

 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	5 September 2018
	REPORT OF:	HEAD OF PLACES & PLANNING
	AUTHOR:	Billy Clements
	TELEPHONE:	01737 276087
	EMAIL:	billy.clements@reigate-banstead.gov.uk
AGENDA ITEM:	5	WARD: Redhill West

APPLICATION NUMBER:	18/01158/F	VALID:	19 th June 2016
APPLICANT:	Reigate & Banstead Borough Council	AGENT:	MH Architects
LOCATION:	16-46 CROMWELL ROAD, REDHILL		
DESCRIPTION:	The demolition of existing building and construction of new building which will include: 1no A1, A2, A3 and/or A5 and/or D1 & D2 class unit, 16no one bedroom flats and 16no two bedroom flats with associated external works.		
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SUMMARY

This is a full application for the demolition of the existing mixed use block at 16-46 Cromwell Road and the erection of a new five storey building comprising ground floor retail/commercial space with and 32 flats above.

The site is within Redhill Town Centre and part of a secondary shopping frontage. Whilst there would be a slight loss in retail floorspace, the existing units are of poor quality and presently make little contribution to the vitality or retail offer of the town. The modest loss of floorspace is considered to be more than offset by the improved quality of accommodation which would be delivered by the scheme.

The proposed building would largely follow the same footprint as the existing and would following the height, scale, massing and building line along Cromwell Road, integrating successfully with the recently completed Queensgate development. The ground floor commercial units would have large glazed shopfronts which will ensure activity and is maintained along the street frontage which should assist in re-integrating this peripheral area into the retail circuit of the town. The appearance and palette of materials would complement the Queensgate development without slavishly copying it, and would elevate the design quality in this part of the town centre.

Whilst the parking provision would be limited to a small number of spaces with no provision for the flats, this is not considered to be objectionable given the central, highly accessible and sustainable town centre location of the site. Appropriate levels of cycle

parking would be included within the scheme and the County Highway Authority has confirmed they have no objections on transport or highway safety/operation grounds.

The proposals would increase the size, height and massing of the building on the site; however, taking account of the separation distances, levels and the juxtaposition and orientation of the proposed block compared to its neighbours, it is not considered that this would give rise to unacceptable neighbour amenity impacts for the surrounding residential blocks in terms of overshadowing or overbearing, particularly mindful of the edge of the town centre location. Separation distances between windows would be adequate to ensure no unacceptable loss of privacy.

Under Core Strategy policy, the development should provide on-site affordable housing at a rate of 30% of the proposed dwellings. In this case, the applicants have submitted evidence in the form of an open book viability appraisal which concludes that once all costs, the scheme was unable to support any provision for affordable housing (either on-site or a contribution) if a standard market acceptable developer profit (17.5% on GDV) is adopted. National guidance suggests that a developer return of 15-20% is reasonable and when applying this, it would result in affordable housing being unviable. The applicant has however offered to reduce the developer return to 10% in this case which results in an off-site contribution of £420,000 for affordable housing. This is on the basis that the applicant is willing to take a commercial decision to accept a lower profit.

The viability appraisal has been scrutinised by external consultants who are in agreement with the applicant's conclusions. The external consultant therefore recommend that the applicant's offer to provide an off-site contribution of £420,000 is *"an attractive proposition as it is delivering in excess of current policy requirements if we take into account latest Government policy"* with respect to viability. The contribution offered is therefore judged to be reasonable. As the Council is the applicant, this cannot be secured through a legal agreement; however, under the provisions of the Local Government Act 1972 and Localism Act 2011, this contribution has been allocated and will be transferred into the appropriate affordable housing account in advance of the Committee meeting to be used solely for the provision of affordable housing in accordance with the same rules, procedures and measures as all other affordable housing contributions paid to the Council.

The proposal would make efficient use of a town centre site, would contribute to the regeneration of this part of the town and would make a positive contribution towards local housing requirements with consequent social and economic benefits.

RECOMMENDATION(S)

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

Procedure:

Whilst the Borough Council is both the applicant for this proposal and the landowner of the application site, regulation 3 of the Town and Country Planning Regulations 1992 gives power to the Council to determine its own planning applications (unless referred to the Secretary of State which is not the case here).

The application is referred to Committee for consideration in accordance with the Constitution given both the size of the proposals and the fact that the Borough Council is the applicant.

Consultations:

Highway Authority: No objections subject to conditions.

Tree Officer: No objection subject to landscaping and tree protection conditions:

The information provided within the arboricultural report ACS reference jcaiams1/pitwood, dated 8th December 2016 demonstrates the removal trees to facilitate this scheme will not have an adverse impact on the visual appearance of the local area. The trees along the western boundary some are off-site trees and some within the site and by retaining them there will be an instant screen which will soften the impact the dwellings will have on the surrounding area. The layout allows a detailed landscape scheme to be implemented which will enhance the visual appearance of the local landscape.

Environmental Health: No objection subject to condition regarding unexpected contamination

Planning Policy: Response from Planning Policy provides commentary on the application of housing and retail policies to this site and the emerging Development Management Plan. Stresses need for final scheme to maintain active ground floor frontages. Summarises position as follows:

It is considered that the delivery of 32 residential units and 360.1sqm of non-residential floorspace (1no A1, A2, A3 and/or A5 and/or D1 & D2 class unit) would contribute towards Redhill as an attractive sub-regional centre and vibrant place to live, work and spend time, which accords with adopted and emerging local policy.

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

Thames Water: No objection with regard to the waste water network and waste water process infrastructure capacity. Response also provides comments in relation to surface water drainage noting that prior approval would be required from Thames Water if proposed to discharge to the public sewer.

Representations:

Letters were sent to neighbouring properties on 20th June 2018 and a site notice was posted 21st June 2018. The application was advertised in the local press on 5th July 2018.

Two responses have been received, both of which adopt a neutral position on the application but raise the following issues for consideration:

Issue	Response
Hazard to highway safety (particularly cycle provision)	See paragraphs 6.13 – 6.17 and conditions 5, 12 and 14
Health fears	See paragraph 6.25 and condition 5
Overshadowing	See paragraphs 6.18 – 6.24
Noise & disturbance	See paragraph 6.25 and condition 5
Inconvenience during construction	See paragraph 6.25 and condition 5
Loss of private view	Not a material planning consideration

1.0 Site and Character Appraisal

- 1.1 The application site comprises an existing three storey mixed use building. The building presently has retail units at ground floor with residential accommodation above in the form of 8 split level maisonettes. The building is in a relatively poor condition and now fully vacant: the residential flats (which are not fit for habitation) and a number of the retail units have been vacant for a considerable period of time.
- 1.2 The site is within Redhill Town Centre and forms part of the secondary shopping frontage. The surrounding area is of mixed character, typical of a town centre location with a variety of commercial, retail and residential uses. Adjacent to the site at the corner of Cromwell Road/High Street is the recently completed Queensgate development which consists of ground floor commercial units with flats above. On the opposite side of Cromwell Road is the rear of the Belfry Shopping Centre which has a relatively inactive frontage. To the rear of the site off Huntingdon Road/Sincotts Road is a relatively high density estate of four to five storey 1960s/70s apartment blocks.
- 1.3 As a whole, the application site has a site area of approximately 0.08ha.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: No formal pre-application advice was sought on this application; however, informal advice was given on design improvements prior to submission of the application.
- 2.2 Improvements secured during the course of the application: None required as the application is considered to be acceptable.
- 2.3 Further improvements could be secured: Conditions regarding materials are recommended to ensure the development is high quality and complements the character of the area. Further conditions relating to drainage and cycle storage provision will also be imposed.

3.0 Relevant Planning and Enforcement History

- 3.1 There are various historic applications relating to changes of use and signage on the existing retail units which occupy the site. The only previous application for redevelopment of the site is set out below (note this included a much larger site with adjoining land interests).

11/01860/F	Demolition of existing buildings and redevelopment to provide a foodstore, customer cafe. additional flexible retail units (within use classes A1, A2, A3, A4, A5 and D1), 326 parking spaces, landscaping, access and servicing arrangements	Withdrawn by applicant
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- 3.2 The recent Queensgate development is also considered to be of some relevance. The applications for this are as follows:

14/01331/OUT	Proposed change of use of two storeys of existing offices (b1 use) to residential (c3 use) with additional two storey extension to form 64 residential units	Approved with conditions 14 May 2015
14/01331/RM1	Reserved matters application of layout, scale, appearance, access and the landscaping of the site of permission 14/001331/OUT -Proposed change of use of two storeys of existing offices (b1 use) to residential (c3 use) with additional two storey extension to form 64 residential units	Approved with conditions 7 September 2015

4.0 Proposal and Design Approach

- 4.1 This is a full application for the demolition of the existing mixed use building and the erection of a five storey building comprising ground floor retail/community units with 32 apartments above.
- 4.2 The building would front onto Cromwell Road, with shopfronts at ground floor level. To the rear would be a number of off-street parking spaces allocated to the retail units and accessed from Huntingdon Road.
- 4.3 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a four-stage design process comprising:
Assessment;
Involvement;
Evaluation; and
Design.
- 4.4 Evidence of the applicant's design approach is set out below:

Assessment	The application site consists of a predominantly vacant building in Redhill Town Centre which is in a dilapidated condition and comprises retail units and maisonette apartments above. Located opposite the site is the rear access to the Belfry Shopping Centre, to the east is the High Street which is the main pedestrian precinct and has a variety of shops, pubs, bars, restaurants and fast food outlets. To the rear of the site are four storey (five storey including garages) residential blocks of flats.
	The existing building is identified as being in poor condition and hence no aspect has been identified for retention.
Involvement	The project has undergone multiple design reviews amongst Reigate and Banstead Borough Council and MHA with invaluable input from external consultants throughout the lead up to this submission. There is no evidence of local community consultation or engagement within the D&A statement.
Evaluation	The D&A identifies that during the site assessment, a number of key points were identified to guide the development of the proposal including; the need to create an aesthetically pleasing street scene and respond to the local context in terms of scale, appearance, layout and massing/height whilst also maximising the number of dwellings within this well located site.
Design	The applicant considers that the restoration of this building will complement the neighbouring Queensgate on Cromwell Road, which was in a similar condition but has since been updated and redeveloped. The proposal is sympathetic to the height and mass of the adjacent and opposite properties, as well as the surrounding character of Redhill Town centre. The parapet heights are determined by neighbouring properties, which are predominantly three, four and five storeys in height. The proposed development will use materials that are intended to complement the existing buildings within the area, rather than mimic or dominate.

4.5 Further details of the development are as follows:

Site area	0.08ha
Existing use	Mixed retail/residential
Proposed use	Mixed retail, community and residential
Net increase in dwellings	24
Proposed site density	400dph
Density of the surrounding area	Queensgate – 457dph Waveney House/Grove House – 160dph Marketfield Way (as approved) – 260dph

Proposed parking spaces	4
Affordable housing contribution	£420,000
Estimated CIL contribution	Nil (within Town Centre nil rated zone)

5.0 Policy Context

5.1 Designation

Urban Area
Redhill Town Centre
Secondary Shopping Area
Flood Zone 1

5.2 Reigate and Banstead Core Strategy

CS1 (Presumption in favour of sustainable development)
CS4 (Valued townscapes and historic environment)
CS5 (Valued people/economic development)
CS7 (Town and local centres)
CS10 (Sustainable development)
CS11 (Sustainable construction)
CS12 (Infrastructure delivery)
CS13 (Housing delivery)
CS14 (Housing needs of the community)
CS15 (Affordable housing)
CS17 (Travel options and accessibility)

5.3 Reigate & Banstead Borough Local Plan 2005

Housing	Ho9, Ho13, Ho16
Shopping	Sh1, Sh2
Community Facilities	Cf2
Movement	Mo4, Mo5, Mo7
Utilities	Ut4

5.4 Other Material Considerations

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

6.0 Assessment

- 6.1 The application site is situated within Redhill Town Centre and forms part the secondary shopping area.
- 6.2 The main issues to consider are therefore:
- Retail provision and impact on vitality of the Town Centre
 - Design and effect on the character of the area
 - Impact on neighbour amenity and future occupants
 - Access and parking
 - Housing mix, affordable housing, infrastructure contributions and CIL
 - Other matters

Retail provision and impact on the vitality of the Town Centre

- 6.3 The site presently comprises a number of retail/commercial units at ground floor level. These units currently amount to approximately 528sqm of retail floorspace. As the proposals involve both existing and proposed floorspace, the provisions of policies Sh1, Sh2 and Sh5 are relevant.
- 6.4 The scheme would, on a purely quantitative basis, result in the loss of retail floorspace as only 360sqm is proposed compared to the existing 528sqm which is normally resisted by Policy Sh1. However, the existing units are of poor quality and many have been vacant for a considerable period of time: thus they presently do little to contribute to either the vitality of the town or the meeting of local shopping needs. In contrast, the proposal would introduce modern quality accommodation which the plans indicate would be capable of being used flexibly in terms of subdivision. In all respects, the proposed ground floor space is considered to meet the requirements of policies Sh2 and Sh5 and whilst it would result in a reduction in floorspace, it would provide an improvement in quality and contribution to the town centre.
- 6.5 The applicant is seeking a flexible use of the ground floor accommodation to allow it to be used either as retail space (A1, A2, A3 or A5 use) or as community space (D1 or D2). In general, this range of uses is considered to be acceptable given the site is within the secondary shopping area where there is a degree more flexibility in terms of use; however, allowing unfettered freedom over the introduction of A5 takeaway uses and the full spectrum of D2 uses is not considered to be appropriate in terms of town centre vitality and amenity. On this basis, a condition allowing the unit(s) to be used in classes A1-A3, D1 or as a gymnasium in D2 is considered to be reasonable and justified.
- 6.6 On this basis, the proposal is not considered to conflict with the retail policies in the Local Plan or the general thrust of the retail strategy in the Core Strategy.

Design and effect on the character of the area

- 6.7 The scheme provides for a total of 32 apartments in a single five storey block which would replace the existing three storey building.

- 6.8 The proposed building would largely follow the same footprint as the existing and would follow the building line along Cromwell Road which is established by the recently completed Queensgate development on the corner. The retention of the ground floor commercial units with large glazed shopfronts will ensure activity and vibrancy is maintained along the street frontage which should assist in re-integrating this peripheral area into the retail circuit of the town.
- 6.9 In terms of height/scale, the building would represent an increase compared to the existing three storey building; however, it is considered that this is consistent with the surrounding townscape. The overall height of the building would match that of the recently completed Queensgate development (which itself was permitted with an additional two storeys) and would not appear excessive or dominant in relation to the flatted blocks to the south and west.
- 6.10 The elevations of the building are considered to be well-designed. Recessed elements at ground floor, together with the use of inset balconies, hit & miss brickwork details at upper floors and the full height glazed element to the main entrance core and stairwell all help to break up the massing of the elevations, avoiding an unduly dominant or bland appearance. The arrangement of the elevations, including the fenestration, would follow on from the adjoining Queensgate development, ensuring a degree of coherence and rhythm between the two. The proposed materials palette is considered to complement the recently completed Queensgate development in terms of colour tones but would introduce variety and texture with the use of brick as opposed to cladding, avoiding a monotonous townscape.
- 6.11 A small number of parking spaces would be provided to the rear of the existing building, accessed from Huntingdon Road. These would be undercroft spaces, ensuring that the parked cars would be partially screened and not unduly obtrusive, particularly when compared to the existing rear parking which occurs to other retail units in this locality.
- 6.12 In summary, it is concluded that the proposals would achieve a high quality development which would be a positive addition to the area and continue the physical regeneration of this part of Redhill Town Centre. The proposals are therefore considered to comply with policies Sh2, Ho9 and Ho13 of the Borough Local Plan, policies CS4 and CS10 of the Core Strategy, the Reigate and Banstead Local Distinctiveness Design Guide and the provisions of "good design" in the Framework.

Accessibility, parking and traffic implications

- 6.13 The proposals, as amended, incorporate 4 parking spaces to the rear of the site accessed from Huntingdon Road. These parking spaces are intended to be reserved for use by the occupiers of the ground floor retail accommodation. The residential element of the scheme would be car-free with no parking provided on site.
- 6.14 Given the highly accessible location of the site within Redhill Town Centre and close to the railway and bus stations, residents of the proposed flats would have ready

access to a wide range of shops and services within the Town Centre together with a variety of sustainable travel options. On this basis, it is concluded that not owning a car would be a realistic option for future households and the absence of dedicated parking for the residential occupiers is not therefore considered to be objectionable.

- 6.15 The ground floor undercroft spaces are immediately to the rear of the footway on Huntingdon Road. Amended plans have been discussed during the course of the application which would provide adequate sight lines for drivers emerging from these spaces to ensure that they would be able to see pedestrians proceeding on the footway and thus protecting the safety of pedestrians. The County Highway Authority has considered this situation and considers it acceptable from both a highway safety perspective and from a general parking provision perspective, subject to necessary conditions.
- 6.16 Cycle parking is included within the flats at a rate of one bike space per flat. This is consistent with the standard set out in the Borough Local Plan 2005 and in the County Council's latest "Vehicular and Cycle Parking Guidance" (January 2018). Given the availability of other sustainable travel modes (buses, trains) in very close proximity to the site, this level of cycle parking is therefore considered to be adequate. The cycle parking is provided internally within the building in a dedicated cycle store and would thus be safe and secure. A condition is proposed to secure the provision of this prior to occupation of any of the flats.
- 6.17 On this basis, the proposal is considered to be acceptable in respect of its parking provision and impact on the highway and therefore complies with policies Ho9, Mo4, Mo5 and Mo7 of the 2005 Borough Local Plan and Policy CS17 of the Core Strategy.

Effects on the amenity of neighbouring properties

- 6.18 The proposal would replace the existing three storey building with a five storey structure which would be c.17-17.5m in height.
- 6.19 The new block would be sited approximately 17m from the front elevation of Grove House to the rear which is a four storey block containing split level maisonettes with a lower ground floor level containing garages. In terms of levels, Grove House is elevated above the ground floor level of the application site.
- 6.20 The additional height and massing of the proposed block would mean that the existing properties would experience some change in relationship. In terms of the overshadowing, the proposed building, given its height, would infringe the 25 degree rule in relation to the ground floor front facing windows on Grove House (based on the section plans provided by the applicant). However, given Grove House is to the south of the application site (which is on almost exact east-west axis), there is unlikely to be significant additional overshadowing. Furthermore, these windows serve hallways and kitchen areas and not primary habitable/living rooms. The main living room to these properties are to the rear (and thus unaffected by the proposals) and all of the windows at first floor and above would pass the 25 degree rule. Taken in the round, it is not therefore considered that the proposals would have an unacceptable overshadowing effect on Grove House.

- 6.21 The proposed building, whilst larger, would be over 17m from the front facing windows of Grove House – given this separation, it is not considered that the building would be unacceptably overbearing and the relationship would not be unusual for such a built up urban environment. Similarly, whilst there would be windows in the rear of the proposed building facing towards Grove House, the separation distances are such that this relationship is not felt to give rise to an unacceptable level of mutual overlooking or loss of privacy.
- 6.22 The other building potentially affected by the proposals in the residential block at Waveney House, part of which faces the western end of the proposed building. At its closest, Waveney House would be some 13m from the proposed building, opening up to around 18m due to the orientation and juxtaposition. At these distances and given the depth of the building and oblique angle at which it faces onto Waveney House, it is not considered that the additional scale and massing of the proposed building would give rise to unacceptable loss of outlook or be unduly overbearing on maisonettes in this block. In terms of overlooking, Waveney House faces the end
- 6.23 Being to the west of the proposed building, there would be some overshadowing of the front windows of some of the lower level maisonettes in Waveney House due to the additional height of the building; however, given their internal layout is similar to Grove House, this effect would be largely limited to non habitable rooms (kitchen/hallway) with main living areas located to the rear of the building and therefore unaffected by the proposals. On this basis, the modest overshadowing would be limited and would not be seriously detrimental to amenity. In terms of privacy, the windows in the side flank which would face towards Waveney House serve only the stairwell of the proposed building and, whilst there are a number of balconies on the back corner of the building, these are of small size (thus unlikely to be occupied for significant periods of time) and partially screened by a panel of “hit and miss” brickwork such that they are not considered to give rise to risk of harmful mutual overlooking. The balconies would also be 13m from the front facing windows on Waveney House.
- 6.24 In terms of other neighbours, The Belfry opposite is a commercial building and therefore not sensitive in respect of amenity and the amenity of the flats in the adjoining Queensgate development would be largely unchanged by the proposals given the depth of the footprints of the two buildings are practically identical.
- 6.25 Whilst some disturbance might arise during the construction process, this would by its nature be a temporary impact. Furthermore, other environmental and statutory nuisance legislation exists to protect neighbours and the public should any particularly unacceptable issues arise (including dust and pollution). A construction management plan will be required through condition to manage disruption, inconvenience and any effects on the highway network.
- 6.26 Overall, whilst there would be a degree of change in the relationship to neighbouring properties, it is not considered that this would result in an unacceptable loss of amenity for neighbouring properties. In this respect, the proposal complies with policies Ho9 and Ho13 of the Borough Local Plan 2005.

Housing mix, affordable housing, infrastructure contributions and CIL

- 6.27 Core Strategy Policy CS15 and the Council's Affordable Housing SPD sets out that, on schemes of 15 or more net units such as this, the Council will expect 30% of units on-site to be provided as affordable housing. However, both the policy and SPD make allowance for a lower provision/contribution to be negotiated where it is demonstrated that the provision of affordable housing would make the development unviable, in accordance with national policy.
- 6.28 In this case, the applicants provided an "open book" viability appraisal and associated evidence with the application which was claimed to demonstrate that, even without affordable housing, the development did not provide adequate return to the landowner and developer. The submitted appraisal indicates that, even without any provision for affordable housing, the scheme achieves a profit of only 12.7% on GDV. Nonetheless, the affordable housing statement submitted by the applicant confirms their willingness to provide a contribution of £420,000 towards affordable housing and, as a result, to accept a profit of c.10% which would be abnormally low compared to a normal commercially acceptable profit (15-17.5% on GDV).
- 6.29 This appraisal was scrutinised by independent development viability experts Aspinall Verdi appointed by the Planning Department. The consultants agree with many of the key inputs adopted by the applicant in their appraisal (notably sales values, retail rental values, yields and build costs). Whilst Aspinall Verdi identifies some areas of divergence from the applicant's assumptions, their appraisals reach the same overall conclusion as the applicant. In particular, they conclude that – even without provision of affordable housing – the scheme would not provide an adequate surplus to cover both a reasonable value for the site and an acceptable level of profit for the developer: assuming a 17.5% profit, the appraisal generates a residual land value over £100,000 below what they consider to be an appropriate benchmark land value. Based on their own evidence, Aspinall Verdi recommend that the applicant's offer of an off-site contribution of £420,000 is *"an attractive proposition as it is delivering in excess of current policy requirements if we take into account latest Government policy"* in respect of viability.
- 6.30 It is therefore considered that the £420,000 contribution offered is acceptable. It is, in fact, above the maximum figure achievable (and which could reasonably be defended at appeal) based on the viability evidence available and would require the applicant to accept a profit which is lower than what would normally be considered commercially acceptable.
- 6.31 As the Council is the applicant, the contribution cannot be secured in the normal way through a legal agreement or a unilateral undertaking made under section 106 of the Town and Country Planning Act 1990 (as the Council cannot enter into agreement with itself or undertake to). Legal advice has been sought on this matter and the Council's solicitors have confirmed that although a planning condition or planning agreement cannot be used, the Council can however make and secure the contribution using other powers that are available to Councils (Section 111 of the Local Government Act 1972 and Section 1 of the Localism Act 2011). Using these

powers, the Council can pay itself the affordable housing contribution which will therefore be transferred into the appropriate account in advance of the Committee meeting and thereafter allocated to be used solely for the provision of affordable housing, enabling the application to be determined in the confidence that the policy requirements have been satisfied.

- 6.32 It is noted from the submission documents that the applicant is also considering options for making the proposed homes more financially accessible and affordable, including exploring opportunities for shared equity (i.e. purchaser buys a certain percentage and the remainder is retained by the developer as an equity share) and/or other low cost housing. Given the viability position of the scheme, it would be unreasonable and disproportionate from a planning perspective to seek to secure and enforce such measures through a condition; however, an informative strongly encouraging the applicant to fully explore such options is considered appropriate.
- 6.33 As the proposals involve the creation of new dwellings, the development would technically be CIL liable. However, the site falls within the Redhill and Horley town centre charging zone (Zone 1) which is subject to a nil charge for residential development, reflecting the viability challenges which can be associated with high density town centre development. As such, no contributions would be due through this mechanism.
- 6.34 Legislation (Regulation 122 of the CIL Regulations) and national policy requires that only contributions that are directly required as a consequence of development can be secured through planning obligations. Requests of this nature must be fully justified with evidence including costed spending plans to demonstrate what the money requested would be spent on. In this case, no such site specific contributions have been requested.

Other matters

- 6.35 Whilst it is acknowledged that there are flooding issues in Redhill Town Centre, the application site falls wholly within Flood Zone 1 according to the Environment Agency flood mapping.
- 6.36 The applicant has provided an initial drainage strategy for the site setting out how surface water will be managed. This was reviewed by the County Council (as the Lead Local Flood Authority) who initially raised concerns about the drainage solution and the discharge rates proposed. The applicant responded to these concerns, demonstrating that – given the size and central urban location of the site – the discharge rates proposed were the minimum possible and that all reasonable opportunities had been taken up for storage. Based on this additional information, the LLFA has confirmed that they no objection subject to conditions to secure details of the detailed design of the SuDS system, and its subsequent implementation and maintenance.
- 6.37 The application was accompanied by a Phase 1 Ecological Survey. The site is identified as having low or negligible potential to support most species, with the exception of bats for which part of the building (due to the presence of missing roof tiles, missing vent covers and soffit gaps) is identified as having a high potential to

support bats. On this basis, the follow up Phase 2 Bat Surveys (emergence and re-entry were undertaken in May/June 2017) which recorded no evidence of bat activity on the site and thus concludes that there are no roosts on site. The Phase 1 study and additional bat report both make recommendations as to mitigation and habitat enhancement and a condition securing compliance with these is proposed to ensure there would be a positive biodiversity gain.

- 6.38 The application was supported by Geo-Technical and Phase 1 Preliminary Risk Assessment regarding contaminated land due to the historic and most recent uses on the site. This has been reviewed by the Council's Environmental Health team who recommends conditions requiring further site investigation and remediation as appropriate. These conditions are considered necessary to ensure that the development would not give rise to unacceptable risk to human health.

CONDITIONS

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

Plan Type	Reference	Version	Date Received
Site Layout Plan	001	P03	23.08.2018
Floor Plan	002	P03	23.08.2018
Floor Plan	003	P02	25.05.2018
Floor Plan	004	P05	25.05.2018
Elevation Plan	005	P04	23.08.2018
Section Plan	007	P02	25.05.2018
Elevation Plan	16/149/02		19.06.2018
Survey Plan	16/149/01		19.06.2018

Reason:

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

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

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

Reason:

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

3. No development, except demolition, shall commence until details of the design of a surface water drainage system of a surface water drainage scheme that satisfies the SuDS Hierarchy and that is compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS have been

submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

- (a) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+40%) allowance for climate change storm events and 10% allowance for urban creep, during all stages of the development (Pre, Post and during), associated discharge rates and storages volumes shall be provided using a maximum discharge rate of 5 litres/second (unless otherwise agreed with the LPA)
- (b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of SuDS elements, pipe diameters, levels, and long and cross sections of each SuDS element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers, etc.)
- (c) 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 system is operational
- (d) Details of management and maintenance regimes and responsibilities for the drainage system
- (e) 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.

The development shall thereafter be carried out in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that the SuDS are adequately planned, delivered and that the development is served by an adequate and approved means of drainage so that it does not increase flood risk on or off site with regard to Policy Ut4 of the Reigate and Banstead Borough Local Plan 2005 and Policy CS10 of the Reigate and Banstead Core Strategy 2014, as well as the requirements of the Non-statutory technical standards.

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

Reason:

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

5. No development, except demolition, 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) construction vehicle routing to and from the site
 - (f) on-site turning for construction vehicles
 - (g) measures to prevent deposit of materials on the highway

(h) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
Has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason:

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

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

Reason:

To ensure that a satisfactory external appearance is achieved of the development with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9 and Ho13.

7. The development hereby approved shall be carried out in accordance the approved Environmental Noise Assessment produced by MACH Acoustics Ltd (Revision 02 dated 25/01/2018)

The glazing and ventilation systems installed to the residential units shall meet the specifications set out in sections 5.1 to 5.3 of the report (including the associated tables and figure 5.1) unless an alternative specification is agreed in writing with the Local Planning Authority.

Reason:

To ensure that future occupants would not be exposed to unacceptable levels of noise and in order to achieve an adequate level of residential amenity with regard to policies Ho9 and Ho10 of the Reigate and Banstead Borough Local Plan 2005 and policy CS10 of the Reigate and Banstead Core Strategy.

8. The development hereby approved shall be carried out in accordance with the recommendations for biodiversity/habitat enhancement opportunities identified in both the Bat Survey Report by Middlemarch Environmental (ref: RT-MME-124963 dated June 2017).

Reason:

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

9. The development hereby approved shall be carried out in accordance with the construction and operation phase mitigation recommendations set out in the Air Quality Assessment by SLR (version 1 dated October 2017).

Reason:

To ensure that the development would not give rise to unacceptable impacts on air quality or put future occupants at unacceptable risk of poor air quality with regard to policy Ho9 of the Reigate and Banstead Borough Local Plan 2005 and policy CS10 of the Reigate and Banstead Core Strategy.

10. The development hereby approved shall be carried out in accordance with the energy efficiency and fabric efficiency measures set out in the Energy Statement by CBG Consultants dated 12.02.2018.

Reason:

In order to promote sustainable construction and to ensure that the development would minimise carbon emissions with regard to Policy CS10 of the Reigate and Banstead Core Strategy.

11. Any ground contamination not previously identified by the site investigation but subsequently found to be present at the site, either prior to or during development, shall be reported to the Local Planning Authority as soon as is practicable and, unless otherwise agreed in writing by the Local Planning Authority, the development shall cease on site until a 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 shall thereafter be implemented to address the unexpected contamination.

Reason:

To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Local Plan 2005 and the NPPF.

12. The development hereby approved shall not be first occupied unless and until the undercroft parking spaces has been laid out within the site and provided with adequate pedestrian inter-visibility in accordance with the approved plans. Thereafter the parking areas shall be retained and maintained for their designated purposes.

Reason:

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

13. The development hereby approved shall not be first occupied unless and until a verification report carried out by a qualified drainage engineer has been submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Drainage System has been constructed as per the agreed scheme.

Reason:

To ensure that the SuDS are adequately planned, delivered and that the development is served by an adequate and approved means of drainage to comply with Policy Ut4 of the Reigate and Banstead Borough Local Plan 2005 and Policy

CS10 of the Core Strategy 2014, as well as the requirements of the Non-statutory technical standards.

14. No residential unit within the approved apartment block shall be occupied unless and until the facilities for the secure parking of bicycles and for the storage of bins have been provided in accordance with the approved plans. Thereafter, the said facilities shall be retained and maintained to the satisfaction of the Local Planning Authority.

Reason:

To ensure that the development would make adequate provision for refuse and recycling in the interest of visual amenity and provide suitable facilities for bicycles to promote sustainable transport choices with regard to policy Ho9 of the Reigate and Banstead Borough Local Plan 2005 and policy CS17 of the Reigate and Banstead Core Strategy 2014.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking and re-enacting that Order with or without modification), the ground floor unit labelled as "Retail Space" on the approved plans shall be occupied for purposes falling within Use Classes A1, A2, A3 or D1, or for the purposes of a gymnasium falling within Use Class D2 only and shall not be subdivided into more than 4 units without the prior written consent of the Local Planning Authority.

Reason:

To ensure that a suitable mix of commercial and retail facilities are provided on the site in the interests of the vitality and vibrancy of the town centre and the amenity of surrounding residential occupiers with regard to policies Sh1, Sh2 and Sh7 of the Reigate and Banstead Borough Local Plan 2005 and policy CS7 of the Reigate and Banstead Core Strategy 2014.

INFORMATIVES

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at www.firesprinklers.info.
2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions.
3. The applicant is strongly encouraged to explore all opportunities to maximise the affordability of the homes being provided on the scheme, including the shared-equity approach which is mentioned in the submitted Design & Access Statement.
4. The applicant is advised that prior to the initial occupation of any individual dwelling or communal dwelling/flat hereby permitted, appropriate bins and recycling boxes should be provided for the use of the occupants of that dwelling. Refuse storage areas and collection points should meet the standards set out in the Council's Making Space for Waste in New Developments Guidance document http://www.reigate-banstead.gov.uk/downloads/file/2579/making_space_for_waste.

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

Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit. In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme - www.ccscheme.org.uk/index.php/site-registration.

6. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and potentially a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending upon the scale of the works proposed and the classification of the road. Please see: www.surreycc.gov.uk/road-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme. The applicant is also advised the consent may be required under Section 23 of the Land Drainage Act 1991. Please see: www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.
7. 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).
8. When a temporary access is approved or an access is to be closed as a condition of planning permission, an agreement with or licence issued by the Highway Authority Local Highways Service will require that the redundant dropped kerb be

raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.

9. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
10. The use of a suitably qualified arboricultural consultant is essential to provide acceptable supervision and monitoring in respect of the arboricultural issues in respect of the above conditions. All works shall comply with the recommendations and guidelines contained within British Standard 5837.
11. The use of landscape/arboricultural consultant is considered essential to provide acceptable submissions in respect of the above relevant conditions. Replacement planting of trees and shrubs shall be in keeping with the character and appearance of the locality. There is an opportunity to incorporate structural landscape trees into the scheme to provide for future amenity and long term continued structural tree cover in this area. It is expected that the replacement structural landscape trees will be of Advanced Nursery Stock sizes with initial planting heights of not less than 4.5m with girth measurements at 1m above ground level in excess of 16/18cm.
12. If there are any works proposed as part of this planning application that are likely to affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written consent.
13. In relation the drainage verification report required under Condition 13, this should demonstrate that the drainage scheme 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).
14. The applicant's attention is drawn to the specifics of the contaminated land conditional wording such as 'no development shall commence', 'the development hereby approved shall not be occupied' 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.
15. The proposed development is located within 15 metres of Thames Water underground assets; as such the development could cause the assets to fail if appropriate measures are not taken. The applicant is advised to review Thames Water's guide "Working near our assets":
<https://developers.thameswater.co.uk/developing-a-large-site/planning-your-development/working-near-or-diverting-our-pipes>) to ensure that the workings are in

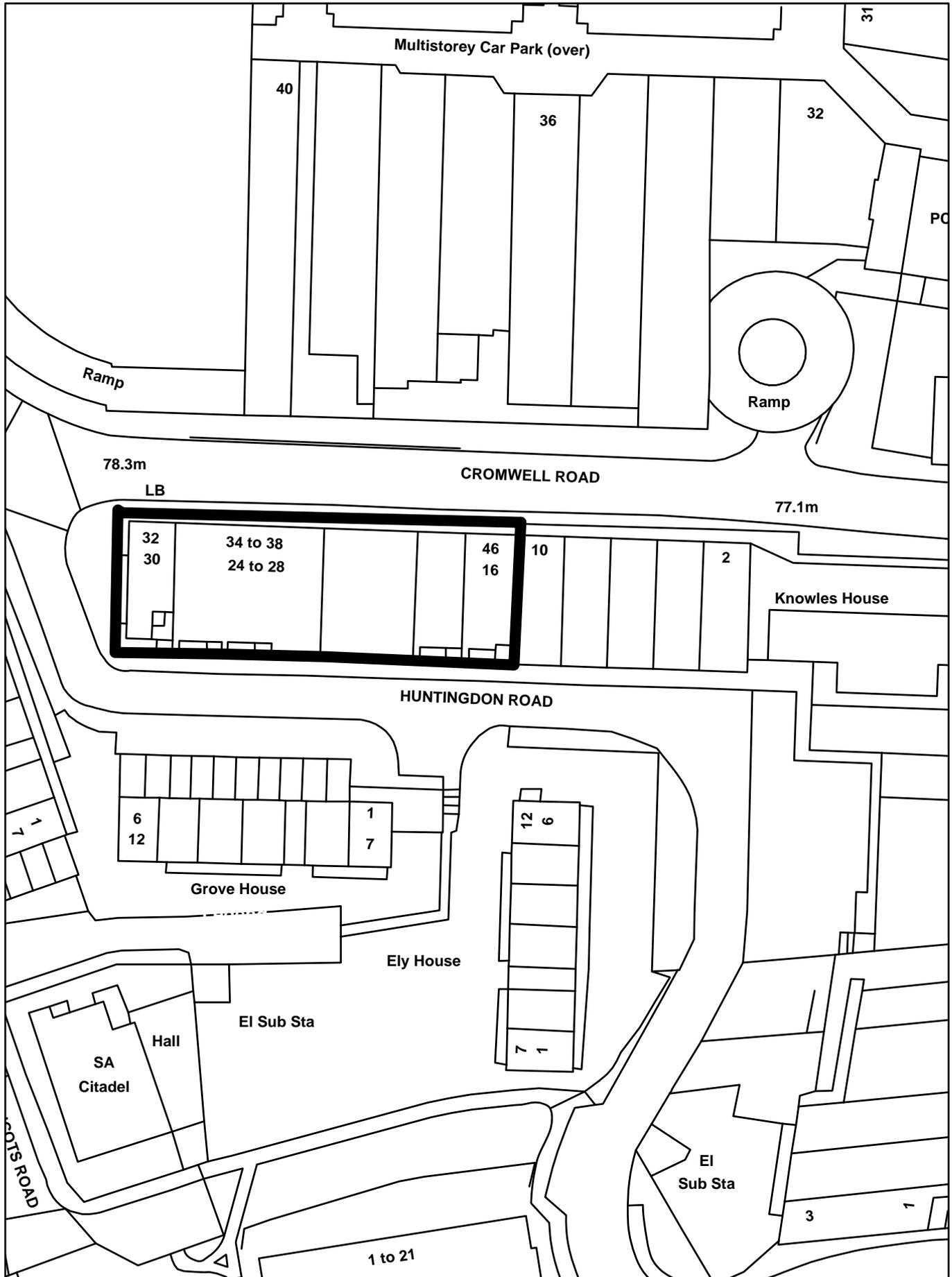
line with the necessary processes which need to be considered when working above or near Thames Water pipes or other structures.

REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies Ho9, Ho13, Ho16, Sh1, Sh2, Cf2, Mo4, Mo5, Mo7, and Ut4 of the 2005 Borough Local Plan and policies CS1, CS4, CS5, CS10, CS11, CS12, CS13, CS14, CS15 and CS17 of the Reigate and Banstead Core Strategy and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

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

18/01158/F - 16-46 CROMWELL ROAD REDHILL



Client Approval			
X	A - Approved		
X	B - Approved with comments		
C	- Do not use		
Rev.	Revision Note/Purpose of Issue	Drawn By	Date
		Checked By	Date



Location number 11250
Location Plan 1:1250 @ A1
 10 0 10 20 30 40 50
 11:250
 100m



Site Plan 1:200 @ A1
 2 0 2 4 6 8 10 12 14 16 18m
 1:200

Location and Site Plan

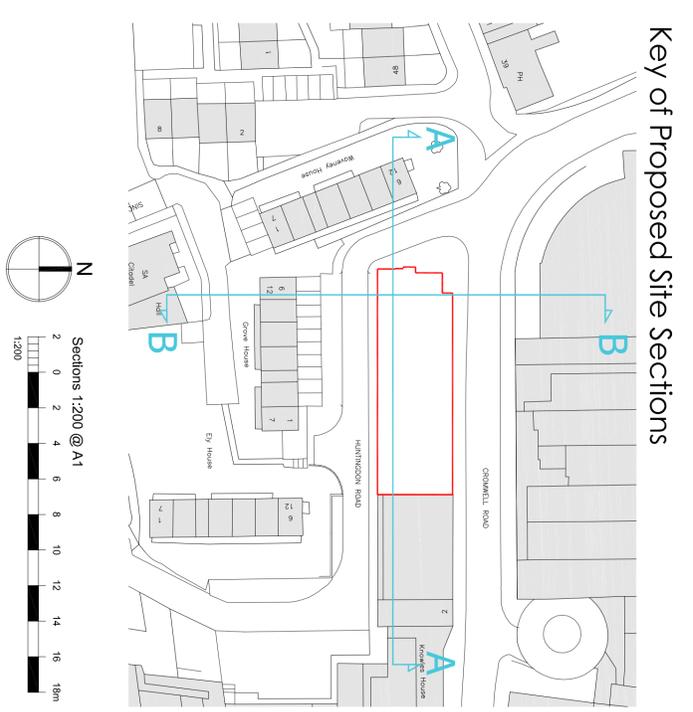
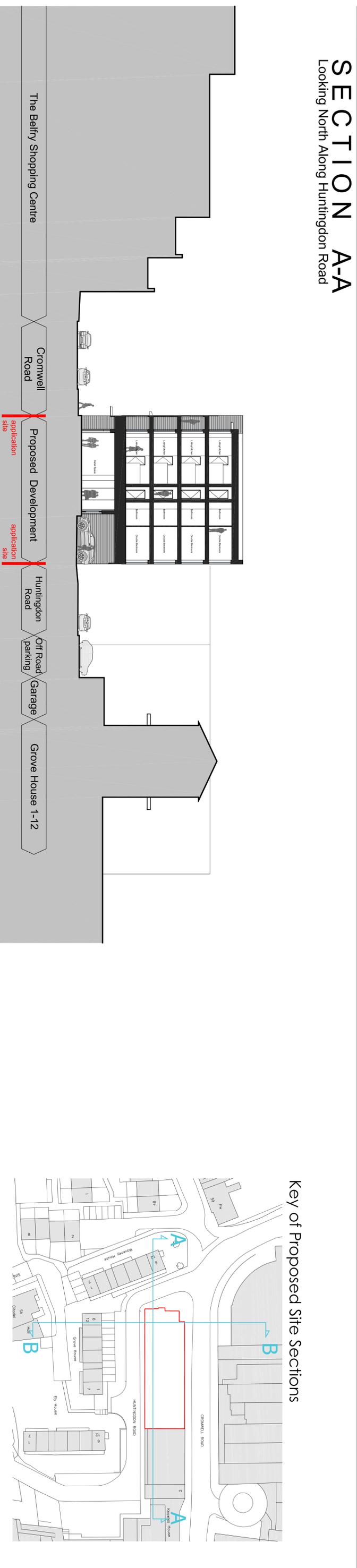
Drawn	Date	Checked	Date	Scale at A1
AI	01/11/17	JBM	01/11/17	Scale at A1
Job No.	Proj.	Zone	Level	Type
16-086 CRO MHA 00 ZZ DR	A	001	P03	
Purpose of Issue				
PLANNING				



1. This drawing is the copyright of MHA Architects Ltd
2. Do not scale this drawing except for Local Authority requirements
3. All dimensions must be checked on site by the contractor prior to commencement of the works.

Client Approval

A - Approved	Dev By	Date	Chk By	Date	
B - Approved with comments					
C - Do not use					
Rev:	Revision Note/Purpose of Issue	Dev By	Date	Chk By	Date



SECTION B-B

Looking East

SECTION A-A

Looking North Along Huntingdon Road

Reigate and Banstead Borough Council
Cromwell Road
Redhill

Drawing title

Proposed Site Sections

Drawn:	AI1	Date:	07/11/2017	Checked:	JDM	Date:	07/11/17	Scale:	A1
Job No.:	16-086 CRO MHA 00 ZZ DR A	Proj.:	007	Zone:	ZZ DR A	Level:	007	No.:	PO2
Purpose of Issue:	PLANNING								

Ground floor: Biennial Building
Southern Gate, Chichester
West Sussex PO19 8ZJ
T: 01243 774748
www.mhaarchitects.co.uk
info@mhaarchitects.co.uk
Registered in England No:996333

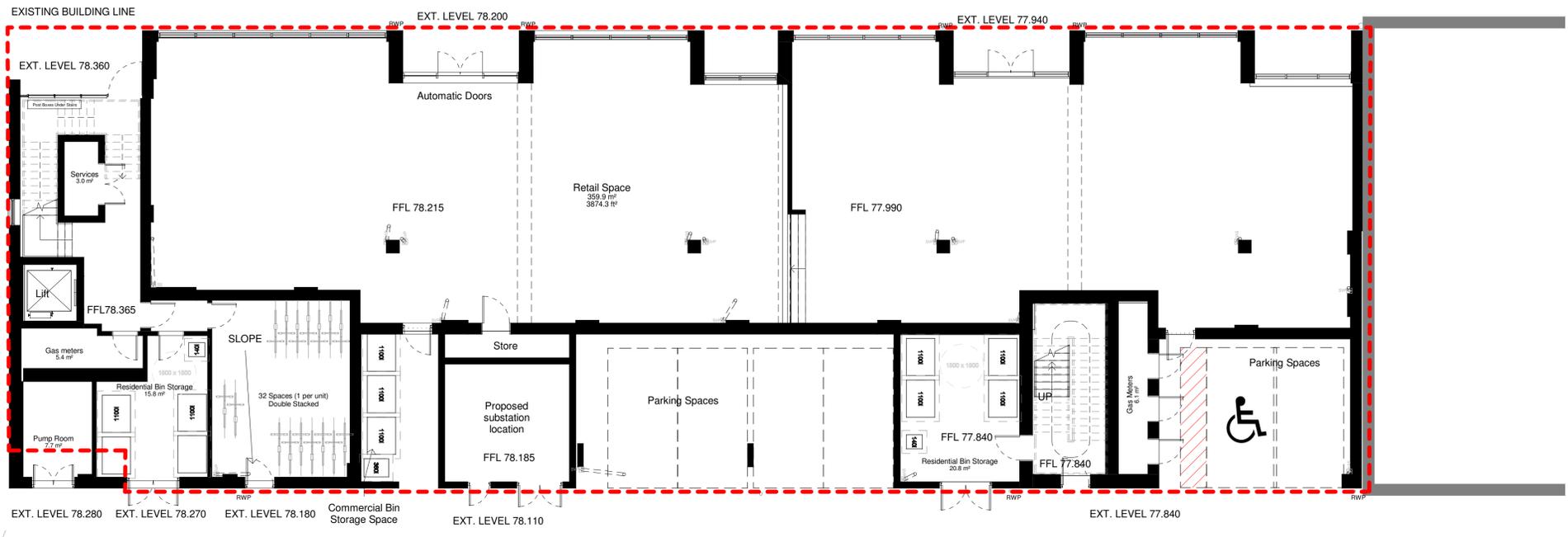


Client Approval	
A - Approved	
B - Approved with comments	
C - Do not use	
Rev.	Revision Note/Purpose of Issue
Drw By	Date
Chk By	Date



First Floor Plan
1 : 100

Area Schedule - Floors 0 and 1		
Unit Number	Unit Type	Area
01	1b2p	51.3 m ²
02	2b3p	61.3 m ²
03	1b2p	51.1 m ²
04	2b3p	61.3 m ²
05	2b4p	72.9 m ²
06	1b2p	52.7 m ²
07	1b2p	52.8 m ²
08	2b4p	71.5 m ²



Ground Floor Plan
1 : 100

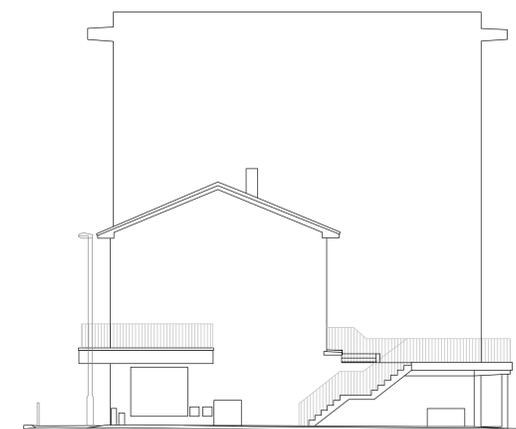
Name	Area
Retail Space	359.9 m ²





Datum @ 75.000m

North Elevation



West Elevation



Datum @ 75.000m

South Elevation

Revisions		
Date	Revision	Amendment

3D Services (South East) Ltd
 Unit 5 Coopers Place, Combe Lane, Wormley, Surrey GU8 5SZ
 Tel: 01428 684144 • Fax: 01428 685522 • survey@3dservices.co.uk



Member of **THE SURVEY ASSOCIATION**

Client
REIGATE & BANSTEAD BOROUGH COUNCIL

Surveyed RMC	Drawn ADT	Checked RMC	Date 23/11/16
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Project
16-46 CROMWELL ROAD, REDHILL

Title
ELEVATIONS

Job No 16/149	Drawing No 16/149/02	Revision	Scale/Size 1:100 A0
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