 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	31 st August 2022
	REPORT OF:	HEAD OF PLACES & PLANNING
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AGENDA ITEM:	6	WARD: Horley Central and South

APPLICATION NUMBER:	22/01160/F	VALID:	25 th May 2022
APPLICANT:	Drill Service Ltd	AGENT:	Fulcrum Design Ltd
LOCATION:	DRILL SERVICE LTD 89 ALBERT ROAD HORLEY SURREY RH6 7HB		
DESCRIPTION:	Demolition of the existing buildings on site and the erection of replacement buildings to provide 5 No. 2 bed and 2 No. 1 bed flats with 3 parking spaces. As amended on 30/05/2022.		
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SUMMARY

This is a full application for demolition of the existing buildings on site and the erection of a replacement building to provide 5 No. 2 bed and 2 No. 1 bed flats with 3 parking spaces. The site benefits from extant consent for conversion to 7 dwellings and this is a significant material consideration.

The existing site is in mixed use of retail, light industrial and residential. The site lies within the urban area, approximately 177m north of the Horley Town Centre boundary. The site is not a designated employment use although policy EMP4 (Safeguarding employment land and premises) does apply. In this case, given the proposed wholly residential use, it is considered there would be a lower level of noise and disturbance than that associated with a light industrial use, which would be commensurate with the neighbouring residential uses. The change of use would provide improved amenity to the residential neighbouring properties and therefore in this instance, the loss of the employment premises is considered acceptable and complies with policy EMP4. In regard to the retail element of the building, the retail business has remained empty for more than 3 years, with the front window presently boarded up. The change of use to a residential use is considered to positively contribute to the vitality and vibrancy of the area by bringing this part of the building back into use, and complies with policy RET4.

This application follows a previous outline application ref: RE/19/01191/OUT, that proposed to convert the existing buildings to seven dwellings. This application was

approved with conditions in September 2019 and remains extant. The proposed replacement building would be of the same scale, height and footprint to that of the existing. There would be alterations to the front elevation to create a more residential appearance to the building. This would be largely from the fenestration design that would replace the existing larger windows at ground floor with a smaller, more typical residential appearance and at first floor the windows would have a more cohesive design approach and be of a style more in keeping with the appearance of the building.

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.

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

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 condition.

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

Following the submission of a contaminated land report by the Applicant, revised conditions have been recommended from the Contaminated Land Officer.

Horley Town Council: No objections

Housing: no comments received

Sutton and East Surrey Water Company: no comments received

Horley Chamber of Commerce: no comments received

Representations:

Letters were sent to neighbouring properties on 26th May 2022.

29 responses have been received raising the following issues:

Issue	Response
Hazard to highway safety	See paragraph 6.22 – 6.24
Inadequate parking	See paragraph 6.21 – 6.24
Increase in traffic and congestion	See paragraph 6.21 – 6.24
No need for the development	See paragraph 6.1
Noise and disturbance	See paragraph 6.18
Overbearing relationship	See paragraph 6.15 – 6.16
Overdevelopment	See paragraph 6.14
Out of character with surrounding area	See paragraph 6.11 – 6.14
Inconvenience during congestion	See paragraph 6.42 and condition 5
Harm to wildlife habitat	See paragraph 6.29 – 6.30
Overlooking and loss of privacy	See paragraph 6.16 – 6.17
Overshadowing	See paragraph 6.15 - 6.16
Drainage/sewage capacity	See paragraph 6.39

Harm to Conservation Area	See paragraph 6.40
Health fears	See paragraph 6.41
Loss of a private view	Not a material planning consideration
Crime fears	See paragraph 6.41
Loss of/harm to trees	See paragraph 6.13
Loss of buildings	See paragraph 6.11
Alternative location/proposal preferred	Each scheme must be assessed on its own planning merits
Property devaluation	Not a material planning consideration

1.0 Site and Character Appraisal

- 1.1 The site is located on the west side of Albert Road and comprises a detached two storey building, with single storey buildings towards the rear part of the site. To the front of the building there is an area of hardstanding used for parking and there is an access driveway along the north western side boundary that gives access to the rear part of the site. The application site is currently in mixed use, with an A1 retail unit at ground floor previously occupied by a hairdressers although current empty, a light industrial use also at ground floor, and residential use at first and second floor.
- 1.2 The area is primarily residential with neighbouring dwellings to the north and south in residential use. The Albert Rooms, used by Horley Town Council, are sited on the opposite side of Albert Road.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: The applicant did not approach the Council for pre-application advice therefore the opportunity to secure improvements did not arise
- 2.2 Improvements secured during the course of the application: Conditions are recommended to secure a suitable landscaping scheme for the site.

3.0 Relevant Planning and Enforcement History

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|-----|--------------|---|--|
| 3.1 | 19/01191/OUT | Conversion of existing ground floor commercial property, alterations to existing first and second floor residential properties and single storey side extension to create 3 No. 1-bed, 3 No. 2-bed and 1 No. 3- | Approved with conditions
17 th September
2019 |
|-----|--------------|---|--|

bed flats. As amended on
20/08/2019.

- 3.2 96/04800/CU Change of Use from A1 retail to a residential unit to form 1 bed flat Approved with conditions 13th June 1996

4.0 Proposal and Design Approach

- 4.1 This is a full application for demolition of the existing buildings on site and the erection of replacement buildings to provide 5 No. 2 bed and 2 No. 1 bed flats with 3 parking spaces.
- 4.2 The replacement building would be of the same height, footprint and scale to that of the existing. Alterations are proposed to the front elevation by way of a revised fenestration design to appear more residential than the existing ground floor windows, that serve an existing commercial use.
- 4.3 Five flats are proposed on the ground floor, with new areas of soft landscaping, shared and private areas of outdoor amenity space. On the first floor, two further flats are proposed as well as a bedroom in the roofspace as part of unit six.
- 4.4 To the front of the building, three parking spaces are proposed as well as a bin store and cycle storage.
- 4.5 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a four-stage design process comprising:
Assessment;
Involvement;
Evaluation; and
Design.
- 4.6 Evidence of the applicant's design approach is set out below:

Assessment	No site features worthy of retention were identified.
Involvement	No community consultation took place.
Evaluation	The statement does not include any evidence of other development options being considered.
Design	The applicant's reasons for choosing the proposal from the available options were: <ul style="list-style-type: none"> • These proposals will enable all of the dwellings to be highly insulated to comply with current

	<p>requirements and to greatly enhance the existing poor thermal performance.</p> <ul style="list-style-type: none"> • Rebuilding will also enable insulation to be provided to the ground floor and roof constructions which will again greatly enhance the thermal performance of the dwellings. • The internal steps within the single storey building would also be removed by the re-construction which would ensure that all of the dwellings would be fully accessible. • Although the footprint of the buildings would be unaltered, the new construction would enable the two storey building to be reconfigured internally to maximise the habitable area and minimise communal areas. • The reconstruction will also enable the facades of the frontage building to be more in keeping with the character of the area with the large commercial openings replaced with more domestic scaled windows. The existing metal framed replacement windows generally would be replaced with sash frames, stone cills and brick arches to the ground floor to reflect the original building style. • Although the window openings are to be reconfigured the number of windows and their orientation are consistent with the existing situation to ensure that there is no additional adverse impact on the adjoining properties. • Due to the internal replanning the amount of extension required to the south-east elevation of the frontage building is reduced from the previous approval which is reduced from the previous approval which lessens the impact on the adjacent property whilst at the same time creating a larger and more usable external amenity space to Plot 2.
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4.7 Further details of the development are as follows:

Site area	0.09 hectares
Existing use	Commercial (Class E – retail and light industrial) and Residential
Proposed use	Residential
Existing parking spaces	4
Proposed parking spaces	3
Parking standard	9

Net increase in dwellings	5
Existing site density	22 dwellings per hectare
Proposed site density	77 dwellings per hectare
Density of the surrounding area	33 dwellings per hectare (69 – 121 Albert Road, odd numbers)

5.0 Policy Context

5.1 Designation

Urban area
Parking Standards – medium accessibility

5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)
CS4 (Valued Townscapes and Historic Environment)
CS5 (Valued People/Economic Development),
CS10 (Sustainable Development),
CS11 (Sustainable Construction),
CS14 (Housing Needs)
CS15 (Affordable Housing)

5.3 Reigate & Banstead Development Management Plan 2019

Design, Character and Amenity (including housing) DES1, DES4, DES5, DES8, DES9,

Landscape & Nature Conservation NHE2, NHE3,
Employment EMP4
Town Centres and Local Centres RET4
Infrastructure INF1, INF3
Transport, Access and Parking TAP1,
Climate Change Resilience and CCF1
Flooding

5.4 Other Material Considerations

National Planning Policy Framework
National Planning Practice Guidance
Supplementary Planning Guidance Surrey Design
Local Distinctiveness Design Guide
Vehicle and Cycle Parking
Guidance 2018

Other Human Rights Act 1998

Community Infrastructure Levy
Regulations 2010
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 such residential development is acceptable in land use terms. Furthermore, the extant scheme for conversion of the building to 7 dwellings is a material consideration, meaning the principle of development is accepted.

6.2 The main issues to consider are:

- Loss of employment use and retail
- Design appraisal
- Neighbour amenity
- Highway matters
- Amenity for future occupants
- Housing mix
- Biodiversity
- Contaminated land
- Sustainable construction
- Drainage
- Other matters
- Affordable Housing
- Community Infrastructure Levy

Loss of employment use and retail

6.3 The proposed development would result in the loss of employment land. 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. Applicants will be required to provide appropriate evidence, proportionate to the scale of the scheme, to demonstrate prospects of on-going employment use including evidence of marketing activities undertaken. Policy RET4 seeks to retain retail units in uses that make a contribution to the local community where possible, whilst recognising that in some circumstances this may not be viable.

6.4 In this case, planning permission has been granted in 2019 for a similar development (conversion of the building, rather than replacement) for residential use. This permission is still extant and could be implemented subject to pre-commencement conditions be approved, and as such should be given significant weight as a material consideration when considering the loss of the employment use.

- 6.5 During the course of the previous application, the applicant stated that the existing business at this site has reduced in staff from 15 to 3. The company has their main premises at 23 Albert Road where the 3 members of staff shall be relocated. The Applicant has also noted other issues with the existing premises, notably the access for large delivery vehicles to the premises, the substantial improvements required to the existing buildings to create improved working environments for employees that would comply with Health and Safety standards, thermal efficiency and the standard of incoming services.
- 6.6 The Applicant has provided an update to confirm their staff have relocated to other premises further along Albert Road, however, some machinery and equipment are still in situ.
- 6.7 A proposed residential use is considered to have a lower level of noise and disturbance than the current commercial use and is more compatible with the surrounding residential properties. The change of use would provide improved amenity to the residential neighbouring properties. In combination with the vacant use and extant permission, in this instance, the loss of the employment premises is considered acceptable.
- 6.8 Part of the ground floor of the site was used by a hairdressers (Class E). Accordingly, any application should address DMP policy RET4. Small centres and isolated shops provide a useful service for local residents. Policy RET4 seeks to retain such units in uses that make a contribution to the local community where possible, whilst recognising that in some circumstances this may not be viable.
- 6.9 In this instance the Applicant stated, during the course of the previous application, that the previous tenant had failed to run a viable business since 2016 and the tenant has ceased trading. Since this time, the Applicant has confirmed there has been no further retail usage on the site following the previous application.
- 6.10 The existing hairdressers business made up a relatively small element of the building (33sqm) on the ground floor offering a limited element of retail use. The site is located in close proximity to Horley Town Centre, approximately 350m north west of High Street and 177m north of the Town Centre boundary. Given the somewhat limited A1 use and the close proximity to the town centre where there is alternative retail provision within the locality, the loss in this instance would not have an adverse impact upon the amenities of the surrounding area. The change of use from a disused retail business that has remained empty for more than 3 years, is considered to positively contribute to the vitality and vibrancy of the area. The presently boarded up front window has an unattractive appearance in the streetscene. The replacement building would have a positive impact upon the visual amenities of the area, and the use as residential dwellings would sit comfortably within this largely residential road, bringing the site back into use. The proposal therefore complies with policy RET4.

Design appraisal

- 6.11 The proposed replacement building would be of the same scale, height and footprint to that of the existing. The redesign of the front elevation to create a more residential appearance to the building. This would be largely from the fenestration design that would replace the existing larger windows at ground floor with a smaller, more typical residential appearance. At first floor the windows would have a more cohesive design approach and be of a style more in keeping with the appearance of the building. The existing building is not worthy of retention in regard to historic or architectural features, and the replacement would, in terms of the front elevation, would have a more cohesive window design, improving the appearance when compared to the existing.
- 6.12 Towards the rear of the building the existing openings, doors and windows would take a more domestic form and new entrance doors and windows used in the new building in place of the existing commercial entrances into the building. A small, single storey extension is proposed to the south eastern side of the building and a terrace area created to provide outdoor amenity space for plot 2. The building would have a mix of hipped and gable style roofs, traditional in form and matching the existing. The finishing materials are proposed to match the existing building, using red/brown bricks with soldier arch details above the windows and a brown roof tile. The sash style windows proposed would create a cohesive appearance, in keeping with the form of the building and neighbouring buildings in the streetscene.
- 6.13 The site layout would include areas of communal and private outdoor space, creating space for soft landscaping and planting, replacing areas of existing hardstanding. There is an existing hardstanding access along the northern side of the site that offers opportunity for increased areas of soft landscaping. There are no significant trees that would be impacted by the proposal and a condition is recommended to secure a suitable landscaping scheme for the site.
- 6.14 Overall it is considered that the replacement building would be commensurate with the residential character of the area and provide a comprehensive redevelopment of the site. The proposed development would be acceptable in terms of its design and impact upon the character of the wider area and complies with policy DES1.

Neighbour amenity

- 6.15 The proposed single storey side extension would be set away from the shared side boundary with 87 Albert Road by 1.7m and the existing single storey side projection that does extend along the side boundary would not be replaced, increasing the separation distance between the dwellings. Given the relatively modest scale of the side extension and increase in gap to the side boundary existing, the proposal is not considered to give rise to a harmful impact upon the amenities of this dwelling.

- 6.16 The form and scale of the building in all other regards would remain as existing therefore resulting in a similar relationship with neighbouring dwellings. The alterations to the replacement building in terms of new windows and doors are not considered to result in harm to neighbour amenity. One additional first floor side facing windows is proposed on the south east side, bringing the total to three side facing windows, one to serve a bathroom and two to serve kitchen/diner/lounges. To avoid overlooking or loss of privacy these new windows would be conditioned to be of obscure glazing. The proposed kitchen/diner/lounges would be served by secondary (existing) window on the north west side elevation and front elevation providing outlook for future occupants.
- 6.17 On the north western side, five first floor windows are proposed, and one dormer. This would replace four existing windows and one dormer. It is considered the relationship would be similar to that of the existing in terms of overlooking and loss of privacy to that of the existing situation and would provide an outlook for future residents.
- 6.18 The residential use of the site would reduce noise from the existing commercial use of the site, improving the relationship to neighbouring properties.
- 6.19 Objection was raised on the grounds of inconvenience during the construction. Whilst it is acknowledged there may be a degree of disruption during the construction phase, the proposal would not warrant refusal on this basis and statutory nuisance legislation exists to control any significant disturbance caused during the construction of the proposal. Furthermore, conditions are proposed to secure a Construction Management Statement (condition 4) and [SL1] Construct Transport Management Plan (condition 7).
- 6.20 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

- 6.21 The existing site has a total of three parking spaces that serves the residential units and commercial uses on site. The application proposes to retain these three parking spaces for the seven proposed dwellings. The site occupies a sustainable location being approximately 0.8km walk from Horley train station and approximately 0.3km walk from bus stops along Brighton Road. The site is approximately 0.2km north west of Horley Town Centre where local amenities, shops and leisure services can be found. Whilst this would fall short of the minimum parking standards required under policy TAP1 of the Development Management Plan, taking into account the specific local circumstances, the existing commercial uses of the site and parking demand this creates, the site is within a sustainable location in close proximity to Horley Town Centre and well served by bus services, train station and local amenities. A bike store is proposed within the site layout. Given the close proximity to the town centre, the proposal is not considered to warrant refusal on the basis of absence of parking.

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

6.23 The County Highways Authority provided the following comments in their assessment:

This application follows a previous outline application ref: RE/19/01191/OUT, that proposed to convert the existing buildings within the application site to seven dwellings. This application provides for the same number of dwellings, seven, but as a new purpose built block.

In accordance with Reigate and Banstead Local Plan Parking Standards the development would be expected to provide a maximum of 9.5 car parking spaces. Three existing car parking spaces within the application site will be retained for the proposed development, the same as approved in the 2019 outline application. Given that the site is in a relatively sustainable location, within walking distance of a local high street and Horley Train Station, the County Highway Authority raise no objections to the reduced level of car parking at the site in this location.

Cycle parking spaces normally occupy a footprint of about 1m² per cycle. Cycle parking spaces should be provided in a well-lit, secure, level, covered and convenient location.

Inter visibility splays between the development and public highway should be kept clear of obstruction, and the CHA note the introduction of new vegetation/planting proposed along the public highway edge, in locations that are considered to obstruct visibility, where no obstruction currently exists.

6.24 A condition is recommended to secure visibility splays, as well as a condition requiring a construction transport management plan, the parking spaces to be completed prior to occupation and a requirement for fast charge sockets.

Amenity for future occupants

6.25 The NPPF provides that planning decisions should provide a high standard of amenity for future users. DMP Policy DES5 relates to the delivery of high quality homes and requires, inter alia, that as a minimum, all new residential development (including conversions) must meet the relevant nationally described space standard for each individual units. In addition, the policy also requires all new development to be arranged to ensure primary habitable rooms have an acceptable outlook and where possible receive direct sunlight.

6.26 The application proposes 7 units:

Plot 1 - 2 bedroom four person - internal floor area 70sqm
Plot 2 - 2 bedroom three person - internal floor area 61sqm
Plot 3 - 1 bedroom two person - internal floor area 52sqm
Plot 4 - 1 bedroom two person - internal floor area 55sqm
Plot 5 - 2 bedroom four person - internal floor area 70sqm
Plot 6 – 2 bedroom 4 person - internal floor area 88sqm
Plot 7 - 2 bedroom 3 person - internal floor area 61sqm

- 6.27 All units would meet or exceed the nationally described space standards. Plots two, three, four and five would have small areas of private outside space and a small communal courtyard area is proposed to the front of units four and five. A condition is recommended to secure details of the boundary treatments for the subdivision of the site. The proposal is considered to result in a satisfactory living environment for future occupants and would provide adequate living space for future occupants, complying with national standards for living space, the NPPF and DMP policy DES5.

Housing mix

- 6.28 Policy DES4 requires on sites of up to 20 homes, at least 20% of market housing should be provided as smaller (one and two bedroom) homes. In this case all the dwellings would be small homes. On this basis, the proposal complies with the requirement.

Biodiversity

- 6.29 The National Planning Policy Framework (NPPF) makes it clear (para 170) that "Planning policies and decisions should contribute to and enhance the natural and local environment by; minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures". Paragraph 174 requires the promotion of "the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity".
- 6.30 At the time of the writing of the committee report, further information has been requested from the Applicant in regard to an ecology report and bat survey. Should these issues be satisfactorily addressed prior to the Planning Committee meeting on 31st August 2022, this shall be updated within the addendum and conditions added to ensure the development is in accordance with local and national policy in this regard. In the absence of the required information, the application would be deferred to a later planning committee meeting until such time that satisfactory information has been received to ensure the proposal is compliant with policy.

Contaminated land

- 6.31 The Contaminated Land Officer was consulted during the course of the application and identified the potential for ground contamination to be present on and/or in close proximity to the applicant site. As such, he recommended 5 conditions and an informative. During the course of the application, a Ground Contamination Risk Assessment Report (by Ashdown Site Investigation limited ref: R13982 dated 23rd December 2019) was submitted and the Contaminated Land Officer re-consulted. The Contaminated Land Officer confirmed the report provides a Phase 1 desktop study and Phase 2 intrusive investigation. The report concludes that as contamination is present on site, the site will require a degree of remediation, as such a remediation strategy is required for the site.
- 6.32 Accordingly, conditions are recommended to secure remediation for the site (and subsequent verification) to be carried out in accordance with the findings or the required remediation method statement.
- 6.33 A further condition is recommended in regard to asbestos removal.

Sustainable construction

- 6.34 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).
- 6.35 In June 2022, changes to building regulations means all new homes must produce 30% less carbon dioxide emissions than current standards. This supersedes the requirements of the DMP policy CCF1 and therefore a condition to require the development to achieve not less than a 19% improvement in the Dwelling Emission Rate (DER) over the Target Emission Rate (TER) is no longer required.
- 6.36 Whilst the applicant has not acknowledged the updated requirements of the DMP, in the event that planning permission is to be granted, a condition could be imposed to seek such information in regard to water efficiency and its implementation prior to the first occupation of development. In this regard, there would be no conflict with DMP Policy CCF1.
- 6.37 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.
- 6.38 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.

Drainage matters

- 6.39 The site is in Flood Zone 1 and is not in an area identified as being at any significant risk of surface water flooding. As such no concern is raised with regard to fluvial flooding. The sewage capacity for the site would be assessed at building control stage.

Other matters

- 6.40 The site is not within nor adjacent to a Conservation Area and is not therefore considered to result in harm in this regard.
- 6.41 The development is not considered to cause an increase in crime issues. The majority of the site would have natural surveillance from the new dwellings. A boundary treatments condition is recommended to secure these details. No significant health issues are considered to arise as a result of the planning application.
- 6.42 In terms of inconvenience during the construction period. Whilst it is acknowledged there may be a degree of disruption during the construction phase, the proposal would not warrant refusal on this basis and statutory nuisance legislation exists to control any significant disturbance caused during the construction of the proposal. To ensure that the impacts of construction are reduced a condition is recommended to secure a method of construction statement.

Affordable Housing

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

Community Infrastructure Levy (CIL)

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

Infrastructure Contributions

- 6.46 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:

Plan Type	Reference	Version	Date Received
Site Layout Plan	18-51-08		17.05.2022
Floor Plan	18-51-05		17.05.2022
Existing Plans	18-51-06		17.05.2022
Elevation Plan	18-51-07		17.05.2022
Proposed Plans	18-51-02		17.05.2022
Elevation Plan	18-51-03		17.05.2022
Location Plan	UNNUMBERED		17.05.2022
Combined Plan	18-51-09		25.05.2022

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 commence until a Construction Management Statement, to include details of:
- 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.
 - Information about the measures that will be used to protect privacy and the amenity of surrounding sensitive uses; including provision of appropriate boundary protection.
 - Means of communication and liaison with neighbouring residents and businesses.
 - 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.

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

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to meet the objectives of the NPPF, and to satisfy policy TAP1 of the Development Management Plan 2019.

6. Before any of the operations hereby approved are started on site, a pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access, the depth measured from the back of the footway (or verge) and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to meet the objectives

of the NPPF, and to satisfy policy TAP1 of the Development Management Plan 2019.

7. No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding behind any visibility zones
 - (f) HGV deliveries and hours of operation
 - (g) vehicle routing
 - (h) measures to prevent the deposit of materials on the highway
 - (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
 - (j) no construction vehicle movements to or from the site shall take place between the hours of 8.30 and 9.15 am and 3.15 and 4.00 pm nor shall the contractor permit any construction vehicles associated with the development at the site to be laid up, waiting, in Albert Road at any time during these times.
 - (k) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to meet the objectives of the NPPF, and to satisfy policies DES8 and TAP1 of the Development Management Plan 2019.

8. The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for:
- (a) The secure, level and covered parking for a minimum of 8 bicycles within the development site, and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2021 and to satisfy policy TAP1 of the Development Management Plan 2019.

9. The development hereby approved shall not be occupied unless and until at least one of the available parking spaces is provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2021 and to satisfy policy TAP1 of the Development Management Plan 2019.

10. 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.

11. Prior to commencement of the development a detailed remediation method statement should be produced, informed by Ground Contamination Risk Assessment Report reference R13982 dated 23rd December 2019, 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.

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

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. to the Reigate and Banstead Development Management Plan 2019 policy DES9 and the NPPF.

13. The developer must either submit evidence that the building was built post 2000 or provide an intrusive pre-demolition and refurbishment asbestos survey in accordance with HSG264 supported by an appropriate remedial mitigation scheme to control risks to future occupiers should asbestos be present onsite.

The remedial mitigation scheme must be written by a suitably qualified person and shall be submitted to the LPA and must be approved prior to commencement to the development. The scheme as submitted shall identify potential sources of asbestos contamination and detail removal or mitigation appropriate for the proposed end use of the site. Detailed working methods are not required but the scheme of mitigation shall be independently verified to the satisfaction of the LPA prior to occupation to ensure the remedial

mitigation plan has been complied with. The development shall then be undertaken in accordance with the approved details.

REASON: To ensure that a satisfactory strategy is put in place for addressing contaminated land before development commences and to make the land suitable for the development without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment with regard to the Reigate and Banstead Local Plan Development Management Plan 2019 and the NPPF.

14. 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.

15. 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.

16. 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

17. 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.

18. The development hereby approved shall not be first occupied unless and until a Water Efficiency Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall detail how the development will:
- a) Ensure that the potential water consumption by occupants of each new dwelling does not exceed 110 litres per person per day

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

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

19. 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.

20. The first floor windows in the south side elevations of the development hereby permitted shall be glazed with obscured glass which shall be fixed shut, apart from a top hung opening fanlight whose cill height shall not be less than 1.7 metres above internal floor level, and shall be maintained as such at all times.

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

INFORMATIVES

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at www.firesprinklers.info.
2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions. Further information can be found on the Council website at : [Climate Change Information](#).
3. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, to contact the Council's Neighbourhood Services team to confirm the number and specification of recycling and refuse bins that are required to be supplied by the developer. All developer enquires on recycling and refuse bin ordering, collections and discussing waste matters is via our department email address RC@reigate-banstead.gov.uk . Please also note our website area for developers https://www.reigate-banstead.gov.uk/info/20062/recycling_and_refuse/392/fees_for_recycling_and_refuse_services/3.
4. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
 - (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
 - (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
 - (c) Deliveries should only be received within the hours detailed in (a) above;
 - (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
 - (e) There should be no burning on site;
 - (f) Only minimal security lighting should be used outside the hours stated above; and
 - (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

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

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

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
7. The applicant is advised that the development should seek to achieve standards contained within the Secured by Design award scheme to ensure that it results in a safe development.
8. 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.
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. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
11. 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.
12. The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant utility companies and the developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.
13. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.

REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies DES1, DES4, DES5, DES8, DES9, NHE2, NHE3, EMP4, RET4, INF1, INF3, TAP1, CCF1 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.

22/01160/F - Drill Service Ltd, 89 Albert Road, Horley





Planting Schedule		
Bed	Plant Species	Density
Bed 1	Buxus sempervirens	5L 30x40 cm 20/2
Bed 2	Lararndia argus/Callia 'Hilcock'	5L 20x30 cm 20/2
Bed 3	Chaenactis tenax	7.5L 40x60 cm 10/1
Bed 4	Philadelphus 'Viginal' (nick orange)	450mm high 600mm 0/5
Bed 5	Funaria barcovarsus	900mm high 400mm 0/5
Tree Schedule		
Bed	Tree Species	
1	Scotus thornella browers	
2	Magnolia stellata	

Plots 1-5: To be retained. Sites showing 450mm depth, 1.5m, 150mm depth. Tree planting: 10/01, 10/03, 10/16, 10/19, 10/27, 10/37, 10/38, 10/39, 10/42, 9/96, 9/92.

Plot 1: 61m² 28 3P. Plot 2: 70m² 28 4P. Plot 3: 70m² 28 4P. Plot 4: 70m² 28 4P. Plot 5: 70m² 28 4P.

PAVING SCHEDULES / REFERENCE TO PLAN DETAILS:

Plots 1-5: To be retained. Sites showing 450mm depth, 1.5m, 150mm depth. Tree planting: 10/01, 10/03, 10/16, 10/19, 10/27, 10/37, 10/38, 10/39, 10/42, 9/96, 9/92.



- KEY Site Layout**
- Patios
 - Proposed new tree
 - Proposed new planting areas
 - Existing areas of planting to be retained
 - Grassed areas
 - Site boundary
 - Land to which application relates to.
 - 1.8m high closeboarded fence
 - Existing spot levels

fulcrum design

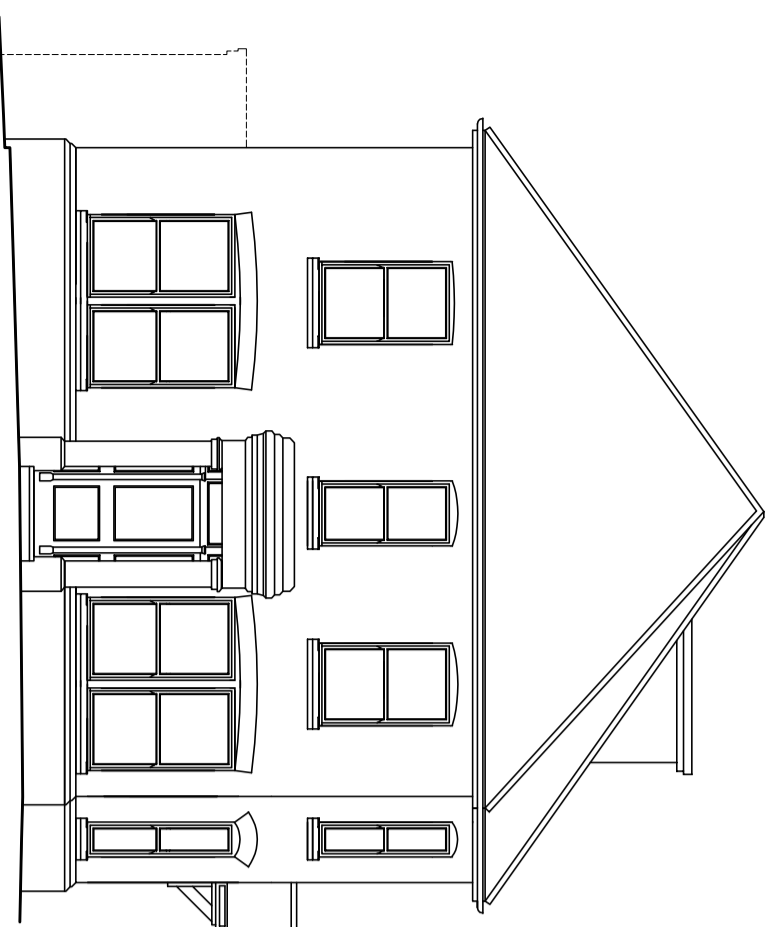
Address
 Site 7 Taxiholme
 Guildford Road, Bookham
 Surrey KT23 4HB
 01372 451425
 01372 459620
 www.fulcrumarchitects.co.uk
 info@fulcrumarchitects.co.uk

Proposed Site Plan & Landscaping

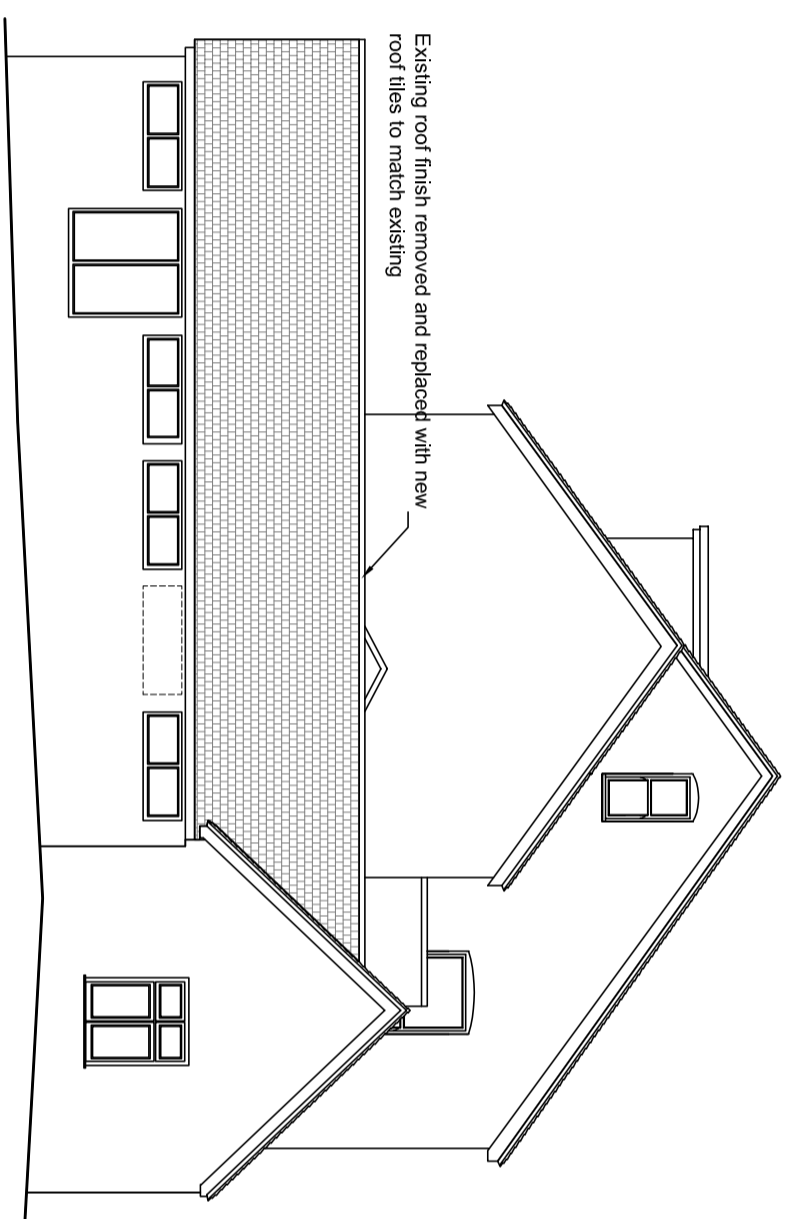
Drill Services (Horley) Ltd.
89 Albert Road, Horley, Surrey, RH6 7HB

Site Area
 Paper Size
 Drawn By
 Date
 Scale
 Drawing No.

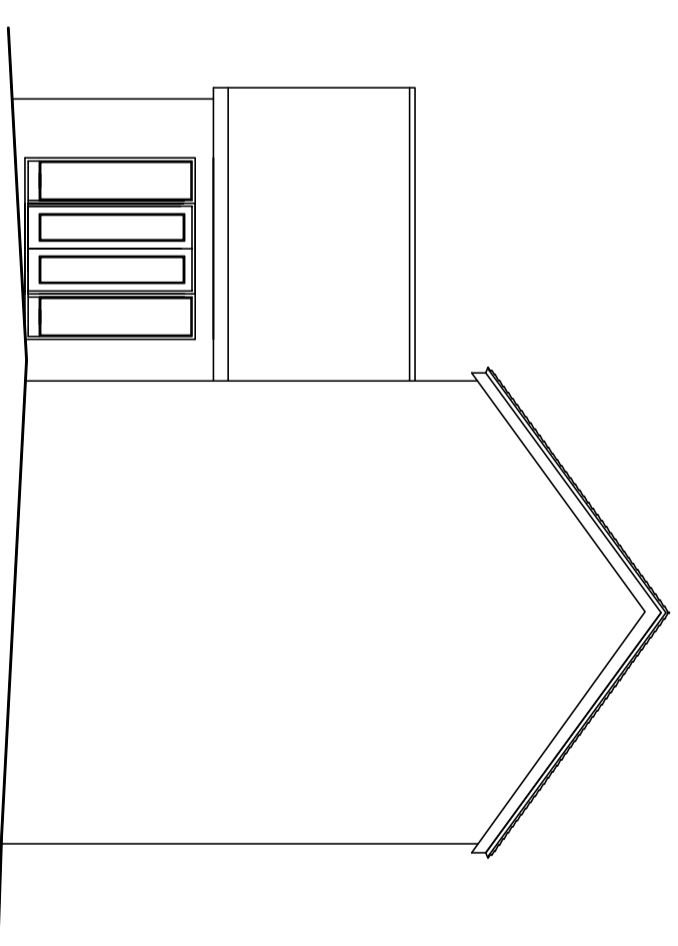
A2 MB 01-05-20 1:100 18-51-08



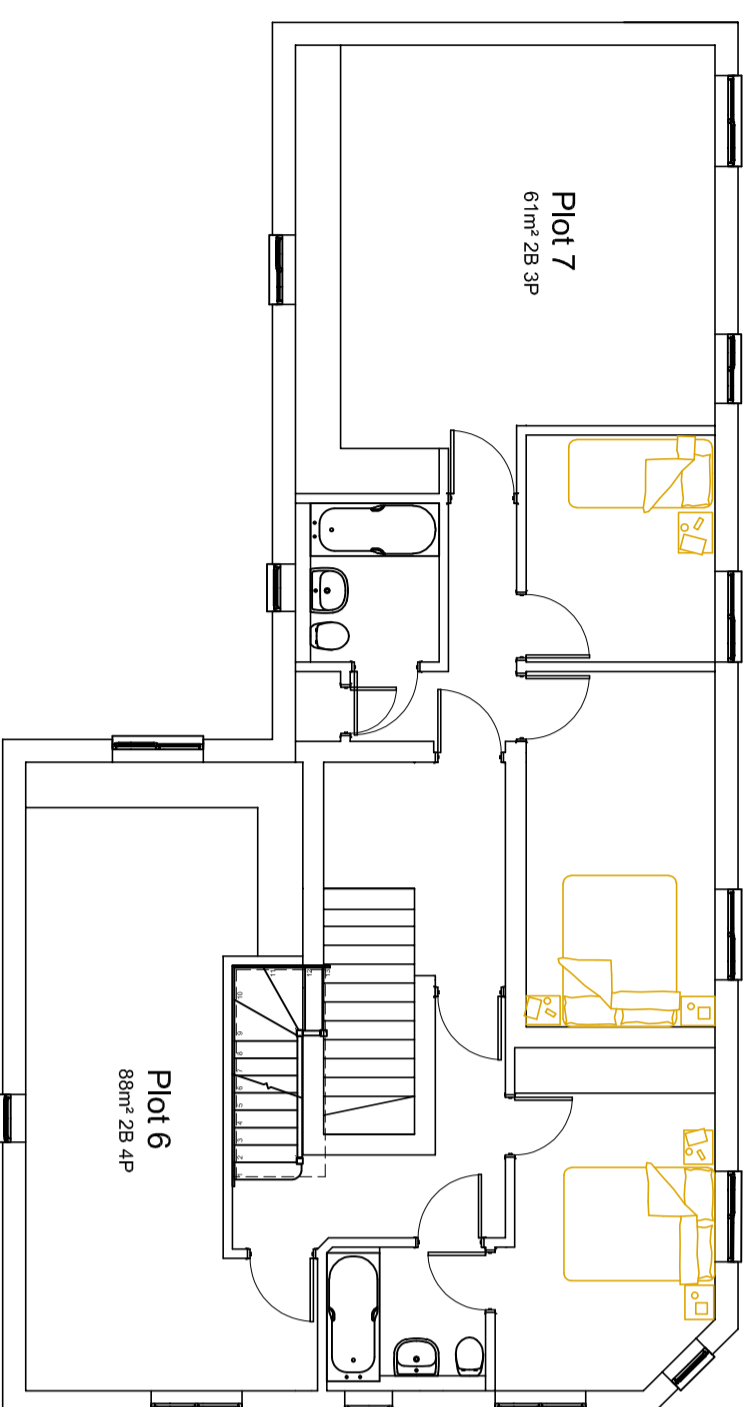
Proposed Front / North East Elevation



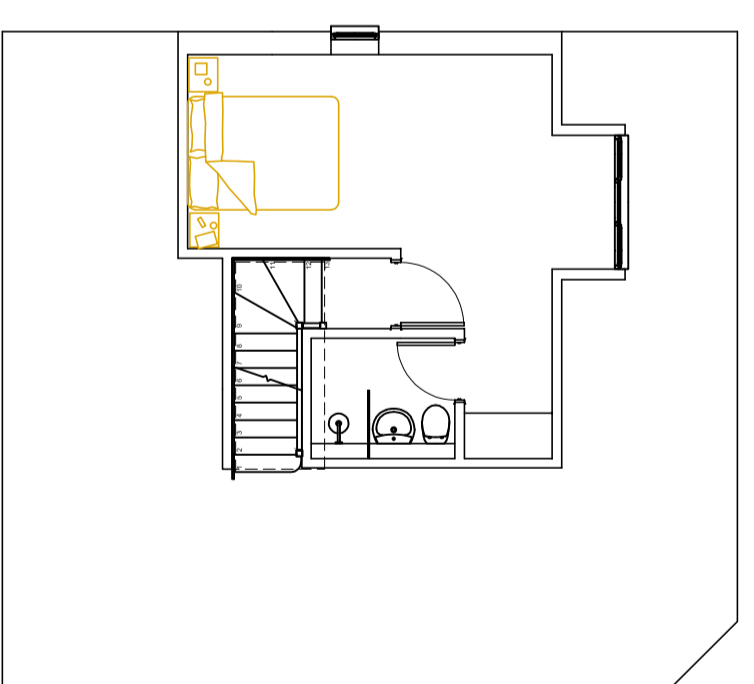
Proposed Rear / South West Elevation



Proposed Elevation A



Proposed First Floor Plan



Proposed Second Floor Plan



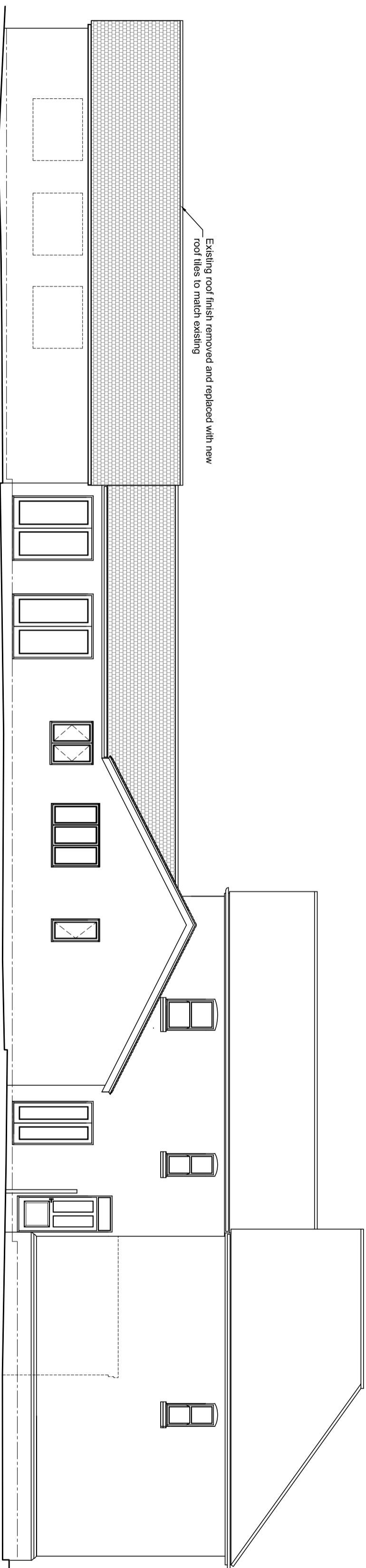
1:100 Scale Bar

fulcrum design

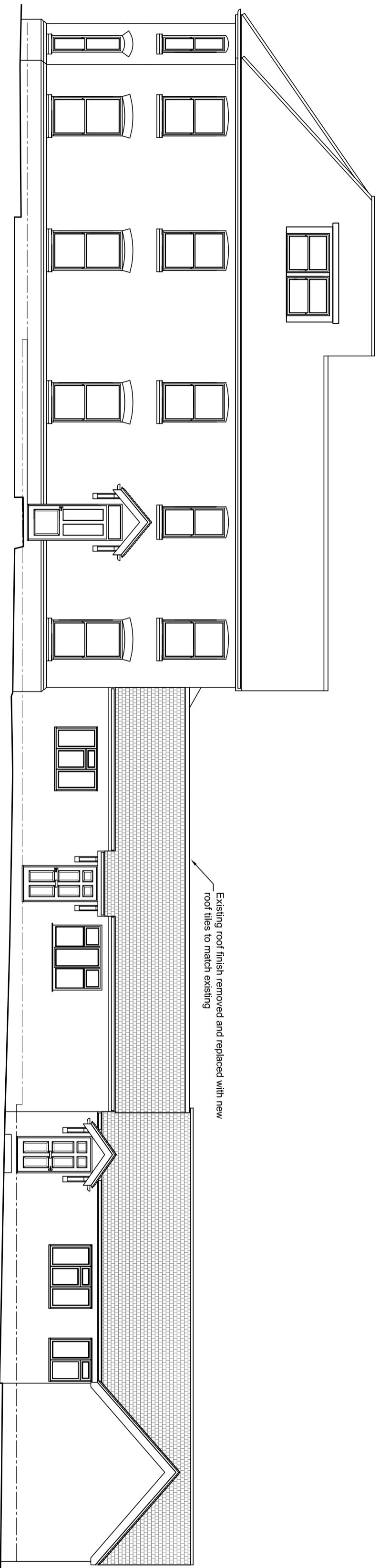
Address Site 7 Taxiholme
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Web www.fulcrumarchitects.co.uk
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Proposed First & Second Floor Plans

Drill Services (Horley) Ltd.
89 Albert Road, Horley, Surrey, RH6 7HB
Site Area 0.0852 Hectares
Paper Size A2
Drawn by MB
Date 27-03-19
Scale 1:100
Drawing No. 18-51-02



Proposed Side / South East Elevation



Proposed Side / North West Elevation



fulcrum design

Address
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 Tel 01372 451425
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 Web www.fulcrumarchitects.co.uk
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Proposed Side Elevations

Drill Services (Horley) Ltd.
89 Albert Road, Horley, Surrey, RH6 7HB
 Site Area 0.0852 Hectares
 Paper Size A2
 Drawn by MB
 Date 27-03-19
 Scale 1:100
 Drawing No. 18-51-03