Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate		TO:		PLANNING COMMITTEE	
		DATE: REPORT OF: AUTHOR: TELEPHONE: EMAIL:		14 th December 2022	
				HEAD OF PLANNING	
				Michael Parker 01737 276339	
				AGENDA ITEM: 5	

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APPLICATION NUMBER:		22/01989/F	VALID:	6 September 2022
APPLICANT: Earlswood		Homes	AGENT:	-
LOCATION:	LAND AT LABURNUM AND BRANSCOMBE 50 HAROLDSLEA DRIVE HORLEY SURREY RH6 9DU			
DESCRIPTION:	Demolition of existing buildings and erection of 33 homes, including affordable housing, with access from Haroldslea Drive, associated parking, open space and associated works.			
All plans in this report have been reproduced, are not to scale, and are for illustrative purposes only. The original plans should be viewed/referenced for detail.				

SUMMARY

The site is in south east Horley and includes part of Haroldslea Drive east from its junction with Castle Drive, up to no. 50 Haroldslea Drive and Laburnum. As well as including these two properties, the application site also includes land to the rear of No. 50, 52 and 54 Haroldslea Drive and land to the south of Laburnum. The south and south-east part of the site adjoin land designated by Development Management Plan (DMP) 2019 Policy NHE1(3) as "Gatwick Open Setting", whilst the south west boundary of the application site adjoins the northern boundary of DMP allocated site SEH4: Land off the Close and Haroldslea Drive.

The site is located on the south east point of Horley town, adjoining land designated by Policy NHE7 "Rural Surrounds of Horley" and "Gatwick Open Setting".

Until the adoption of the DMP in September 2019, this site was also designated in the Rural Surround of Horley, but the DMP revised the boundary of Rural Surround of Horley designation to exclude Thomas Waters Road, The Close, and this land, which are now all within the urban area of Horley.

This is a full application for demolition of existing buildings and erection of 33 homes, including affordable housing, with access from Haroldslea Drive and associated parking and open space. The application follows a previous proposal for 40 dwellings which was refused at Planning Committee in April 2022. The reasons for refusal were:

- 1. The proposed development by virtue of the narrow access road, extent of hard surfaced parking areas including tandem spaces, limited space between properties and to the site boundaries, together with their limited plot sizes and shallow frontages would appear as a cramped overdevelopment of the site, out of keeping with and harmful to the character of the area, contrary to Policy DES1 of the Reigate and Banstead Development Management Plan 2019 and guidance contained within the Local Distinctiveness Design Guide 2020.
- 2. Without a completed planning obligation the proposal fails to provide onsite affordable housing, and is therefore contrary to policy DES6 of the Reigate and Banstead Development Management Plan 2019.

The changes made from the refused scheme can be summarised as follows:

- Reduction in of the number units from 40 to 34 homes.
- Increase in width of access road form 4.8m to 5m
- In relation to the neighbours either side of the access, a reduction in the number of units at the end of the access road from 4 to 2 and an increase in proposed tree planting to boundaries and along the access road;
- Alteration of plots 1 and 2 to bungalows reducing the impact to adjoining neighbours.
- The separation between the flank wall of Plot 2 and the boundary with Allium House (shown as "Little Cranleigh" on submitted plans) has been increased from between 3.4m and 5.7m to between 7.5m and 11.5m; and
- The separation distance between Block B and the neighbour at Yew Tree Bungalow has been increased from approx. 6m previously to over 15m, with an additional area of open space introduced in between.
- The area of the site covered by hardstanding and buildings has been reduced by over 12% (from 0.74ha to 0.65ha). The revised scheme represents a very low site coverage (i.e., the proportion of site area occupied by buildings and hardstanding) of just 36%.
- Scheme now provides a net gain in biodiversity.

As per the refused scheme a new access road with footway is proposed to be created from Haroldslea Drive, following demolition of the existing bungalow at no.50. Additional pedestrian connections will be created into the existing public right of way which runs along the eastern boundary of the site.

10 of the 33 dwellings would be affordable units (30%). The proposed mix would be:

- 8 x 2 bed apartment (6 affordable)
- 3 x 2 bed house (2 affordable)
- 16 x 3 bed house (2 affordable)
- 6 x 4 bed house

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.

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The proposed mix and level of affordable housing is considered to be in accordance with the requirements of the development plan.

In terms of the design and scale of the scheme whilst the amended proposal would still result in a significant change to the existing character and nature of the site it is considered that the proposal achieves a good standard of design and a development which is in keeping with the scale and character of surrounding residential development and which successfully reflects the edge of urban area location of the site. It would do so without material harm or detriment to character of the area or result in unacceptable harm to the identified heritage assets.

The proposal is considered to have an acceptable relationship to the surrounding residential properties.

Subject to conditions the scheme is considered acceptable with regard to quality of accommodation for future residents, contamination, drainage, ecology, trees, crime, and sustainable construction. A mature oak is proposed for felling at the site entrance but this is in poor condition with the Tree Officer considering it unsafe in the long-term and the application therefore provides opportunity to secure replacements.

The scheme would provide 70 parking spaces (56 allocated and 14 visitor), 8 spaces more than the Council's adopted minimum parking standards which require minimum of 62 spaces (55 allocated and 7 visitor). The parking provision would therefore be acceptable. Surrey County Council has no objection to the proposal in relation to the acceptability of the access and impact on local highway networks in terms of highway safety and capacity.

With regard to flooding the applicant has provided a Flood Risk Assessment and Drainage Strategy to demonstrate that the site meets the policy and NPPF requirements. Both the EA and Surrey Local Lead Flood Authority (LLFA) have raised no objection to the proposal. Conditions are recommended to secure further details of the surface water drainage (Suds) system and a flood management and evacuation plan.

It is important to note that when the previous 2021 application for 40 dwellings was refused flooding/drainage and access/highway safety were not reasons for refusal. This scheme now proposes 33 dwellings, which clearly would result in a lower impact that the refused scheme.

It is therefore the view of officers that the scheme is acceptable in principle. The scheme is considered to meet the requirements of the Development Plan and guidance set out within the NPPF. The scheme would provide a meaningful contribution to the housing needs of the borough and follow the "urban areas first" approach set out within the Core Strategy. The scheme would also provide economic benefits to the borough during the construction period and would provide significant contributions towards local infrastructure. There are condition to be no substantive grounds to refuse the amended application and as such it is recommended for approval.

RECOMMENDATION(S)

Subject to the completion of all documentation required to create a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended to secure:

- (i) 10 units of affordable housing in the following tenure mix
 - Affordable Rent 8 units 2 x 2B 4P houses, 2 x 3B 5P houses and 2 x 2B 4P apartments
 - Shared Ownership 2 x 2B 4P apartments
- (ii) A contribution of £16,000 towards Local Surface Water Risk Management Plan
- (iii) The Council's legal costs in preparing the agreement

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

In the event that a satisfactorily completed obligation is not received by 15 March 2023 or such longer period as may be agreed, the Head of Places and Planning be authorised to refuse permission for the following reason

1. Without a completed planning obligation the proposal fails to provide on-site affordable housing, and is therefore contrary to policy DES6 of the Reigate and Banstead Development Management Plan 2019.

Consultations:

<u>Environment Agency:</u> no objection. The proposed houses are entirely within Flood Zone 1 (area of lowest flood risk). The proposed access route has a low risk of surface water flooding (1 in 1000) and a medium risk of fluvial flooding (Flood Zone 2). The EA notes that the access to the site experienced flooding in 2013/14. Advise that a suitable evacuation and flood management plan should be provided due to flooding. Recommend contamination condition.

<u>Environmental Health (Contaminated Land)</u>: no comments on this application but under previous 2021 application no concern raised subject to inclusion of contaminated land conditions

<u>Environmental Health (Air Quality)</u>: site is within an Air Quality Management Area (AQMA) but this is Gatwick related. Therefore no concerns from an air quality perspective other than requirement to restrict biomass burning/wood burning stoves. Noise impacts from Gatwick need to be considered.

Horley Town Council: objects on the following grounds -

- Site access is subject to flooding, therefore concerns regarding access and egress
- Ecology reports indicate presence of bats and likely presence of other protected species.
- Concern regarding additional cars requiring access onto Balcombe Road
- The Scale will have an adverse impact on the character and visual amenity of the local area
- Limited natural surveillance raising security concerns
- Site not allocated with Development Management Plan (DMP) for housing. Allocated sites should be developed first.
- Overdevelopment of the site

NATS: no safeguarding objection to the proposal

Natural England: no comments received

<u>Neighbourhood Services:</u> no comments on this application but raised no objection to previous 2021 application subject to conditions.

Reigate North - Reigate Ramblers: no comments received

Regulatory Support Services (Noise Consultants): Not consulted under this application but under the 2021 application recommended condition to mitigate against potential noise from Gatwick air traffic at night.

<u>Surrey County Council Archaeology Officer:</u> no objection subject to condition to secure implementation of a programme of archaeological work.

<u>Surrey County Council Countryside Access Officer:</u> no objection, informative recommended.

<u>Surrey County Council Highway Authority (CHA)</u>: The County Highway Authority has assessed the application on safety, capacity and policy grounds and has raised no objection subject to conditions.

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

Surrey County Council Minerals and Waste Planning Authority: No objection

<u>Surrey Police Designing Out Crime Officer</u>: recommends a Secure by Design condition.

Surrey Wildlife Trust: conditions recommended were the application to be approved

<u>Thames Water:</u> no objection in relation foul water sewerage capacity or surface water.

Representations:

281 Notification letters were originally sent to neighbouring properties on 14th September 2021 and a site notice was posted 30th September 2022 and advertised in local press on 29th September 2022. A further notification letter for sent out on 29th November 2022 given recipients 14 days to comment on an amended set of drawings.

To date 240 responses have been received 237 objecting and 3 neutral representations. The following issues have been raised:

Issue	Response
Property devaluation	This is not a material planning consideration
Covenant conflict	This is not a material planning consideration
Noise & disturbance	See paragraphs 6.31 to 6.36
Overshadowing	See paragraphs 6.31 to 6.36
Overlooking and loss of privacy	See paragraphs 6.31 to 6.36
Overbearing relationship	See paragraphs 6.31 to 6.36
Out of character with surrounding area	See paragraphs 6.4 to 6.14
Overdevelopment	See paragraphs 6.4 to 6.14
Poor design	See paragraphs 6.4 to 6.14
Harm to Listed Building and heritage	See paragraphs 6.4 to 6.14 and 6.78 to 6.80
Harm to Conservation Area	Site is not within Conservation Area

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Harm to Green Belt/Countryside	Site is in designated urban area, not within Green Belt or Rural Surrounds of Horley
Inconvenience during construction	See paragraphs 6.31 to 6.36
Increase in traffic and congestion	See paragraphs 6.37 to 6.48
Hazard to highway safety	See paragraphs 6.37 to 6.48
Inadequate parking	See paragraphs 6.37 to 6.48
Drainage and sewage capacity	See paragraphs 6.53 to 6.64
Flooding	See paragraphs 6.53 to 6.64
Harm to wildlife habitat	See paragraphs 6.67 to 6.73
Crime fears	See paragraphs 6.81 to 6.83
Impact on/lack of infrastructure and facilities/amenities in local area to support increased population	See paragraphs 6.84 to 6.87
Loss of/harm to trees	See paragraphs 6.74 to 6.77
Loss of green space	Site is not protected open space
Loss of private view	Not a material planning consideration
Health fears	See paragraphs 6.31 to 6.36 and 6.65 to 6.66
No need for the development	Each scheme must be assessed on its own planning merits
Alternative location/scheme preferred	Submitted scheme must be assessed on its own planning merits
Loss of buildings	See paragraphs 6.4 to 6.14
Original scheme and amended proposals do not overcome previously refused scheme	Addressed throughout report
Technical reports out of date	Addressed throughout report

1.0 Site and Character Appraisal

1.1 The site is in south east Horley and includes part of Haroldslea Drive east from its junction with Castle Drive, up to no. 50 Haroldslea Drive and Laburnum. As well as including these two properties, the application site also includes land to the rear of No. 50, 52 and 54 Haroldslea Drive and land to the south of Laburnum. The south and south-east part of the site adjoin land designated by Development Management Plan (DMP) 2019 Policy NHE1(3) as "Gatwick Open Setting", whilst the south west boundary of the application site adjoins the northern boundary of DMP allocated site SEH4: Land off the Close and Haroldslea Drive.

- 1.2 The site is located on the south east point of Horley town, adjoining land designated by Policy NHE7 "Rural Surrounds of Horley" and "Gatwick Open Setting".
- 1.3 Until the adoption of the DMP in September 2019, this site was also designated in the Rural Surround of Horley, but the DMP re-drew the boundary of Rural Surround of Horley designation to exclude Thomas Waters Road, The Close, and this land, which are now all within the urban area of Horley.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: The applicant submitted a pre-application proposal for 42 dwellings prior to the submission of the 2021 application (more details in history section below). The layout and issues of access, flooding and other technical requirements were discussed. No further formal pre-application took place
- 2.2 Improvements secured during the course of the application:
 Amended plans submitted reducing the scheme from 34 to 33 units (plots 1-3 have been replaced with 2 x bungalow) and slight increase in size of Block A so that the units as 2 bedroom, 4 person units to meet the requirements of the Council's Housing Team. Additional information provided in relation to ecology and highway matters.
- 2.3 Further improvements to be secured through planning conditions or legal agreement: Various conditions are recommended to control materials, details and landscaping to ensure a high quality development. A legal agreement will be required to secure the on-site affordable housing provision. Various conditions are recommended to secure appropriate information with regard to flooding, ecology, noise, contamination and highway matters.

3.0 Relevant Planning and Enforcement History

3.1 21/02724/F

Demolition of existing buildings and erection of 40 homes, including affordable housing, with access from Haroldslea Drive and associated parking and open space

Refused 12/04/2022

The application was refused on the following grounds at Planning Committee:

1. The proposed development by virtue of the narrow access road, extent of hard surfaced parking areas including tandem spaces, limited space between properties and to the site boundaries, together with their limited plot sizes and shallow frontages would appear as a cramped overdevelopment of the site, out of keeping with and harmful to the character of the area, contrary to Policy DES1 of the Reigate and Banstead Development Management Plan 2019 and guidance contained within the Local Distinctiveness Design Guide 2020.

 Without a completed planning obligation the proposal fails to provide onsite affordable housing, and is therefore contrary to policy DES6 of the Reigate and Banstead Development Management Plan 2019.

4.0 Proposal and Design Approach

- 4.1 This is a full application for demolition of existing buildings and erection of 33 homes, including affordable housing, with access from Haroldslea Drive and associated parking and open space.
- 4.2 A new access road with footway is proposed to be created from Haroldslea Drive, following demolition of the existing bungalow at no.50. Additional pedestrian connections will be created into the existing public right of way which runs along the eastern boundary of the site.
- 4.3 Moving into the site, a small grouping of 2 bungalows is proposed at the rear of land currently within the curtilage of no.50 to provide a gateway to the scheme. The access road would then turn into the main part of the site, with a further 31 dwellings proposed, arranged around a central "village green" which provides a focal point and identity at the heart of the development.
- 4.4 The majority of the proposed dwellings are two storeys with the exception of two units being bungalows (plots 1 and 2) and two of the units which provide the backdrop to the central "village green" being 2.5 storey (plots 8 and 9).
- 4.5 10 of the 33 dwellings would be affordable units (30%). The proposed mix would be:
 - 8 x 2 bed apartment (6 affordable)
 - 3 x 2 bed house (2 affordable)
 - 16 x 3 bed house (2 affordable)
 - 6 x 4 bed house
- 4.6 The proposed dwellings have all been planned in accordance with the Nationally Described Space Standards, as shown on the submitted drawings.
- 4.7 All houses will have private gardens and each of the apartment buildings has its own area of communal gardens for residents to use. The proposal provides a total of approximately 0.29ha of open space (not accounting for the other areas of informal amenity greenspace in frontages to dwellings and the buffer zones around the margins of the scheme. The 'village green' will include the provision of a Local Area for Play (LAP). It should be noted that now the scheme is below 35 dwellings this is no longer required by policy.
- 4.8 The applicant has advised that all the affordable plots are designed to meet M4(2) requirements (Plots 3-6, Plots 24-25 and Plots 30-33) which exceeds the 20% required by DES7(3)a. Plot 1 (2 bed bungalow) could be adapted internally to meet M4(3) requirements to meet the 4% requirement.
- 4.9 The changes made from the refused scheme can be summarised as follows:
 - Reduction in of the number units from 40 to 34 homes.

- Increase in width of access road from 4.8m to 5m
- In relation to the neighbours either side of the access, a reduction in the number of units at the end of the access road from 4 to 2 and an increase in proposed tree planting to boundaries and along the access road;
- Alteration of plots 1 and 2 to bungalows reducing the impact to adjoining neighbours.
- The separation between the flank wall of Plot 2 and the boundary with Allium House (shown as "Little Cranleigh" on submitted plans) has been increased from between 3.4m and 5.7m to between 7.5m and 11.5m; and
- The separation distance between Block B and the neighbour at Yew Tree Bungalow has been increased from approx. 6m previously to over 15m, with an additional area of open space introduced in between.
- The area of the site covered by hardstanding and buildings has been reduced by over 12% (from 0.74ha to 0.65ha). The revised scheme represents a very low site coverage (i.e., the proportion of site area occupied by buildings and hardstanding) of just 36%.
- Scheme now provides a net gain in biodiversity.
- 4.10 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.

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

Assessment	A stand alone Design and Access Statement has been submitted to support the application. Section 2 details of the Site Context. Including a description of the location of the site (para 2.1), details of amenities and access, local character, site and surroundings and constraints plan (para 2.2 to 2.5)		
Involvement	Public consultation took place prior to the submission of the refused scheme 21/02724/F.		
Evaluation	The statement details how the scheme created a Concept Plan to address the identified constraints (para 2.6). The statement then evaluates the previous application and the reasons for refusal (para 3.1-3.4) Para 4.1 states that the scheme has been revised to address the concerns around overdevelopment and it being out of keeping with and harmful to the character of the area.		
Design	The statement sets out details of the proposed		

development at Section 4 in terms of layout, amount,
storey heights, street scene and materials and at Section
5 it sets out technical considerations including landscape
strategy, flooding and drainage, accessibility, parking and
refuse.

4.12 Further details of the development are as follows:

Site area	1.8ha
Existing use	Residential – 2 units
Proposed use	Residential – 33 units
Proposed parking spaces	70 (56 allocated and 14 visitor)
Parking standard	62 (minimum including 55 allocated and 7 visitor)
Number of affordable units	10 (30%)
Net increase in dwellings	31
Proposed site density	18 dph
Density of the surrounding area	Varied
	19dph – Haroldslea Close
≥	17dph – No's 49 to 91 Castle Drive (east side)
The Section of the Se	18dph - No's 1 to 47 Haroldslea Drive (north side)
	18dph - No's 30 to 46 Haroldslea Drive (south side)
	22dph – Thomas Waters Way
	4dph - immediate surrounding properties (48 Haroldslea Drive to Vermont House in the east, including Laburnum to the south)
	4dph - To the south of the site boundary the area covering the 6 dwellings, Inholms Farm, 1 and 2 Orchard Cottages, Yew Tree Bungalow, Yew Tree Cottage, and Woodside Farm Bungalow

5.0 Policy Context

5.1 <u>Designation</u>

Urban Area

Partly within Flood Zone 2 (access road)
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).

CS8 (Area 2a:Redhill),

CS10 (Sustainable Development),

CS11 (Sustainable Construction),

CS12 (Infrastructure Delivery),

CS13 (Housing Delivery)

CS14 (Housing Needs)

CS17 (Travel Options and accessibility)

5.3 Reigate & Banstead Development Management Plan 2019

DES1 (Design of new development)

DES2 (Residential garden land development)

DES4 (Housing mix)

DES5 (Delivering high quality homes)

DES6 (Affordable Housing)

DES7 (Specialist Accommodation)

DES8 (Construction Management)

DES9 (Pollution and contamination land)

TAP1 (Access, Parking and Servicing)

CCF1 (Climate Change Mitigation)

CCF2 (Flood Risk)

INF1 (Infrastructure)

INF3 (Electronic communication networks)

NHE2 (Protecting and Enhancing Biodiversity)

NHE3 (Protecting trees, woodland areas and natural habitats)

NHE9 (Heritage assets)

OSR2 (Open Space in new developments)

5.4 Other Material Considerations

National Planning Policy Framework 2021 (NPPF)

National Planning Practice Guidance

(NPPG)

Supplementary Planning Guidance/Documents

Surrey Design

Local Character and Distinctiveness

Design Guide SPD 2021

Climate Change and Sustainable

Construction SPD 2021

Horley Design Guide SPD 2006

Vehicle and Cycle Parking

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Other

Guidance 2018
Affordable Housing
Human Rights Act 1998
Community Infrastructure Levy
Regulations 2010

6.0 Assessment

- 6.1 The application site is situated within the urban area where there is a presumption in favour of sustainable development and where the principle of such residential development is acceptable in land use terms. Appropriate residential growth is actively encouraged by the Core Strategy, in line with the "urban areas first" approach in Policy CS6. This is reinforced within the Introduction section of the Development Management Plan 2019 which states that the Core Strategy is an 'urban areas first' strategy. Where priority is given to the identified regeneration areas and main settlements. The urban extension developments such as the one allocated to the south of the site (Policy SEH4) are intended to only be released for development once the opportunities within the urban areas start to become more limited and the Council is unable to demonstrate a five year supply of housing land available.
- There is therefore no in principle objection to the proposal which would count towards the overall aim Core Strategy aim of providing at least 815 homes throughout the borough on windful sites.
- 6.3 The main issues to consider are:
 - Design appraisal and impact on heritage assets
 - Housing Mix, Affordable Housing and Standard of Accommodation
 - Neighbour amenity
 - Highway matters
 - Sustainable construction
 - Flooding and Drainage
 - Contamination
 - · Ecology and trees
 - Archaeology
 - Crime
 - Community Infrastructure Levy

Design appraisal and impact on heritage assets

6.4 As set out above the 2021 application, 21/02724/F, for 40 dwellings was refused on design grounds:

"The proposed development by virtue of the narrow access road, extent of hard surfaced parking areas including tandem spaces, limited space between properties and to the site boundaries, together with their limited plot sizes and shallow frontages would appear as a cramped overdevelopment of the site, out of keeping with and harmful to the character of the area, contrary to Policy DES1 of the Reigate and Banstead Development Management Plan 2019 and guidance contained within the Local Distinctiveness Design Guide 2020."

- The refused scheme and the reasons for refusal are a material consideration. The reason for the refusal of the application related to density, spacing to site boundaries, narrow access road, extent of hardstanding and the cramped nature of the layout which resulted in limited spacing, small plots sizes and shallow frontages.
- 6.6 The application Planning Statement states that the proposals "The proposals have evidently evolved in response to the specific concerns raised by the Council in refusing the previous scheme. By reducing the number of homes from 40 to 34 (now 33), there has been a corresponding reduction in density, built footprint and extent of hardstanding. This has, in turn, allowed for an increase in areas of open space and soft landscaping within the site, as well as increased separation distances between buildings and site boundaries." A list of the key changes is set out above at paragraph 4.9 of the report.
- 6.7 Officers would agree with the applicant's statement in this case. The density of the scheme reduced from 22 dph to 18dph is now much lower than the Thomas Waters Way development and commensurate with the densities of Haroldslea Close, Haroldslea Drive and Castle Drive which range from approximately 17-19 dph. It is noted that within the appeal statement reference is made to the density of the more sporadic group of dwellings to the south and east of the site which were noted at approximately 4dph however Officers view is that this is a very narrow assessment of density in the surrounding area and a more holistic consideration needs to be given to an assessment of the application. As demonstrated the amended scheme now comfortably fits within the density of the area. It should also be noted that density is also lower, approximately 12dph, towards the eastern part of the site which abuts the countryside edge with the provision of the large detached homes (plots 14-17) with larger gardens to enable a more gradual transition to the designated Horley Surrounds.
- 6.8 Due to the reduction in the number of dwellings the layout has been improved in a number of areas for the refused scheme. Firstly the proposed access road has been widened to 5m to ensure that this could not be considered narrow under any interpretation of national or local guidance with a carriageway of 5m being more than sufficient for a car and HGV to pass each other. Even with the widening of the access road there remains a 2m wide footway along the access road to provide safe pedestrian access and egress and the area of the site covered by hardstanding and buildings has still reduced by over 12% with a site coverage of 36%. Whilst tandem parking is still proposed the number of tandem spaces has been reduced and proposed parking courts now benefit from more area of soft landscaping. The scheme as amended therefore cannot be said to be dominated by hardstanding.

- 6.9 Secondly the reduction in dwellings has enabled better spacing between the proposed dwellings and to site boundaries. The number of plots to the east of the 'village green' has been reduced from 8 to 7 and therefore is greater separation between these units and to the plots to the north and south. There are no longer considered to be pinch points across the development with a number of the units now set further away from the site boundaries. An area of significant improvement is the separation of Blocks A and B to the south-western boundary which is now a minimum of 12.5m. Plots 16-21 are also now slightly further away from this boundary.
- 6.10 Thirdly, whilst the garden sizes still remain smaller than those in the immediate surroundings the plots which has particularly small gardens have now been improved by the reduction in units to the extent that it is not considered reasonably or sustainable to say that the garden sizes are an indication of overdevelopment. In terms of frontages all plots and flatted blocks are now considered to have spacious frontages which allow space for meaningful soft landscaping and to create a pleasant environment for occupants and visitors.
- 6.11 In terms of scale and design as set out above there would only be 2 units which are 2.5 storeys in height. 2 of the units would also now be bungalows. The scale of the dwellings would therefore be appropriate for this edge of urban area location. The row of houses fronting on to the village continues to provide a good setting for the village green. The dwellings would be of traditional form with hipped, gables and half-hipped roofs and the materials would be a mixture of brick, clay/slate tiles and timber weatherboarding. Such materials are considered appropriate in this context. Conditions are recommended to secure finalised details of the proposed materials as well as details of boundary treatments and means of enclosure.
- In terms of the flats, concern has been raised that these are out of keeping 6.12 with the nature of the area. Whilst it is acknowledged that flats are not a feature of the surrounding roads the blocks have been designed sensitively so that they do not appear out of keeping with the overall scale and character of the development. This is done by keeping the flatted blocks small and in keeping with the design and form of the other buildings within the development, by including multiple points of access so that there is direct access to ground floor units along the streetscene to retain an active frontage and appear as terrace properties rather than flats. In addition to the well designed nature of the blocks it is important to note that the reason for the flats is so that the scheme can provide a development which meets the Council's local affordable housing requirements. To remove these units would be detrimental to the Council's affordable housing aims for the Borough. It is therefore an oversimplified argument to say that flats are out of keeping with the area.
- 6.13 With regard to heritage considerations this was not raised as a reason for refusal under the 2021 application. The site is not within a Conservation Area and there are no designated or non-designated heritage assets on site. There is therefore no objection to the loss of the existing dwellings. The

nearest listed buildings to the site are Yew Tree Cottage and Inholms Farmhouse. Both properties are located some distance from the site, 25m and 80m respectively, to the south of the site. The Council's Conservation Officer has raised no concern regarding the setting of these heritage assets. Given the separation distance and the intervening features between the sites and heritage assets and the lack of evidence of any known historical association with the application site it is considered that the proposed would not result in a material impact on the setting of the designated heritage assets. Archaeology matters are considered separately later in the report.

6.14 Overall, whilst the amended scheme would still result in a significant change to the existing character and nature of the site it is considered that the proposal achieves a good standard of design and a development which is in keeping with the scale and character of surrounding residential development and which successfully reflects the edge of urban area location of the site. It would do so without material harm or detriment to character of the area or result in unacceptable harm to the identified heritage assets.

Housing Mix, Affordable Housing and Standard of Accommodation

- 6.15 The proposed mix is:
 - 8 x 2 bed apartment (6 affordable)
 - 3 x 2 bed house (2 affordable)
 - 16 x 3 bed house (2 affordable)
 - 6 x 4 bed house
- 6.16 In terms of overall housing mix Policy DES4 states that on sites of 20 homes or more, at least 30% should be provided as smaller (one and two bedroom) homes and at least 30% must be larger (three+ bedroom) homes. In this case the proposal would provide 33% smaller units (13% market) and 67% larger units (87% market would be larger units). Therefore overall the proposal would comply with the policy requirement.
- 6.17 In terms of affordable housing the application proposes to provide 10 affordable housing units. 8 units would be affordable rent (2 x 2B 4P houses, 2 x 3B 5P houses and 2 x 2B 4P apartments. 2 x 2B 4P apartments are then offered as shared ownership or First Homes.
- 6.18 The applicant has offered the shared ownership as first homes units to address the Government's new First Homes national policy. As a national policy the provision of First Homes is a material consideration and the Council has an Interim First Homes Policy Statement. This sets out that First Homes national policy should be balanced against the Council's adopted local policy which is based on locally assessed housing need with DES6(3) requiring 'the tenure mix of the affordable housing on each qualifying site to contribute (to the Council's satisfaction) towards meeting the latest assessment of affordable housing needs'.
- 6.19 In this case the Housing Officer advises that the Affordable Housing SPD and Housing Needs Assessment demonstrates the need for a mix of types of unit

and size for rented and intermediate affordable housing to meet local need. To meet local need, the affordable homeownership size mix requires 80 percent of homes to be 2 beds or larger. In comparison, current borough housing market conditions effectively limit the delivery of First Homes to 1 bed flats only which means a disproportionate number of affordable homeownership home would be 1 bed flats as opposed to family sized homes. They have also advised that a further significant local impact of First Homes is the reduction on a site by site basis of the number of affordable homes to be sold to a Registered Provider (RP). In general the size of borough sites means the number of affordable homes delivered per site is proportionately low and usually less than 20 affordable units across all affordable tenures on a scheme. There is a significantly reduced interest from RPs operating across the region in affordable housing schemes delivering under 20 affordable units. The delivery of First Homes on many borough sites reduces the number of affordable homes available to purchase by RPs even further and therefore presents additional challenges in the delivery of additional affordable homes locally.

- 6.20 As such having balanced the First Homes national policy against the requirement of the DMP it is considered that in this case the provision of First Homes would not adequately contribute towards the overall provision of intermediate homes and the size mix needed to meet local needs as required by the DMP DES6(4). The applicant has agreed to provide 2 x 2B 4P apartments as shared ownership in line with the Council's requirements.
- 6.21 Policy DES5 requires that all new residential development must provide high quality adaptable accommodation and provide good living conditions for future occupants. New accommodation must meet the relevant nationally prescribed internal space standard for each individual unit unless the council considers that an exception should be made. Sufficient space must be included for storage, clothes drying and the provision of waste and recycling bins in the home. Adequate outdoor amenity space including balconies and terraces and /or communal outdoor space should be provided.
- 6.22 The drawings submitted demonstrate that each dwelling would accord with the relevant space standards including storage space. The houses have been designed to ensure that habitable rooms would receive good levels of light and would provide acceptable outlook. There are no concerns in terms of relationship between dwellings given the layout of the site.
- 6.23 All houses will have private gardens and each of the apartment buildings has its own area of communal gardens for residents to use. The gardens are all considered to be of a good and useable size. The proposal provides a total of approximately 0.29ha of open space in excess of the OSR2 requirement and the 'village green' will include the provision of a Local Area for Play (LAP) even though the scheme no longer is required to provide a LAP now is it under 35 units.
- 6.24 In respect of noise, Environmental Health officers have noted that due to the site's location in relation to Gatwick a large part of the site falls within the 20

events or more N60 night contour. The WHO advises that 10 or more can have health implications. In addition the site will be impacted by the proposed changes to the northern runway so there will need to be an appropriate level of noise insulation provided for these houses. As a result a condition is recommended to secure further details of noise mitigation.

- 6.25 The site is also located within an Air Quality Management Area (AQMA) due to its proximity to Gatwick. As a result, the Council's Environmental Health officer has recommended a condition which prevents the use of biomass burning/wood burning stoves.
- 6.26 It is also noted that the site, due to its size, and parking areas are likely to require some form of external lighting. In order to prevent unacceptable light levels to both the future occupants and neighbouring properties a condition is recommended to secure further details of any external lighting prior to installation.
- 6.27 It is therefore considered that the scheme would provide good living conditions for future occupants and would comply with the requirements of DMP Policy DES5.
- 6.28 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' and that on sites of 25 or more homes, at least 4% of homes should be designed to be adaptable for wheelchair users in accordance with the Building Regulations requirements for 'wheelchair user dwellings'.
- 6.29 The applicant has advised that all the affordable plots are designed to meet M4(2) requirements (Plots 3-6, Plots 24-25 and Plots 30-33) which exceeds the 20% required by DES7(3)a.
- 6.30 Plot 1 (2 bed bungalow) could be adapted internally to meet M4(3) requirements. As the scheme is now only for 33 units, the rounded requirement under DES7(3)b, is only for one unit to meet M4(3) and thus, this complies. The proposal would therefore comply with the requirements of DES7. A condition is recommended to secure compliance.

Neighbour amenity

- 6.31 The site would adjoin residential sites to the west (48A Haroldslea Drive), east (Little Cranleigh and 52-56 Haroldslea Drive) and to the south (Yewtree bungalow). To the east and south-east are fields.
- 6.32 With regard to the properties which front Haroldslea Drive the provision of an access road will result in a significant change in the relationship with the existing site. However the proposed area for the access is wide ensuring that the access road would be set well away from the eastern and western boundaries (approximately a minimum of 5m immediately adjacent to the dwelling and their immediate garden areas to the west and 3m immediately

adjacent to the dwelling and immediate garden area to the east). This allows for a significant level of landscaping and trees and will ensure that there is not an unacceptable impact on the occupants of these dwellings from noise and disturbance. The nearest dwellings would be over 41 metres from these properties and would not directly face these properties. Plots 1 would abut the rear most part of no.56 but this plot is now a bungalow and there would remain a separation distance of approximately 12 metres. Ensuring no unacceptable impact from overlooking, loss of light and overbearing impact.

- 6.33 Little Cranleigh and its outbuildings would abut or be close to plots 1 and 2 and plot 3. Plot 3 would be approximately 3.5m from the southern boundary and over 40 metres from the main dwelling and would not directly face the main dwelling or outbuilding. Plots 1 and 2 and would be over 37 metres from the main dwelling. These units would be closer to an outbuilding but they would still be a minimum of 18 metres from this building and be single storey in height and the elements which directly face this outbuilding would be over 20metres from away. As such the proposal would not have an unacceptable impact on Little Cranleigh with regard to overlooking, loss of light and overbearing impact.
- 6.34 To the south the proposed development would be a minimum of approximately 13 metres from Yewtree Bungalow and over 29 metres from Yewtree Cottage. Given the positioning of Block A and B, scale and separation to these neighbouring properties, they are not considered to give rise to unacceptable effects on neighbour amenity with regard to overbearing impact, overlooking and loss of light.
- 6.35 Taking the above into account, whilst neighbouring properties would experience noticeable change as a result of the development, the proposals would not give rise to a serious detriment to their living conditions and thus comply with policy DES1 of the DMP and the general provisions of the NPPF (para 127) which seeks to ensure that developments provide a high standard of amenity for existing and future occupants.
- 6.36 The proposed site access and route for construction traffic is located within close proximity of a number of residential properties. To reduce the impact on neighbouring residents were the application to be approved a condition is recommended to secure the submission of a Construction Management Statement which addresses matters such a working hours and potential disruption from noise and pollution.

Highway matters

6.37 The application proposes to access the site from Haroldslea Drive. A Transport Statement has been submitted to support the application. This Transport Statement is not a re-submission of the statement for the previously refused 2021 application but is specific to the current proposal. Although the survey information and modelling is the same as the information submitted with the 2021 application.

- 6.38 With regard to highway safety and capacity following initial comments from the County Highway Authority regarding queries around the modelling and survey information used to assess impact on the capacity of the road and that of the Haroldslea Drive/Balcombe Road junction the flow diagrams were provided to the Local Planning authority for consideration. The applicant also confirmed that:
 - 1. The Flow Diagrams are attached. These are as previously submitted to accompany our 40 unit scheme, and upon which no objection was raised by SCC following review by their own modellers.
 - 2. The data is unchanged from that previously accepted [under the 2021 application] and previously provided in earlier Transport Statement (TS). All of the data for all arms (Arms A, B and C) are within Appendix C of the submitted TS.
 - 3. The grey rectangular item at the bottom of gardens are cycle stores within garden sheds. The corresponding details for which are shown on drawing 3050 PL B. Full specification of cycle stores can be secured by condition.
 - 4. The modelling was undertaken on the basis of the later of the two surveys, since that was the surveys which also included movements on Balcombe Road.
- 6.39 A number of local improvements are proposed by the applicant to preserve and enhance safety and usability of the road. This includes signage and line marking to highlight the existing road humps, 'Pedestrian in road' signs, widening of part of footpath 381 as well as cutting back of vegetation along the same path. These measures can be secured by condition.
- 6.40 In terms of traffic generation the report concludes that there would be a negligible increase in trips and that the Haroldslea Drive/Balcombe Road priority junction will continue to operate well within its theoretical capacity.
- 6.41 The County Highway Authority (CHA) has considered the proposed access arrangement and details set out within the Transport Statement and has advised that there is no highway safety issue noting that "The access has adequate geometry to accommodate a refuse vehicle and within the site there is space to accommodate the turning movements of refuse vehicles. The access would be able to accommodate the simultaneous entry and exit of two cars and a refuse vehicle and a car, this is considered adequate for this proposed development. The proposed development would include provision of "pedestrians in the road ahead" sign and white carriageway markings and reflective bollards to make the existing speed humps more conspicuous. These improvements would be carried on bridleway 372. The developer would also cut back vegetation along footpath 381 and widen footpath 381 next to the boundary of the development. The junction modelling is based on non-covid restriction transport movements from 21 09 22. The transport model shows that there is adequate capacity." Surrey County Council has also not raised any concerns in relation to the survey information provided and the time of year that the surveys were taken.
- 6.42 In terms of refuse Tracking diagrams have been provided which demonstrate that a refuse freighter could manoeuvre within the site and enter and exit in

forward gear. Neighbourhood Services has not commented on this application but raised no objection to the 2021 proposal which was for more dwellings and which had a slightly narrower access road. Neighbourhood Services previously asked for there to be parking restrictions on the access road and also asked for the provision of a number of bin collection points within the site as well as a slight widening of the turning head area. It is considered that such measures are minor and could be secured by a suitably worded condition. Given the width of the access road emergency services would also be able to access the site.

- 6.43 In terms of parking Policy TAP1 of the DMP states that all types of development should include car parking and cycle storage for residential and non-residential development in accordance with adopted local standards (see Annex 4) unless satisfactory evidence is provided to demonstrate that non-compliance would not result in unacceptable harm.
- 6.44 In this case a total of 70 parking spaces are proposed within the site, 56 parking spaces allocated for the proposed dwellings and 14 further visitor spaces. The total is above the minimum 62 spaces required by the DMP (55 allocated and 7 visitor spaces). As such the parking provision on this site is considered to be acceptable and would ensure that parking on the main access road would be kept to a minimum.
- 6.45 Conditions are recommended to secure the provision of the agreed car and cycle parking provision. A condition is also recommended to secure electric charging points, Travel Statement and Construction Transport Management Plan.
- 6.46 It is important to note that whilst the 2021 application was refused, it was not refused on highway grounds in terms of highway safety, capacity and parking.
- 6.47 The applicant has offered a financial contribution of £5,000 contribution to allow relevant bodies to investigate whether additional/extended parking restrictions would be appropriate on Haroldslea Drive and, if so, implement those through a Traffic Regulation Order (TRO). This would have to be administered by Surrey County Council as the County Highway Authority (CHA) and given that this has not been requested by the CHA it is considered that this contribution would not meet the requirements of the CIL regulations and that there is no justification for this contributions in planning terms. On this basis officers do not recommend that this contribution is secured by the S106. Members could take an alternative view at committee if they felt there is sufficient justification.
- 6.48 Therefore, subject to the conditions recommended by the Highway Authority and a condition to secure adequate refuse provision, the proposal is considered to be acceptable in transport, parking and highway terms and thus complies with policy DES1 and TAP1 of the DMP.

Sustainable construction

- 6.49 DMP Policy CCF1 relates to climate change mitigation and requires new development to meet the national water efficiency standard of 110litres/person/day and to achieve not less than a 19% improvement in the Dwelling Emission Rate (DER) over the Target Emission Rate (TER) as defined in Part L1A of the 2013 Building Regulations.
- The application includes a Renewable Energy Statement (by Build Energy). The report demonstrates that through the use of Air Source Heat pumps (ASHP) and Solar PV panels the scheme would achieve an average reduction of over 19% in on-site regulated emissions. The report also sets out how the water consumption would be limited to 110 l/p/d Incorporating water saving measures and equipment and designing domestic development so that mains water consumption would meet a target of 105 litres or less per head per day (excluding an allowance of 5 litres or less per head per day for external water consumption).
- 6.51 Following the recent changes to building regulations energy efficiency measures are now in excess of the 19% requirement. Therefore it is not considered reasonable or necessary to include a condition requiring the 19% improvement. The water efficiency measures are still however required. In the event that planning permission is to be granted, a condition would be imposed to secure further details of the water efficiency measures in order to comply with this element of DMP Policy CCF1.
- 6.52 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. As above a condition is also recommended to secure the implementation of electric car charging points throughout the site.

Flooding and Drainage matters

- 6.53 The majority of the site and the area of proposed housing is within Flood Zone 1 (FZ1) which is the lowest risk level for flooding. An area in the north of the site is within Flood Zone 2 (FZ2), therefore the only access and egress to and from the site is to be located firmly within FZ2. The site and surrounding area is also known to have issues in terms of surface water flooding.
- 6.54 It is noted that the representations received continue to raise concerns in relation to flooding and drainage. It is important to note at this stage that whilst the 2021 application was refused it was not refused on flooding and drainage grounds and that neither the Environment Agency or Surrey County Council as the Lead Local Flood Authority raised an objection in relation to the refused 2021 scheme. The current proposal observes the same layout and drainage principles as the refused scheme.
- 6.55 The application is accompanied by the same Sequential Test Assessment that was submitted with the previous 2021 application. The Sequential Test considered over 120 sites and was unable to identify any sequentially

preferrable sites which are reasonably available to accommodate the development proposed. As per the conclusions set out in the 2021 report the sequential test is considered to be thorough and officers are satisfied that there are no other available sites for a scheme of this size in the borough that is not at a lesser risk of flooding. The need for an Exception Test is not required in accordance with the NPPF 2021 and the Flood Risk Vulnerability Classification set out in Annex 3.

- A site specific Flood Risk Assessment and Drainage Strategy is provided in accordance with DMP Policy CCF2: 'Flood risk' and has been updated to reflect the amended proposals set out in this application (dated 25/8/2022). The assessment concludes that "A review of the Environment Agency's Flood Map for Planning reveals that the site is within Flood Zone 1 with a small area of Flood Zone 2 on the northern boundary of the site, which is understood to be associated with an historical flood event. The dwellings of the proposed development fall entirely within Flood Zone 1" and that "this drainage strategy has shown that the site can successfully attenuate the surface water generated in the 1 in 100-year + 40% rainfall event and discharge it at only marginally greater than the QBAR greenfield runoff rate. Therefore, the site does not increase flood risk on-site, locally or to neighbouring properties. Moreover, the proposed drainage strategy offers protection in rainfall events greater than the QBAR storm. Therefore, the site's drainage should not offer an impediment to the planning consent for the proposed development".
- 6.57 With regard to fluvial flooding the Environment Agency (EA) has raised no objection to the proposal advising that the proposed houses are entirely within Flood Zone 1. The proposed access route has a low risk of surface water flooding (1 in 1000) and a medium risk of fluvial flooding (Flood Zone 2). They have recommended that the implications of the scheme on surface water drainage is further considered, which is discussed further below.
- 6.58 The EA notes that the access to the site experienced flooding in 2013/14 and advise that a suitable evacuation and flood management plan should be provided due to flooding. The submitted strategy does not include details on safe access and egress because the properties will remain dry in a most serious of flood events. However there should be consideration of safe access and egress if there is an emergency and the site needs to be accessed by emergency services or in the unlikely event people need to evacuate. The applicant has provided an indicative safe access and egress plan which shows that in the event of a significant flood event where the road is flooded and not passable occupants have a dry route via public footpaths to the south and south east. These paths lead to Balcombe Rd and Peeks Brook Lane - both routes about 0.5 mile walk. Such routes could present challenges to access for emergency services and elderly or disabled residents. These are the same routes considered under the 2021 application and in that case the Council's Emergency Planning Officer did not raise an objection to the proposal but would want further details of emergency procedures for the site in the form of an evacuation and flood management plan. This can further explore the issue of dry access to the site, on site flood management procedures and other alternative means of accessing the site

during flooding events. This can be secured by condition were the application to be approved.

- 6.59 In terms of surface water flooding the Drainage Strategy for the revised scheme follows the same principles and ethos as that of the previous scheme, which was accepted by Surrey County Council as the Lead Local Flood Authority (LLFA).
- 6.60 The submitted Planning Statement advises that: "the drainage strategy proposes a combination of permeable paving and underground cellular storage with controlled discharge into the drainage ditches around the boundary of the site. The permeable paving and cellular storage will not be lined to enable infiltration into ground to continue where possible.

The drainage strategy ensures that flows from the site into the surrounding ditch network are controlled and restricted. For the northern catchment (discharging into the ditch on Haroldslea Drive), the discharge rate will be restricted back to the Qbar rate of 0.7 l/s. The southern catchment (discharging into the ditch along the south-west boundary) will be restricted to a discharge rate of 4.7 l/s which is less than half the 1 in 100-year rate and 2 l/s less than the 1 in 30-year rate.

The proposed discharge rates would provide a significant betterment to the currently uncontrolled situation. For example – in a 1 in 100-year event – the site would currently discharge 11.61 l/s of surface water into the surrounding ditch network; post development this would be reduced to 5.4 l/s in the same event, representing a 54% reduction in discharge rate.

The system is designed to take account of climate change, with a 40% allowance over and above existing rainfall, ensuring that it has sufficient capacity to cope with future increases in intensity of rainfall events in line with the latest published allowances for the Mole Management Catchment within which Horley is situated.

As the proposed system allows for continued infiltration through the permeable paving and other soft landscaped areas, the proposed drainage strategy would also support a reduction in the overall volume of water discharged from the site in a flood event. For example, in a 1 in 100-year event, the site currently discharges almost 225m3 of surface water; this would be reduced to 166m3 post development, representing a 26% reduction in runoff volume. For the northern catchment into Haroldslea Drive, the discharge volume would be reduced by 71%.

Exceedance flows are catered for in the design, with the scheme designed to ensure such flows are contained within the site wherever possible and will not cause flooding or displacement of water onto neighbouring properties.

The existing ditch network surrounding the site is relatively poorly maintained as is not uncommon with private land, with ditches overgrown and silted and some blocked piped connections. Future management and maintenance regimes for the system within the site will also include maintenance of ditches

within the site boundary, helping to ensure that these are more positively and proactively maintained in the long-term, offering a betterment over the current situation." It should also be noted that the above measures are also an improvement on the measures put forward by the applicant for the last application.

- 6.61 The submitted Flood Risk Assessment and Drainage Strategy has been considered by Surrey County Council as the Lead Local Flood Authority (LLFA) and they raise no objection subject to a condition securing finalised details of the drainage strategy and implementation.
- 6.62 The applicant has also offered to include within the Section 106 Agreement a contribution of £16,000 towards Local Surface Water Flood Risk Management. This could be used by the Lead Local Flood Authority to fund investigations and/or remedial works and actions to address the existing flooding issues for the benefit of the surrounding community. This contribution is over and above the works deemed necessary to make the development acceptable in its drainage impacts in strict planning terms.
- 6.63 The County drainage engineer has confirmed that even without these changes the proposed development would reduce existing run-off from the site and these proposed additional measures will help mitigate surface water flooding still further.
- 6.64 In terms of foul water the applicant advises that the Foul water is proposed to be discharged into the existing public foul sewer at a new manhole in Haroldslea Drive. Due to site levels, a foul pumping station is required to achieve this outfall. The calculated peak foul flow rate from the site is 1.9l/s; however, this will be dictated by the performance of any pumping station. Thames Water has raised no objection in relation foul water sewerage capacity or surface water. Although the capacity of sewerage works and potential for storm discharges into rivers is a live issue in this area, on the basis of the statutory undertaker's response, no objections could be raised in planning terms and instead the matter is considered by separate legislation.

Contamination

- 6.65 The Council's Environmental Protection Officer does not have any concerns regarding ground contamination as there is no evidence of historic uses which would cause concern. The officer has recommended a condition is included regarding asbestos due to the proposed demolition of the existing dwellings on site. The Environment Agency (EA) has also recommended a condition covering unexpected contamination.
- 6.66 Subject to these conditions the proposal would be acceptable in relation to contamination.

Ecology and Trees

- 6.67 The site and surrounding sites are not subject to any ecology designation or statutory or non-statutory protections for ecology, biodiversity or nature conservation. Nevertheless due to the nature of the proposal and its surrounds and the size of the site the application is supported by a Preliminary Ecological Appraisal and Phase 2 Survey Report in relation to bats, reptile presence/absence, Great Crested Newts and dormice presence/absence.
- 6.68 The Phase 2 surveys observed no presence of bat species roosting in any buildings but did identify low to moderate levels of commuting and foraging with the site concluded to be of local importance. The reptile refugia surveys identified a low population of grass snakes. GCN eDNA surveys indicate that GCN are likely absent from the two ponds on site. Hazel dormice surveys did not identify any presence of indications of dormice.
- 6.69 Surrey Wildlife Trust (SWT) has assessed the submitted information and advised that overall, the Ecological Impact Assessment appears to be suitable to support this planning application and it has been prepared by suitably qualified ecologists. They go on to advise that "Through these surveys Darwin Ecology has scoped out the presence of roosting bats from buildings, the likely presence of great crested newt and hazel dormouse. They have identified that a small population of grass snake is present and that bats are active across the site. No evidence of a badger sett was recorded; however, a latrine was recorded. The surveys carried out appear to have been done according to good practice guidelines, and therefore, the conclusions appear to be suitable. For species which have been scoped out as being present, we would advise a precautionary approach during the construction phase of the project.

The proposed mitigation approach for reptiles is a precautionary approach and based on the population of grass snake recorded – this appears to be suitable. We would advise that the full methodology and detail is provided within a Construction and Environmental Management Plan, and any habitat management or creation within a Landscape and Ecological Management Plan. Both documents would be secured by planning conditions."

- 6.70 Surrey Wildlife Trust has therefore raised no concerns with the application proposals and advised that were the application to be approved conditions should be included to secure a Landscape Environmental Management Plan (LEMP), a Construction Environmental Management Plan (CEMP), which includes a Reptile Mitigation Strategy and a condition to ensure sensitive external lighting to protect bats.
- 6.71 Concern has been raised within the representations regarding the age of the ecology information as it is the same as the information submitted under the 2021 application. The applicant's ecology consultant's have advised the following "Darwin Ecology Ltd. completed the initial ecological survey work at the aforementioned site in October 2020. The Preliminary Ecological Appraisal report contains details of these survey findings. Following the preliminary survey work, additional on-site follow up surveys for reptiles,

dormice and bats continued during the following ecological season, with the final visits completed in September 2021. Whilst not specifically referred to in the report, general site walkovers were conducted on a number of these visits as a matter of good practice and - more specifically - Senior Ecologist Holly Stanworth and Ecologist Joe Denny conducted an updated walkover of the habitats on site as part of a survey visit on 23 April 2021. This confirmed no material changes in the habitats or conditions on site. According to Chartered Institute of Ecology and Environmental Management (CIEEM) advice note on the lifespan of ecological reports and surveys (2019), the Darwin Ecology Ltd. site checks between April and July 2021, are still valid. It is confirmed that the data provided as part of this application is still valid." Based on the advise from their professional ecologists and the fact that Surrey Wildlife Trust has no raised this as an issue it is considered that a decision can be made based on the submitted information and that the recommended CEMP and LEMP condition would ensure that there is no unacceptable harm to protected habitat or species.

- In terms of net gain in biodiversity unlike the refused 2021 scheme due to the additional areas of soft landscape and wildlife area now proposed mean that this revised scheme can deliver a 19.6% increase in habitat units and a 11.7% increase for linear features. show that the scheme will not provide a net gain. This is a significant improvement on the refused 2021 scheme and would ensure that the scheme fully meets the requirements of the DMP. The biodiversity net gain report advises that "in order to achieve the produced target condition a 30 year Biodiversity Management Plan will be required and continued yearly monitoring of these habitats to ensure they achieve the target scores outlined in this report." The LEMP condition recommended by SWT would ensure that the net gain measures are implemented.
- 6.73 Therefore, subject to the conditions discussed it is considered that the scheme would comply with policy NHE2 of the DMP.
- 6.74 In terms of the impact on trees the submitted information shows that only 6 trees will be impacted by the proposed works. 5 are to be removed and 1 partially removed. All those to be removed are category U or C trees. the Council's Tree Officer has assessed the submitted arboricultural information and has provided the following comments:

"The tree submission details are well presented and justified according to the site circumstances. No further detail is required on this, and the Arboricultural Method Statement and Tree Protection Plan can be conditioned to be implemented as is should planning permission be granted.

Notwithstanding any comment on the location and context, the proposed layout appears sympathetic to the existing landscape and the retention of the majority of boundary trees. These trees appear largely off-site and at a proximity to the built environment that is commonly found. It would be useful to confirm ownership of the boundary trees – are they within the site or part of the adjacent land? Most likely they are within the old boundary hedgerow – where will the duty of care for these trees be held – the owners of adjacent land or within the site – will the boundary trees be part of the management of

the non-private amenity areas on the site? It would be useful to have this confirmed.

The Arboricultural Method Statement (AMS) from David Archer Associates is straightforward but includes some areas of complexity where there is encroachment into the Root Protection Areas (RPAs) of retained trees. This is suitably dealt with in the AMS but there is only value in the technical solutions provided in these areas if the steps in the AMS are followed correctly. The supervision and monitoring detail by the retained Arboricultural Consultant (AC) as explained in the AMS must be followed to ensure correct implementation of the instructions in the AMS.

The submitted Illustrative Landscape Masterplan sets the right tone for the landscaping at the site, the further specific detail of which must be required by condition as necessary."

6.75 Under the 2021 application and the currently application concerns have been raised regarding the loss of the tree at the site access by third parties. As a result the Tree Officer carried out a site visit prior to the determination of the 2021 application and provided the following further comments:

"I had a look at the protected oak tree at the front of 50, Haroldslea Drive last week (17/12). This tree is scheduled for removal should planning permission be granted for 21/02724/F. This tree is T4 on the DAA Arb Survey, T48 on the site TPO and, I believe, mis-identified as Oak 50 in the Surrey Wildlife Trust consultation response.

I agree with the Arb [Arboricultural] report comments about this tree and it is in a poor condition. The old main crown of the tree has almost completely died back and there are pockets of decay at the stem base on the south, north and east aspects. In a few contexts this tree could be retained – it's a great feature – but it would not be safe practice to retain the tree should the new access be permitted nor, in the long term, at the side of the existing highway. If the current owner made an application to remove the tree it would be given consent. It would not be suitable for the retention of this tree to be an impediment to the grant of planning permission and it fits the category 'U' from BS: 5837 given to it in the Arb Survey – 'Trees in such a condition that any existing value would be lost within 10 years and which should, in the current context, be removed for reasons of sound arboricultural management'."

- 6.76 Therefore, whilst there would be some tree losses, subject to conditions to secure tree protection and soft landscaping details to replace removed trees, the arboricultural impacts of the development are not considered to warrant refusal. It again should be noted that the impact on trees was not a reason for refusal under the previous 2021 application and this scheme includes more space for additional tree planting and soft landscaping given the reduction in the number of proposed dwellings.
- 6.77 Reports of pre-emptive tree felling prior to the making of the 2021 application are reported in representations. Whilst any such felling is regrettable, none of

the trees were protected and it appears related mostly to moderate value specimens with no significant amenity or ecological value which can be more than mitigated for in the replacement landscaping strategy.

Impact on Archaeology

- 6.78 The site is over the 0.4 hectares threshold set out in policy NHE9 of the Development Management Plan which requires an archaeological assessment to be submitted. In accordance with the policy the application is accompanied by a desk based archaeological assessment produced by Pre Construct Archaeology.
- 6.79 The County Archaeological Officer (AO) has assessed the submitted information and can confirm that the report has consulted all available sources. The report concludes that the site generally has low potential for archaeological remains but that there is a possibility of some archaeological remains. Further archaeological investigations may therefore be required. The County AO agrees with this conclusion and advises that the further investigation should be in the form of a trial trench.
- 6.80 On the basis that any remains are unlikely to be on national significance the County AO advises that the programme of archaeological investigation and recording can be secured by a pre-commencement condition rather than being provided at this stage. A pre-commencement condition is therefore recommended to secure the agreement of an appropriate Written Scheme of Investigation and its implementation.

Crime

- 6.81 Policy DES1 requires that development: "Creates a safe environment, incorporating measures to reduce opportunities for crime and maximising opportunities for natural surveillance of public places. Developments should incorporate measures and principles recommended by Secured by Design."
- 6.82 Surrey Police has considered the submitted plans and have noted areas which could be improved from a security perspective including natural surveillance for the parking courts. As well as access between some of the plots. They recommend a condition in relation to Secure by Design to secure further details to help reduce the opportunity for crime and fear of crime.
- 6.83 The comments from the Surrey Police are noted. The layout of the scheme has been amended since their comments which were submitted in relation to the original plans for the 2021 scheme. It is considered that there is a now adequate natural surveillance for all of the parking courts. The access between some of the plots is now better with the only path between plots for their full length being between plots 9 and 10. This situation could be better restricted with additional boundary fencing and other security measures along these plots. Therefore overall the scheme is considered to be adequately designed so as to avoid undue risk or fear of crime. No issues have been identified which would set this aside from any other residential

redevelopment. A condition as recommended by Surrey Police would ensure further details of security measures across the site can be secured.

Community Infrastructure Levy (CIL)

6.84 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 it is estimated that the scheme would contribute approximately £600,000.00 towards local infrastructure through CIL.

Infrastructure Contributions

- 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, affordable housing provision is required in line with the details set out in the report. No other contributions or requirements have been requested or identified. Accordingly, any request for an infrastructure contribution would be contrary to CIL Regulation 122.
- 6.86 The applicant has also offered to include within the Section 106 Agreement a contribution of £16,000 towards Local Surface Water Flood Risk Management. This would be used to fund investigations and surveys of the surface water drainage network on Haroldslea Drive (and the associated catchment in the vicinity of the Application Site) and the carrying out of any maintenance or remedial works identified as a result thereof to help alleviate flooding issues for the benefit of the surrounding community.
- 6.87 Whilst this contribution is not strictly in line with the CIL regulation because as set out in the above report the drainage measures proposed would ensure that the scheme is acceptable in planning terms given the known issues in the area the contribution is welcomed and is recommended to be secured by the S106 agreement. Members are however advised that the contribution cannot be considered as a reason to grant permission given its non-compliance with the CIL regulations. Were this application to be refused the Council would be unable to require this contribution at the appeal stage (as was the case for the 2021 application).

CONDITIONS

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

Plan Type	Reference	Version	Date Received
Location Plan	1000	A	06.09.2022
Block Plan	1000.1	Α	06.09.2022
Existing Plans	47625		06.09.2022
Existing Plans	47626		06.09.2022
Proposed Plans	3050	С	29.11.2022
Site Layout Plan	1005	E	29.11.2022
Street Scene	1010	С	29.11.2022
Proposed Plans	3000	В	29.11.2022
Proposed Plans	3001	В	29.11.2022
Proposed Plans	3010	В	29.11.2022
Proposed Plans	3011	В	29.11.2022
Proposed Plans	3015	В	29.11.2022
Proposed Plans	3016	В	29.11.2022
Proposed Plans	3020	В	29.11.2022
Proposed Plans	3025	С	29.11.2022
Proposed Plans	3030	В	29.11.2022
Proposed Plans	3035	С	29.11.2022
Proposed Plans	3040	С	29.11.2022
Proposed Plans	3045	В	29.11.2022
Proposed Plans	3055	Α	29.11.2022
Proposed Plans	3060	Α	29.11.2022

<u>Reason:</u> To define the permission and ensure the development is carried out in accord with the approved plans and in accordance with National Planning Practice Guidance.

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

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

3. No development 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.

<u>Reason</u>: To ensure the Local Planning Authority are satisfied with the details of the proposal and its relationship with adjoining development and to safeguard the visual amenities of the locality with regard to Reigate and Banstead Development Management Plan DES1.

4. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted to and approved by the Local Planning Authority.

<u>Reason</u>: The site covers an area in which it is considered necessary to preserve for future reference any archaeological information before it is destroyed by the development with regard to policy NHE9 of the Reigate and Banstead Borough Development Management Plan 2019. This is necessary to be a pre-commencement condition because the suitable recording of archaeology goes to the heart of the planning permission.

- 5. No development shall commence until a Construction Transport Management Plan, to include details of:
 - (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding behind any visibility zones
 - (f) 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) 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 accord with the National Planning Policy Framework 2019, Reigate and Banstead Core Strategy 2014 Policy CS17 and Reigate and Banstead Development Management Plan September 2019 policies TAP1 and DES8.

6. Notwithstanding the submitted drawings no part of the development shall be commenced unless and until the proposed vehicular access to Haroldslea Drive and the first 10 metres of the access road have been constructed and provided with a means within the private land of preventing private water from entering Bridleway 372 in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6 metres high above the ground.

<u>Reason</u>: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework and Reigate and Banstead Development Management Plan policy TAP1.

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

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

Reason: The condition above is required in order that the development is managed in a safe and considerate manner to help mitigate potential impact on the amenity and safety of neighbours and to accord with Reigate and Banstead Development Management Plan 2019 policy DES8.

8. Prior to the commencement of any development works, including demolition and all construction activities, all tree protection measures shall be undertaken in strict accordance with the approved details contained in the Arboricultural Method Statement (July 2022) and the Tree Protection Plan ref. TPP 02 from David Archer Associates. All arboricultural matters will then follow that described in these approved details.

Reason: To ensure good arboricultural practice in the interests of the maintenance of the character and appearance of the area and to comply with policies NHE3 and DES1 of the Reigate and Banstead Development Management Plan 2019 and the recommendations within British Standard BS 5837:2012 'Trees in relation to design, demolition and construction – Recommendations'

No development shall commence on site until a scheme for the landscaping 9. of the site, including the retention of existing landscape features, has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall be in accordance with the principles in the LMS Masterplan bv (dwg. Illustrative Landscape LMSL/25/EH HD 001/AH RevA) and include details of hard and soft landscaping, including any tree removal/retention, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants - noting species, plant sizes and proposed numbers/densities and an implementation and management programme.

All hard and soft landscaping work shall be completed in full accordance with the approved scheme either prior to occupation or within the first planting season following completion of the development hereby approved. Any trees shrubs or plants planted or 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 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

- 10. No development shall commence until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority (LPA). The CEMP shall include, but not be limited to:
 - a) Map showing the location of all of the ecological features
 - b) Risk assessment of the potentially damaging construction activities
 - c) Practical measures to avoid and reduce impacts during construction
 - d) Location and timing of works to avoid harm to biodiversity features
 - e) Responsible persons and lines of communication
 - f) Use of protected fences, exclusion barriers and warning signs.

The development shall only be carried out in accordance with the agreed mitigation measures.

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

- 11. No development shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority (LPA). The LEMP should be based on the proposed impact avoidance, mitigation and enhancement measures specified in the Darwin Ecology Reports and shall include, but not be limited to following:
 - a) Description and evaluation of features to be managed
 - b) Ecological trends and constraints on site that might influence management
 - c) Aims and objectives of management
 - d) Appropriate management options for achieving aims and objectives
 - e) Prescriptions for management actions, together with a plan of management compartments
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period
 - g) Details of the body or organisation responsible for implementation of the plan
 - h) Ongoing monitoring and remedial measures
 - i) Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery.

- j) Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme
- k) Ecological Enhancement Plan

The agreed details shall be implemented before occupation of this development, unless otherwise agreed in writing by the LPA, and maintained/monitored in accordance with the agreed details.

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

- 12. No external lighting shall be installed on the buildings hereby approved or within the site until:
 - an external lighting scheme, which shall include indication of the location, height, direction, angle and cowling of lights, and the strength of illumination, accompanied by a light coverage diagram; and
 - a senstive lighting management plan to demonstrate that the lighting meets the recommendations in BCT & ILP (2018) Guidance Note 08/18. Bats and artificial lighting in the UK. Bats and the Built Environment. Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby" has been submitted to and agreed in writing by the local planning authority.

The external lighting shall be implemented in accordance with the approved scheme and be retained thereafter and maintained in accordance with the manufacturer's instructions.

Reason: To protect the visual amenity of the area and neighbouring residential amenities with regard to Reigate and Banstead Core Strategy 2014 Policy CS10 and policy DES1, DES5 and DES9 of the Reigate and Banstead Development Management Plan 2019 and to protect protected bats in accordance with the provisions of the National Planning Policy Framework and Reigate and Banstead Development Management Plan 2019 policy NHE2.

13. Prior to the commencement of the development 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 mitigation scheme to control risks to future occupiers.

The scheme must be written by a suitably qualified person and shall be submitted to the LPA and must be approved in writing 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. Detailed working methods are not required but the scheme of mitigation shall be independently verified to the

satisfaction of the LPA prior to occupation. 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. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 174 of the National Planning Policy Framework and with regard to the Reigate and Banstead Local Plan Development Management Plan 2019.

- 15. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme has been submitted to and approved in writing by the local planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDs, NPPF and Ministerial Statement on SuDs. The required drainage details shall include:
 - a) Evidence that the proposed final 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. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 0.7 l/s for the northern catchment and 4.7 l/s for the southern catchment.
 - b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.
 - c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.

- d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

The development shall be completed in accordance with the approved details and thereafter maintained in accordance with the agreed details.

Reason: To ensure the design meets the technical standards for SuDs and the final drainage design does not increase flood risk on or off site in accordance with, Policy CS10 of the Core Strategy 2014, Policies DES9 and CCF2 of the Development Management Plan 2019 and the 2019 NPPF.

15. 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.

16. Notwithstanding the drawings, 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. Such details shall include any additional acoustic boundary treatment along the access road where it adjoins neighbouring residential properties. 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. The development shall be implemented in accordance with the submitted drawings so that 10 units meet Part M4(2) "accessible and adaptable" accessibility standards (Plots 3-6, Plots 24-25 and Plots 30-33) and 1 unit meets the higher M4(3) "wheelchair adaptable" standard (Plots 1). Any variation must be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of the development.

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

18. No part of the development shall be occupied unless and until the proposed bridleway and footpath improvements as shown on the submitted Motion

Proposed Highway/Public Rights of Way Package in Appendix G of the Transport Assessment have been provided in accordance with a scheme to be submitted to and approved in writing with the Local Planning Authority.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the National Planning Policy Framework and Reigate and Banstead Development Management Plan policy TAP1.

19. No part of the development shall be occupied unless and until the proposed pedestrian accesses to Footpath 381 have been provided in accordance with the approved plans.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the National Planning Policy Framework and Reigate and Banstead Development Management Plan policy TAP1.

20. No part of the development shall be occupied unless and until the proposed footways within the development have been provided in accordance with the approved plans.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the National Planning Policy Framework and Reigate and Banstead Development Management Plan policy TAP1.

21. The development hereby approved shall not be first occupied unless and until space has been laid out within the site and garages/carports erected and made ready for use in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking /turning areas, garages and car ports shall be retained and maintained for the purposes of parking and garaging and for no other purpose.

Reason: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the National Planning Policy Framework and Reigate and Banstead Development Management Plan policy TAP1.

22. 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 bicycles to be stored. Thereafter the bicycle storage areas shall be retained and maintained for its designated purpose.

Reason: In order that the development promotes more sustainable forms of transport, and to accord with the National Planning Policy Framework 2019 and Reigate and Banstead Core Strategy 2014 Policy CS17.

23. Notwithstanding the submitted Travel Plan Statement dated 16 08 22 prior to the occupation of the development a revised travel Plan Statement shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework 2021, and Surrey County Council's "Travel Plans Good Practice Guide". And then the approved Travel Plan Statement shall be implemented upon first occupation and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

Reason: In order that the development should not prejudice highway safety and to ensure that the development promotes more sustainable forms of transport, and to accord with the National Planning Policy Framework 2019 and Reigate and Banstead Core Strategy 2014 Policy CS17.

Prior to the first occupation of the development full details (and plans where appropriate) of the waste management scheme, including storage, collection points (and pulling distances where applicable), and any works to the access road throughout the development and entrance 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 and thereafter retained in accordance with the approved details.

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.

25. The development hereby approved shall not be occupied unless and until each of the proposed 8 flats and each of the proposed 25 houses are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In order that the development promotes more sustainable forms of transport, and to preserve the character of the Conservation Area, and to accord with the National Planning Policy Framework 2019 and Reigate and Banstead Core Strategy 2014 Policy CS17 and policy TAP1 and NHE9 of the Development Management Plan.

26. No development shall take place above ground level until an Acoustic Design Statement has been submitted to and approved by the Local Planning Authority.

The Assessment shall include details of any necessary mitigation, which may include mechanical ventilation, to be implemented on the site to ensure thermal comfort and a satisfactory noise environment.

Any measures within the Acoustic Design Statement shall be implemented in accordance with the agreed details prior to the occupation of each dwelling and shall be retained and maintained thereafter.

Reason: To minimise the impact of aircraft noise on future residents sleep in accordance with WHO community noise guidelines and The Professional Practice Guidance on Planning & Noise (ProPG) regards mitigation of night time LAmax noise events with regard to Policy DES1 and DES5 of the Reigate and Banstead Development Management Plan 2019 and policy CS10 of the Reigate and Banstead Core Strategy.

The development hereby approved shall be carried out in accordance with the Renewable Energy Reporting document by Build Energy (dated 24/08/2022 Issue V2) to ensure that the development restricts potential water consumption by occupants to maximum of 110 litres per person per day. All measures for each dwelling shall be implemented, installed and operational prior to first occupation of that block.

Reason: To ensure that the development supports the efficient use of resources and minimises carbon emissions and has an acceptable final appearance with regard to Policy CS10 of the Reigate & Banstead Core Strategy 2014 and Policy CCF1, DES1 of the Reigate & Banstead Development Management Plan 2019.

28. The development shall not be first occupied until details of the Local Area for Plan (LAP) within the 'village green' space has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the equipment, boundary treatments to be installed and details of future maintenance of the LAP. Thereafter the LAP shall be constructed in full accordance with the agreed details prior to the first occupation of the development and shall be retained and maintained thereafter.

Reason: To provide adequate open space in accordance with policy OSR2 of the Reigate & Banstead Development Management Plan 2019.

29. The development shall not be occupied until a scheme, demonstrating compliance with Sections 2 & 3 of the Secured by Design Homes 2019 (Version 2) Design Guide, has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed before the occupation of the development hereby permitted and shall be permanently maintained as such thereafter.

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

- 30. 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.

Prior to the first occupation of the development an evacuation and flood management plan shall be submitted to and agreed in writing by the Local Planning Authority. The agreed management plan shall be implemented in accordance with the agreed details and retained in operation thereafter.

Reason: to ensure that the site will be safe for its lifetime and can provide safe access and egress to the site in a flood event in accordance with policy CCF2 of the Reigate & Banstead Development Management Plan 2019 and the NPPF.

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

The drainage system shall therefore be retained and maintained in accordance with the agreed details.

Reason: To ensure the drainage system is constructed to the national Non-Statutory Technical Standards for SuDs in order to mitigate against the risk of surface water flooding with regard to policy INF1 and CCF2 of the Reigate and Banstead Development Management Plan 2019.

33. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no biomass burning/wood burning stoves shall be installed or operated at any of the properties hereby approved.

Reason: To restrict additional air pollution sources in an AQMA so as to safeguard the amenities of neighbouring occupiers with regard to Policy DES1 and DES9 of the Reigate and Banstead Development Management Plan 2019.

INFORMATIVES

- 1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at www.firesprinklers.info.
- 2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions. Further information can be found on the Council website at: Climate Change Information.
- 3. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, to contact the Council's Neighbourhood Services team to confirm the number and specification of recycling and refuse bins that are required to be supplied by the developer. The Council's Neighbourhood Services team can be contacted on 01737 276292 or via the Council's website

 at

 http://www.reigate-banstead.gov.uk/info/20085/planning applications/147/recycling and waste developers guidance
- 4. You are advised that the Council will expect the following measures to be included as part of the Construction Management Statement required by condition:
 - (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.
- The applicant is advised that the Borough Council is the street naming and 6: 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 http://www.reigatebanstead.gov.uk/info/20277/street naming and numberin g
- 7. The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.
- 8. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.

- 9. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway 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 (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see: http://www.surreycc.gov.uk/roads-and-transport/roadpermits-and-licences/the-traffic-management-permit-scheme. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see: www.surreycc.gov.uk/people-andcommunity/emergency-planning-and-community-safety/floodingadvice.
- 10. The developer is reminded that in order to discharge the travel plan condition confirmation is required in paragraph 2.13 that the bus stops have shelter and time table information. Confirmation is also required in Paragraph 2.14 that Horley station has 76 covered bike parking spaces. This rail station bike parking information needs to be included in paragraph 2.14 and the travel information pack section at paragraph 3.5. The developer should also note the travel information pack needs to include employment as well as health, education, retail and leisure amenities within 2km walking distance and 5 km cycle distance of the site.
- The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
- 12. 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.
- 13. 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.

- 14. Applicants are reminded that the granting of planning permission does not authorise obstructing or interfering in any way with a public right of way. This can only be done with prior permission of the Highway Authority.
- 15. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written consent. More details are available on their website. If the proposed works result in infiltration of surface water to ground within a source protection zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.
- The CLAIRE Definition of waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste Under the Code of Practice:

Excavated materials that are recovered

- 17. The use of a suitably qualified arboricultural consultant is essential to provide acceptable submissions in respect of the arboricultural tree condition above. All works shall comply with the recommendations and guidelines contained within British Standard 5837.
- 18. The use of landscape/arboricultural consultant is considered essential to provide acceptable submissions in respect of the above relevant conditions. The planting of trees and shrubs shall be in keeping with the character and appearance of the locality. There is an opportunity to incorporate substantial sized 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 Extra Heavy Standard size with initial planting heights of not less than 4m, with girth measurements at 1m above ground level in excess of 14/16cm.

REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies CS1, CS4, CS5, CS8, CS10, CS11, CS12, CS14, CS17 and EMP4, DES1, DES4, DES5, DES6, DES8, DES9, TAP1, CCF1, CCF2, INF3, NHE2, NHE3, NHE9, OSR2 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

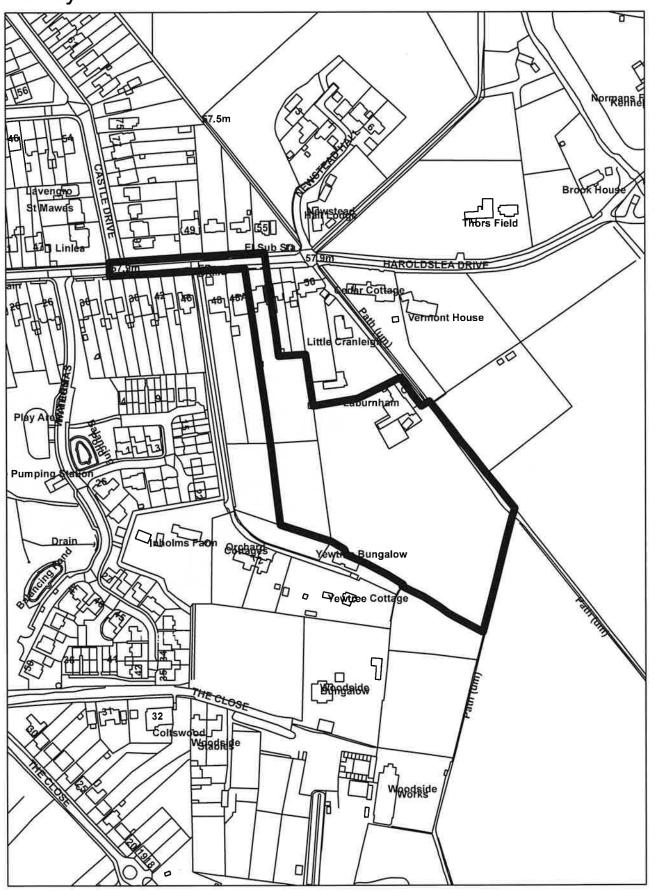
The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the

Planning Committee 14th December 2022

Agenda Item: 5 22/01989/F

presumption in favour of sustainable development where possible, as set out within the National Planning Policy Framework.

22/01989/F - Land At Laburnum And No 50 Haroldslea Drive Horley



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Scale 1:2,500







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Haroldslea [Drive, I	Horley		
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2992.1	С	1005	PL	Е

STREET ELEVATION A - A



STREET ELEVATION B - B



STREET ELEVATION C - C



Haroldsea Drive, Horley

2992.1 C 1010 PL C

Omega Architects

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1:200 @ A1

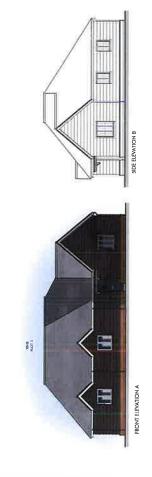
Street Elevations

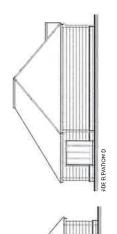
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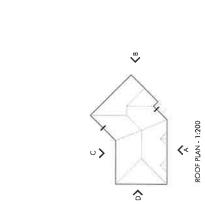








REAR ELEVATION C



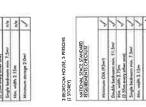


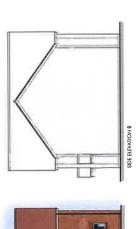
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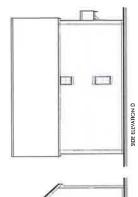
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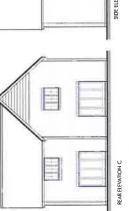
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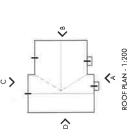












28H-AFF & 38H-AFF - Plais 3-4
Floor Plans and Elevations
1:100 @ A1

Earlswood

2992.1 C 3010 PL B



FIRST FLOOR PLAN

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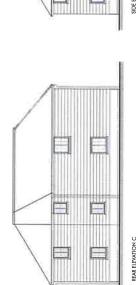
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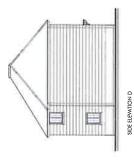


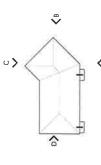
2 BEDROOM FLAT, 4 PERSONS

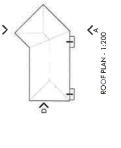


FRONT ELEVATION A





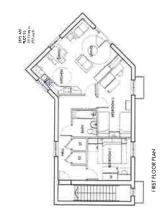




2992.1 C 3040 PL C

BLOCK A-AFF - Plots 24-25 Floor Plans & Elevations Haroldsag Drive, Horley Earlswood Homes

1:100 @ A1





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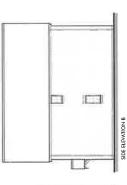
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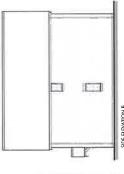
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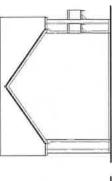
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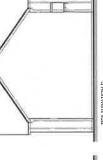




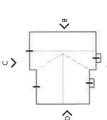


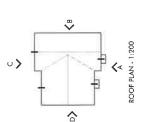












2BH-AFF & 3BH-AFF - Plots 5-6 Floor Plans and Elevations 1:100 @ A1

Haroldsea Drive, Horley

Earlswood

2992.1 C 3011 PL B





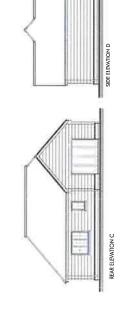


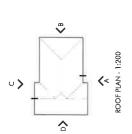
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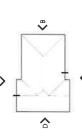


Omega Architects

roldsea Drive, Horley

28HB - Plot 1 Flora & Elevations 1:100 @ A1

Earlswood

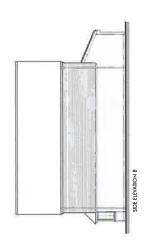


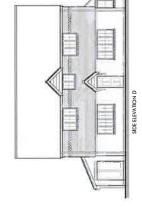
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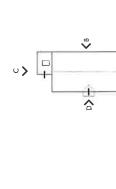


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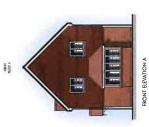


Omega Architects

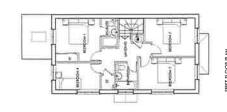
Earlswood

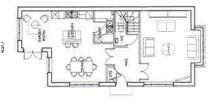
2992.1 C 3015 PL B

A ROOF PLAN - 1:200









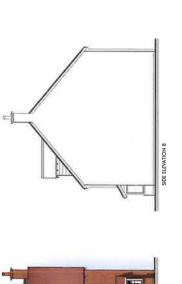
GROUND FLOOR PLAN

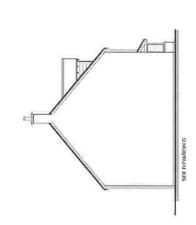
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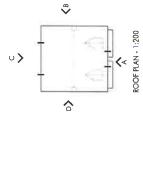




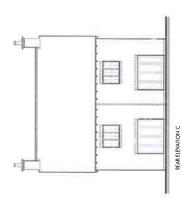








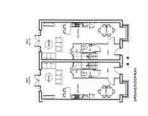






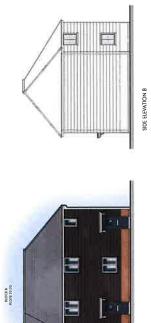


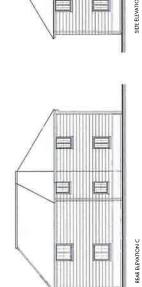


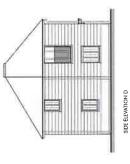


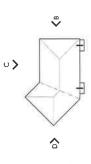












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1:100 @ A1

A ROOF PLAN - 1:200

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riswood Homes

2992.1 C 3035 PL C

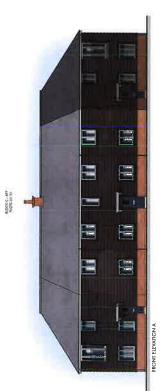




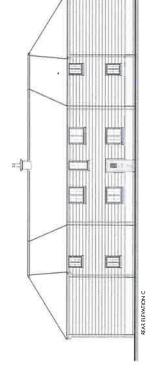




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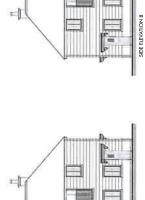
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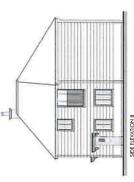


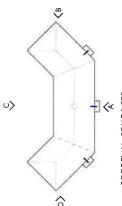
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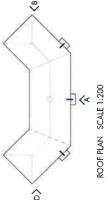
FIRST FLOOR PLAN

GROUND FLOOR PLAN









2992.1 C 3045 PL B

Block C-AFF - Plots 30-33 Floor Plans & Elevations aroldsea Drive, Horley

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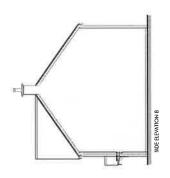


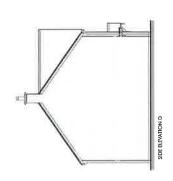
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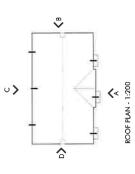
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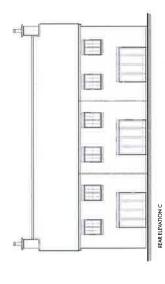
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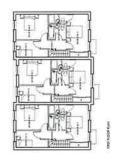
38H3 x3 - Flots 10-12 Floor Plans & Elevations taroldsea Drive, Horley

Omega Architects

Earlswood





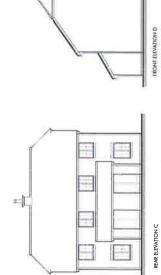


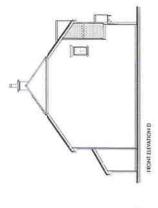


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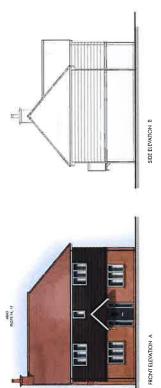


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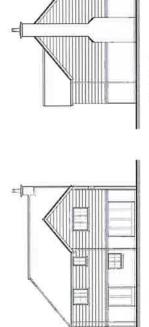
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GROUND FLOOR PLAN

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GROUND FLOOR PLAN



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4BH2 Flots 14, 17 Floor Plens and Elevation 1 100 @ A1

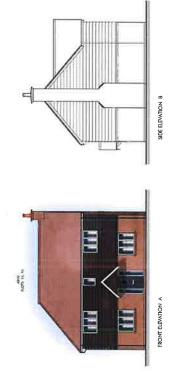
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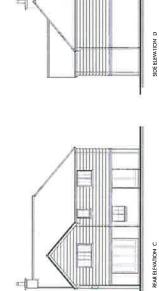
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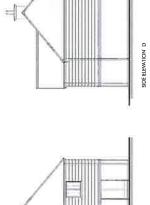
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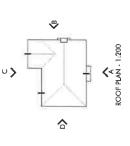
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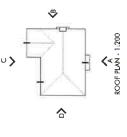




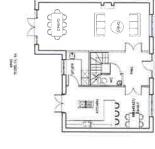












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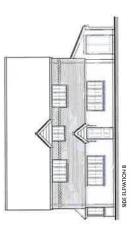
GROUND FLOOR PLAN

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Earlswood

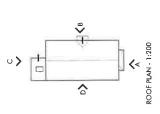
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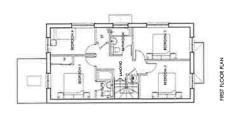




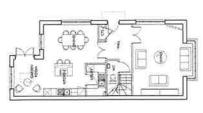
Omega Architects

Earlswood

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GROUND FLOOR PLAN