 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	<b>TO:</b>		PLANNING COMMITTEE
	<b>DATE:</b>		9 <sup>th</sup> March 2022
	<b>REPORT OF:</b>		HEAD OF PLANNING
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<b>AGENDA ITEM:</b>	5	<b>WARD:</b>	Chipstead, Kingswood And Woodmansterne

<b>APPLICATION NUMBER:</b>		21/02160/F	<b>VALID:</b>	1 <sup>st</sup> September 2021
<b>APPLICANT:</b>	Prospect Wells House Ltd		<b>AGENT:</b>	Montagu Evans
<b>LOCATION:</b>	<b>CULLIGAN INTERNATIONAL UK LTD, PROSPECT WELLS HOUSE, OUTWOOD LANE, CHIPSTEAD, SURREY, CR5 3NA</b>			
<b>DESCRIPTION:</b>	<b>Demolition and comprehensive redevelopment of the site for a 3 storey building to provide a mixed use development comprising a shop (Use Class A1) at ground floor with 10 residential units (Use Class C3) at first and second floors, car parking, landscaping and associated works. As amended on 18/10/2021 x 2 and 22/11/2021.</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 demolition of the existing building and a comprehensive redevelopment of the site for a 3 storey building to provide a mixed use development comprising a retail unit of 372sqm at ground floor level and 7 x 1 bedroom dwellings and 3 x 2 bedroom dwellings at first and second floors, car parking, landscaping and associated works. 12 car parking spaces and 5 cycle parking spaces to the front of the site are proposed to serve the retail use. Towards the rear of the site, 15 parking spaces are proposed that would serve the residential use of site along with 10 cycle parking spaces. Small areas of landscaping would be sited around the car parking spaces.

This application follows application 19/01825/F, which was also for 10 flats plus the retail unit but with a far higher proportion of larger flats than now proposed so was larger in scale and refused and dismissed at appeal. The appeal Inspector found the impact upon character to be acceptable but the appeal was dismissed on grounds of insufficient car parking and harm to the living conditions of future occupiers, with particular regard to the impact of parking area upon these. The applicants have sought to address the matters found to be unacceptable at that scheme,

The reduction in scale and size of residential units has allowed for the current proposal to better meet with parking standards and now meets with no objections from the County Highway Authority whilst also improving upon the parking layout such that it no longer causes harm to amenity, thus addressing the sole concerns of the Inspector.

The existing building is an employment use for the purposes of DMP Policy EMP4 which seeks to protect employment uses but in this case no objection to the loss of Class E employment use is raised. This follows the building lying vacant for an extended period of time and the marketing which has been undertaken to the satisfaction of the Council's Policy and Property teams which demonstrates difficulties in viably continuing for such uses. Furthermore, the proposal includes a retail unit of 372 sqm, meaning the development would not result in the total loss of employment use at the site and for these reasons this was not a reason for refusal in the previous cases. It is considered that the proposal would comply with the requirements of policy EMP4 and that the partial loss of employment use is considered acceptable in this instance.

Sufficient information has been provided to demonstrate that the proposed edge-of centre Co-Operative store would not have a significant adverse impact on consumer choice for convenience retail within the existing Rectory Lane Local Centre, subject to a planning condition restricting the range of goods sold to specifically exclude the sale of lottery tickets. This condition is recommended to protect the viability of the designated Local Centre in accordance with DMP policy RET5.

Subject to recommended conditions in terms of materials, the design of the development is considered to have an acceptable impact upon the character and appearance of the locality and due to separation distances, would not have a harmful impact upon the amenities of neighbouring dwellings.

There is no affordable housing requirement given the application is below the threshold where this can be required by Policy.

## **RECOMMENDATION(S)**

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

## **Consultations:**

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

Environmental Health (Contaminated Land): There is some potential for contamination to be present on and/or in close proximity to the application site and as such conditions to deal with contaminated land and an informative to provide additional guidance is recommended.

Neighbourhood Services: Provided comments on their requirements for refuse collection.

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

Surrey Police Designing Out Crime Officer: Note some parking is situated to the rear of the site and also there is undercroft parking. Suggest due to this layout that this will hinder natural surveillance and therefore increase the opportunity for vehicle crime. Recommends a Secure by Design condition.

Surrey Wildlife Trust – no objection subject to recommended conditions

Housing – no comments received

Planning Policy – no objection

Infrastructure Agreements Manager SCC – no comments received

UK Power Networks – no comments received

Sutton and East Surrey Water Company – no comments received

Woodmansterne Greenbelt and Residents Association – objects on the grounds of detrimental impact on the local established businesses, density, overdevelopment, inadequate parking, hazard to highway safety, increase in traffic and congestion, noise and disturbance, drainage and sewage, flooding

Outwood Lane Residents Association – no comments received

Chipstead Residents Association – objects on the grounds of inadequate parking, lack of soft landscaping, cramped, fail to provide good living conditions for future occupants, hazard to highway safety, car dominated, harm to Green Belt, out of character with surrounding area, bin store inadequate size, crime fears, impact on existing retail uses.

## **Representations:**

Letters were sent to neighbouring properties on 7<sup>th</sup> September 2021, a site notice was posted 8<sup>th</sup> September 2021 and advertised in local press on 16<sup>th</sup> September 2021.

133 responses have been received raising the following issues:

<b>Issue</b>	<b>Response</b>
Out of character with surrounding area	See paragraph 6.15 – 6.21 and condition 4
Inadequate parking	See paragraph 6.25 – 6.27 and conditions 18 and 24
Hazard to highway safety	See paragraph 6.25 – 6.29 and conditions 17 – 19
Harm to wildlife habitat	See paragraph 6.42 – 6.45 and conditions 8 - 9
Impact on infrastructure	See paragraph 6.59 – 6.60
No need for the development	See paragraph 6.1
Crime fears	See paragraph 6.48 and condition 28
Harm to Conservation Area	See paragraph 6.17
Inconvenience during construction	See paragraph 6.49 and condition 5
Overdevelopment	See paragraph 6.15 – 6.21
Overlooking and loss of privacy	See paragraph 6.22 – 6.24
Drainage/sewage capacity	See paragraph 6.46 and conditions 15 and 16
Flooding	See paragraph 6.46
Harm to Green Belt/countryside	See paragraph 6.12 – 6.14
Alternative location/proposal preferred	Submitted scheme must be assessed on its own planning merits
Health fears	See paragraph 6.50
Increase in traffic and congestion	See paragraph 6.27
Overbearing relationship	See paragraph 6.22 – 6.24
Overshadowing	See paragraph 6.22 – 6.24
Poor design	See paragraph 6.15 – 6.21
Loss of/harm to trees	See paragraph 6.38 – 6.41 and condition 6

Impact on local shops	See paragraph 6.8 – 6.11 and Appendix B
Impact on bus service	See paragraph 6.47
Lack of affordable housing	See paragraph 6.57 – 6.58
Property devaluation	Not a material planning consideration
Loss of a private view	Not a material planning consideration
Covenant conflict	Not a material planning consideration
Harm to listed building	See paragraph 6.17
Loss of buildings	See paragraph 6.17
- Support - Benefit to housing need	See paragraph 6.1
- Support - Community/regeneration benefit	See paragraph 6.1
- Support - Economic growth / jobs	See paragraph 6.6
- Support - Visual amenity benefits	See paragraph 6.17

## **1.0 Site and Character Appraisal**

- 1.1 The site occupies a corner plot location on the north side of the Rectory Lane/Outwood Lane junction adjacent and to the south-west of the Midday Sun pub. On the opposite side of Rectory Lane is a water treatment works, whilst to the north is the pub car park. The majority of the site is located within the urban area but transitions to the green belt with part of the site (NW corner) located within the metropolitan green belt and the remainder of the northern site boundary abutting the green belt. The pub car park which abuts the site to the north is within the green belt.
- 1.2 The site is occupied by a two storey building, set back from the site frontage. The building is currently vacant and has historically been in commercial use. It is understood that the ground floor has historically been used as a water bottling operation but this ceased approximately 10 years ago. The previous occupier used the ground floor for light industrial use with ancillary offices on the first floor.
- 1.3 There is a hard surfaced parking area to the site frontage, with a service road/parking area to the west running parallel with Rectory Lane. A number of mature trees and hedgerows enclose the site.
- 1.4 In the wider locality is a parade of shops and commercial businesses at ground floor level with residential above, to the north west of the site in Rectory Lane. Beyond this to the east and west are largely residential dwellings.

## **2.0 Added Value**

- 2.1 Improvements secured at the pre-application stage: The applicant did not approach the Council for pre-application advice therefore the opportunity to secure improvements did not arise
- 2.2 Improvements secured during the course of the application: During the course of the application additional information has been submitted to address comments by the County Highways Authority and Surrey Wildlife Trust.
- 2.3 Further improvements to be secured through the use of conditions. – conditions recommended include details of highways, trees, landscaping, ecology, contaminated land, materials, levels, noise, hours of use and deliveries.

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

There is extensive planning history for the site, the most recent being:

- 3.1 21/02481/DED Demolishing of Prospect Wells House, for commercial units and apartments. Prior Approval Refused 30<sup>th</sup> November 2021
- 3.2 20/02362/F Demolition of existing buildings and erection of a three storey residential building to comprise 16 flats with associated access, parking, landscaping and other associated works. As amended on 05/01/2021. Pending consideration
- 3.3 19/01825/F Demolition and comprehensive redevelopment of the site for a 3 storey building to provide a mixed use development comprising a shop (Use Class A1) at ground floor with 10 residential units (Use Class C3) at first and second floors, car parking, landscaping and associated works. As amended on 03/12/2019, 10/02/2020, 21/04/2020, 27/05/2020 and on 29/07/2020. Refused 6<sup>th</sup> August 2020  
Appeal dismissed 21<sup>st</sup> April 2021
- 3.4 Appeal decision 19/01825/F/AP is appended to this report at Appendix A.

## **4.0 Proposal and Design Approach**

- 4.1 This is a full application for demolition of the existing building and a comprehensive redevelopment of the site for a 3 storey building to provide a mixed use development comprising a shop at ground floor with 10 residential units at first and second floors, car parking, landscaping and associated works.
- 4.2 The proposal would include a retail unit of 372sqm at ground floor level with 12 car parking spaces and 5 cycle parking spaces to the front to serve this use. Also at ground floor level would be two accesses to serve the residential uses above along with a refuse store, plant room and a bicycle store for 10 bikes. Towards the rear of the site, 15 parking spaces are proposed that would serve the residential use of site. Small areas of landscaping would be sited around the car parking spaces.
- 4.3 At first and second floor the building would include 10 residential units, comprising 7 x 1 bedroom dwellings and 3 x 2 bedroom dwellings. All units would be served by a balcony, along with a larger, communal balcony area at first floor level at the rear of the site.
- 4.4 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a four-stage design process comprising:  
Assessment;  
Involvement;  
Evaluation; and  
Design.
- 4.5 Evidence of the applicant's design approach is set out below:

Assessment	The character of the surrounding area is assessed as Chipstead being a 'predominantly commuter village in north-east Surrey, conveniently situated for easy access to central London (to the North) and to Gatwick Airport, (to the South). There are also good connections with easy access to the east / west routes via the M25. Beyond Chipstead's boundaries are the villages of Woodmansterne Coulsdon, Banstead, Hooley and Kingswood. These villages are separated by areas of Metropolitan Green Belt. The village is just to the west of the London Borough of Croydon and is located along the main (Chipstead Valley) Road which interconnects these villages and the Croydon Borough.'
	Site features meriting retention are listed as: vehicular access from Outwood Lane
Involvement	No community consultation took place.
Evaluation	The statement does not include any evidence of other

	development options being considered. There is a second application under consideration at present for residential redevelopment of the site.
Design	The applicant's reasons for choosing the proposal from the available options were: 'The proposed plans submitted as part of this planning application take into account the feedback that was received on the previously submitted layout and counters the reasons for refusal given in the Planning Officer report and the Appeal Inspectors report.'

4.5 Further details of the development are as follows:

Site area	0.2 hectares
Existing use	Light industrial (Distribution facility for a water dispensing machine company)
Proposed use	Mixed – retail and residential
Existing parking spaces	12
Proposed parking spaces	27 (15 residential, 12 retail)
Parking standard	15 minimum (residential) 13 maximum (retail)
Net increase in dwellings	10
Proposed site density	50 dwellings per hectare
Density of the surrounding area	69 dwellings per hectare (1 – 9a Rectory Lane)

**5.0 Policy Context**

**5.1 Designation**

Urban area  
Site partly within Metropolitan Green Belt (north western limb)  
Adjacent to Metropolitan Green Belt (land to the rear, north of the site)  
Flood Zone 1  
Site partly within Surface Water Flood Model – 1 in 1000 years (front)  
Parking standards – low accessibility

**5.2 Reigate and Banstead Core Strategy**



CS1(Sustainable Development)  
CS3 (Green Belt)  
CS4 (Valued Townscapes and Historic Environment)  
CS5 (Valued People/Economic Development),  
CS7 (Town/Local Centres),  
CS10 (Sustainable Development),  
CS11 (Sustainable Construction),  
CS14 (Housing Needs)

### 5.3 Reigate & Banstead Development Management Plan 2019

Design, Character and Amenity (including housing)	DES1, DES4, DES5, DES6, DES7, DES8, DES9,
Landscape & Nature Conservation	NHE2, NHE3
Employment	EMP4
Retail	RET5
Metropolitan Green Belt and Infrastructure	NHE5 INF3
Transport, Access and Parking	TAP1
Climate Change Resilience and Flooding	CCF1, CCF2

### 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 Affordable Housing
Other	Human Rights Act 1998 Community Infrastructure Levy Regulations 2010 Conservation of Habitats and Species Regulations 2010

## 6.0 **Assessment**

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

6.2 The main issues to consider are:

- Employment use
- Retail use
- Impact on Green Belt
- Design and character
- Neighbour amenity
- Highway matters
- Amenity for future occupants
- Impact on trees
- Sustainable construction
- Drainage
- Ecology
- Other matters
- Sustainable Construction
- Affordable Housing
- Community Infrastructure Levy
- Infrastructure contributions

#### Employment use

- 6.3 Whilst the site is not located within a designated employment area or town centre, DMP policy EMP4 applies. This resists the loss of existing suitably located business, industrial and storage and distribution uses within the urban area but outside of areas designated for employment purposes. Alternative business uses (in this case B1 uses) should be considered first and only when it can be demonstrated that the site is unsuitable for such uses would alternative uses be acceptable.
- 6.4 The application proposes the demolition of the existing building which will result in the loss of 852sqm of light industrial accommodation. DMP policy EMP4 recognises the importance of safeguarding viable employment land and premises, whilst also recognising the requirements of national policy that such land and premises should only be protected if there is a reasonable prospect of employment use. The loss of employment use will only be permitted if one of three criteria is met. In this instance, marketing information has been provided to demonstrate that there is no reasonable prospect of (or demand for) the retention or redevelopment of the site for employment use (criteria a of policy EMP4). The policy refers to Annex 3 of the DMP for information on what will be required to demonstrate this.
- 6.5 The Council's Policy Team have been consulted upon the application and made the following comments:

*With regard to complying with DMP Policy EMP4, the applicant has submitted an update (dated 23 June 2021) to its marketing report which was submitted in support of previous planning application 19/01825/F, which was refused on 6 August 2020. The submitted update concludes that "None of these applicants were therefore looking to lease the premises as a B1 industrial building."*

*Under DMP Policy EMP4 and Annex 3, requirements for active marketing include the need for advertisements to include the “lawful land use of the property”. At the time the previous planning application was refused, the lawful use was B1a light industrial (and indeed any uses in the B1 use class, which included offices).*

*The marketing was carried out to support the previous planning application, and was accepted by the Council, so that loss of employment under DMP Policy EMP4 was not given amongst the reasons for refusal.*

*Since that refusal, however, in September 2020, the new Use Class E “Commercial, Businesses and Services” came into force, and the lawful use of the site is now presumably Class E, which includes a variety of uses, including light industrial, offices and retail uses.*

*As loss of the lawful employment use under DMP Policy EMP4 was not given as a reason for refusal of the last application and given the progress in attempting to resolve the outstanding issues of concern, namely around the parking, in this case I would not object to the loss of Class E employment use under DMP Policy EMP4 in this instance.*

- 6.6 Furthermore, the proposal includes a retail unit of 372 sqm. There is no detail within the application on how many employees may work within the use, but the use would provide employment on site, meaning the development would not result in the total loss of employment use at the site.
- 6.7 For the reasons above, it is considered that the proposal would comply with the requirements of policy EMP4 and that the partial loss of employment use is considered acceptable in this instance.

#### Retail use

- 6.8 The proposal seeks to introduce a 372sqm retail unit outside of a designated retail area. The site is within very close proximity (24m) of the Rectory Lane Local Centre. National and local policy (Paragraphs 86-89 of the revised NPPF and Policy RET5 of the DMP) require for proposals for main town centre uses outside of designated centres and not in accordance with an up-to-date local plan (such as this proposal) to undertake a sequential test to assess whether there are suitable sites available (or expected to become available) in a more sequentially preferable location and a retail impact assessment (if the proposal such as in this case is above the locally set floorspace threshold) to assess the impact of the proposal.
- 6.9 During the course of the application, the Policy Team were consulted and had no further observations to make concerning either the applicant's submitted retail sequential assessment nor its impact assessment, and the Policy comments for application 19/01825/F remain relevant to this application. These previous comments concluded that sufficient information has been provided to demonstrate that the proposed edge-of centre Co-Operative store

would not have a significant adverse impact on consumer choice for convenience retail within the existing Rectory Lane Local Centre, subject to a planning condition restricting the range of goods sold to specifically exclude the sale of lottery tickets. These comments are attached in full at Appendix B.

- 6.10 The Policy Team noted, given the applicant's retail impact assessment, and considering the turnover of the existing convenience store in the nearby designated Rectory Road Local Centre, they maintain that a planning condition is necessary to prevent the sale of Lottery tickets from the proposed retail convenience store, in order to protect the vitality, viability and customer choice in the nearby designated Local Centre. They therefore suggest that should the planning application be suitable for approval in all other respects, that the following planning condition be included:

"The retail use hereby permitted shall not be used for the sale of lottery tickets or scratch cards.

Reason: To protect the viability of the designated Local Centre in accordance with the National Planning Policy Framework and Development Management Plan policy RET5."

- 6.11 On the basis of the information provided and reviewed by the Council's Policy Team, the proposal is considered to accord with policy RET5 of the DMP and is considered acceptable.

#### Impact on Green Belt

- 6.12 The north western corner of the site is sited within the metropolitan Green Belt; the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of green belts are their openness and permanence. The National Planning Policy Framework (NPPF) states that the local planning authority should regard the construction of new buildings as inappropriate development in the green belt. Inappropriate development is by definition, harmful to the green belt and should not be approved except in very special circumstances.
- 6.13 In this instance, the north western corner of the site is made up of hardstanding and borders a car park to the east, also within the MGB. Although the site is vacant at present, the white lines on the ground indicate this area has been used for parking in the past, and aerial photos concur with this assumption showing vehicles in this area. Given the previous use of this part of the site would be similar to the proposed, the proposal is not considered to give rise to harm to the openness of the MGB, over what the existing use does. The Planning Inspector agreed with this conclusion in the recent appeal noting *'it is not in dispute between the main parties that the proposed development would not be inappropriate development in the Green Belt. Based on the evidence before me, I agree with this conclusion.'*
- 6.14 The increase in built form within the urban area would have an increased presence in what is a transitional location to the MGB. However, to the north

of the site where the MGB begins is a car park, which is considered to be a less sensitive part of the MGB and therefore in this instance the proposal is not considered to have a harmful impact in this transitional location.

Design and character

- 6.15 Policy DES1 of the DMP states all new development will be expected to be of a high quality design that makes a positive contribution to the character and appearance of its surroundings and lists a number of criteria proposals should comply with to ensure this. The existing building would be demolished to make way for the proposed development, however the existing building is not of particular architectural merit and its loss is not considered to warrant refusal of the application.
- 6.16 The application proposes a three-storey building, that would step down in height twice, towards with the neighbouring pub, The Midday Sun. The front elevation would feature two gables, one larger than the other and these elements would be set slightly forward of the main building helping to break up the appearance of the elevation. The larger of the two gable would be sited towards the south wester corner of the building, helping to successfully address this corner site location. The ridge height of the building would decrease towards to north east, stepping down twice, with a lower eaves height as well towards the north eastern corner of the building.
- 6.17 At ground level the shop front would be largely glazed with signage above. Turning to the south west elevation, this too would be broken up and feature two gable elements. One of the entrances to the residential dwellings would be sited on this elevation towards the south west corner of the building. The rear elevation would follow the design and style of the front with gable features, dormer windows and a staggered building line. The north east elevation would step down in height, and the roof would be of hipped design, decreasing the bulk and mass towards this side of the development. Conditions are recommended to secure the materials details to ensure the external appearance compliments the traditional character of the locality. The site is not within nor adjacent to a Conservation Area and is not considered to result in harm in this regard. The existing building is not listed and the proposal is not considered to result in harm to the nearby locally listed building, Woodmansterne Pumping Station. The existing building is not of particular architectural merit and its loss would not warrant refusal of the application.
- 6.18 Externally there would be a total of 27 parking spaces. 12 spaces would be for the retail use and be sited to the front of the site, 7 spaces directly in front of the retail store, 3 along the side boundary with the neighbouring pub, and 2 parallel parking spaces on the southern boundary of the site. 5 cycle parking spaces are also proposed to the front of the retail unit.
- 6.19 A total of 15 spaces are proposed to serve the 10 residential dwellings. To the south western side of the building 6 parking spaces are proposed to serve the residential dwellings. A further 9 spaces are proposed towards the north

western corner of the site. The remainder of the site would be laid to hardstanding albeit for small sections of soft landscaping to the front elevation contained in two small parcels and one to the south of 3 parking spaces. A slender parcel of land to the side of the parking bays is also proposed to be landscaping although given the narrowness this area would not be able to accommodate meaningful landscaping. Small parcels of land around parking spaces 11, 12 and 13 would also be soft landscaped.

- 6.20 The quantum of hardstanding is not dissimilar to that of the existing layout and that of the recent appeal decision. In terms of character and appearance, the Inspector in the appeal decision commented:

*'The proposed development would broadly maintain the existing functional use and appearance of this part of the site, although it would incorporate some limited soft landscaping to this area. It would also be possible to introduce additional screening as part of the boundary treatment via condition. As such the proposed development would broadly maintain the existing appearance, with a small, but positive, contribution of additional planting.'*

*Therefore, the proposed development, with particular regard to the car parking area, would not have a harmful effect on the character and appearance of the area. Consequently, it would not be contrary to policy DES1 of the Local Plan which seeks that development should make a positive contribution to the character and appearance of its surroundings, amongst other things.'*

- 6.21 In view of the Inspector's conclusions and the similarities in this level of landscaping proposed, the layout is considered acceptable in terms of the impact upon visual amenities of the locality and would comply with policy DES1.

#### Neighbour amenity

- 6.22 The proposal has been considered in terms of the impact upon amenity of neighbouring properties. The closest neighbour is to the north east and this site is occupied by The Midday Sun pub. The building would decrease in height and scale as it approaches the shared side boundary with this property. The existing building line is staggered between these properties which results in the existing building being set back from the front elevation of the pub. The proposed building would be further set back, lessening the impact upon the existing side facing windows of the pub. The building would have a presence in the garden of the pub to the rear, however given the commercial nature of this area, it is not considered to result in a harmful impact upon amenity. The pub does have a large seating area to the front of the site also, which would have a similar relationship to the site as the existing situation.

- 6.23 The nearest residential properties to the site 102 Outwood Lane, approximately 42m to the south east of the site, on the opposite side of

Outwood Lane, and 1A Rectory Lane, approximately 31m to the north west of the site, on the north west side of Rectory Lane. Given the level of separation to nearby residential dwellings, the proposal is not considered to give rise to a harmful impact amenity in terms of overbearing, domination, loss of light or outlook, or overlooking and loss of privacy.

- 6.24 While giving rise to a degree of change in the relationship between buildings, the proposed scheme would not adversely affect the amenity of neighbouring properties, and complies with policy DES1 .

Highway matters

- 6.25 The application is proposing a total of 27 parking spaces. These would be divided to serve the residential and retail uses of the development. 12 spaces would serve the retail element and 15 spaces would serve the 10 residential dwellings.
- 6.26 The residential units comprise 7 x 1 bedrooms and 3 x 2 bedroom. As per Annex 4: Parking Standards of the DMP the site lies within a low accessibility area and requires a minimum of 15 parking spaces (2 spaces per 2 bedroom dwelling = 6, 1 space per 1 bedroom dwelling = 7, and 2 visitor parking spaces). The retail space would require a maximum of 12.4 spaces (1 space per 30m<sup>2</sup>), rounded up to 13. This gives a total requirement for 28 spaces, the application proposes 27. However this is not considered to represent a shortfall of parking spaces as the minimum residential requirement is met whereas the standard for retail is a maxima. The proposal improves significantly upon the refused scheme which proposed 29 spaces against the parking standard of 33 with a number of those spaces being tandem and likely prone to manoeuvring difficulties.
- 6.27 The County Highways Authority were consulted upon the application and provided the following comments following the submission of additional information being submitted.

*'The development includes 7 one bed and 3 two bed flats and 372m<sup>2</sup> of retail floor space. According to Reigate and Banstead Parking Standards the proposed development should include 13 parking spaces for the flats and a further 2 spaces for visitors and 12.4 spaces or 13 spaces for the retail use if rounded up in accordance with Reigate and Banstead Parking Standards. This is a total parking requirement of 28 spaces. The proposed development includes 27 parking spaces, the shortfall is due to the developer providing 12 spaces for the retail use, as opposed to 13 spaces. The residential element of the site has parking in accordance with minimum parking standard requirements but there is a shortfall of one space for the retail use.'*

*Each space is accessed independently and they are all set out with adequate manoeuvring space.*

*The developer is providing space within the site for refuse collection and delivery vehicles to the retail use to enter the site where two of the retail*

*parking spaces are proposed to be located. However this would displace two of the retail parking spaces when occupied. In combination with the one space shortfall there is potential for there to be a shortfall of 3 spaces when there are deliveries and collections.*

*The developer has asserted that the quantum of parking proposed for the retail use is adequate based on survey information carried out by the Co-operative. The Co-Operative Car Park Study together with a survey of Tesco Express and Sainsbury Local Stores shows average durations of stay ranging from a maximum of 8.9 minutes and 7 minutes at respectively at Co-Operative and Tesco/Sainsbury car parks to a minimum of 5.5 minutes at Co-Operative car parks. This means the proposed car parking spaces for the retail use would each have capacity to accommodate between 6.7 and 10.9 vehicles an hour. The proposed 12 spaces would be able to accommodate between 80.4 and 130.8 vehicles an hour. Based on a retail floor area of 372m<sup>2</sup> the proposed development would generate 27 inbound movements at its peak between 0800 and 0900 in morning. Even during deliveries when there would be 10 spaces available because two of the 12 spaces for the retail have been cordoned off for delivery the car park would be able to accommodate between 67 and 109 vehicles an hour. These spaces would still be able to accommodate the likely peak traffic generation.*

*I have carried out a parking accumulation survey using the TRICS data that the developer has used. This shows that during most of the day the car park would be able to accommodate the resulting traffic generation derived from the TRICS data. From 1600 hours the data shows that the car park is likely to be fully accommodated with a shortfall of six spaces in the early evening. I have recommended a condition for the developer to submit a revised "Control and Management of the Delivery Bay" document to exclude deliveries between 1600 hours and 1900 hours.*

*For residential refuse collection, there is space for this to take place from the service road in front of the development. There will be no need for the residential refuse collection to take place from the retail service bay.*

*I have recommended a condition for the developer to submit a plan showing the residential spaces and 3 of the retail spaces to be fitted with electric vehicle charging points and a further 3 spaces to be fitted with an electrical supply should further charging points be required in the future.*

*I have also recommended a condition for the developer to provide welcome packs to residents giving them information on public transport in the vicinity of the site and leisure, retail, employment and education land uses they can travel to by non-car modes of transport.*

*The developer is proposing to use the existing access points, which would be acceptable given the geometry and sight lines at the access points.'*

- 6.28 The Applicant has confirmed that all waste for the retail store is stored inside the shop and returned to the depot on the delivery lorries.



- 6.29 Subject to the recommended conditions, the proposal is considered acceptable in terms of parking and highway matters.

Amenity for future occupants

- 6.30 The application proposes the following mix of units

Unit 1	2 bedrooms	4 persons	88sqm
Unit 2	1 bedroom	2 persons	55sqm
Unit 3	1 bedroom	2 persons	55sqm
Unit 4	1 bedroom	2 persons	65sqm
Unit 5	2 bedrooms	4 persons	80sqm
Unit 6	2 bedrooms	4 persons	88sqm
Unit 7	1 bedroom	2 persons	55sqm
Unit 8	1 bedroom	2 persons	55sqm
Unit 9	1 bedroom	2 persons	64sqm
Unit 10	1 bedroom	2 persons	58sqm

- 6.31 All units would exceed the minimum internal space standards, complying with the requirements policy DES5 which requires as a minimum all new residential accommodation meet the nationally described spaces standards. Habitable spaces would be served by windows or glazed doors providing light and outlook. Each unit would include a private balcony, and a shared terrace measuring 41 sqm would be provided at first floor level providing private and shared outdoor amenity space.
- 6.32 With regard to noise impacts, the Applicants submitted a Noise Impact Assessment in support of the application which considers the appropriateness of the site for residential use (C3) at first floor and above noting retail is proposed at ground floor.
- 6.33 The Council's Noise Consultants noted that the neighbour representations relating to traffic movements and the associated noise impacts are not considered to be a material impact as the predicted trip generation is very low. Furthermore, the assessment method for traffic noise requires impacts to be averaged over the entire daytime period this and the local noise climate means that in their opinion any noise from traffic will not be readily discernible to nearby sensitive receptors.
- 6.34 Having reviewed the circumstances of the application they therefore confirmed that, taking account of the previous history and the context of the application, the impacts of the proposal are considered low and can be controlled by suitable conditions addressing operating hours, noise from deliveries, waste collection and plant associated with the supermarket/shop use, suitable waste segregation to separate commercial and residential waste, lighting controls and control and mitigation of environmental noise.
- 6.35 The Noise Consultants also noted the KP acoustics assessment shows that the front garden area from the neighbouring Midday Sun Public house will be

low. This is predominantly due to distance and screening from the premises front facade. However, there is no assessment of plant noise from the public house on the proposed development. They would be particularly concerned regarding the bedroom on the first floor of the North East elevation which the aerial photographs suggests will be overlooking the Kitchen extraction Plant.

- 6.36 The Environmental Noise Report also identifies high maximum noise levels in the early hours of the morning and although the report recommends a suitable glazing scheme, it states that further assessment is required in order to design a suitable ventilation system. There is also no specific suggested noise targets that the plant and building services equipment that will service the shop will need to comply with. The Noise Consultants have recommended suitable worded conditions to address these matters and conclude although there is a potential for noise impact from the kitchen extraction plant of the Midday Sun, the NPPF only provides protection against unreasonable complaints and the public house has an obligation to ensure they follow best Practicable Means to minimise noise emissions. These noise impacts can be assessed and controlled through suitable conditions.
- 6.37 Subject to the recommended conditions, the proposal is considered to comply with policy DES5 and overcome the previous concerns relating to living conditions for the future occupants which focussed on the impacts by virtue of parking manoeuvrability.

#### Impact on trees

- 6.38 The Tree Officer was consulted upon the application and commented there are many what look to be good quality trees immediately beyond the site boundaries. These trees clearly provide many benefits to this site and the locality and will certainly be of future value to any development. Many of the trees look to be growing on highway verge sites and all look to be beyond the application site. Even so, it will be necessary to ensure there is a suitable level of protection for these trees in any development proposal at the site. If any works are proposed within the rooting area of any trees on site – for example any excavation, construction or re-surfacing in the current rear parking area – details will be needed on what the level of impact may be and how this will be mitigated.
- 6.39 General site hoarding may well provide a sufficient level of tree protection to the external trees and there may be no proposed works within the rooting areas of off-site trees - if this is so it must be confirmed by submission. If this is not so full details will be required on tree protection and mitigation measures.
- 6.40 A condition is recommended to secure an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) be submitted to and approved in writing by the Local Planning Authority (LPA). This shall include details of how trees and their roots will be protected during all demolition and construction activity. The AMS and TPP must detail protection of those trees at risk of development impacts including but not limited to impacts arising from:

foundations and other excavations, trenches for underground drainage, pipework and cabling; construction machinery access; storage of materials, spoil and associated works e.g. mixing of concrete or cement. All works shall be carried out in accordance with these details when approved.

- 6.41 There are small areas of soft landscaping proposed around the site and a landscaping condition is recommended to secure details of planting in these areas.

#### Ecology

- 6.42 The application was submitted with a Preliminary Ecology Appraisal Report dated July 2019 and Bat Survey dated September 2021. The Bat Survey identified the building to have moderate bat roost suitability. Two emergence/re-entry surveys were undertaken in July and August and no bats were identified to be roosting in the building. Further surveys have been carried out; one dusk emergence on 12<sup>th</sup> August 2021 and one dawn survey on 9<sup>th</sup> September 2021. No bats were recorded emerging from or re-entering the building during either survey. Low levels of foraging and commuting activity were recorded within and around the survey area, by all surveyors. A condition is recommended that a precautionary approach to works be undertaken in accordance with Table 0.1 of the referenced ecology report. Furthermore, the development should comply with the recommendations of the Bat Conservation Trust's document entitled "Bats and Lighting in the UK - Bats and The Built Environment".
- 6.43 Surrey Wildlife Trust were consulted upon the application and advised the developer should take action to ensure that the development activities such as vegetation or site clearance are timed to avoid the bird nest season of early March to August inclusive. If this is not possible and only small areas of dense vegetation are affected, the site could be inspected for active nests by an ecologist within 24 hours of any clearance works. If any active nests are found they should be left undisturbed with a buffer zone around them, until it can be confirmed by an ecologist that the nest is no longer in use.
- 6.44 SWT also advise the developer will need to ensure they do not cause any invasive, non native species to spread as a result of the works associated with the development in order to comply with the relevant legislation. To prevent the spread, Japanese knotweed should be eradicated using qualified and experienced contractors and disposed of in accordance with the Environment Protection Act (Duty of Care) Regulations 1991.
- 6.45 Paragraph 179 of the NPPF states that plans should 'identify and pursue opportunities for securing measurable net gains for biodiversity.' This development offers opportunities to restore or enhance biodiversity and such measures will assist the LPA in meeting the above obligation and also help offset any localised harm to biodiversity caused by the development process. SWT recommend, should the LPA be minded to grant planning permission, the development should adhere to the enhancement measures set out in the ecological report.

Drainage

- 6.46 The site is in Flood Zone 1 and is not in an area identified as being at any significant risk of surface water flooding. Surrey County Council were consulted upon the application as the Lead Local Flood Authority. They have reviewed the surface water drainage strategy for the proposed development and are satisfied that the proposed drainage scheme meets the relevant requirements subject to recommended conditions.

Other matters

- 6.47 Objection has been raised on the grounds of impact upon local bus services and consultation with Transport for London (TFL) who operate the bus route. TFL and Croydon Council were not consulted as part of the application. The bus stop and access road lay outside of the application site boundary with no amendment to these proposed as part of the proposal. The County Highways Authority were consulted upon the application and have made no objection to the proposal on the grounds of hazard to highway safety subject to recommended conditions.
- 6.48 Objection has been received on the grounds of crime fears. The Crime Reduction Advisor and Designing out Crime Officer of Surrey Police was consulted upon the application and has reviewed the design and access statement and associated documents provided for the application and notes there are no details of any measures of Crime Prevention through Environmental Design, in order to achieve a safe and secure environment within the submitted application. In particular relation to the plan for the development, he notes some car parking area is situated to the rear of the site and also there is undercroft parking. He suggests due to this layout that this will hinder the natural surveillance and therefore increase the opportunity for vehicle crime. The Officer goes on to comment 'to support Approved Document Q which was incorporated into the Building Regulations 2010, in October 2015: Compliance to the 'Secured by Design' scheme would satisfy all requirements and further supports the applicant's submitted intention to achieve a sustainable development.' A condition is recommended to ensure the development achieves that standards contained within the Secure by Design award scheme.
- 6.49 The application would be in retail and residential use and is not considered to result in a harmful impact in terms of noise and disturbance, subject to recommended conditions, or smells. Concern has been raised in regard to disturbance and inconvenience that may occur during the construction of the development. Whilst nearby residents' concerns regarding potential adverse noise, nuisance or disturbance resulting from construction are appreciated, such effects would be temporary and not sufficient to warrant refusal given the existence of other legislation (e.g. statutory nuisance) to control these issues. In the event that the application was to be approved, a robust Construction Management condition could be imposed to manage amenity and highway impacts of the construction process.

- 6.50 No significant health issues are considered to arise as a result of the planning application.

Sustainable construction

- 6.51 DMP Policy CCF1 relates to climate change mitigation and requires new development to meet the national water efficiency standard of 110litres/person/day and to achieve not less than a 19% improvement in the Dwelling Emission Rate (DER) over the Target Emission Rate (TER) as defined in Part L1A of the 2013 Building Regulations.
- 6.52 The application has been submitted with an Energy & Sustainability Statement dated August 2021 which concludes the proposed development is estimated to achieve a 34.5% improvement surpassing the policy requirement by 15.5%. The report states 'the proposed energy strategy for the development firstly aims to reduce the need for energy through passive design and energy efficiency measures, through optimising the thermal envelope and then to use energy efficient building services, with a communal ASHP system providing both space heating and hot water, to be located in the plant room and each unit having an hot water cylinder heated from the system.'
- 6.53 In terms of water efficiency the report notes 'Each unit will comply with Policy CCF1 by ensuring water consumption is equal to or less than 105 litres per person per day, not including the 5 litres per day for external water consumption.'
- 6.54 In the event that planning permission is to be granted, a condition could be imposed to ensure the measures of the Energy Statement are implemented prior to the first occupation of development. In this regard, there would be no conflict with DMP Policy CCF1.
- 6.55 A condition is also recommended to ensure that each dwelling is fitted with access to fast broadband services in accordance with policy INF3 of the DMP.
- 6.56 Policy DES7 of the DMP requires that on sites of 5 or more homes at least 20% of homes should meet the Building Regulations requirements for 'accessible and adaptable dwellings'. The applicant has not referred to this requirement. Without any evidence to the contrary it is considered that such a requirement would be viable for the applicant and therefore a condition is recommended to secure adequate accessible housing in accordance with policy DES7.

Affordable Housing

- 6.57 Core Strategy Policy CS15 and the Council's Affordable Housing SPD require financial contributions towards affordable housing to be provided on housing developments of 1-9 units. However, in November 2014, the Government

introduced policy changes through a Written Ministerial Statement and changes to the national Planning Practice Guidance which restrict the use of planning obligations to secure affordable housing contributions from developments of 10 units or less. These changes were given legal effect following the Court of Appeal judgement in May 2016. Following this, the Development Management Plan was adopted in 2019 which requires affordable housing only on schemes of more than 10 units. As this scheme is below this threshold, no affordable housing can be required.

#### Community Infrastructure Levy (CIL)

- 6.58 The Community Infrastructure Levy (CIL) is a fixed charge which the Council will be collecting from some new developments from 1 April 2016. It will raise money to help pay for a wide range of infrastructure including schools, road, public transport and community facilities which are needed to support new development. This development would be CIL liable and, although the exact amount would be determined and collected after the grant of planning permission, an informal calculation shows a CIL liability of around £166,440.

#### Infrastructure Contributions

- 6.59 In terms of other contributions and planning obligations, The Community Infrastructure Levy (CIL) Regulations were introduced in April 2010 which state that it is unlawful to take a planning obligation into account unless its requirements are (i) relevant to planning; (ii) necessary to make the proposed development acceptable in planning terms; and (iii) directly related to the proposed development. As such only contributions, works or other obligations that are directly required as a consequence of development can be requested and such requests must be fully justified with evidence. In this case, no such contributions or requirements have been requested or identified. Accordingly, any request for an infrastructure contribution would be contrary to CIL Regulation 122.

### **CONDITIONS**

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

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

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Proposed Plans	MBSK220119-02	P1	20.01.2022
Proposed Plans	MBSK220119-01	P1	20.01.2022
Floor Plan	1468-PL1210	A	20.01.2022

Proposed Plans	1468-PL1115	A	20.01.2022
Proposed Plans	MBSK211202-01	P1	20.01.2022
Street Scene	PL1300		01.09.2021
Existing Plans	PL1200		01.09.2021
Location Plan	PL1100		09.08.2021
Block Plan	PL1101		09.08.2021
Site Layout Plan	PL1102		09.08.2021
Site Layout Plan	PL1110		09.08.2021
Elevation Plan	PL1312		09.08.2021
Elevation Plan	PL1313		09.08.2021
Elevation Plan	PL1310		09.08.2021
Elevation Plan	PL1311		09.08.2021
Floor Plan	PL1212		09.08.2021
Roof Plan	PL1213		09.08.2021
Floor Plan	PL1211		09.08.2021

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 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 that a satisfactory external appearance is achieved of the development with regard to Reigate and Banstead Development Management Plan 2019 policy DES1.

5. No development shall commence until a Construction Management Statement, to include details of:
  - a) Prediction of potential impacts with regard to water, waste, noise and vibration, dust, emissions and odours, wildlife. Where potential impacts are identified, mitigation measures should be identified to address these impacts.
  - b) Information about the measures that will be used to protect privacy and the amenity of surrounding sensitive uses; including provision of appropriate boundary protection.
  - c) Means of communication and liaison with neighbouring residents and businesses.

d) Hours of work.

Has been submitted to and improved 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 is managed in a safe and considerate manner to help mitigate potential impact on the amenity and safety of neighbours and to accord with Reigate and Banstead Development Management Plan 2019 policy DES8.

6. Prior to the commencement of development, an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) must be submitted to and approved in writing by the Local Planning Authority (LPA). This shall include details of how trees and their roots will be protected during all demolition and construction activity. The AMS and TPP must detail protection of those trees at risk of development impacts including but not limited to impacts arising from: foundations and other excavations, trenches for underground drainage, pipework and cabling; construction machinery access; storage of materials, spoil and associated works e.g. mixing of concrete or cement.

All works shall be carried out in 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 reason: To ensure good landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies NHE3, DES1 and DES3 of the Reigate and Banstead Development Management Plan.

7. No development shall commence on site until a scheme for the soft and hard landscaping (including hard surfacing and any street furniture), including details of existing landscape features to be retained or pruned, has been submitted and approved in writing by the local planning authority. The landscaping scheme shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme.

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

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



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

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

8. No development above ground level shall commence until a scheme to provide positive biodiversity benefits, informed by the submitted Preliminary Ecological Appraisal Report (dated July 2018 ref: UE0333\_ProspectHse\_PEA\_0\_190722), has been submitted to and approved in writing by the local planning authority (LPA). This should be designed alongside the soft landscaping proposals for the site. The biodiversity enhancement measures approved shall be carried out and maintained in strict accordance with these details or as otherwise agreed in writing by the LPA, and before occupation of this development.

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

9. The development hereby approved shall be carried out in accordance with the precautionary approach to works specified within Table 0.1 of The Bat Survey Report dated 20 September 2021 and ecological protection measures specified within table 0.2 of The Preliminary Ecological Appraisal Report dated July 2019.

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

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

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

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

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

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

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

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

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

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

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

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

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

15. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non- Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
  - b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. If infiltration is deemed unfeasible, associated

discharge rates and storage volumes shall be provided using a maximum discharge rate equivalent to the pre-development Greenfield run-off

c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.

d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.

e) Details of drainage management responsibilities and maintenance regimes for the drainage system.

f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

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

Reason: To ensure the Drainage System is designed to the National Non-Statutory Technical Standards for SuDS.

17. 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 any boundary hoarding behind visibility zones
  - (g) vehicle routing
  - (h) measures to prevent the deposit of materials on the highway
- 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

2021 and Policy DES8 Construction Management of the Reigate and Banstead Local Plan Development Management Plan September 2019.

18. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plan numbered 1468 PL 1115 for vehicles to enter and leave the site in forward gear and for cars associated with the proposed residential and retail development to be parked. Thereafter the approved turning and parking 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 2021 and Policy TAP1 Parking, access, and Servicing of the Reigate and Banstead Local Plan Development Management Plan September 2019.

19. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans numbered 1468 PL 1115 for a minimum of 20 bicycles to be stored in a secure and entirely covered location for the residential development and for 10 bicycles associated with the retail use to be provided in a sheltered location. Thereafter the approved bike parking areas shall be retained and maintained for their designated purpose.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2021 and Reigate and Banstead Core Strategy 2014 Policy CS17 (Travel Options and Accessibility).

20. The development hereby approved shall not be occupied unless and until all of the residential parking spaces are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) and 3 of the retail spaces are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) and a further 3 of the retail spaces are provided with an electrical supply to retrospectively fit a fast charge socket if demand warrants this 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 2021 and Reigate and Banstead Core Strategy 2014 Policy CS17 (Travel Options and Accessibility).

21. No development shall be occupied until details of a Welcome Pack containing information to residents on education, employment, leisure and retail land

uses within 2km walking distance and 5km cycling distance of the site and the same land uses further away by the nearest bus and rail services to be submitted to and approved in writing with the Local Planning Authority. The approved Welcome Packs shall be distributed to each of the residential units as they are first occupied.

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 2021 and Reigate and Banstead Core Strategy 2014 Policy CS17 (Travel Options and Accessibility).

22. No development shall be occupied until details of a Welcome Pack containing information to staff on the nearest bus and rail services to the site to be submitted to and approved in writing with the Local Planning Authority. The approved Welcome Packs shall be distributed to each member of staff.

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 2021 and and Reigate and Banstead Core Strategy 2014 Policy CS17 (Travel Options and Accessibility).

23. Notwithstanding the submitted "Control and Management of the Delivery Bay" document, the development shall not be commenced until a revised "Control and Management of the Delivery Bay" document, to include preventing deliveries between 1600 hours and 1900 hours, has been submitted for the approval of the Local planning Authority.

The approved details shall be implemented upon first occupation of the site.

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 2021 and Policy TAP1 Parking, access, and Servicing of the Reigate and Banstead Local Plan Development Management Plan September 2019.

24. Deliveries are not permitted to the retail premises hereby permitted other than within the following times:

07:30 Hours to 21:00 Hours (excluding between 1600 hours and 1900 hours)  
– Monday through to Friday.

08:00 Hours to 21:00 Hours (excluding between 1600 hours and 1900 hours)  
– Saturdays.

08:00 Hours to 18:00 Hours (excluding between 1600 hours and 1900 hours)  
– Sundays, Bank Holidays or Public Holidays excluding Christmas day  
Boxing Day where all deliveries are prohibited at any time.

Reason: To ensure that the development provides an acceptable noise environment for new residents with regard to policy DES9 of the Reigate and Banstead Development Management Plan 2019.

25. The retail use hereby permitted shall only be carried out between the following times:

07:30 Hours to 22:00 Hours – Monday through to Saturday

08:00 to 18:00 Hours – Sundays, Bank Holidays or Public Holidays.

Reason: To control activity in the interests of neighbouring residential amenities with regard to Reigate & Banstead Borough Council's Development Management Plan 2019 policies DES9 and RET1.

26. The retail use hereby permitted shall not be used for the sale of lottery tickets or scratch cards.

Reason: To protect the viability of the designated Local Centre in accordance with the National Planning Policy Framework and Development Management Plan policy RET5

27. No development above slab level shall take place until details setting out how the applicant will ensure that at least 20%, unless otherwise agreed in writing, of the homes meet the Building Regulations requirements for 'accessible and adaptable dwellings' have been submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

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

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

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

29. Prior to the commencement of development, a scheme of noise and vibration attenuation and ventilation sufficient to prevent overheating and maintain thermal comfort shall be submitted to and approved in writing by the Local Planning Authority. The scheme including performance details and a glazing plan shall achieve the habitable room standards as detailed in BS8233:2014 with no relaxation for exceptional circumstances and appropriate consideration of night time L<sub>Amax</sub> with suitable measures to ensure the thermal comfort of occupiers. The scheme shall also include details of post

construction validation noise measurements that will be carried out prior to occupation of any residential dwellings hereby approved. All work must be carried out by suitably qualified person and the approved noise, vibration attenuation and ventilation measures shall thereafter be retained and maintained in working order for the duration of the use in accordance with the approved details.

Reason: To ensure that the development provides an acceptable noise environment for new residents with regard to policy DES9 of the Reigate and Banstead Development Management Plan 2019.

30. Prior to commencement of construction a scheme of assessment of the acoustic impact arising from the operation of all internally and externally located plant shall be submitted to and approved in writing by the local planning authority. The assessment of the acoustic impact shall be undertaken in accordance with BS 4142: 2014 (or subsequent superseding equivalent) and other relevant measures, and shall include a scheme of attenuation measures to ensure the rating level of noise emitted from the proposed building services plant is 3dBA less than background.

The use hereby permitted, or the operation of any building services plant, shall not commence until a post-installation noise assessment has been carried out to confirm compliance with the approved noise criteria and submitted to and approved by the planning authority. The scheme shall be implemented in accordance with the approved details and attenuation measures, and they shall be permanently retained and maintained in working order for the duration of the use and their operation.

Reason: To ensure that the development provides an acceptable noise environment for new residents with regard to policy DES9 of the Reigate and Banstead Development Management Plan 2019.

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

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

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

All waste storage and collection points should be of an adequate size to accommodate the bins and containers required for the dwelling(s) which they



are intended to serve in accordance with the Council's guidance contained within Making Space for Waste Management in New Development.

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

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

33. Prior to above ground works of the development hereby approved, full details of a lighting strategy shall be submitted to and approved in writing by the local planning authority. The lighting strategy shall include details of the lighting of all public areas and buildings and shall be designed to comply with the ILP guidance for intrusive light Zone E2. The approved lighting shall be installed in accordance with the approved details before the commencement of the use and shall be retained and maintained thereafter

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

34. The development shall be carried out in accordance with Energy and Sustainability Statement dated August 2021 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.

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

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

## **INFORMATIVES**

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at [www.firesprinklers.info](http://www.firesprinklers.info).
2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions. 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 bowzers 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 developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
9. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
10. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle->

[infrastructure.html](#) for guidance and further information on charging modes and connector types.

11. Biodiversity enhancements – with regard to condition 8 the Council expects the applicant to provide an appropriately detailed document to demonstrate that a measurable net gain (not just compensation), secure for the life time of the development, is achievable. The applicant may wish to use an appropriate metric such as the DEFRA Biodiversity Metric 2.0 to demonstrate how the site will provide biodiversity net gain. If net gain cannot be met this must be fully justified.
12. Environmental Health would like to draw the applicant attention to the specifics of the contaminated land conditional wording such as 'prior to commencement', 'prior to occupation' and 'provide a minimum of two weeks notice'.

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

13. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

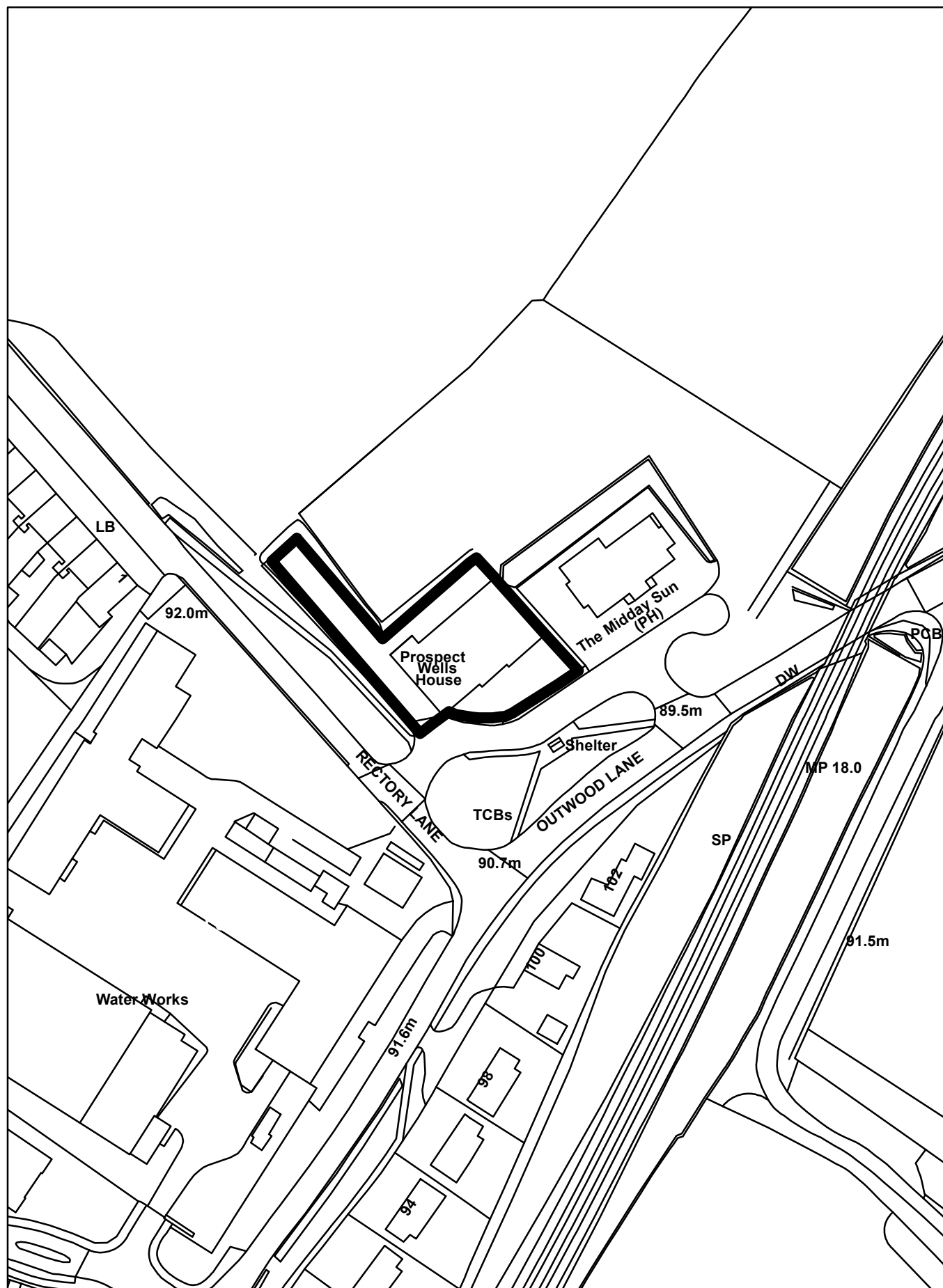
## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against development plan policies CS1, CS4, CS5, CS8, CS10, CS11, CS12, CS14, CS17 and EMP4, DES1, DES4, DES5, DES6, DES7, DES8, DES9, TAP1, CCF1, CCF2, INF3, NHE2, NHE3, NHE9, RET5 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.

21/02160/F - Culligan International UK Ltd,  
Prospect Wells House, Outwood Lane, Chipstead





NOTES

Use figured dimensions only. Scale drawing only when a scale bar is present. All dimensions to be checked by user and any discrepancies, error or omissions to be reported to the architect before work commences. Read this drawing with all relevant materials.

Boundary Line

Existing Building Line  
(Blue dash line).

Retail parking spaces, also  
used for retail store deliveries  
on a store management basis.

A 19/01/22 TL AT Entrance gates amended to LPA comments.

Rev Date Drw Chk Description

Purpose of Issue:  
PLANNING

client:  
Prospect Wells House Ltd

project:  
Outwood Lane, Chipstead

drawing title:  
Proposed Parking Layout  
Retail Option

scale at A3: 1:200 date: June 2021 drawn by: TL checked by: AT

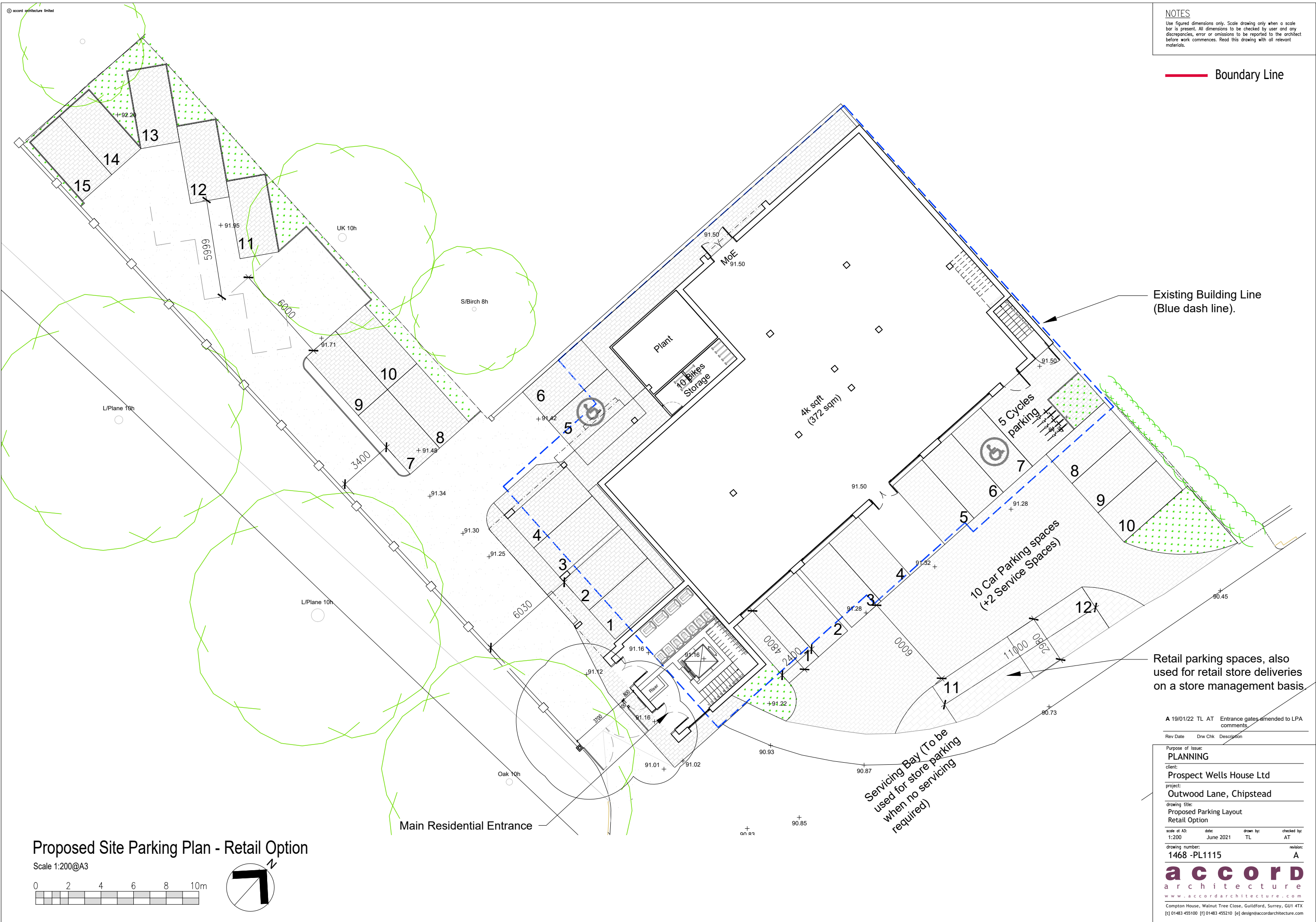
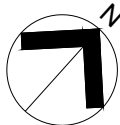
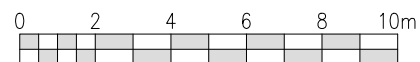
drawing number: 1468 -PL1115 revision: A

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Proposed Site Parking Plan - Retail Option

Scale 1:200@A3



NOTES

Use figured dimensions only. Scale drawing only when a scale bar is present. All dimensions to be checked by user and any discrepancies, error or omissions to be reported to the architect before work commences. Read this drawing with all relevant materials.

Boundary Line



Proposed Site Plan - Retail Option

Scale 1:500@A3



Rev Date	Rev	Chkd	Description
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Purpose of Issue:			
Planning Application			
client:			
Prospect Wells House Ltd			
project:			
Outwood Lane, Chipstead			
drawing title:			
Proposed Site Plan			

scale of A3:	date:	drawn by:	checked by:
1:500	June 2021	TL	AT
drawing number:		revision:	
1468 - PL 1110		-	

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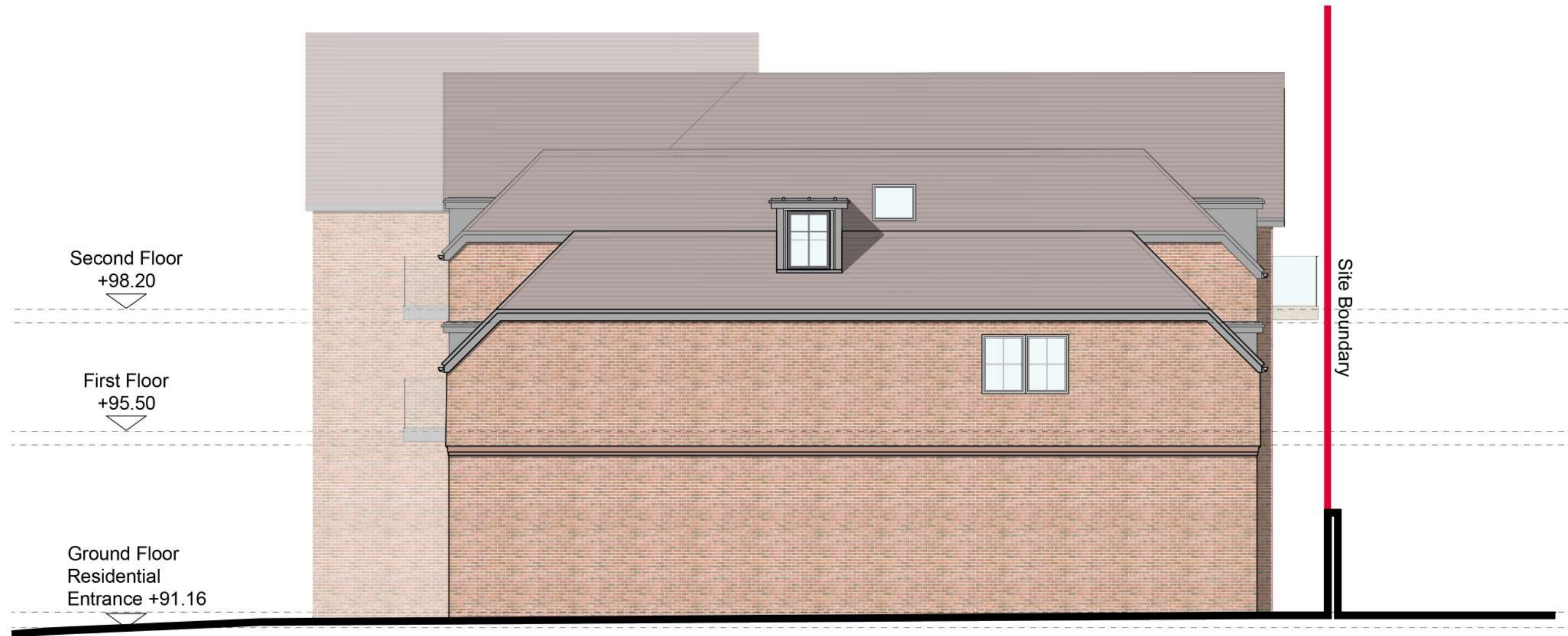
Compton House, Walnut Tree Close, Guildford, Surrey, GU1 4TX  
[t] 01483 45100 [f] 01483 45210 [e] design@accordarchitecture.com



NOTES

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Boundary Line



North East Elevation Scale 1:100 @A3

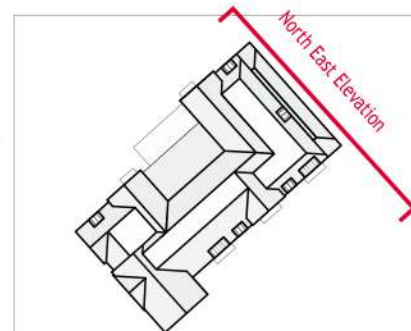
Proposed Elevations

Scale 1:100 @A3



Material Key

- Facing Brickwork
- Red/Brown Roofing Tiles
- Tile Hanging
- Articulated Brickwork
- Grey Metal Cladding



Rev Date Dm Chkd Description

Purpose of Issue: **PLANNING**

Client: **Prospect Wells House Ltd**

Project: **Outwood Lane, Chipstead**

Drawing Title: **Proposed Elevation North East Elevation**

Scale of A3: **1:100** Date: **June 2021** Drawn by: **TL** Checked by: **AT**

Drawing number: **1468-PL1313** Revision: **-**

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NOTES

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Boundary Line



South West Elevation Scale 1:100 @A3

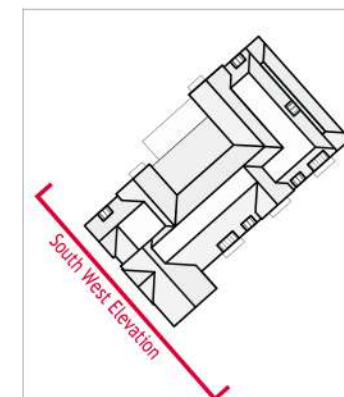
Proposed Elevations

Scale 1:100 @A3



Material Key

- Facing Brickwork
- Red/Brown Roofing Tiles
- Tile Hanging
- Articulated Brickwork
- Grey Metal Cladding



Rev Date Dm Chkd Description

Purpose of Issue:  
**PLANNING**

Client:  
**Prospect Wells House Ltd**

Project:  
**Outwood Lane, Chipstead**

Drawing Title:  
**Proposed Elevation  
South West Elevation**

Scale of A3: 1:100 Date: June 2021 Drawn by: TL Checked by: AT

Drawing Number: 1468-PL1312 Revision: -

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NOTES

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Boundary Line

Site Boundary

Site Boundary

Second Floor  
+98.20

First Floor  
+95.50

Ground Floor  
+91.50

South East Elevation Scale 1:100 @A3

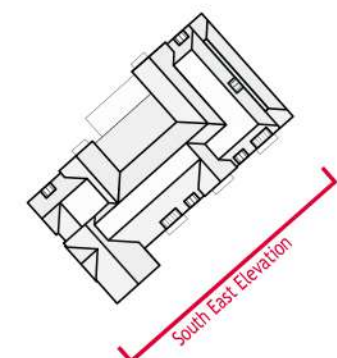
Proposed Elevations

Scale 1:100 @A3



Material Key

- Facing Brickwork
- Red/Brown Roofing Tiles
- Tile Hanging
- Articulated Brickwork
- Grey Metal Cladding



Rev Date Dm Chkd Description

Purpose of Issue:  
PLANNING

client:  
Prospect Wells House Ltd

project:  
Outwood Lane, Chipstead

drawing title:  
Proposed Elevation  
South East Elevation

scale of A3: 1:100 date: June 2021 drawn by: TL checked by: AT

drawing number: 1468-PL1310 revision: -

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NOTES

Use figured dimensions only. Scale drawing only when a scale bar is present. All dimensions to be checked by user and any discrepancies, error or omissions to be reported to the architect before work commences. Read this drawing with all relevant materials.

Boundary Line

Site Boundary

Site Boundary



North West Elevation Scale 1:100 @A3

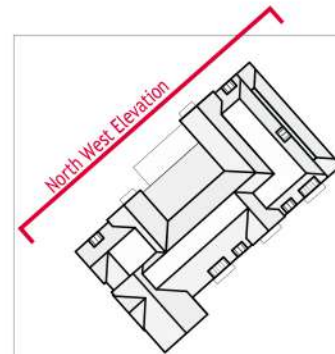
Proposed Elevations

Scale 1:100 @A3



Material Key

- Facing Brickwork
- Red/Brown Roofing Tiles
- Tile Hanging
- Articulated Brickwork
- Grey Metal Cladding
- Render



Rev Date Dm Chkd Description

Purpose of Issue: PLANNING

Client: Prospect Wells House Ltd

Project: Outwood Lane, Chipstead

Drawing Title: Proposed Elevation North West Elevation

Scale of A3: 1:100 Date: June 2021 Drawn by: TL Checked by: AT

Drawing Number: 1468-PL1311 Revision: -

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# Appeal Decision

Site Visit made on 17 March 2021

**by H Miles BA (Hons), MA, MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 21 April 2021**

---

**Appeal Ref: APP/L3625/W/20/3259755**

**Prospect Wells House, Outwood Lane, Chipstead CR5 3NA**

- 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 Prospect Wells House Ltd against the decision of Reigate and Banstead Borough Council.
  - The application Ref 19/01825/F, dated 6 September 2019 was refused by notice dated 6 August 2020.
  - The development proposed is demolition and comprehensive redevelopment of the site for a 3 storey building to provide a mixed use development comprising a shop (Use Class A1) at ground floor with 10 residential units (Use Class C3) at first and second floors, car parking, landscaping and associated works.
- 

## Decision

1. This appeal is dismissed.

## Preliminary Matters

2. During the course of this appeal a Unilateral Undertaking (UU) has been submitted which includes a parking monitoring contribution. I will return to this matter later in this decision.

## Main Issues

3. The main issues are the effect of the proposed development, with particular regard to the car parking arrangements, on
  - Highway safety
  - Whether the proposed development would provide a high standard of living conditions for future occupiers,
  - The character and appearance of the area.

## Reasons

### *Highway Safety*

4. The Council indicated that if a UU is found to be acceptable during the course of the appeal, the third reason for refusal which relates to on street parking would not be contended. However, although a UU has been submitted I have not received any confirmation from the Council that they no longer wish to pursue the third reason for refusal. Therefore, I address this matter below.
5. The Local Plan states that the proposed development should provide a maximum of 33 car parking spaces. 29 car parking spaces are proposed. On

this basis the proposed development is likely to result in a maximum of 4 vehicles overspill parking onto the surrounding highways.

6. A parking survey detailing on street parking available within 500m of the site has been submitted which shows that there is some capacity. However, the survey extends beyond a 200m walking distance where people may want to park. Furthermore, it appears to include main roads (such as Outwood Lane) where parking would block part of the busy carriageway. These would not be attractive places to park and would also lead to localised congestion and subsequent harm to highway safety. Nor does it take into account the time sensitive parking associated with the nearby school. Consequently, I afford limited weight to these findings.
7. The UU secures a Parking Monitoring Contribution of £3,000. It is indicated in the Council's evidence that this money would be put towards reviewing parking restrictions on the roads within 200 metres of the development for a period of up to three years full occupation of the site if parking ever becomes a problem on the roads surrounding the site.
8. However, the UU includes limited information as to how this money would be spent and it has not been detailed as to how the figure of £3,000 has been reached. Furthermore, a review in itself would not mitigate the adverse impacts described above. Consequently, it has not been demonstrated that the UU would make the development acceptable in planning terms, nor that the Parking Monitoring Contribution would be fairly related in scale and in kind to the development. As such it does not pass the tests and therefore cannot be taken into account.
9. Based on the evidence before me, I am not persuaded that the surrounding highway network could safely accommodate the overspill parking from the proposed development.
10. Consequently, the proposed development would have a harmful effect on highway safety. As such it would be contrary to Policy TAP1 of the Reigate and Banstead Local Plan Development Management Plan (September 2019) (the Local Plan) which states that planning applications which have an unacceptable impact on highway safety will not be looked upon favourably.

#### *Living Conditions for future occupiers*

11. Policy DES5 of the Local Plan sets out a requirement that all new residential developments must provide good living conditions for future occupants. It goes on to set further criteria as to how this could be achieved, however there is no indication that this is a closed list of matters.
12. The proposed car parking arrangements would result in occasions where a car would have to move to allow the one behind it to leave. Due to the cramped layout of the car parking area, these situations can involve a lot of manoeuvres making them inconvenient for occupiers. Consequently, the development would not function well.
13. It would be possible for cars to manoeuvre into the tandem and triple car parking spaces in a forward gear. However, given the number and accuracy of the manoeuvres required it would not be particularly easy or convenient. Furthermore, if any cars were larger than the 'medium' car referred to in the evidence, such movements would be even more difficult.



14. Spaces would be allocated so that occupiers would not block in cars that are not in their household, which would avoid potential conflict between occupiers of different units. I have also taken into account that the Highways Authority have not objected to this proposed arrangement.
15. Nevertheless, this does not persuade me that comings and goings from this car parking area would provide acceptable circulation and manoeuvring space for the car parking layout proposed so as to provide a good standard of living conditions for future users.
16. My attention is drawn to a development at Cherryleen, Kingswood (LPA ref: 18/01742/F) which includes tandem parking. However, in this case the space around the tandem spaces and therefore the associated manoeuvres appear to be notably different than that proposed. Consequently, this would not be directly comparable to the scheme before me now.
17. Therefore, the proposed development, with particular regard to the car parking area, would not provide a high standard of living conditions for future occupiers. Accordingly, it would be contrary to Policy DES5 of the Local Plan, the aims of which are set out above.

#### *Character and Appearance*

18. The proposed car parking area to the rear of the site is currently hardstanding and I understand it was previously used for commercial storage and car parking. It has a change in levels and planting to the rear and a grass verge with mature trees to Rectory Lane. Although these are outside the site boundary, they limit the visibility of the site in public views.
19. The proposed development would broadly maintain the existing functional use and appearance of this part of the site, although it would incorporate some limited soft landscaping to this area. It would also be possible to introduce additional screening as part of the boundary treatment via condition. As such the proposed development would broadly maintain the existing appearance, with a small, but positive, contribution of additional planting.
20. Therefore, the proposed development, with particular regard to the car parking area, would not have a harmful effect on the character and appearance of the area. Consequently, it would not be contrary to policy DES1 of the Local Plan which seeks that development should make a positive contribution to the character and appearance of its surroundings, amongst other things.

#### **Other Matters**

21. It is not in dispute between the main parties that the proposed development would not be inappropriate development in the Green Belt. Based on the evidence before me, I agree with this conclusion.
22. The proposed development would result in social, economic and environmental benefits associated with new commercial and residential development. I am not presented with specific localised evidence that the Covid 19 pandemic has affected the supply of new homes in this area. Nevertheless, the government's objective of significantly boosting the supply of homes remains and the provision of 10 new dwellings, close to services and public transport is a benefit of the proposal.

23. The development would provide a new retail unit close to existing residents, encouraging trips by sustainable modes of transport and creating 17 full time equivalent jobs. It would result in an increased spend in the local area from new residents and direct and indirect jobs during the construction period, albeit these would be temporary. It would also develop this vacant site.
24. On the other hand, the proposed development would provide an inadequate quality of living for future occupiers. It would also result in harm to highway safety with, potentially, severe consequences. Accordingly, taking all the above into account, the modest public benefits would not outweigh the permanent serious harms set out above.

### **Conclusion**

25. The proposal would not accord with the development plan and there are no other considerations, including the provisions of the Framework, to indicate that the appeal should be determined otherwise. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

*H Miles*

INSPECTOR