 <p>Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate</p>	TO:	PLANNING COMMITTEE
	DATE:	8 th March 2023
	REPORT OF:	HEAD OF PLACES & PLANNING
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AGENDA ITEM:	5	WARD: Horley East and Salfords

APPLICATION NUMBER:	21/00720/F	VALID:	14.04.21
APPLICANT:	Aldi Stores Ltd	AGENT:	Planning Potential Ltd
LOCATION:	HORLEY PLACE, 17 BONEHURST ROAD, HORLEY SURREY RH6 8PP		
DESCRIPTION:	Demolition of existing buildings and rection of a Class E retail unit with access, car parking and associated works as amended 14/10/21, and 19/10/21.		
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.			

This application is referred to planning committee due to the level of public interest expressed in the application.

SUMMARY

This is a full application for the demolition of existing buildings on site and the construction of a new Class E convenience retail store with associated access, parking, landscaping and other associated works. The site is located to the west side of Bonehurst Road in Salfords, facing the A23 between the main centres of Redhill and Horley, and is currently occupied by a former guest house building and residential dwelling to the rear. The area is comprised of mixed land uses, including commercial/ industrial, storage and distribution and lesser amount of residential to the north.

The site is located entirely within the Metropolitan Green Belt. The proposed development would constitute the development of previously developed land within the Green Belt. Such development is not considered inappropriate provided that the use would not result in a greater impact on openness than the existing use. In this case it is considered that the scheme would constitute a significant overdevelopment, by virtue of the footprint and scale of the proposed building and hardstanding along with the increased intensity of the proposed store, with associated vehicular movements, traffic generation and increased external lighting. The development would have a significant impact on the openness of the Green

Belt. The proposed development could only be justified therefore by very special circumstances.

There are considered to be no very special circumstances that would outweigh the harm to the openness of the Green Belt.

The proposed store would be a large, rectangular building with a flat roof that is functional in design and typical of retail stores of this kind. It would feature a green roof and brown colour palette attempting to reflect the rural character of the area beyond the site. The design and form of the building would not be significantly harmful within the context of the overall character of the area. The locality is typified to a degree by large industrial units and commercial land uses against which the proposed store, would not appear odds. The building would be sited well away from any residential properties, and the amenities of the neighbouring properties would not be substantially harmed. Conditions requiring the submission of noise and light assessments, as well as serving and management plans for deliveries to and from the site could be required to be approved in the event of planning permission being granted, in order to manage any undue noise and disturbance that may arise.

The scheme proposes the removal of vegetation across the site, which would be replaced as part of a proposed landscaping scheme. However the development would result in the loss of a number of trees on site, including veteran trees. Veteran trees are considered to be irreplaceable within the National Planning Policy Framework (NPPF) 2021. Their removal has not been justified within the submission. Whilst it is intended to incorporate new planting within the site as part of the future landscaping, veteran trees cannot be replaced by new planting, therefore the proposed removal of these trees would be unacceptable.

The existing site has good ecological potential due to its current overgrown nature and the dilapidated state of the existing building. The site and existing buildings have been surveyed at numerous stages and found that there would be acceptable impacts on bat populations. Biodiversity enhancements could be secured by condition, including the placement of bird and bat boxes. A bat hotel is to be located to the south of the site. Impacts from lighting could be secured by condition in the form of a lighting scheme.

The frontage of the site along Bonehurst Road falls partly within flood zones 2 and 3, however much of the site is within flood zone 1. The submitted flood risk assessments and drainage strategy have been reviewed by Surrey County Council as the lead local flood authority, who have raised no objection subject to the submission of a finalised surface water drainage scheme, to be secured by condition.

Very special circumstances' will not exist unless the potential harm to the green belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. In this case it is the Councils' view that, whilst taking into account the above aspects of the proposal, including some benefit relating employment, meeting retail needs and consumer choice, such considerations do not amount to very special circumstances to justify the proposal. Whilst it is accepted that there are not other sequentially preferable sites within the

borough that could realistically house the proposed development, it is the view that there is at present no substantial need for such retail provision at this time, as demonstrated within the Councils' Retail Needs Assessment 2016. Whilst there is a small amount of need on a centre by centre basis this need could be met by the improvement and/or extension of existing retail units or the occupation of vacant units. Whilst it is acknowledged that the scheme would create additional jobs within the borough and is supported by a large number of residents within the borough, this would be a fairly small number of jobs and would not be sufficient to justify the harm to the openness of the green belt. It is not considered that reduction in traffic movements would justify the development within the green belt, as at present the site is for the most part unused, therefore the substantial increase in volume of traffic would be noticeable and harmful to the green belt. The design of the building in and of itself would not be objectionable however this would not be sufficient enough reason to justify the harm to the openness of the green belt.

In conclusion the proposed development would be an inappropriate form of development for which it is not considered that there would be very special circumstances. On this basis the application is recommended for refusal.

RECOMMENDATION(S)

Planning permission is **REFUSED** for the following reasons:

1. The proposed development of the proposed retail store, by virtue of its height, scale mass, and associated hardstanding and increased intensification of use in the form vehicle movements, would result in significant harm to the openness of the Metropolitan Green Belt and would therefore, in the absence of very special circumstances, be an unacceptable form of development within the Metropolitan Green Belt. The development would therefore be contrary to Part 13 of the National Planning Policy Framework 2021, Policies CS1 and CS3 of the Reigate and Banstead Core Strategy 2014, and Policies DES1 and NHE5 of the Reigate and Banstead Development Management Plan 2019.
2. It has not been satisfactorily demonstrated that the loss of veteran trees within the site as a result of the proposed development has been fully justified. The proposal would therefore be contrary to planning practice guidance and paragraph 175 (c) of the National Planning Policy Framework with regard to Veteran tree and Policies NHE2 and NHE3 of the Reigate and Banstead Development Management Plan 2019.

Consultations:

Highway Authority: The County Highway Authority has assessed the application on safety, capacity and policy grounds and has, on balance, concluded that the development is unlikely to have significant impact on the free flow of traffic or the safety of the local highway network. As such the view of the highway authority is that the scheme should not be refused on the grounds of transport impact as set out within the National Planning Policy Framework 2021 (NPPF). The scheme has been comprehensively assessed with regard to the impact of the development on the junction of Bonehurst Road, Cross Oak Lane and Hoadley Road, as well as the safety of the site access and opportunities for sustainable travel.

This is discussed in greater detail in section 6.26-6.42 of this report.

Contaminated Land Officer: No objection subject to conditions and informatives related to land contamination and mitigation.

Reigate & Banstead Planning Policy Team: Objection raised on the grounds that the development would represent overdevelopment within the Green Belt for which it is not considered there would be very special circumstances with regard to their being substantial need for additional retail provision to justify the development.

Surrey Wildlife Trust: Objection raised on the grounds of lack of justification for the loss of veteran trees contrary to the National Planning Policy Framework 2021.

Salfords & Sidlow Parish Council: Objection is raised on the following grounds:

- The site is in the Green Belt and there are insufficient grounds to outweigh the identified harms to the Green Belt: the scheme being larger and more intrusive than the existing building
- Loss of natural habitat and openness and bio diversity
- Loss of mature trees
- The site is not designated employment land
- Loss of potential housing on this site
- Concern about the level of traffic that this scheme would create and the impacts upon an already heavily congested highways network
- Concern about additional congestion caused by the proposed new bus stops
- Concern about the safety of pedestrians when crossing the A23 to reach the store with the nearest traffic light junction some 250 m's to the north of the site
- Not a strong need for this store in this area
- Potential restrictions to the free movement of emergency services vehicles
- Concern about the additional traffic and the impact upon the free flow of traffic in this area which already experiences near capacity levels of traffic at times
- The levels of traffic encourage rat running in the nearby rural lanes which we fear would be made worse by this scheme

Horley Town Council (HTC): No objections in principle to the proposed development however do have considerable concerns about traffic in the area and the impact that any new development would have in this already congested area. HTC have written jointly with Salfords and Sidlow PC to request a full Highways Area Traffic Survey. HTC would like to propose that any decision on the application be deferred pending

the outcome of the Highways Area Traffic Survey and for the full impact of the development of the Gatwick Gateway on traffic in the area to become known.

Lead Local Flood Authority: Are satisfied that the proposed drainage scheme meets the relevant requirements and are content with the development subject to the need for further information that could be secured by condition relating to:

- Details of the design of a surface water drainage scheme.
- Prior to first occupation a verification report to demonstrate that the surface water drainage scheme has been carried out in accordance with the agreed details.

Representations:

Letters were sent to neighbouring properties on the 21st April 2021, site notice was posted 28 April 2021, and an advertisement placed in the local press on 6 May 2021. Further consultation took place on 19th October 2021 following the submission of additional and amended information. Over 250 responses have been received, including from the East Surrey disability Empowerment Network, Lidl Supermarket, Tesco Stores and Waitrose. A significant number of letters have been received in support of the application citing benefits to retail provision, employment and consumer choice.

The following issues were raised in objection:

Issue	Response
Inadequate parking	See paragraph 6.41-6.57
Increase in traffic and congestion	See paragraph 6.41-6.57
Hazard to highway safety	See paragraph 6.41-6.57
Inconvenience during construction	See paragraph 6.78
Out of character with surrounding area	See paragraph 6.17-6.77
Overdevelopment	See paragraph 6.17-6.77
Overbearing relationship and loss of outlook	See paragraph 6.22-6.29
Overshadowing	See paragraph 6.22-6.29
Overlooking and loss of privacy	See paragraph 6.22-6.29
Loss of / harm to trees	See paragraph 6.30-6.40
Flooding	See paragraph 6.71-6.77
Harm to wildlife habitat	See paragraph 6.58-6.70
Harm to green belt / countryside	See paragraph 6.12-6.16 & 6.80-6.85
Harm to Conservation Area	See paragraph 6.78

Noise & disturbance	See paragraph 6.22-6.29 & 6.78
No need for the development	Each scheme must be assessed on its own planning merits
Alternative scheme preferred	Submitted scheme must be assessed on its own planning merits
Loss of private view	Not a material planning consideration

1.0 Site and Character Appraisal

- 1.1 The site is approximately 0.9 hectares and lies to the north of Horley and on the boundary of Salfords. At present it comprises a range of hotel and self-catering accommodation buildings, outbuildings, workshops and storage. Behind these is 17A Bonehurst Road, a two storey detached residential dwelling. The site was most recently used as a guest house and hotel and currently only the residential building at the rear of the site is occupied in some capacity.
- 1.2 The southern part of the site comprises an area of woodland which appears to have been largely unmanaged for some time.
- 1.3 The site lies within the Green Belt, in a gap of some 1.15km of Green Belt between Horley and Salfords. The commercial development on the opposite side of Bonehurst Road occupied by the existing Titan Travel site and Polar Drive lies within the identified urban area of Salfords, between the Green Belt gap between Salfords and Horley, on the eastern side of Bonehurst Road. It lies within an area with a mixture of building types and uses, with a timber yard immediately to the north, housing to the south-west and south, a petrol filling station approx. 0.5km to the south, commercial buildings on the opposite side of Bonehurst Road to the east, and residential (Empire Villas) and commercial (Salfords Industrial Estate) on the eastern side of Bonehurst Road to the north of the site. The new access road to Westvale lies approx.. 210m to the north.
- 1.4 The surrounding area also encompasses undeveloped fields and land, and between the site and the northernmost boundary of Horley Town the area has a very mixed character: although the land lies in the Green Belt individual developments are sited in an irregular fashion along both sides of the Bonehurst Road. The Green Belt in this location does not have a wholly undeveloped green and open character due primarily to this site and the timber yard to the north.

- 1.5 The Horley centre is approx. 2.7km to the south, whilst the local centre at Salfords, where a modest level of service provision can be found, is approx. 1.2km to the north.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: Three pre-application enquiries were submitted to the Council prior to the submission of this application. The initial pre-application response dated 26th February 2020 advised that the proposed re-development of the site to provide a new store would result in harm to the openness of the Green Belt by virtue of its built form and level of associated activity for which very special circumstances would be needed. A follow-up pre-application response issued 3rd June 2020 was held to discuss the very special circumstances argument. It was the Councils' view that there is not an identifiable need for additional convenience floor space within the borough. The applicant was advised of the need to carry out and submit a sequential test in accordance with the NPPF to justify an out of town centre location.
- 2.2 Improvements secured during the course of the application: Further information has been submitted throughout the course of the application in order to address issues/ concerns related to matters of retail need, trees and landscaping, ecology, drainage and highway matters.
- 2.3 Further improvements to be secured: The application is to be recommended for refusal and it is not considered that improvements or additional benefits that could be secured by conditions would overcome the harm identified in this case.

3.0 Relevant Planning and Enforcement History

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|-----|------------|---|---------------------------------------|
| 3.1 | 18/02622/F | Demolition of Guest House / Hotel, new build residential flats (9Nos). | Awaiting determination |
| 3.2 | 18/00494/F | Demolition of guest house/hotel, new build residential flats (9no). | Withdrawn |
| 3.3 | 16/00612/F | Redevelop the guest house and demolition of existing attached residential wing (Coach House 1 bedroom dwelling) and erection of 2-storey side and rear extensions to provide 9 flats (4x2bedroom flats and 5x1 bedroom flats). | Approved with conditions
15/02/207 |

4.0 Proposal and Design Approach

- 4.1 This is a full application for the demolition of all buildings on the site and the erection of a single building to be used as a Class E retail unit (Aldi supermarket) with associated access, car parking and associated works.

- 4.2 The proposed supermarket would lie at the northern end of the site close to the northern and western boundaries. It would comprise a rectangular building set across the site with the length of building being 64m across the main bulk of the building (i.e. the shop floor) whilst the width would be 36.9m. The maximum height of the building would be 6.2m. Along the northern elevation the warehouse, loading bay, plant room and staff facilities would be sited, resulting in a 'wing' projecting approximately a further 12.6m in in a northerly direction. The freezer store and night-chiller would be located immediately to the north of the building in the north-west corner. Loading would take place to the west site of the building.
- 4.3 The elevations propose a single span building with a flat, green roof, with facing materials comprised of a mix of light and dark brown coloured cladding panels, Ibstock Birtley Olde English Buff brick, with dark brown Mortar, and specialised graphics depicting woodland scenes to reflect the countryside character. The green roof would comprise a vegetation mat with wildflower mix.
- 4.4 The vehicular access would comprise a two way priority junction lying approx. 45m to the south of the proposed building and the west of Bonehurst Road, providing a ghost island right hand turn lane on the A23 and pedestrian refuge islands with dropped kerbs and tactile paving sited to the north and south of the access to enable pedestrians to cross the A23. This is some 54m further south than the originally proposed location of the access. This will provide single access for customers and service traffic. The scheme would involve the repositioning of a pedestrian refuge island such that it is level with a pedestrian site access point close to the store entrance, as well as the relocation of the proposed bus stops where the northbound bus stop is situated north of the refuge island and the southbound bus stop is situated south of the refuge island. The site access will continue to be served by a ghost island right turn lane and an additional refuge island is positioned south of the access.
- 4.5 The access would lead immediately to the store car park, with the majority of spaced located to the north of the access, with 12 spaces located to the south of the access. There would be a total of 98 spaces, including 6 disabled spaces located immediately outside the store, 7 parent and child spaces, and 4 electric vehicle spaces. A total of 10 cycle spaces would be located to the east side of the store. A buffer of existing trees and shrubs would be retained around the edge of the car park with a new cycle path also proposed. To accommodate the new development the existing adjacent highway would be widened to include new visibility splays.
- 4.6 The scheme would result in the removal of a number of trees (30) to enable the development including a number that are currently subject to a preservation Order (5 single or group TPO'S). Of those highlighted for removal 3 are considered of high quality, 7 of moderate quality and the rest of low quality. In addition, remaining trees would need to be protected to facilitate parking for instance, beneath the canopy of or in near proximity to

trees that are proposed for retention. Trees proposed for removal would lie approximately in the position of the access road, the car park, as part of the road widening scheme and around the south west corner of the building, to facilitate the building itself and the access road to the loading bay at the rear of the site. The cycle path and footpath within the site alongside the car park would require the removal of a number of unprotected trees. New planting is proposed along the northern, eastern and western boundaries where adjacent to the building. The submitted arboricultural assessment advises that there is a risk that retained trees could be affected by the installation of new services, although the details are currently unknown, and this is a precautionary advice.

- 4.7 Whilst the site would result, on its own, in a net bio-diversity loss, the applicant has been in discussion with the Surrey Wildlife Trust with regard to providing mitigation elsewhere to offset the loss on this site. It is noted that a bat hotel is proposed to the south west corner of the site.
- 4.8 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.
- 4.9 Evidence of the applicant's design approach is set out below:

Assessment	The application site is identified as being within the Salfords area of the borough and currently occupied by a range of hotel and self-catering accommodation buildings, outbuildings, workshops and storage. The site was most recently used as a guest house and hotel and previously had been part of a farm complex. The scale of development across the site is identified as being between two and three storey, with buildings and hardstanding accounting for some 13% of total coverage. Buildings are Victorian in character, with materials being red facing brickwork, natural slate tiles on a steeply pitched roof, white painted timber supports and plain white painted timber bargeboards, with white replacement UPVC window frames. The south end of the site is identified as primarily gardens, containing hard and soft landscaping elements, which have in recent years been left unmanaged and now are overgrown, with many of the ornamental specimens in a poor state or fallen. Trees and mature landscaping are notified as being characteristic of site frontages along Bonehurst Road. The wider locality is identified as containing a mix of land
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	<p>uses, from commercial (Lawsons timber yard to the north, and more recent warehouse development to the east) which are of utilitarian or functional appearance, and residential further afield, with open countryside and farmland mainly to the west (rear) of the site. The site is identified as being in close proximity to public transport, including two bus stops providing services north and south, with Horley and Salfords stations approx.. 1.5mi away, and Gatwick Airport 2.8 mi away. Route 21 of the national cycle network is near to the site, accessed via Cross Oak Lane.</p> <p>A number of protected and non-protected trees within the site have been identified, and the scheme looks to retain as much of the existing trees as possible. Opportunities and constraints are set out as:</p> <ul style="list-style-type: none"> • Protect and enhance the existing established tree lines. • Enhance existing landscaping and ecology. • Opportunity to enhance the appearance of this prominent site. • Reuse of existing site entrances, limited options to move this due the electrical easement, substation and other entrances. • protect the existing long distance views by screening the site.
Involvement	<p>A community leaflet with hardcopy feedback form and freepost return envelope was issued to c. 4,800 residential properties which are local to the development site. A dedicated website was also set up to allow people to complete an online feedback form. A dedicated email and phone number also provided to allow people to provide feedback or ask questions. Contact was also made to the following stakeholders:</p> <ul style="list-style-type: none"> • Reigate and Banstead Councillors • Salford & Sidlow Parish Council • Horley Town Council
Evaluation	<p>The scheme has evolved following a number of pre-application meetings and discussions with the Local Planning Authority.</p>
Design	<p>The design of the proposal has been informed following extensive pre-application discussions, and the design, appearance, height, scale and siting of the development has been designed to fit in with and reflect the semi-rural</p>

	<p>character of the wider surrounding area.</p> <p>The new Aldi unit has been positioned at the north of the site, to minimise the impact on the existing landscape and ecology on the site and to maintain the built form element adjacent to the existing commercial development within the Lawsons Timber Site. The proposed scheme strive to produce a design which does not try to replicate existing buildings or styles but is a more innovative and distinctive design of a high standard, making a positive contribution to the visual quality of the built environment, as well as regenerating the site with a development that fits both visually and functionally into the surroundings.</p>
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4.10 Further details of the development are as follows:

Site area	0.9Ha
Existing use	Guest House/ Hotel (Use Class C1)
Proposed use	Supermarket (Use Class E)
Existing parking spaces	Unclear (informal parking arrangement approx. 6-8)
Proposed parking spaces	98
Parking standard	1 space per 14sqm gross floor area (maximum)

5.0 Policy Context

5.1 Designation

Rural Area
Tree Preservation Order RE41
Metropolitan Green Belt
Urban area on the east side of Bonehurst Road
Flood Zones 2 and 3 (partial – site frontage only)

5.2 Reigate and Banstead Core Strategy

CS1: Presumption in favour of sustainable development
CS2: Valued landscapes and the natural environment
CS3: Green Belt
CS5: Town Centres
CS8: Area 3 (Low Weald)
CS10: sustainable Development
CS11: Sustainable Construction
CS17: Travel options and accessibility

5.3 Reigate & Banstead Development Management Plan 2019

EMP3: Employment Development Outside Employment Areas
EMP5: Local skills and training opportunities
RET5: Development of Town Centre Uses Outside Town and Local Centres
DES1: Design of new development
DES8: Construction management
DES9: Pollution and contaminated land
DES10: Advertisements and shop front design
TAP1: Access, parking and servicing
CCF1 Climate Change mitigation
CCF2: Flood risk
NHE1: Landscape protection
NHE2: Protecting and Enhancing Bio diversity and areas of Geological Importance
NHE3: Protecting trees, woodland areas and Natural Habitats
NHE5: Development in the Green Belt

5.4 Other Material Considerations

National Planning Policy Framework

National Planning Practice Guidance

Supplementary Planning Guidance

Surrey Design

Local Distinctiveness Design Guide

Vehicle and Cycle Parking

Guidance 2018

Householder Extensions and

Alterations

Horley Design Guide 2006

Other

Human Rights Act 1998

Community Infrastructure Levy

Regulations 2010

Conservation of Habitats and

Species Regulations 2010

6.0 **Assessment**

The main issues are considered to be as follows:

- Retail Matters
- Principle of the development within the Metropolitan Green Belt
- Design appraisal
- Impact on neighbour amenity
- Trees and landscaping

- Highway matters
- Ecology
- Flooding and drainage
- Very Special Circumstances

Retail Matters

- 6.1 The proposed development would constitute the creation of a town centre retail use outside of a town centre location. The National Planning Policy Framework (para. 87) is clear that main town centre uses should be located in town centres first, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.
- 6.2 Proposals to site such uses in out of centre locations are required to carry out a sequential test to demonstrate that there are no suitable sites within a more central location that could accommodate the proposed development. This is echoed within Policy RET5 of the Councils' Development Management Plan 2019, which states that retail and other main town centre uses (other than small scale rural development) should be directed to the most sequentially preferable and sustainable locations in accordance with the national policy 'town centre first' principle. Proposals that seek to locate or expand retail and other town centre uses in edge of centre or out of centre locations must demonstrate that:
- a. Having applied the sequential test there are no suitable sequentially preferable sites available to accommodate the proposed development on more central sites.
 - b. The proposal would not have a significant adverse impact on:
 - i. the vitality and viability of, or consumer choice and trade within, existing nearby town or local centres;
 - ii. existing, committed and planned public and private investment in those centres.
- 6.3 In order to satisfy (a) the applicants have carried out a sequential test, which is set out within the submitted planning statement and is also appended to this report for reference. This was reviewed by the Councils' Planning Policy Team, who made the initial following comments:
- 6.4 'I think possibly the only sequentially-preferable sites (in or on the edge of town centres) large enough to accommodate the proposal, and therefore to be suitable are: 1) the vacant Mercedes garage at 12 Brighton Road, Redhill, which is an "edge of centre" location for retail uses (the application being for an out of town site, which is less preferable sequentially). However, although that site is suitable for the proposed development, it is understood that it is not available for the proposed development (LAD convenience retail), as B&Q

have an option on it (see planning application 21/00185/CU). I understand that Aldi did approach the Mercedes Garage owners but did not end up with an option (application 21/00185/CU has subsequently been approved and is now occupied by B&Q therefore is no longer available as a site). 2) Redhill Railway station site - this site had permission (now expired) for convenience retail (a Waitrose store), residential and car parking. I am not aware of the availability of the site to accommodate the proposed development. I would therefore not object to the proposed development on grounds of there being a sequentially preferable site that is / will be available to accommodate the proposed retail floorspace.

- 6.5 The applicant provided a supplementary assessment of two further sites with respect to the sequential test, namely the site of the Air Balloon Public House at 60 Brighton Road Horley, and the site of Gloucester Road car park in Redhill. Further comment on Redhill Station site has also been provided.
- 6.6 Starting with the Air Balloon site, the applicants have contended that Lidl have clearly stated that their existing store in Horley town centre is no longer suitable for a limited assortment discounter, and they have identified a site to relocate their store. They have entered into a contract with the owners of the site and a planning application has now been submitted to develop the site, which will be assessed on its planning merits. The agents representing Lidl suggest that the Air Balloon site is available to Aldi until such time as a Lidl store opens. The applicants contend that this position does not reflect commercial reality and that a sites availability is a matter of planning judgement. Officers would agree with this view. As it is the case that Lidl has a conditional contract to buy this site, it is difficult to argue that the site is sequentially available. Therefore it is officers view that this edge of centre site is not available to Aldi.
- 6.7 Turning to the Gloucester Road car park site, this is currently active and in use as a car park. The site is allocated within the Councils' DMP (Policy RTC6) for either mixed residential and office use, residential use only or office use only. As the site is clearly not allocated for a retail development of the kind proposed, the site is not considered to be sequentially available.
- 6.8 With regard to Redhill Station, this is not a site allocated for development within the DMP. Planning permission was granted in May 2013 (application Ref: 13/00848/F to redevelop the station site of the existing station building, a new food store, 150 residential units and associated accommodation. However this permission has now elapsed. A scheme to develop the site in to a mixed residential and commercial scheme, including ground floor retail units, has been subject to public consultation and it is understood that a planning application is to be submitted imminently. The proposed retail units are smaller than the proposed store subject of this application, therefore it is officers view that site could not accommodate the proposed development and is therefore not an available site.
- 6.9 In view of the above considerations it is officers view that there are no sequentially preferable sites within the borough that could accommodate the

proposed development, and therefore part 2 (a) of Policy RET5 have been met.

- 6.10 Part 3 of Policy RET5 requires an impact assessment be submitted to support applications for edge-of-centre or out- of centre development proposals for convenience retail development exceeding 250sqm. In considering the proposal, the councils' Planning Policy team made the following initial comments with regards to the likely impact of the proposed out of town Aldi store on the vitality and viability of Horley, Redhill and Reigate town centres and on the designated local centres within the catchment of the proposed store. The applicants have Retail Impact Assessment and have raised no objections to its findings.
- 6.11 It is therefore considered that the proposed development of a new retail store would meet the requirements of Policy RET5 of the DMP and NPPF 2021 with regards to the sequential test.

Principle of development within the Metropolitan Green Belt

- 6.12 The site is located within the Metropolitan Green Belt. The National Planning Policy Framework 2021 (NPPF) states at paragraph 147 that there is a presumption against inappropriate development, unless justified by very special circumstances. The NPPF goes on to state that certain forms of development are considered not inappropriate including 'limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would:
- not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority (paragraph 149 (g)).
- 6.13 The application site is located entirely within the Green Belt land as defined within the Councils' Policies Map under Policy NHE5 of the Development Management Plan 2019 (DMP). The site as existing would meet the definition of previously developed land (PDL) as set out within the NPPF. This proposal would involve the erection of a food retail unit with car parking on PDL within the Green Belt. Therefore, consideration needs to be had as to whether the proposed development would result in a greater impact on openness.
- 6.14 Advice on the factors that can be considered when assessing the potential impact of a proposed development on the openness of the Green Belt is provided in the Planning Practice Guidance (PPG) (Green Belt: Paragraph: 001 Reference ID: 64-001-20190722). It requires a judgment based on the circumstances of the case, but the courts have identified a number of matters which may need to be taken into account, including "openness" (capable of having spatial and visual aspects, including its volume and visual impact);

and the degree of activity likely to be generated (for example, traffic generation).

- 6.15 The proposed retail development would clearly be significantly larger both in terms of its footprint and volume of built form than existing development on the site, and the use of the site would be significantly more intense, in terms of the number of people and vehicles visiting the site, than the hotel currently on the site. The proposed new buildings would have a greater impact on openness (one of the “essential characteristics of Green Belts) than existing development. As a result, it is considered that the proposed development would not qualify as an “exception” under NPPF paragraph 145. The proposal would therefore represent inappropriate development which is, by definition, harmful to the Green Belt. The additional built form, the building and the car park’s hard surface, over that which currently exists, would clearly erode the openness of the Green Belt and therefore undermine one of the essential characteristics identified in national policy (NPPF paragraph 137). These physical changes associated with the retail use would represent a further encroachment into the countryside. This increase in development would be emphasised further through the extensive use of external lighting, which would serve to highlight the developments presence within the Green Belt. It is the view that the proposed store would represent significant harm to the openness of the Green Belt and would therefore be an inappropriate form of development, which is by definition harmful, requiring justification by Very Special Circumstances.
- 6.16 The NPPF (paragraph 148) advises that when considering any planning application, substantial weight should be given to any harm caused to the Green Belt. “Very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and “any other harm”, resulting from the proposal is clearly outweighed by other considerations. Case law (Redhill Aerodrome High Court decision 2014; Redhill Aerodrome v. SSCLG) clarifies that “any other harm” is not limited to harm to Green Belt but extends to harm relevant to planning purposes. This is emphasised locally by development plan policies CS3 and NHE5. The consideration of Very Special Circumstances is discussed at the end of this report, following consideration of other matters.

Design Assessment

- 6.17 The proposed development is located on the edge of more open countryside to the west side of Bonehurst Road, where the character transitions to a more rural appearance. This site is in the green belt and forms an important countryside gap between Horley and Salfords to avoid the coalescence of settlements.
- 6.18 The Reigate and Banstead Character and & Distinctiveness Design Guide Supplementary Planning Document (2021) seeks to achieve a soft edge or green corridor to the countryside and retention of a green corridor to the A23 as much as possible. Soft edges are important as they help prevent the urbanisation of the countryside and are achieved by setting development

behind existing hedges and the tree backdrop, which form the enclosure, so the soft landscape is the dominant character, and has been an important planning tool in the borough since the early 20th century. To achieve a green corridor, it would be expected that development should be at least 15 metres (25 metres where possible) back from the hedge line with a tree backdrop provided to soften the silhouette of any housing behind and be of a design that is reduced in scale, bulk and mass, and less utilitarian in appearance.

- 6.19 It is noted that the revised proposed site layout and landscaping plan show that the existing belt of trees and vegetation along the east side of the site has been strengthened by additional planting, particularly to the north east corner of the site immediately in front of the proposed store. Additionally much of the existing planting to the south of this, where the vegetation is denser, would be retained with some additional trees planted. The width of this belt of vegetation would range between 14m and 20m. This would provide a significant amount of screening to the proposed carpark, with the proposed access providing the greatest amount of view into the site.
- 6.20 Regarding the scale of the building, it has been designed to keep eaves low (6.2m) for such a use to reduce impact. The choice of materials, particularly their colour, which would be varying shades of brown and grey, have been specifically chosen to be recessive, again to reduce visual impact. The front elevation proposes a minimal amount of glazing, which would largely be restricted to the side (east) elevation, which would address the highway. Plant and servicing areas would be restricted to the rear of the building where visual impact on surrounding character would be minimal. Whilst the size of the development compared to the existing building, particularly in view of the increase in external lighting, would increase its visual presence, the design in and of itself would not be sufficiently harmful enough to warrant refusal. The level of impact would not be dissimilar to that of the recent developments at Polar Drive to the north-east, where three large research and distribution units have been built in close proximity to the road and are quite visually prominent.
- 6.21 In view of the above, whilst the proposed development would result in a change to the visual character of the area, overall the design and scale of the building and ancillary works would have an acceptable level and would not be sufficiently harmful to warrant refusal on this basis. Therefore the scheme would comply with Policy DES1 of the Councils DMP 2019 in regard to design and impact on the character of the area.

Impact on neighbouring amenity

- 6.22 The location of the proposed store would be immediately to the south of Lawsons timber merchants. This is a commercial site that generates a significant amount of vehicle movement and noise disturbance. It is not considered that the presence of a new store, despite its size, would be harmful to any sort of amenity associated with this property, which would be little.

- 6.23 The nearest residential properties would be 30 Bonehurst Road approx. 40m to the south east on the opposite side of the road. This property is set back from the road by approx. 40m and is in any case derelict at present (though it is noted that planning permission has been granted under application 20/00409/F to construct a dwelling on the site). The proposed access would be sited to the south of the dwelling at a distance of approx. 9.5m. Number 11 Bonehurst Road is also residential in nature and houses people with special needs requirements. It is located approx.. 120m to the north of the site opposite the junction with Crossoak Lane and the former Titan Travel site. Empire Villas, a small development comprised of small semi-detached dwellings, is located approx.. 300m to the north west of the application site.
- 6.24 Beginning with 30 Bonehurst Road, the introduction of a store would undoubtedly result in a change in the relationship between the two sites. The separation distance between the main store building is such that it would not generate a substantial amount of harm with regards to being overbearing in nature. Much of the building would be obscured by mature tree cover, which would be enhanced by additional planting along the eastern side of the site between the road and the store.
- 6.25 The use of the proposed store, as well as the carpark, would require the installation of a greater amount of lighting across the site, both in the form of signage as well as lighting columns throughout the car park, of which there would be 18 separate lights in total. This has the potential to cause disturbance to residential amenity. Additional disturbance may arise from the increase in activity at the site for a greater portion of the day, particularly from customer vehicles along with delivery vehicles. It is noted that the application is not supported by detailed noise or light assessments to consider the level of impact that these elements may have on neighbouring properties.
- 6.26 With regard to number 30 Bonehurst Road it is not considered that the level of lighting proposed would give rise to substantial harm. Much of the lighting would be contained within the site mitigated by existing and proposed vegetation/ planting. It is noted that the front boundary of 30 Bonehurst Road is also heavily treed, meaning that much of the planting would not be overly discernible. In the event that planning permission were to be granted a condition requiring the submission of an external lighting scheme in accordance with the Institute of Lighting Professionals Guidance notes for the reduction of obstructive light. Noise surveys could also be required to be submitted as part of a condition prior to commencement of development.
- 6.27 An operational management plan can be secured by way of a condition. This would set out management responsibilities during opening hours, measures to control noise, as well as measures to minimise disturbance from personnel and patrons coming and going from the site. Where practices give rise to reported concerns, these would need to be brought to the attention of the local authority. Combined with this a delivery and servicing plan could also be required by condition for approval prior to commencement. This would set out the intended frequency of deliveries and other service vehicles such as refuse collection, dimensions of delivery vehicles, proposed locations of loading/

unloading of delivery vehicles, as well as a strategy to manage vehicles servicing the site. Hours during which deliveries can take place could also be secured by condition.

- 6.28 With regard to 11 Bonehurst Road and properties occupying Empire Villas to the north, it is not considered that these properties would be substantially harmed by the proposed development. Whilst there would likely be a perceptible increase in the volume of traffic along Bonehurst Road, this would not result in a level of harm or inconvenience that would warrant refusal.
- 6.29 In light of the above considerations it is the view that the development would have an acceptable level of impact on the amenity of surrounding properties and would therefore comply with Policy DES1 of the DMP in this regard.

Trees and landscaping

- 6.30 The proposed development would involve the removal of 30 trees from the site. A mixed species TPO (RE41) effects a number of the trees within the site (not all), the majority of which are found along the east boundary with Bonehurst Road. The remaining trees are proposed to be supplemented by additional planting. The trees to be removed are a mix of category A (high quality), B (medium quality) and C (low quality) trees.
- 6.31 The category A trees are G14, T51, T52, category B trees are T6, G16, T19, T40, T41, T54, T55, and category C trees are T7, T9, T10, T11, T12, G13, T15, T17, G18 (part), G20, T21, T37, T38, T42, T56, T57, T59, T60, G61 (part), G62 as shown on **proposed site layout plan No. 16443_110 Rev W**.
- 6.32 Some site investigation has been undertaken by developers which result in some removal of low-grade vegetation and some heavy machinery movements within the site prior to submission of the application. The matter was investigated, and no long-lasting damage has resulted from these investigation works.
- 6.33 The application has been supported by detailed and thorough arboricultural information which has been compiled by an arboricultural consultancy practice. The supplied information is from a reliable source and has been compiled in accordance with the guidelines, advice and recommendations detailed and contained within British Standard 5837:2012 Trees in relation to design, demolition, and construction -Recommendations. Trees on site, groups of trees and significant vegetation have been surveyed and assessed adopting the methodology and criteria of section 4 and table 1 of the above standard. Trees have been allocated a category classification which Identifies their condition suitability and presence within the landscape.
- 6.34 The Councils' Tree Officers have been consulted on the application and the following initial comments were made:

The current layout and design result in a number of trees losses which are internal to the site and which are not easily visible when viewed from

external public viewpoints. The losses involve a number of 'B' category Trees and 1 group comprising of three oak trees which have a combined crown system which have been categorised 'A', These losses in the higher categories are T6, G14, G16, T22, T26, T40 and T41. The remaining losses consist of trees within the lower categories C and U which should not place a constraint on development.

- 6.35 Policy NHE3 of the DMP relates specifically to the protection of trees, woodland areas and natural habitats, and provides criteria against which development that impacts on trees will be assessed. Paragraph 2 of Policy NHE3 states:

Development resulting in the loss of or the deterioration in the quality of a protected tree or hedgerow (including trees covered by protection orders, protected hedgerows, trees in Conservation Areas, Ancient Woodlands, aged and veteran trees outside Ancient Woodland and trees classified as being of categories A or B in value), will be refused unless the need for, and benefits of, development in that location clearly outweigh the loss. This will be assessed on a case by case basis commensurate with the value of the feature.

The Policy goes on to state:

Unprotected but important trees, woodland or hedgerows with ecological, amenity or other value should be retained as an integral part of the design of development except where their long-term survival would be compromised by their age or physical condition or there are overriding benefits of their removal.

Where loss of features described above are permitted, this will be subject to adequate compensatory provision commensurate to that which is lost. This should be provided on site where possible, but off site provision will also be considered in exceptional circumstances.

- 6.36 The majority of tree losses are mainly internal and are not easily visible from the public viewpoint. This may be a case where extensive large semi mature replacement planting stock could be incorporated into the design to compensate for the losses and to make provision for long term continued tree cover and visual amenity in this locality. This planting could be secured by way of a landscaping condition.
- 6.37 It is noted that the revised access further south would result in a great loss of TPO trees to the south east corner of the site. However TPO trees originally proposed to be removed further north are now being retained with a greater amount of supplementary planting along the east side of the site.
- 6.38 A large number of mature specimens will remain on along the southern boundary which would maintain the verdant appearance of the site when approaching from the south. Therefore it is not the view that the loss of

these trees would result in a level of harm to character that would warrant refusal.

- 6.39 Any character harm could be suitably compensated for by replacement planting. This would also be secured by a condition for a revised landscaping scheme. Detail would be required in respect of the selected species and sizes, bearing in mind the tree losses in the upper categories mentioned above and the requirement of NHE3 for appropriate replacement planting, some species proposed such as *Pyrus Calleryana* 'Chanticleer', *Sorbus aria* and others would need to be reconsidered, particularly the replacement trees on the western boundary. Trees sizes would also need to be reviewed and a minimum of Advanced Nursery Stock sizes used in conjunction with a number of semi mature specimens also to form part of the requirements of the landscaping condition.
- 6.40 In strict character assessment terms, an appropriate tree and landscape strategy may therefore be acceptable however there are ecological concerns relating to the loss of veteran trees as detailed below.

Highway Matters

- 6.41 The site is located within an area of low accessibility as defined within the Councils DMP 2019. For food retail stores, these standards require 1 car parking space for every 14sq. metre of gross retail floor area. The proposed area of retail space would total 1315sq. metres. This would require a total of 94 spaces to be provided. A total of 98 spaces are to be provided, including 6 disability access spaces and 7 parent and child spaces. In terms of parking provision the Councils' standards are considered to have been met. The County Highway Authority (CHA) has extensively reviewed the application and is satisfied that sufficient car parking has been proposed as part of the application. A parking accumulation assessment has been undertaken and submitted as part of the application which estimates that on an average weekday or Saturday, parking space demand would likely be comfortably within the proposed supply of spaces. The layout of the car park is considered acceptable and given the volume of spaces, it is unlikely that drivers would be compelled to wait in close proximity of the site access for a parking space. On that basis, the parking provision is deemed acceptable and is unlikely to have any specific impact on highway safety or the flow of traffic on Bonehurst Road.
- 6.42 The CHA have concluded that, on balance, the development is unlikely to have a significant impact on the free flow of traffic or the safety of the local highway network. As such, as set out in the National Planning Policy Framework, the development should not be refused on the grounds of transport impact. A comprehensive assessment has been undertaken of the impact of the development on the junction of Bonehurst Road, Cross Oak Lane and Hoadley Road (Horley North West Sector), as well as the safety of the site access proposals and opportunities for sustainable travel. The County Council considers that the location of the site is not ideal to promote trips by sustainable modes – owing to the density of residential and

commercial properties within walking distance of the site. However, the development will contribute to local improvements to local bus and pedestrian infrastructure and will benefit from the newly constructed cycleway on the A23 that passes the site.

Impact on Bonehurst Road, Cross Oak Lane, Hoadley Road Junction

- 6.43 Drivers at the junction of Bonehurst Road, Cross Oak Lane and Hoadley Road currently experience queuing and delay on all arms of the junction in certain peak periods. This situation is likely to be intensified when the Westvale Park residential development (application ref 04/02120/OUT) is fully occupied, and it is noted that the site subject to Planning Application ref 21/03303/F (Titan Travel site) is also likely to have a greater trip generation in the future as it is currently vacant and may come forward for redevelopment. The proposed food retail unit would lead to an increase in traffic through the junction, so the potential impact of this additional traffic has been considered closely.
- 6.44 Traffic Modelling undertaken using the LinSig modelling software has been submitted as part of the Planning Application. This model has demonstrated that the junction of Bonehurst Road with Cross Oak Lane and Hoadley Road is likely to operate close to absolute capacity with significant queuing in the peak periods by 2026, even without the development. In particular, the Northbound Bonehurst Road arm and the westbound Cross Oak Lane lane are likely to experience significant capacity issues. Two modelling scenarios have been tested: one with no background traffic growth from flows recorded in 2018, and another with background growth added up to 2026 in accordance with the Department for Transport's TEMPRO methodology. The County Highway Authority recognises that growth in line with the TEMPRO estimate may not occur in practice given the existing levels of congestion on the network would likely deter growth, however it is likely that some increase could occur.
- 6.45 As the Westvale Park residential development is yet to be fully occupied, and the route between A217 and A23 through the site yet to open, estimates of the likely traffic generation of the residential development and through-route have been accounted for in the modelling of Hoadley Road and Bonehurst Road. These estimates have been taken from the Transport Assessment for the Horley North West Sector development, which have then been sense-checked as part of this assessment. The CHA considers that this is the best approach available to estimating the future operation of the Hoadley Road/ Bonehurst Road/ Cross Oak Lane junctions at the present time.
- 6.46 A summary of the LinSig outputs from the lanes of the junction with the highest Degree of Saturation (DoS) and Mean Max Queue (MMQ) have been summarised in the table, which can be found at the end of this report. With DoS greater than 85%, junctions are likely to experience significant queuing. The Northbound arm of the junction is estimated to experience its

greatest period of congestion in the AM Peak, with a mean maximum queue between 24.3 and 34.5 Passenger Car Units (PCUs) depending on the level of traffic growth between 2018 flows and 2026. On Cross Oak Lane, the westbound queues are estimated to peak in the PM peak, with the estimated Mean Max Queues ranging from 16.8 to 21.8 PCUs.

- 6.47 In both the without growth and with growth scenarios, the submitted modelling suggests that there will be a relatively minor increase in DoS and queue length on each of these arms of each arm of the junction in both the AM and PM peaks.
- 6.48 The submitted information estimates that in the AM peak hour the development would generate approximately 18 arrivals and 10 departures. The Transport Assessment estimates that 40% of trips across the day will be pass-by or diverted trips – i.e. trips that are not brand new to the local highway network. On that basis, the additional number of vehicle movements going through the Cross Oak Lane/ A23 junction would be fewer than 28 in the peak hour. Whilst the CHA considers that the exact percentage allowance for pass-by and diverted trips has not been fully justified, it is accepted that it is likely to make up a significant proportion of trips to the site. This is particularly true of the peak hours where local congestion already exists, as it is unlikely that many potential customers of the development would make dedicated trips to the site at this time given the expectation of traffic. The CHA are therefore satisfied that the assessment of the impact of additional traffic on the Cross Oak Lane/ A23 junction is robust, and that peak hour congestion is unlikely to be materially worse as a result of the development. Whilst acknowledging that there would be some worsening of congestion this would not be materially sufficient to warrant refusal.
- 6.49 The proposed sustainable travel measures – new bus stops outside the site; cycle parking facilities; pedestrian improvements to Footpath 409; and a contribution to bus priority measures on the A23 are likely to reduce the number of vehicles on the A23 corridor – both from customers of the proposed retail unit and existing highway users who may switch to more sustainable travel modes as a result of the development.

Operation of the Site Access Junction

- 6.50 The operation of the site junction has been modelled using Junctions 9 and the model demonstrates that the proposed geometry would be adequate to facilitate the likely movements to and from the site with the estimated Bonehurst Road traffic flows for 2026. An assessment has been undertaken to determine whether the operation of the site access junction would be affected by queuing back from the Cross Oak Lane/ Hoadley Road/ A23 junction. As a result of this assessment, the access has been moved 54 metres further south than initially proposed in earlier iterations of the site layout designs. As a result, the proposed access is now approximately 210 metres south of the Cross Oak Lane junction.

- 6.51 The modelled queuing and saturation at the Bonehurst Road/ Cross Oak Lane/ Hoadley Road junction suggests that the average (mean) maximum queue (MMQ) in the peak hours will tail back approximately 138 metres (24 vehicles) if there is no background traffic growth between 2018 and 2026 (within vehicles of the access). This would be well short of the proposed access, and therefore significant access blocking is not predicted to occur.
- 6.52 In the modelled scenario with background traffic growth – a scenario that is likely to be an overly robust assessment -, the MMQ is estimated to be 34.5 passenger car units long, which would equate to approximately 198.5 metres. Whilst this is a mean maximum queue – meaning that there are likely to be occasions where the queue is longer than 198.5m – it is considered unlikely based on the submitted modelling that movements in and out of the access will regularly be significantly hampered by traffic queuing back from the Cross Oak Lane junction.
- 6.53 It is therefore predicted that the proposed site access will operate safely and without significant capacity issues. Should it be required, there may be scope to provide keep clear markings around the access to discourage vehicles waiting in locations that impede drivers exiting or entering the site, but it is not anticipated that this will be needed.

Sustainable Travel

- 6.54 In addition to the impact of vehicular impact on the safety and operation of the highway, the County Highway Authority considers that the location of the proposed development is likely to discourage customers from undertaking their journey by sustainable modes. The section of the A23 corridor that the site fronts on to is relatively industrial in nature, and there are relatively few residential properties within a comfortable walking distance, particularly given the need to carry shopping. There are very few properties within a kilometre walking distance to the west, north or east of the site, with a relatively low number of properties to the south.
- 6.55 Surrey County Council have recently installed a cycleway facility along the A23 that goes directly past the site, which would provide a good standard cycle connection, and the proposal to add bus stops outside the site would result in a good standard of bus service to the development. Improvements to footpath 409 would increase the number of residents who have good pedestrian access to the proposed development.
- 6.56 The financial contribution towards bus priority measures would be used towards the delivery of bus priority measures on the A23 corridor, which would promote buses as a mode of travel for potential customers of the retail unit, but also for highway users on this corridor who may be encouraged to switch from private vehicles to public transport. SCC's current proposals for bus priority on this route is to provide a southbound bus lane on the A23, with sections being considered both north and south of the Cross Oak Lane junction. These schemes will be subject to further

design and feasibility work prior to public consultation separate to this planning application.

- 6.57 To conclude, the development would, if permitted, result in a small increase in traffic congestion on the local highway network, but this increase is unlikely to have a significant impact on the operation of local junctions. The proposed site access is anticipated to operate safely and within capacity, and the assessment of likely parking demand has demonstrated that an appropriate level of car parking space is proposed. The development is therefore unlikely to have a significant impact on the safety or operation of the highway and would comply with Policy TAP1 of the DMP 2019. Should the application be approved, the CHA have recommended that an appropriate agreement be secured prior to the grant of permission. This agreement should include:
- 1) An obligation to either a) provide a financial contribution to the County Council of £50,000 towards pedestrian improvements in the vicinity of the site OR b) carry out improvement works to footpath 409 in accordance with a specification to be agreed.
 - 2) A contribution of £100,000 to the County Council for the provision of bus priority measures on the A23 in the vicinity of the site.
 - 3) Provision of new bus shelters on Bonehurst Road to include: a) shelters with 3 enclosed sides in accordance with a specification to be agreed with the County Council b) seating C) Real time passenger information boards.
 - 4) Highway works in accordance with drawing number 20127-SK20221011.1

In addition conditions relating to the construction of the proposed access, visibility zones, parking, the submission of a construction transport management plan, a deliveries management plan, and the provision of charging points and secure cycle storage have been recommended. Subject to compliance with these conditions and the requirements of the above planning obligations the scheme would be acceptable on transport grounds and would comply with policy TAP1 of the DMP 2019

Ecology

- 6.58 There are no specific ecological designations within or in close proximity to the site, however, as has already been described, the site benefits from a reasonable amount of vegetation and landscaping which in this semi-rural location has the potential to be of ecological value. An Ecological Assessment (dated March 2021), with accompanying addendum (dated November 2021) and briefing note (2022) has been submitted in support of the application, which has been assessed by Surrey Wildlife Trust throughout, and contains a number of findings which are set out below.
- 6.59 The assessment identifies that four of the existing buildings (B1-B4) and three mature/veteran Oak trees have roosting opportunities for bats. Emergence surveys have been carried out. These identified the presence of Pipistrelle and Brown Long-eared bats within one of the buildings (B1). Further emergence surveys were carried out and confirmed that building B1

supports a maternity roost for Brown Long Eared bats and a day roost for common pipistrelle. The demolition of the building would therefore result in the loss of active roosts. This would be contrary to both the Conservation of Habitats and Species Regulations 2017 and Wildlife and Countryside Act 1981 in the absence of derogation licensing. Should the application be approved the applicant would be required to obtain a mitigation licence from Natural England and carryout all actions detailed within the method statement as set out within the Ecological Survey.

- 6.60 With regard to tree surveys for bats, it is noted that not all trees that are due to be felled had been surveyed at the time of submission. The ecology report acknowledges that many of these trees support ‘medium’ or ‘high’ potential for roosting bats. The report goes on to state that ‘the habitats on site present some interest for foraging bats, particularly the woodland and scrub. These features are likely to support foraging and commuting bats as part of a network of natural habitats present in the wider landscape. It is unlikely that foraging resources on site would be of material significance to maintaining local bat populations at a favourable conservation status.’
- 6.61 Surrey Wildlife Trust have commented that preliminary ground level roost assessments should have carried out to determine the impact, therefore following initial assessment there was insufficient information to determine whether the proposed development would be acceptable or not with regard to impact on bats. Should further bat presence/likely absence surveys be required, then SWT advise that these should be completed prior to determination.
- 6.62 SWT further commented that in the absence of detailed assessments and survey of the Veteran oak trees, the ecological value of the trees was not fully understood. Section 5.3.2 of the Ecological Assessment states “Three Oak trees near the western boundary of the site (BP1, BP2 and BP3) were noted as supporting ‘high’ potential for roosting bats owing to several potential roost featured...including loose bark, branch splits and woodpecker holes being present. A former avenue of mature Oak and occasionally Beech standards is present within the woodland W1, near the eastern boundary of the site. Many of these trees support medium or high potential for roosting bats”.
- 6.63 In addition, in the Ecological Assessment Addendum it states, “Four mature / veteran Oak trees near the western boundary of the site were noted as supporting ‘high’ potential for roosting bats owing to several potential roost features (PRFs) including loose bark, branch splits and woodpecker holes being present” and “A former avenue of mature Oak and occasionally Beech *Fagus sylvatica* standards is present within the woodland, near the eastern boundary of the site. Many of these trees support ‘medium’ or ‘high’ potential for roosting bats”. Therefore, it was concluded that the proposed development site supports trees of high and moderate suitability for roosting bats. The submission was sufficient in providing a detailed bat preliminary ground level roost assessment for trees that will be impacted. Bats are known to be present on site and given the number of moderate and high

suitability trees present, it is reasonable to suggest that bats may be roosting in trees on site.

- 6.64 In February 2023 a further briefing note was submitted by the applicants, in which it is clarified that throughout 2022 a series of tree climbing, and emergence / re-entry surveys were undertaken. The majority of survey activity was carried out through aerial surveys. It is traditional that presence/likely absence surveys would be carried out, however, SWT acknowledge and respect that the applicants' ecologists have designed a bespoke survey methodology based on specific site conditions. SWT has reviewed the results of the surveys and are satisfied that the scheme would not result in harm to bats and would therefore be acceptable in this regard.
- 6.65 Paragraph 5.2.7 states that the proposed development would result in the loss of four veteran Oak trees near the western boundary of the site. Paragraph 175 of the NPPF states that planning permission should be refused for developments resulting in the loss or deterioration of irreplaceable habitats, including veteran trees, unless there are wholly exceptional reasons and a suitable compensation strategy exists. The applicants survey states that any losses would be compensated by additional/ replacement planting and habitat improvements elsewhere. However it is clear within the NPPF that veteran trees are considered irreplaceable therefore their loss cannot be compensated for in this way. As set out elsewhere in this report there is not considered to be a need for the proposed store therefore this would not justify the loss of these veteran trees. This would form a further reason for refusal on the grounds of being contrary to paragraph 175 of the NPPF and policies NHE2 and NHE3 of the DMP 2019.
- 6.66 Surveys have been carried out into the presence of Hazel Dormouse and Great Crested Newt. These have identified that the presence of both species is negligible therefore they would not be a constraint to the development of the site. However suitable habitat for the species does exist within the site therefore should any presence be identified then works should cease and advice sought from Natural England or a qualified specialist.
- 6.67 It is noted that artificial lighting would feature across the proposed development site. In order to ensure that any lighting scheme is suitably designed so as to avoid harmful impact on bat foraging and commuting routes, a condition, should permission be granted, requiring the submission of a Sensitive Lighting Management Plan for approval has been recommended. Further suggested conditions include the requirement to submit a Construction Environment Management Plan (CEMP) and Ecological Enhancement Plan.
- 6.68 In terms of net gain in biodiversity the submitted Ecology Survey shows that the scheme will not provide a net gain. The applicant has offered to offset this through providing a contribution towards off site provision as allowed under policy NHE2(b). Currently the Council has no mechanism to allow for

such a contribution, with no projects or sites currently identified for this. It is noted that the NPPF (para 180 d) requires that when determining planning application Local Planning Authorities should apply the following principle “development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.” However the NPPF does not require a measurable net gain and policy NHE2 5b. states that schemes will be expected to “be designed, wherever possible, to achieve a net gain in biodiversity.”

- 6.69 In this case the applicant has set out that it is not possible to achieve a net gain in biodiversity and given the national and local policy position it is not considered that this could form a reasonable reason for refusal. The proposal does however include a number of on-site enhancement measures, including the provision of bat boxes and bat hotel, and the LEMP condition recommend by SWT would secure further details of these measures as well as future maintenance.
- 6.70 In light of the above considerations it is the view that, whilst the scheme would result in an acceptable level of impact on existing species present, insufficient information has been submitted to justify the loss of veteran trees on site. The proposal would therefore fail to meet the aims and requirements of the NPPF 2021 with regard to conserving and enhancing the natural environment and Policies NHE2 and NHE3 of the DMP 2019.

Flooding and drainage

- 6.71 The majority of the site lies in Flood Zone 1 and is not susceptible to surface water flooding. The western boundary of the site falls within Flood Zones 2 (1 in 1000) and 3 (1 in 100) and is susceptible to high, medium and low levels of surface water flooding in isolated areas. The footprint of the development, including the areas of car parking, would sit outside of these restricted areas. The flood map for surface water shows the majority of the site lies within the very low likelihood classification.
- 6.72 A Flood Risk Assessment (FRA) and Sustainable Drainage Strategy has been submitted in support of the application. This identifies that an Environment Agency designated main river is culverted along the east side of Bonehurst Road. Environment Agency flood mapping and the Surrey County Council’s Preliminary Flood Risk Assessments (PFRA) 2011 have been used to assess the flood risk to the site. With regard to fluvial flooding, the submitted FRA identifies that the general area is within a high risk zone with an annual probability of flooding but mainly from main river (Burstow Stream) which lies at a distance of 194m south of the site and the flow direction of which is indicated to be from east to west. The site itself is in Flood Zone 1 and is not within the 1-100 year flood plain. With regard to risk from ground and surface water flooding this is considered to be low.

- 6.73 In order to ensure that the proposed development will not worsen flood risk elsewhere, particularly with respect to surface water by increasing the rate of run-off, a surface water drainage scheme has been developed that follows the NPPF drainage hierarchy and makes use of SuDS features as much as possible on the site. The surface water run off rate will be restricted to that of greenfield, 5.02/s, estimated using HR Wallingford UKSuDS Greenfield Runoff Estimation tool. Attenuation will be provided for all storm events up to the 100 year including climate change.
- 6.74 The FRA states that infiltration testing has been carried out on the site which concluded that infiltration rates encountered on the site mean that the use of soakaways is not feasible. On this basis it would be reasonable to consider discharge to a waterbody. The FRA identifies that there is a small drainage ditch along the eastern boundary of the site which currently takes overland flows for the existing site. It is therefore proposed to discharge the surface water from the development into this ditch at the estimated Q_{bar} rate (value of the average annual flood event recorded in a river) of 5.02 l/s for all events, therefore the proposed development will provide a betterment to the downstream situation for all events greater than the 1 in 2 year rainfall event (Q_{bar} rate). The FRA concludes that as the existing site drains towards the ditch already, therefore taking the existing sites flows and with no historical evidence of the area flooding from this ditch, it can be assumed there is connectivity downstream.
- 6.75 The green roof of the proposed store will absorb much of the rainfall on the building, however this would likely meet saturation point during the winter months. The parking area will be constructed of permeable block paving, collecting and storing surface water run off before filtering it and conveying it to buried attenuation tanks. Due to levels on site, there will be some need for traditional drainage components such as gullies and channel drainage. Where possible, subject to levels, these components will discharge via a SuDS feature before entering the attenuation crates. Surface water discharge from the site will be restricted to 5l/s
- 6.76 The drainage strategy for the site has been reviewed by Surrey County Councils' Senior Flood Risk Resilience Officer who has confirmed that the information provided within the FRA is acceptable. A condition has been recommended requiring the submission of the detailed designed of the surface water drainage scheme for approval prior to commencement of development should permission be granted.
- 6.77 In light of the above considerations the development would be acceptable with regard to flooding and drainage matters and would comply with the NPPF and Policy CCF2 of the DMP 2019.

Other Matters

- 6.78 Comments have been made with regard to the impact of the development on a Conservation Area. The application site is not in a Conservation Area therefore this matter has not been considered. Additional concern has been

made regarding noise and disturbance during construction. Whilst the construction process does generate noise and associated inconvenience, this would not constitute a reason to refuse the application. Statutory noise legislation is in place to deal with unacceptable levels of noise and certain aspects of the construction process can be controlled via a construction management plan condition should planning permission be granted.

Very Special Circumstances

- 6.79 As stated in paragraphs 6.5-6.6 the proposed store is considered to be an inappropriate form of development within the Green Belt by reason of its harm to openness. The proposed development would therefore only be justified by very special circumstances that clearly outweigh the identified harm. Within the applicants planning statement the following are listed as being very special circumstances that need to be considered:
- Significant retail need
 - Substantial community support/ demand
 - Reduction in transport movement/ and supporting low carbon future
 - Economic benefits and employment opportunities
 - Lack of available sites
 - High standard of this design
- 6.80 The applicant contends that “only 34% of the convenience good expenditure arising in Zone 3 (Horley) is retained in Horley, demonstrating a high level of convenience goods leakage from the zone”. It also suggests that the Council’s 2016 Retail Needs Assessment (RNA) concluded there was scope to expand the convenience offer in Horley.
- 6.81 With regards to retail need within Horley, the Councils’ Retail Needs Assessment 2016 (RNA) para. 8.20 confirms that borough wide there is no significant quantitative need for further development in the convenience sector and indeed there is a theoretical surplus provision, ‘in the event that all committed development comes forward.’
- 6.82 It is acknowledged that there is some modest need on a centre by centre basis, including 200sqm of convenience floor space in Horley Town Centre, however this is appropriate since it is likely that the floorspace can be achieved through minor extensions, reoccupation of vacant floorspace or through the development opportunities that already exist. Para. 8.21 of the RNA acknowledges evidence of qualitative need demonstrated by apparent overtrading of existing town centre stores. However para. 8.22 emphasises that ‘due to the important role of convenience floorspace within existing centres, the distribution of any qualitative needs should be directed to town centres first in order to promote vitality and viability of centres.
- 6.83 The Council’s Retail Needs Assessment (2016) shows that only 34.3% of the convenience goods expenditure within Zone 3 is retained within Horley town centre (which includes the Town Centre Lidl, Iceland and Waitrose

stores), and not from Horley (as the applicant contends at para 7.13 of its Planning Statement) with the remainder (the majority) of Zone 3 convenience expenditure spent outside of Horley Town Centre:

- 48.8% of the remainder is spent at the out of centre Tesco Extra in Hookwood in Mole Valley district (in Zone 3) outside the borough;
- with a further 2.2% “other outside R&B borough; and
- 6.2% “other inside R&B borough” within Zone 3 (i.e. Outside of Horley Town Centre).

6.84 The leakage of convenience spending from Zone 3 is therefore only 8.8%. This is not considered a justification for a new out of town convenience store in Zone 3.

6.85 In light of the above it is not considered that there is substantial retail need for the proposed store and therefore this should be given limited weight.

6.86 Whilst it is noted from the level of representations in favour of the proposed store from residents of the borough, both in response to the current application and the applicants own public consultation, this would not override the impact of the proposed development on the openness of the Green Belt, and this should be given little to no weight.

6.87 With regard the suggested reduction in transport movements, the existing site is currently vacant and has historically been used as a guest house with modest levels of parking. The proposed development would significantly increase the number of vehicle trips to and from a site located within the Green Belt. Whilst it is noted that there are bus stops in the vicinity, the majority of trips would rely on private vehicle, that would represent an intensification of the site that would be inappropriate. Whilst the installation of electric vehicle charging points and improvements to public transport networks would go some way to meeting national and local aims of reducing carbon emissions and encouraging sustainable travel, this would not be sufficient to outweigh the harm to the openness of the Green Belt.

6.88 With regards to a lack of available sites, the sequential test demonstrated that there would not be available sites within the borough to accommodate the proposed development, however as has already been explained there is not a requirement for a retail unit of this size within the borough and any modest requirement for additional retail use within the borough can be met by improving the offer within existing centres, either through the occupation of existing vacant units or through extension and/ or improvement of existing convenience stores within the borough. Therefore the lack of available sites within the borough for a store of this size should be given little to no weight.

6.89 With regards to the quality of the proposed design, whilst the design in an of itself would not be reason to object to the scheme, this would not serve to off-set the identified harm caused to the openness of the green belt given

the significant increase in size/ scale, bulk and overall visual presence of the development which, as has already been identified, would be harmful to the openness of the green belt.

- 6.90 Whilst the scheme would create additional job opportunities within the borough, it is anticipated within the application form that this would be a total of 50 full time jobs. This would be a modest number and would not be sufficiently meaningful to justify the identified harm to the openness to the green belt in this case.
- 6.91 In conclusion the proposed development would be an inappropriate form of development for which it is not considered that there would be very special circumstances. The scheme would fail to meet the requirements of the National Planning Policy Framework 2021 and Policy NHE5 of the Councils Development Management Plan 2019.

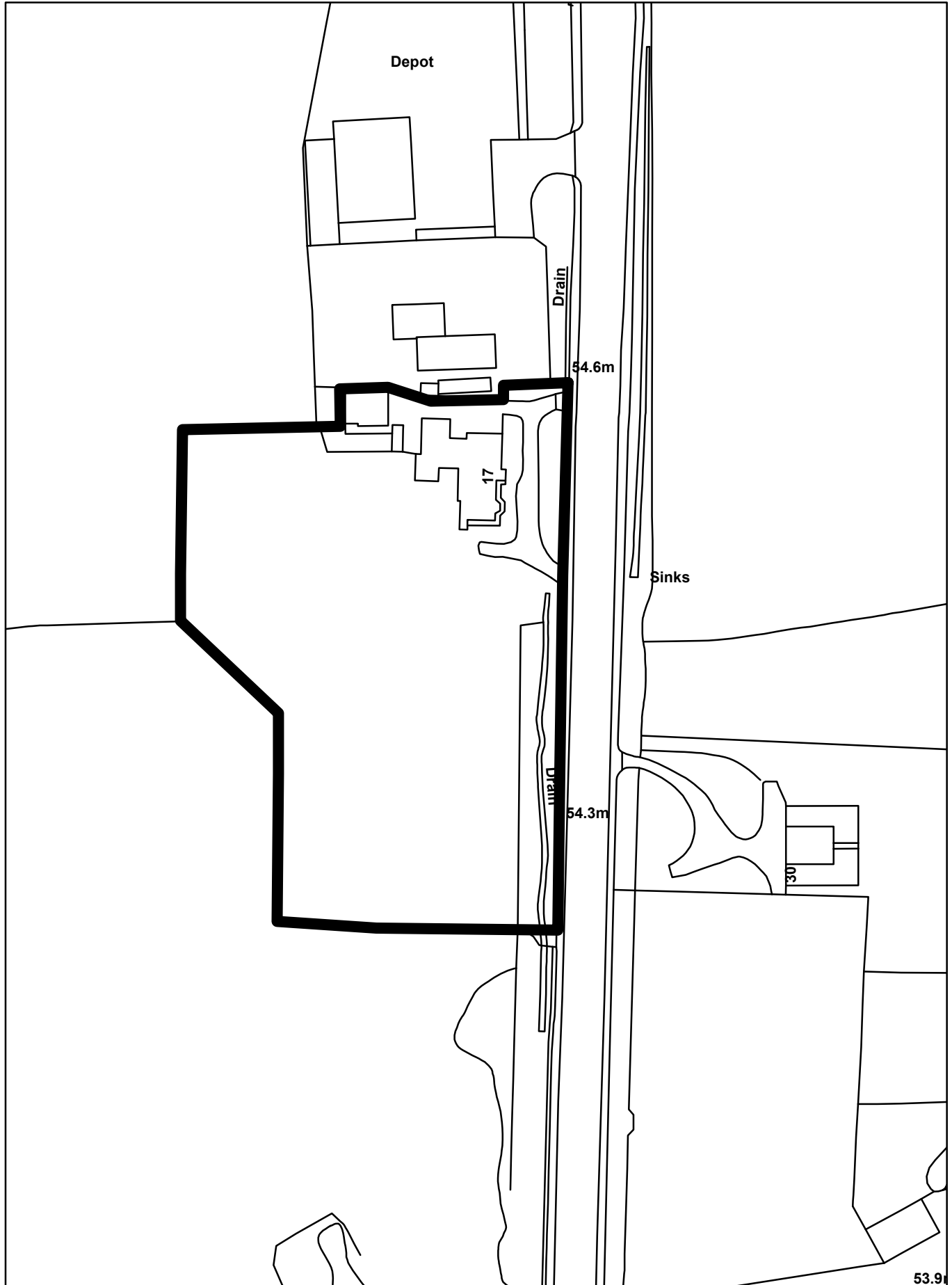
Reason for refusal

1. The proposed development of the proposed retail store, by virtue of its height, scale mass, and associated hardstanding and increased intensification of use in the form vehicle movements, would result in significant harm to the openness of the Metropolitan Green Belt and would therefore, in the absence of very special circumstances, be an unacceptable form of development within the Metropolitan Green Belt. The development would therefore be contrary to Part 13 of the National Planning Policy Framework 2021, Policies CS1 and CS3 of the Reigate and Banstead Core Strategy 2014, and Policies DES1 and NHE5 of the Reigate and Banstead Development Management Plan 2019.
2. It has not been satisfactorily demonstrated that the loss of veteran trees within the site as a result of the proposed development has been fully justified. The proposal would therefore be contrary to planning practice guidance and paragraph 175 (c) of the National Planning Policy Framework with regard to Veteran tree and Policies NHE2 and NHE3 of the Reigate and Banstead Development Management Plan 2019.

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 whilst planning permission been refused regard has been had to the presumption to approve sustainable development where possible, as set out within the National Planning Policy Framework.

21/00720/F - Horley Place, 17 Bonehurst Road, Horley





- NOTES:**
- Contractors must check all dimensions on site. Only figured dimensions are to be worked from. Discrepancies must be reported to the Architect or Engineer before proceeding.
 - subject to site survey, confirmation of legal boundaries, site constraints & highways.
 - The Harris Group does not accept any liability for any deviation to our drawings or specification.
 - This drawing has been based on the following consultants drawings: JPP topographical survey, Barrell tree detail information, Vector Landscape Designers, Connect Highways : JPP 21842Y_01A (2d) Barrell 20161-4 16443-VL_L01K - Landscape Plan Connect: 20127 - SK22101.1
 - © This drawing is copyright

ALDI FOOD STORE:

GROUND FLOOR	
proposed	1865m ² (GEA)
proposed	1804m ² (GIA)
retail area	1315m ²
warehouse	340m ²
amenity area	121.5m ²
lobby	17.5m ²
wall and circulation	10m ²

EXTERNAL AREAS:	
parking aisles	6m & 7m
parking spaces	2.5m x 5.0m
98 customer parking spaces	
inc. 6dda, 7p&c & 4 ev (+16 passive EV)	

- KEY:**
- site area (red line) 2.41 acres; 0.98 hectares
 - existing trees to be retained
 - TPO trees to be retained
 - proposed trees
 - proposed landscape
 - proposed Tree Root Protection parking spaces

Rev	Date	Description	Rev By	Chk'd By
W	19.10.2022	revised arboricultural overlay and revised landscape	ERJ	ROD
V	12.10.2022	extended footpath following safety audit comments	ERJ	ROD
U	12.10.2022	amendment to junction details as per CC drawing 20127-SK220902.1	ERJ	ROD
M	10.06.2021	standard parking removed from front area, additional highways works incorporated	ERJ	ROD
L	10.06.2021	standard parking removed from front area, additional highways works incorporated	ERJ	ROD



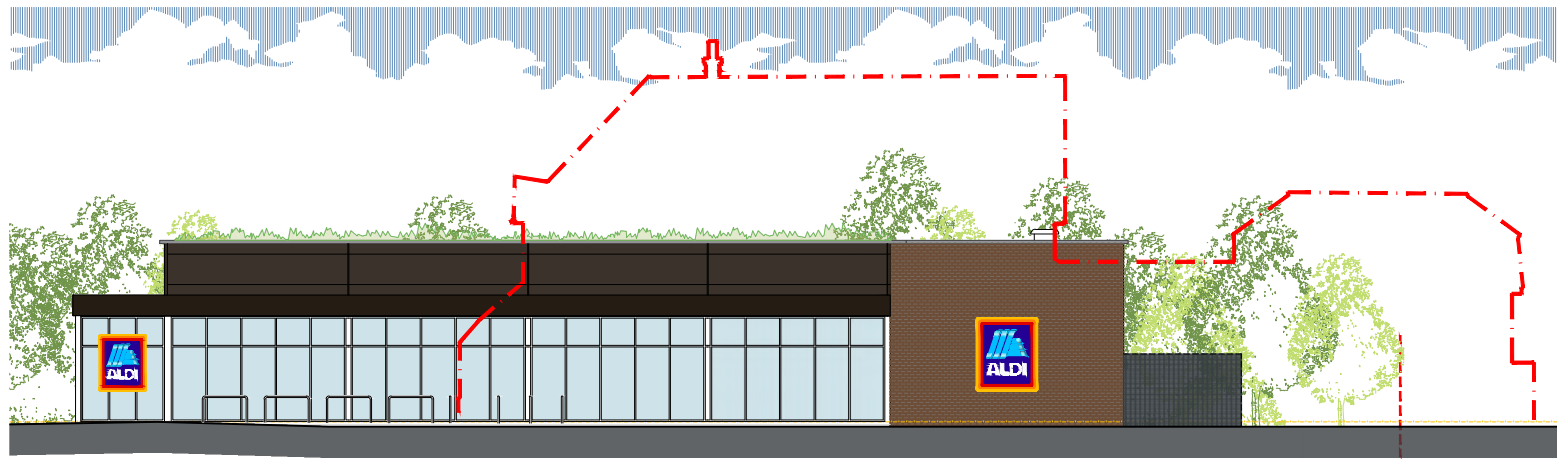
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	BONEHURST ROAD HORLEY RH6 8PP			
Client	ALDI STORES LIMITED SHEPPEY			
Status	PLANNING			
Scale	1:500	Drawing Size	A3	
Date	09-10-2020	Drawn By	ERJ	Checked ROD
Drawing Title	PROPOSED SITE LAYOUT			
Job-Dwg No	16443_111	Rev	W	

- 2 St. Johns North, Wakefield, WF1 3QA t. 01924 291800
- Carvers Warehouse, 77 Dale Street, Manchester, M1 2HG t. 0161 2388555
- The Old Rectory, 79 High Street, Newport Pagnell, MK16 8AB t. 01908 211377
- 101 London Road, Reading, RG1 5BY t. 0118 9507700
- 10 Gees Court, 51 Christophers Place, London, W1U 1JJ t. 0207 4091215



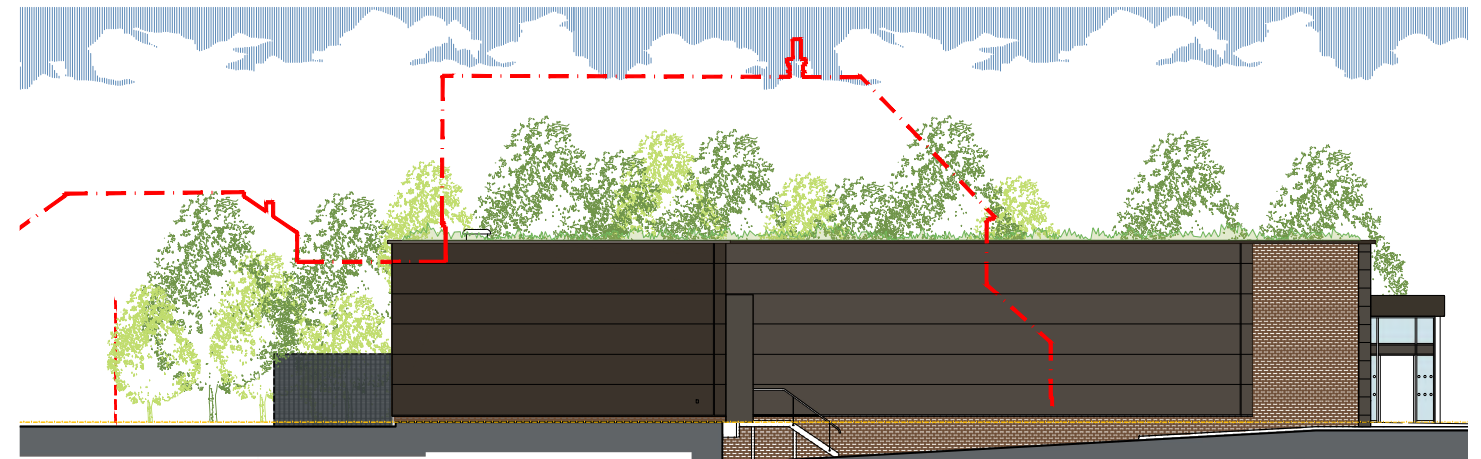
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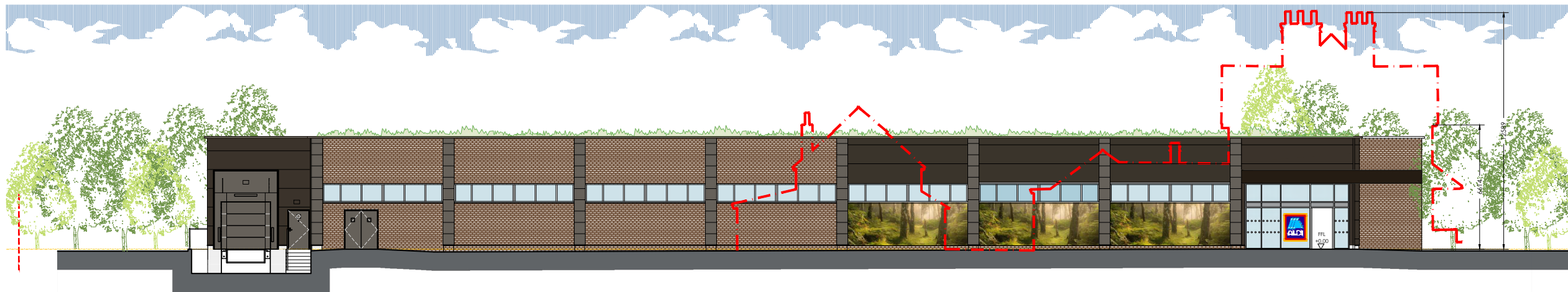
01: EAST ELEVATION | BONEHURST ROAD

scale 1:250



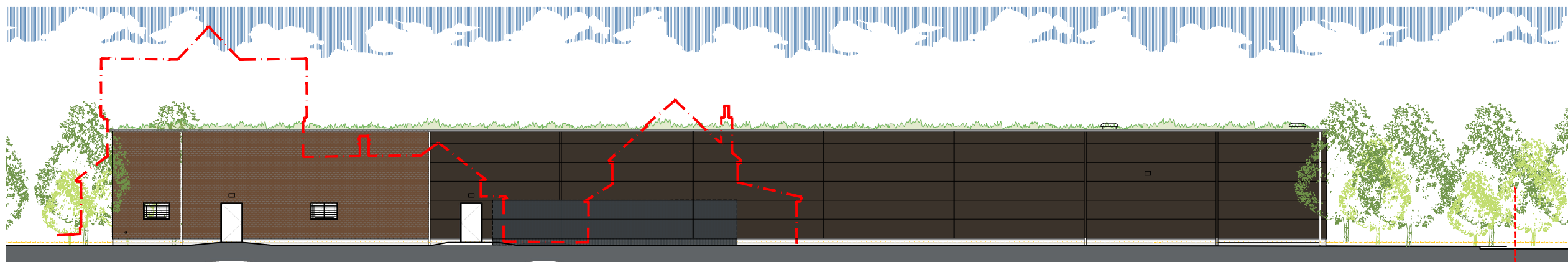
02: WEST ELEVATION

scale 1:250



03: SOUTH ELEVATION

scale 1:250



04: NORTH ELEVATION

scale 1:250

Rev	Date	Description	Rev By	Chk'd By
B	12.10.2022	amendment to store positions, following changes to site layout	ERJ	ROD
A	23.02.2021	removal of brise soleil and cedar cladding	ERJ	ROD

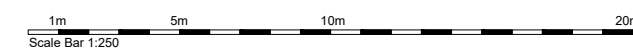


Project Title	PROPOSED ALDI FOODSTORE BONEHURST ROAD HORLEY RH6 8PP		
Client	ALDI STORES LIMITED SHEPPEY		
Status	PLANNING		
Scale	1:250	Drawing Size	A3
Date	17-02-2021	Drawn By	ERJ
		Checked	ROD
Drawing Title	PROPOSED ELEVATIONS OVERLAY		
Job-Dwg No	16443_115	Rev	B

- 2 St. Johns North, Wakefield, WF1 3QA t. 01924 291800
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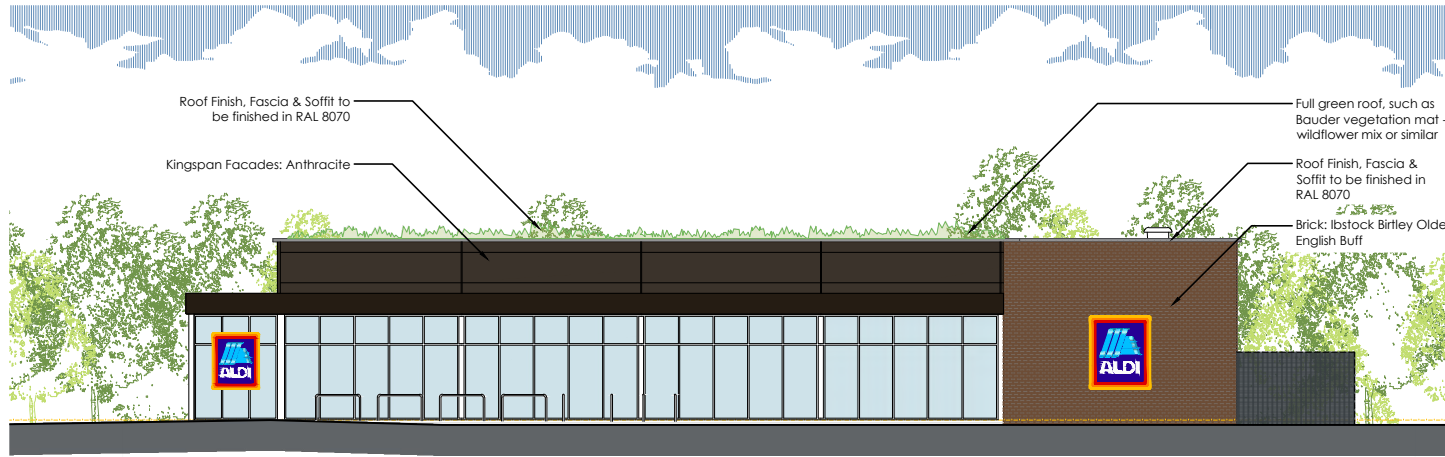


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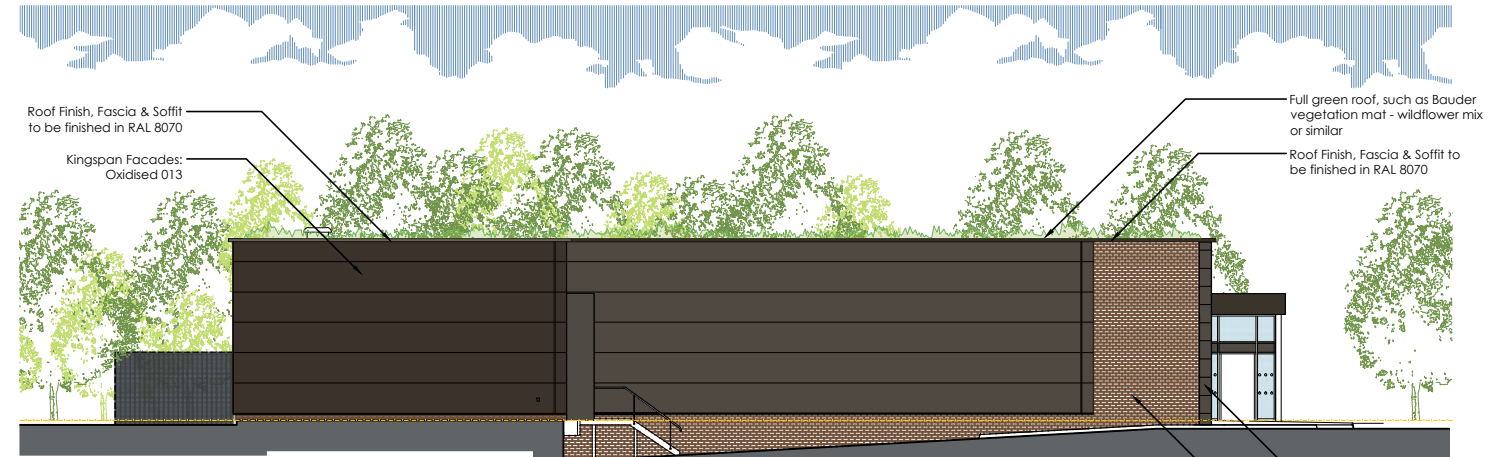
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01: EAST ELEVATION | BONEHURST ROAD

scale 1:250



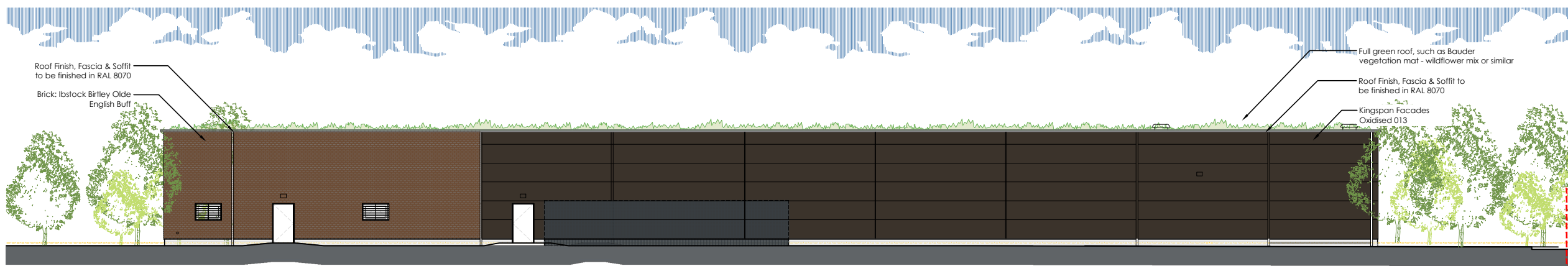
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scale 1:250



03: SOUTH ELEVATION

scale 1:250



04: NORTH ELEVATION

scale 1:250

Rev	Date	Description	Rev By	Chk'd By
J	12.10.2022	amendments to elevations following site layout changes	ERJ	ROD
F	08.01.2021	revised numbering	ERJ	ROD
E	05.01.2021	revised front elevation	ERJ	ROD
D	05.01.2021	roof redesign - flat roof and parapet	ERJ	ROD
C	15.12.2020	roof redesign and green roof	ERJ	ROD
B	19.10.2020	removal of perforated vinyl text and change to vinyl	ERJ	ROD



Project Title	PROPOSED ALDI FOODSTORE		
	BONEHURST ROAD HORLEY RH6 8PP		
Client	ALDI STORES LIMITED SHEPPEY		
Status	PLANNING		
Scale	1:250	Drawing Size	A3
Date	07-10-2020	Drawn By	ERJ
		Checked	ROD
Drawing Title	PROPOSED ELEVATIONS		
Job-Dwg No	16443_114	Rev	J

- 2 St. Johns North, Wakefield, WF1 3QA t. 01924 291800
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