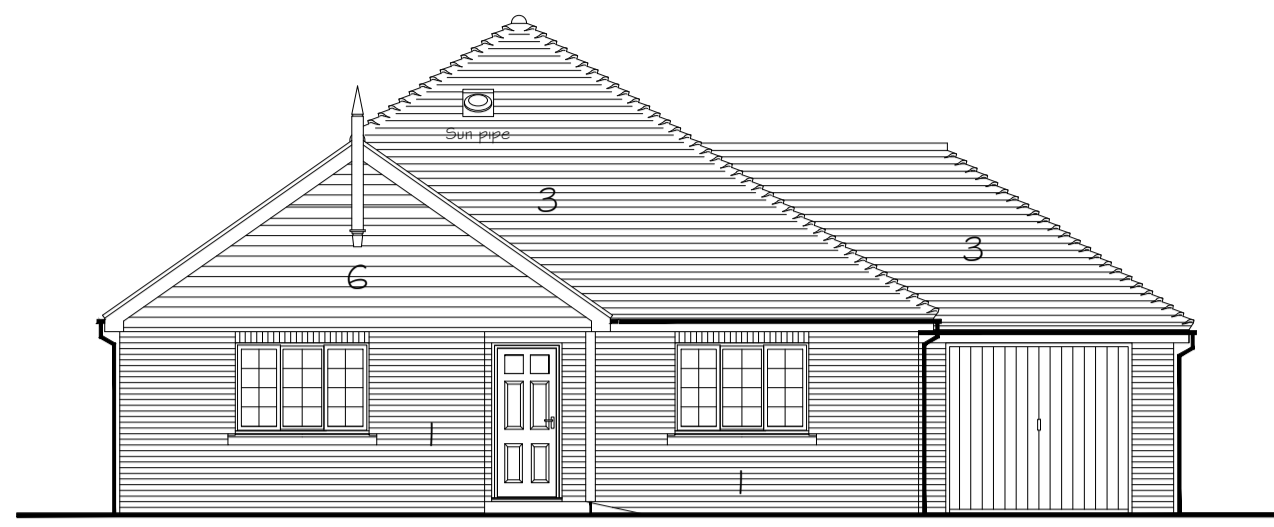
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 draw: A/JC drawing: Plots 5 and 6- Proposed Floor Plans & Elevations  
 checked: dp status: PLANNING APPLICATION

rev	description	date	by	ch
C	Garages changed to car barns on ground floor plan	2021.03.11	AJC	dp
B	Units re-designed	2021.01.12	AJC	dp
A	Planning issue	2020.10.21	AJC	dp
P1	Preliminary Issue	2020.10.21	AJC	dp

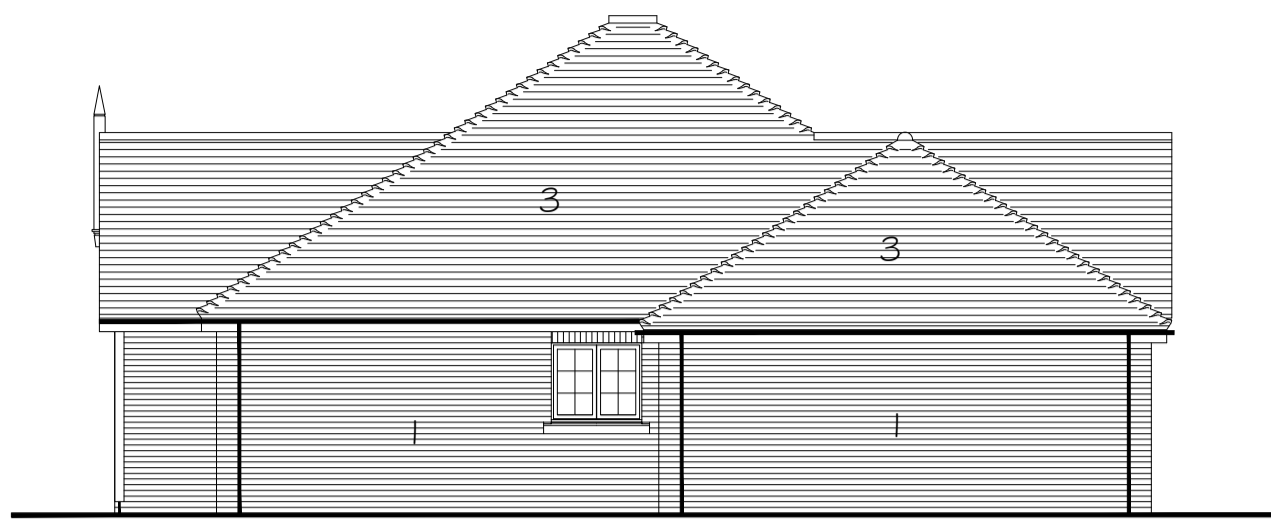
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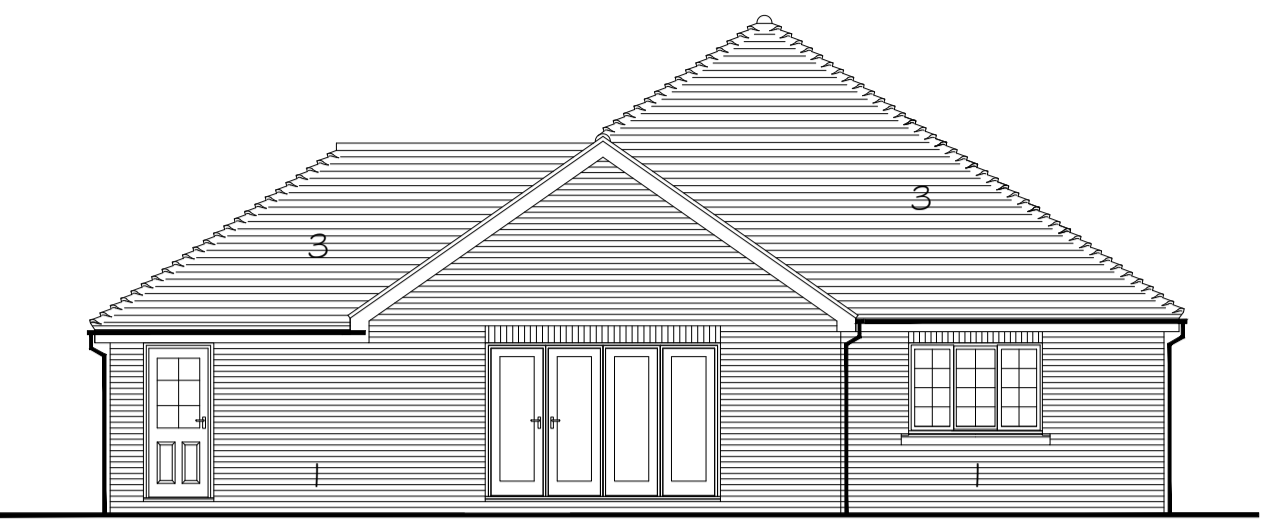
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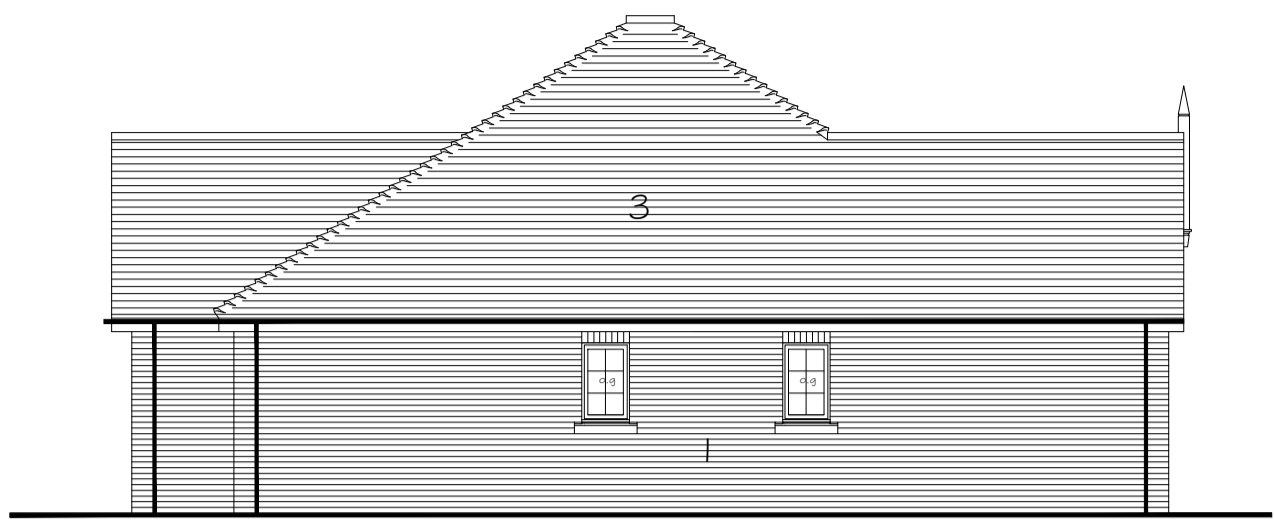
SOUTH WEST ELEVATION



SOUTH EAST ELEVATION

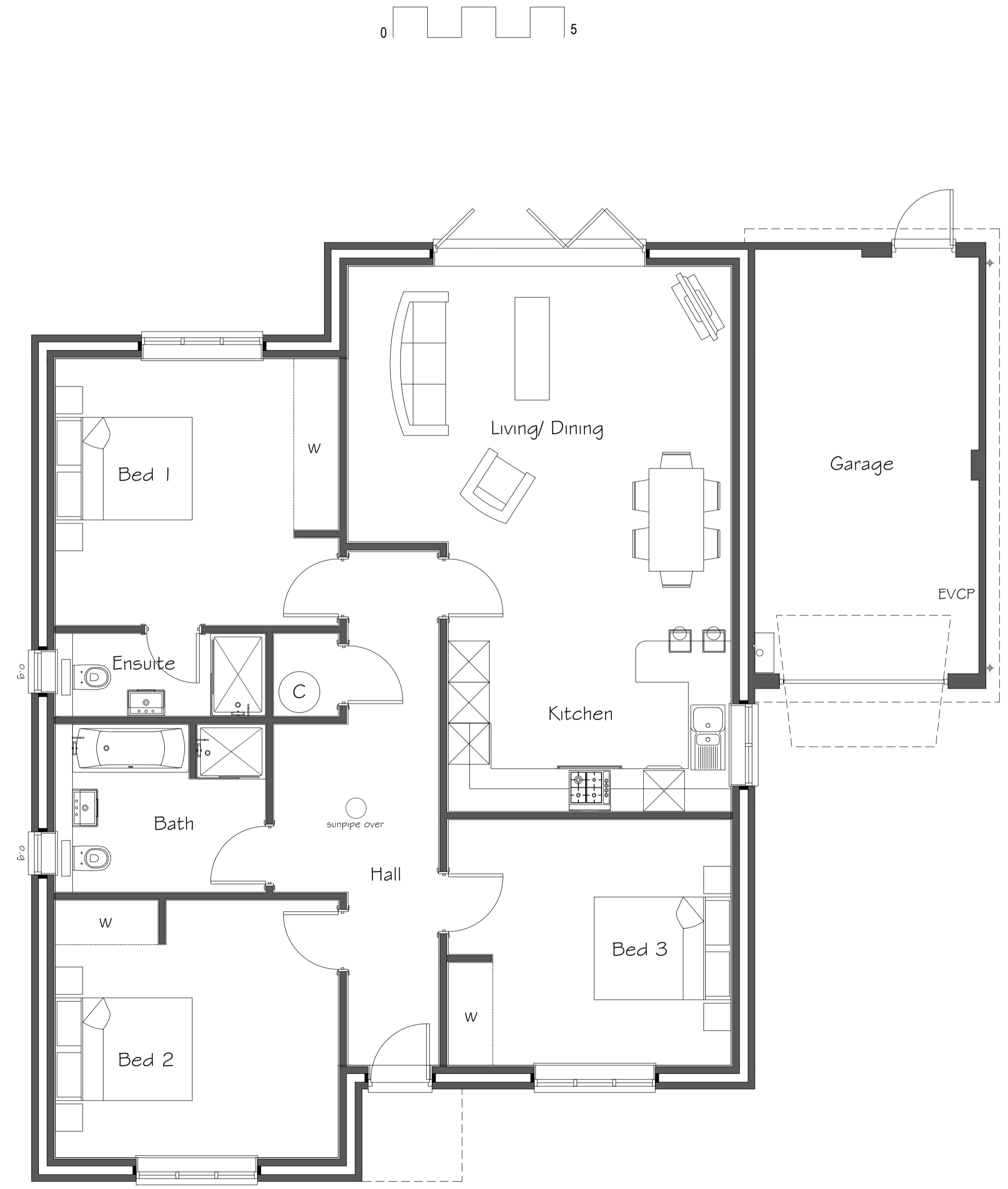


NORTH EAST ELEVATION

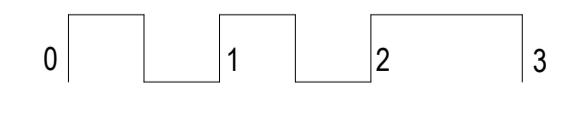
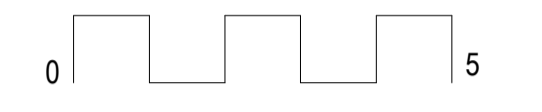


NORTH WEST ELEVATION

KEY TO MATERIALS	
1	Facing Brickwork
2	Render
3	Plain Tiles
4	uPVC Windows and Doors
5	Single Ply Membrane
6	Plain Tile Hanging
7	Timber Boarding



FLOOR PLAN

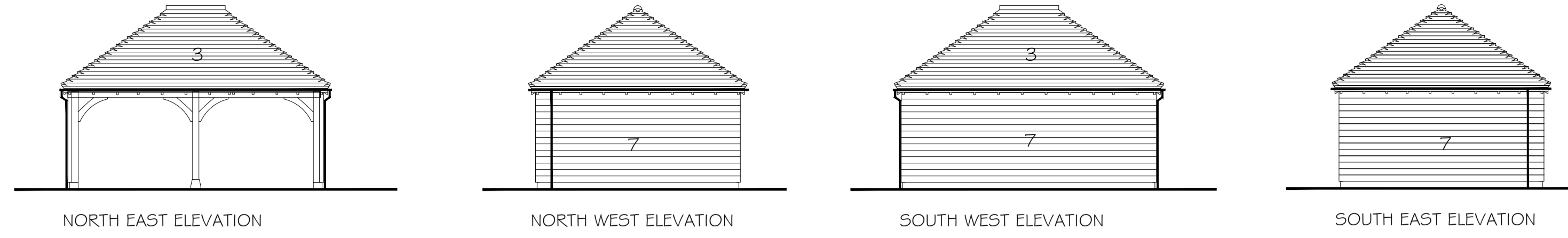


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 drawn: AJC drawing: Plot 7 - Proposed Floor Plans & Elevations  
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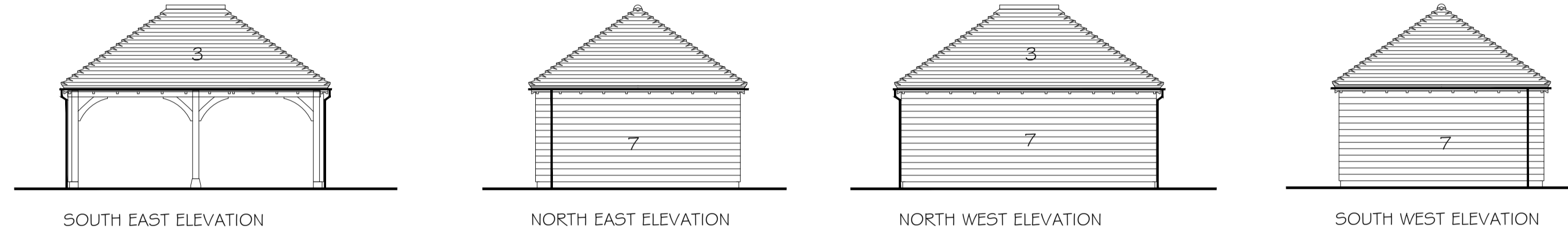
rev	description	date	by	ch
A	Planning Issue	2020.10.27	AJC	dp
P1	Primary Issue	2020.10.21	AJC	dp

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**MODEL FILE REFERENCE: 17008-A-PL**

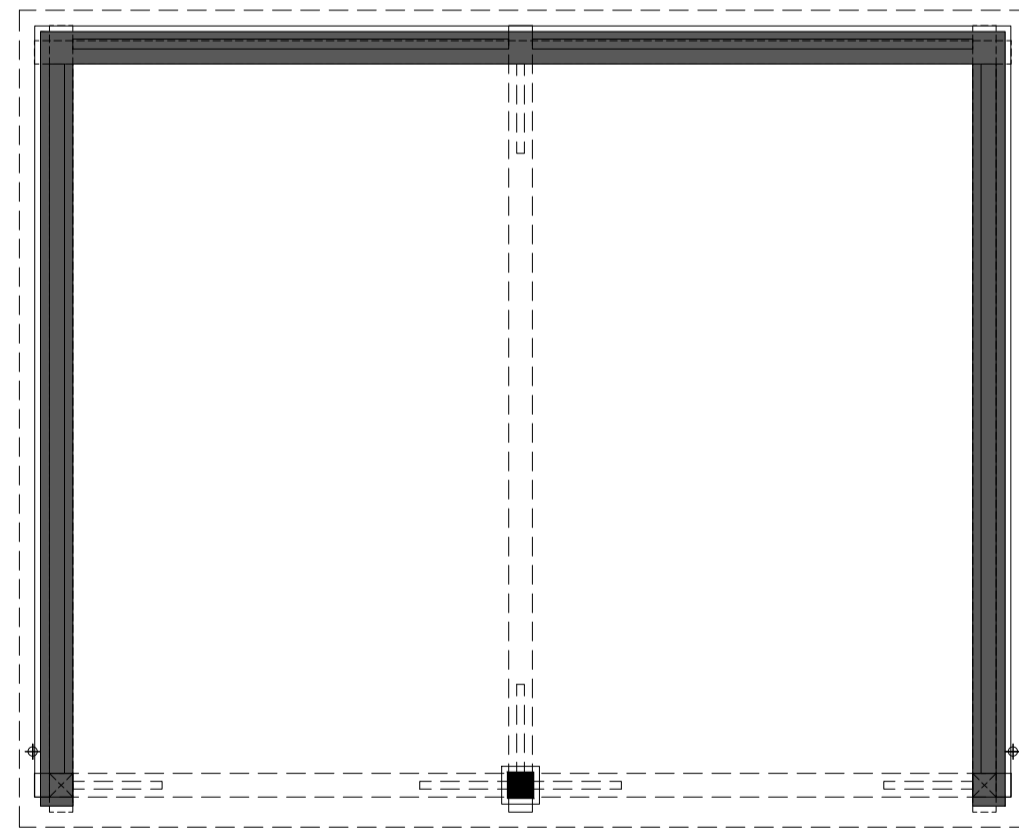
KEY TO MATERIALS	
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2	Render
3	Plain Tiles
4	uPVC Windows and Doors
5	Single Ply Membrane
6	Plain Tile Hanging
7	Timber Boarding



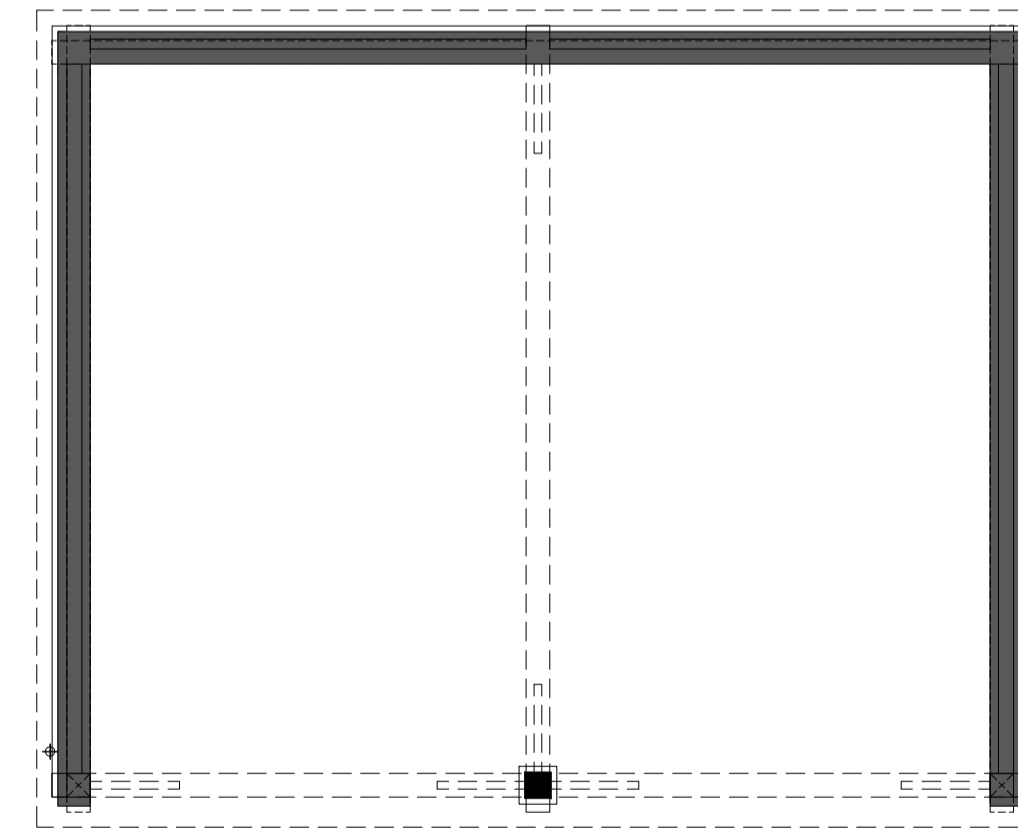
PLOT 3 CAR BARN ELEVATIONS



PLOT 4 CAR BARN ELEVATIONS



PLOT 3 CAR BARN PLAN

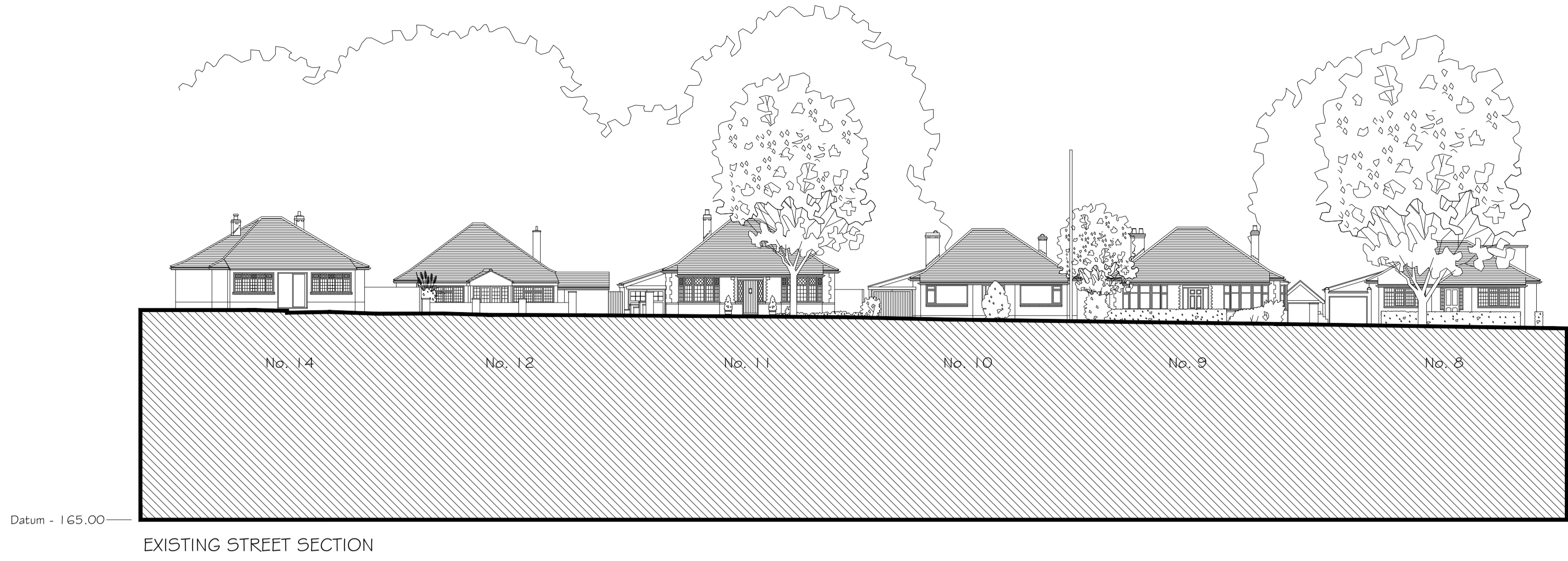


PLOT 4 CAR BARN PLAN

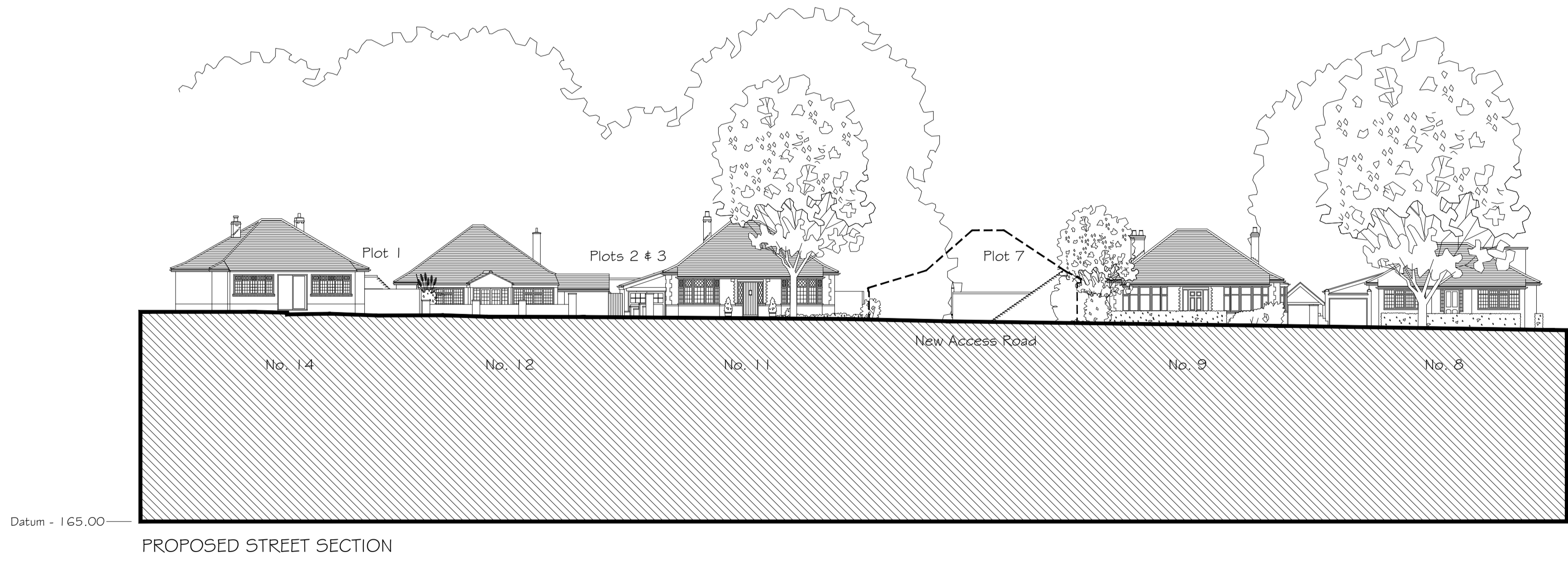
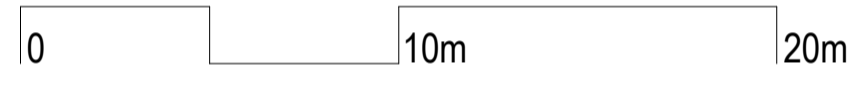


rev	description	date	by	ch
A	Planning Issue	2020.10.27	AJC	dp
P1	Preliminary Issue	2020.10.21	AJC	dp





EXISTING STREET SECTION



PROPOSED STREET SECTION

scale: 1:200 @ A1  
 client: DEVINE HOMES PLC  
 date: October 2020  
 project: 9 to 12 West Drive, Tadworth, KT20 5PA.  
 drawn: AJC  
 drawing: Existing and Proposed Street Sections from West Drive  
 checked: dp  
 status: PLANNING APPLICATION

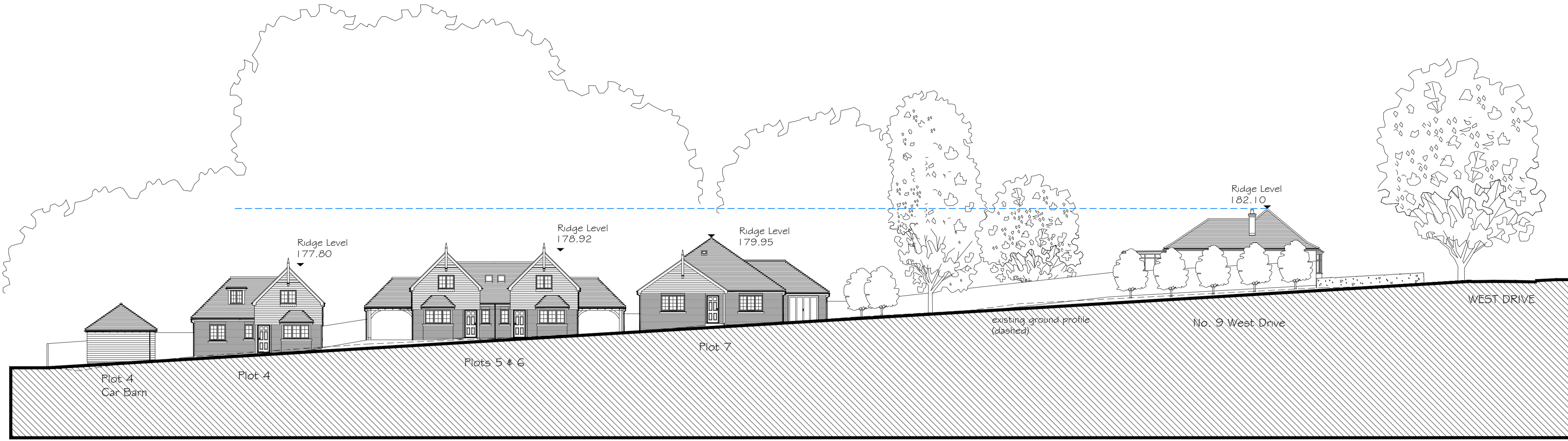
rev	description	date	by	ch
B	Updated to reflect re-designed units	2021.01.25	AJC	dp
A	Planning Issue	2020.10.27	AJC	dp
P1	Preliminary Issue	2020.10.21	AJC	dp

**notes**

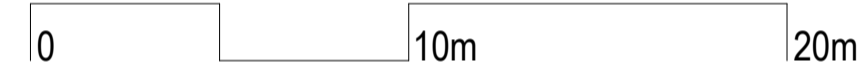
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Datum - 165.00

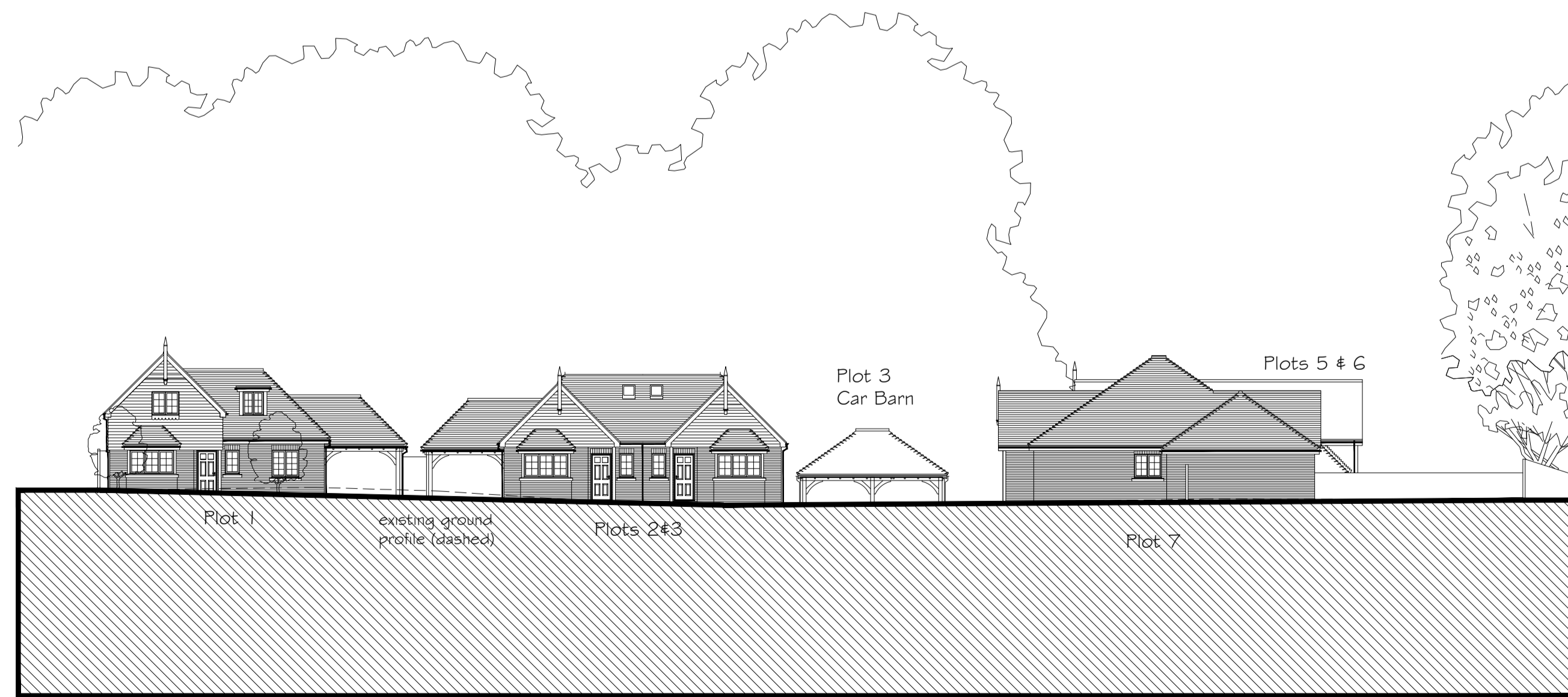


SECTION AA



KEY PLAN  
N.T.S

Datum - 165.00



SECTION BB

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rev	description	date	by	ch
E	Key Plan updated.	2021.03.23	AJC	dp
D	Section AA- Plots 1 and 2 garages replaced with car barns.	2021.03.10	AJC	dp
C	Bin collection point removed from key plan	2021.02.11	AJC	dp
B	Updated to reflect re-designed units	2021.01.25	AJC	dp
A	Planning Issue	2020.10.27	AJC	dp
P1	Preliminary Issue	2020.10.21	AJC	dp

scale: 1:200 @ A1

date: October 2020

drawn: AJC

checked: dp

status: PLANNING APPLICATION

client: DEVINE HOMES PLC  
project: 9 to 12 West Drive, Tadworth, KT20 5PA.

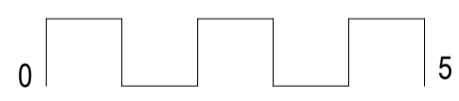
drawing: Site Sections AA and BB

revision: E

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drawing No: 17008-A-PL-061  
revision: E



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rev	description
B	Updated to reflect re-designed units
A	Planning Issue
P1	Preliminary Issue

date	by	ch
2021.01.25	AJC	dp
2020.10.27	AJC	dp
2020.10.21	AJC	dp

scale: 1:100 @ A1 client: DEVINE HOMES PLC

date: October 2020 project: 9 to 12 West Drive, Tadworth, KT20 9PA

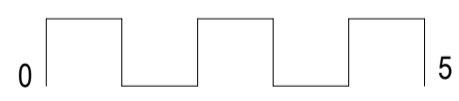
drawn: AJC drawing: Proposed Street Section AA within Site (coloured)

checked: dp status: PLANNING APPLICATION

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drawing No: 17008-A-PL-062 revisions: B



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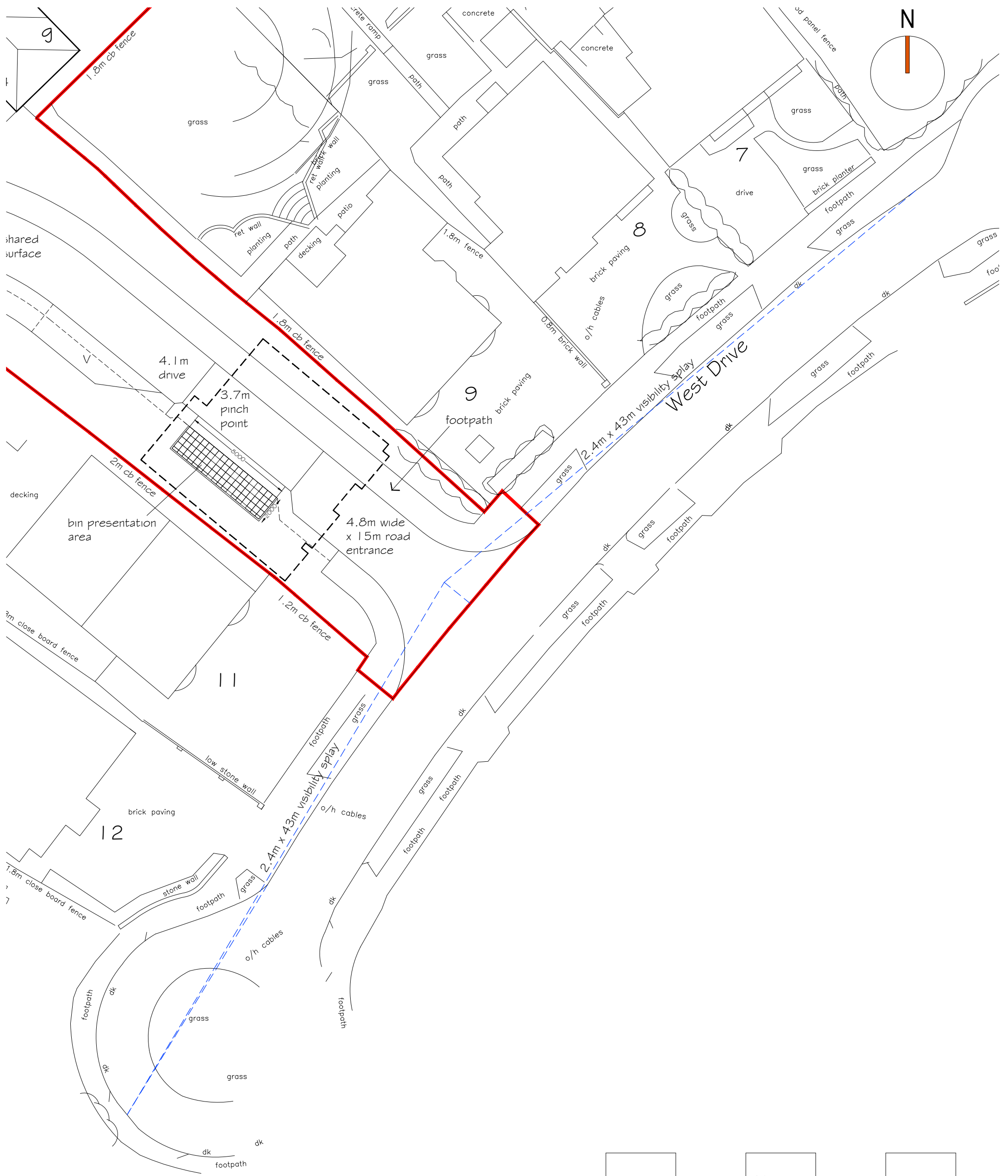
rev	description	date	by	ch
C	Plot 1 and 2 garages replaced with car barns.	2021.03.10	AJC	dp
B	Updated to reflect re-designed units	2021.01.25	AJC	dp
A	Planning Issue	2020.10.27	AJC	dp
P1	Preliminary Issue	2020.10.21	AJC	dp

scale: 1:100 @ A1  
 client: DEVINE HOMES PLC  
 date: October 2020  
 project: 9 to 12 West Drive, Tadworth, KT20 5PA.  
 drawing: Proposed Street Section BB within Site (coloured)  
 status: PLANNING APPLICATION  
 drawn: AJC  
 checked: dp

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**VISION**  
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drawing No: 17008-A-PL-063  
 revisions: C



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MODEL FILE REFERENCE-17008-A-P-PL

rev	description	date	by	ch.
D	Bin presentation area re-located / fence heights with No.11 adjusted / radius to bellmouth to south side amended	2021.03.23	AJC	dp
C	Bin presentation area added/ northern footpath extended	2021.03.10	AJC	dp
B	Bin collection point removed	2021.02.11	AJC	dp
A	Planning Issue	2020.10.27	AJC	dp
P1	Preliminary Issue	2020.10.21	AJC	dp

scale: 1:250 @ A3  
 client: DEVINE HOMES PLC  
 date: October 2020  
 project: 9 to 12 West Drive, Tadworth. KT20 5PA.  
 drawn: AJC  
 drawing: Sightlines Plan  
 checked: dp  
 status: PLANNING APPLICATION

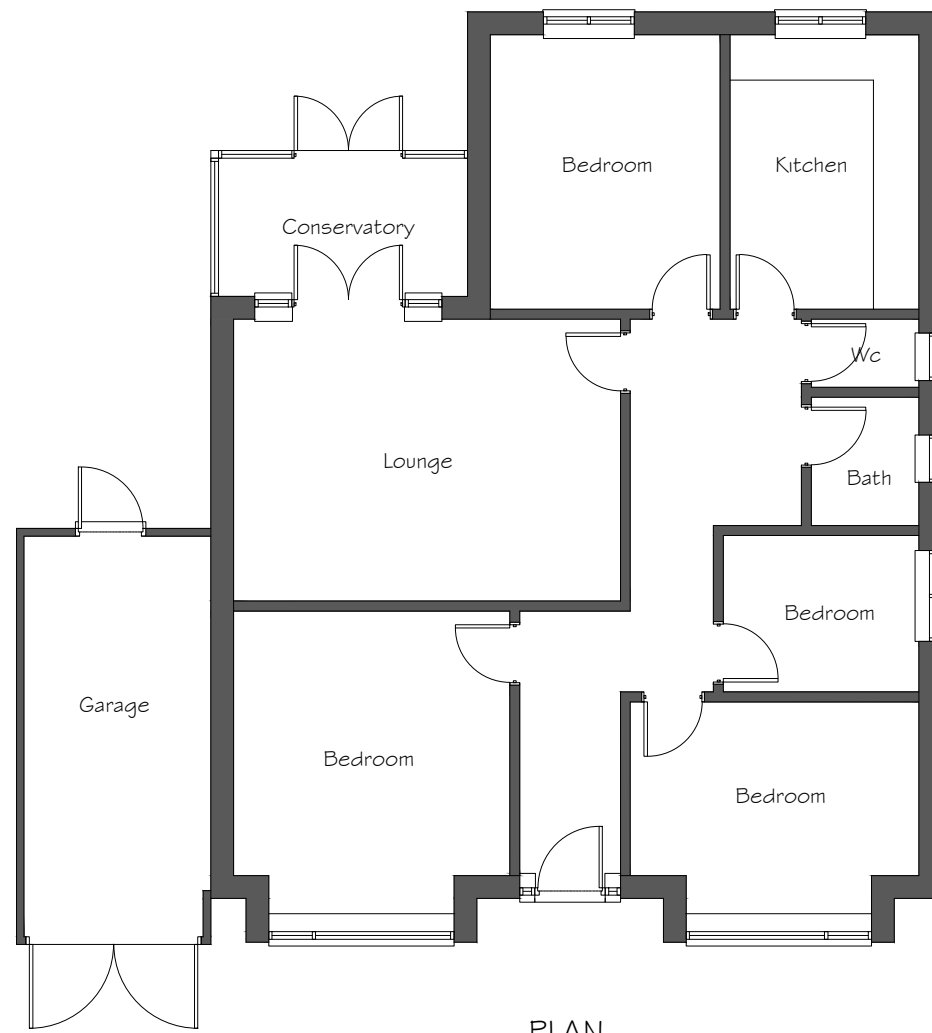
wessex house upper market street eastleigh hampshire SO50 9FD  
 t: 01794 830660 e: enquiries@vision-architects.org.uk

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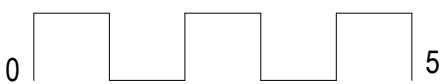
drawing No: 17008-A-PL-066 revision: **D**



SOUTH EAST (FRONT) ELEVATION



PLAN



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MODEL FILE REFERENCE-17008-A-P-PL

A	Planning Issue	2020.10.27	AJC	dp
P1	Preliminary Issue	2020.10.21	AJC	dp
rev	description	date	by	ch.

scale: 1:100 @ A3

date: October 2020

drawn: AJC

checked: dp

client: DEVINE HOMES PLC

project: 9 to 12 West Drive, Tadworth. KT20 5PA.

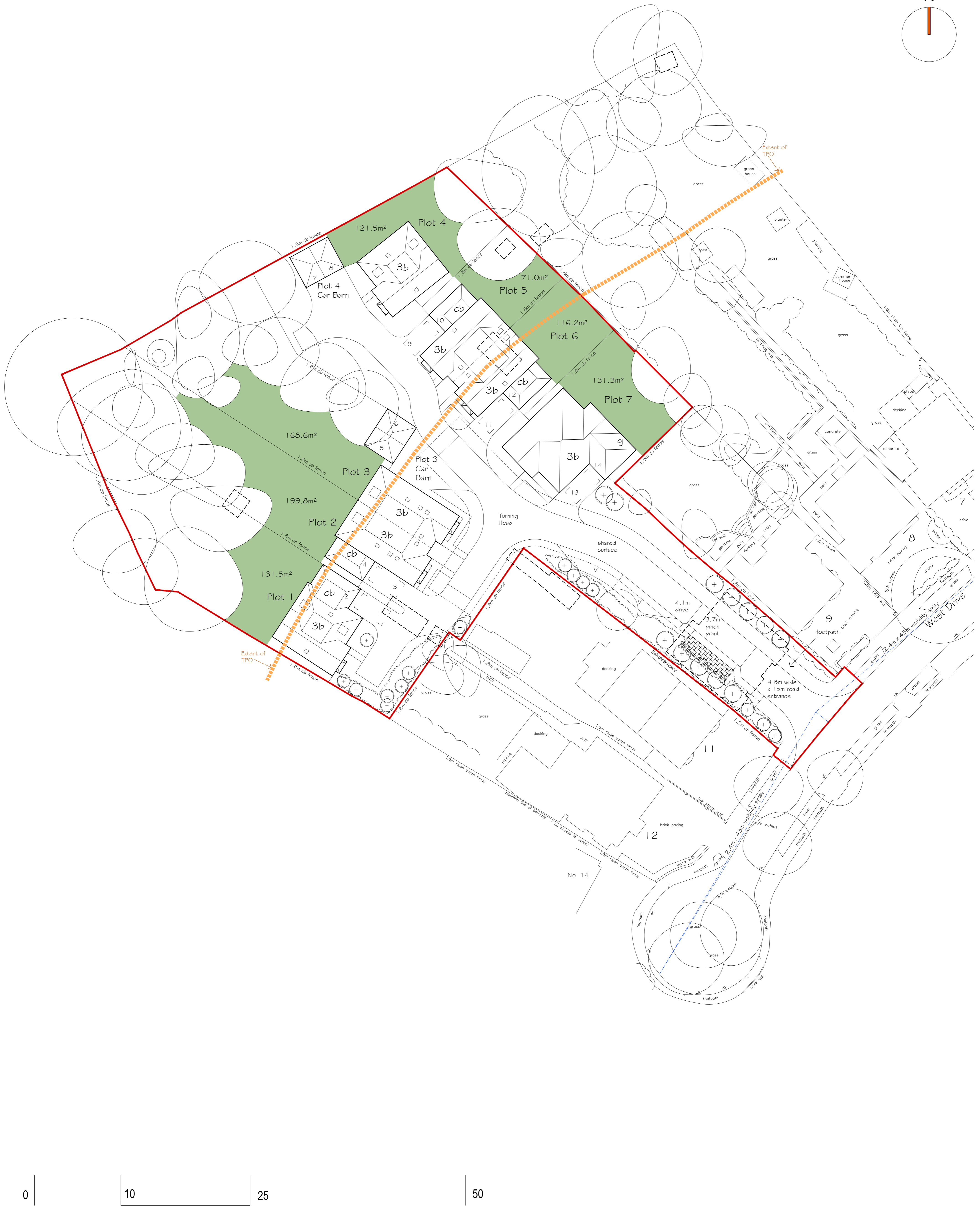
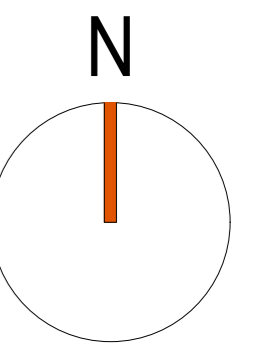
drawing: No. 10 West Drive, Plan and Elevation

status: PLANNING APPLICATION

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drawing No: 17008-A-PL-067 revision: A



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MODEL FILE REFERENCE- 17008-A-P-PL

rev.	description	date	by	ch
C	Bin presentation area re-located / fence heights with No.11 adjusted / radius to bellmouth to south side amended	2021.03.23	AJC	dp
B	Bin presentation area added/ northern footpath extended/ Plots 1 and 2 garages changed to car barns	2021.03.10	AJC	dp
A	Planning Issue	2021.02.11	AJC	dp

scale: 1:250 @ A1 client: DEVINE HOMES PLC

date: February 2021 project: Land at 9 to 12 West Drive, Banstead. KT20 5PA.

drawn: AJC drawing: Garden Area Plan

checked: dp status: PLANNING APPLICATION

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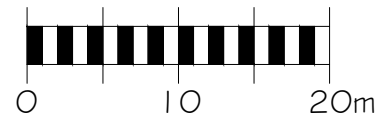
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drawing No: 17008-A-PL-69 revision: C

# REFUSED LAYOUT - 17/01261/F



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C	Bin collection point added	21.07.17	AJC	AJC																								
B	Plots 3&4 and 7 to 9 amended/ shared open space, visitor parking and parking space to Plot 5 added-Planning Issue	23.05.17	AJC	AJC																								
A	Planning Issue	24.03.17	AJC	AJC																								
P1	Preliminary Issue	23.03.17	AJC	AJC																								
rev	description	date	by	th.																								