

 <p><b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate</p>	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	28 <sup>th</sup> November 2018
	<b>REPORT OF:</b>	HEAD OF PLACES & PLANNING
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<b>AGENDA ITEM:</b>	6	<b>WARD:</b> Earlswood and Whitebushes

<b>APPLICATION NUMBER:</b>	18/00967/OUT	<b>VALID:</b>	16 May 2018
<b>APPLICANT:</b>	Nordhus Properties	<b>AGENT:</b>	WS Planning & Architecture
<b>LOCATION:</b>	<b>HOCKLEY INDUSTRIAL CENTRE, HOOLEY LANE, REDHILL</b>		
<b>DESCRIPTION:</b>	<b>Outline planning application for the partial demolition of existing buildings, erection of 4 apartment blocks comprising 23 x 1 bed flats and 37 x 2 bed flats (60 in total)</b>		
<b>All plans in this report have been reproduced, are not to scale, and are for illustrative purposes only. The original plans should be viewed/referenced for detail.</b>			

## SUMMARY

This is an application for the demolition of the majority of the buildings on the Hockley Industrial Centre and redevelopment of the site to provide 60 apartments in four separate blocks. One existing building would be retained and converted to provide ancillary facilities. The application is for outline planning permission; however, only landscaping matters are reserved for future consideration.

The site is not within a designated Employment Area but it is presently occupied by a mixture of small scale commercial and industrial buildings and thus would technically result in a loss of these existing employment uses. However, the principle of residential redevelopment (and therefore the loss of the existing employment uses) has been established through the previous appeal decision. This, together with the condition and viability of the site, is considered to satisfy Policy Em1A.

The proposal would represent some increase in built form compared to the approved scheme; however, this is considered to be acceptable. Through the course of the application, amendments have been secured which result in the number of units proposed falling from 64 to 60. This is particularly as a result of a reduction to the height, bulk and massing of Block 1 (fronting Hooley Lane) which is now broadly akin to that allowed at appeal. Adjustments to the massing and design of other blocks on site are considered to be equally modest compared to the approved scheme and are not felt to be detrimental to character. The internal layout of the site now proposed, including the parking layout and extent of soft landscaping is also similar to the approved appeal scheme. Overall, mindful of the appeal decision, it is felt that the current proposals reflect a good standard of design.

The scheme approved at appeal included the retention of east elevation of the Goods Station of 1855 which includes an elevation of 8 arches with interesting sign lettering. The Conservation Officer has expressed concern about the loss of this feature which he considers may merit to warrant local listing; however, it is acknowledged that public appreciation is limited to glimpses from those on trains into Redhill. Furthermore, the applicant has submitted structural evidence which concludes that the wall is in a poor condition and recommends that it should be demolished. The applicant has however revised the plans and has confirmed that they are willing to salvage elements of the wall (including the arched windows and, if possible, sign lettered sections) for incorporation into the new building. A condition is proposed to secure this. Taking a balanced judgement (as required by the Framework), it is concluded that the loss of this wall is justified.

Careful consideration has been given to the impact of the proposals on neighbour amenity. As many of the buildings are very similar to the appeal scheme in their scale, massing and siting, it is not felt that these revised proposals would cause a materially different impact on neighbours subject to conditions regarding obscure glazing of windows and screening to balconies.

In terms of affordable housing, the application was accompanied by an open book viability appraisal and initially provided no affordable housing. Given this did not comply with policy, and deviated significantly from the position on the appeal scheme, the Council sought an independent review of the applicant's submission. This concluded that, on the basis of a 64 unit scheme, the proposals could support 5% affordable housing (3 units). Following this review, Officers have engaged in negotiations with the applicant who have agreed to provide 3 units, despite the subsequent reduction in the number of units on the scheme (64 to 60). Based on the conclusions of the independent review – which are discussed in fuller detail in the main body of the report – this level of provision is felt to be reasonable and justified given the viability of the scheme and therefore acceptable in the context of Policy CS15 of the Core Strategy.

The scheme would support the Council's urban areas first strategy and would make a positive contribution to local housing requirements, bringing consequent social and financial benefits all of which weigh in favour of the scheme.

## **RECOMMENDATION(S)**

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

- (i) 3 units of affordable housing as shared ownership tenure;
- (ii) The Council's legal costs in preparing the agreement;

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

In the event that a satisfactorily completed obligation is not received by 31 December 2018 or such longer period as may be agreed, the Head of Places and Planning be authorised to refuse permission for the following reason:

The proposal fails to make adequate provision for affordable housing and is therefore contrary to policies CS15 of the Reigate and Banstead Core Strategy 2014.

## Consultations:

County Highway Authority: No objection subject to conditions. Key comments as follows:

### *"Pedestrian Crossing*

*There is currently no footway on the south side of Hooley Lane across the site frontage. Pedestrians would therefore have to use the existing vehicular access and cross the one way road to gain access to the footway on the north side. This is not ideal from a highway safety point of view, as pedestrians would have to wait within the carriageway before crossing the road, and visibility of oncoming vehicles would be restricted by the vehicles parked along the south side of Hooley Lane outside the site. Condition no.2 above therefore requires the applicant to provide an uncontrolled pedestrian crossing point adjacent to the site access preferably on the eastern side, which should consist of a kerb build out or an area of footway/hardstanding with a dropped kerb and tactile paving. This would provide a safe place for pedestrians to wait before crossing the road and would have the added benefit increasing visibility of oncoming vehicles by allowing pedestrians to see past the parked vehicles. A dropped kerb and tactile paving should also be provided on the opposite side of the road.*

### *Car Parking*

*The developer is proposing 50 car parking spaces for the 64 flats. This is less than the recommended quantum in stated in the Reigate and Banstead Parking Standards. The highway network in the vicinity of the site has parking controls which would prevent inappropriate parking. The shortfall in parking is therefore unlikely to lead to a highway safety problem"*

Conservation Officer: No objection to loss of locally listed railway warehouse but objects to the loss of the unlisted eastern elevation of the Goods Station/Shed. Key comments as follows:

*"This is the site of the original Redhill station, on the London to Brighton line, one of the first steam railway lines in Surrey. The station was built in 1840 and was Redhill's station from 1841 to 1844. It closed in 1844 and but the yard remained a goods station. The Goods Station shed is of 1855. A railway warehouse to the south is of the 1860's and there is also a stableblock of 1890.*

*The railway warehouse is locally listed, but this listing was on the basis that it was part of the original and very early railway building but it is now apparent it is some 20 years later. It therefore lack the original significance of the very early date ascribed to it and its retention is not sought in this application.*

*The earlier, and larger Goods Station of 1855 to the north, is more architectural significant. The retention of the east elevation of this goods shed is sought as it is an impressive elevation of 8 arches, with interesting early sign letter. The north and south gables have been altered and the west elevation is less impressive with only 4 arches. It has interesting early lettering on the east elevation. The significance of this building has only recently been revealed when hoarding was recently removed from this elevation. This building would be worthy of local listing.*

*The Victorian stable building is a small but potential attractive building of 1890 and visually prominent at the entrance to the site.*

*The current proposal is for demolition of the east wall of the good stations but appears not to rule out retention as an option if required. I would be opposed to the demolition of this elevation. It would be useful to discuss the retention of the east elevation of the Goods Station shed further. Are any acoustic fences proposed which should be omitted in front of the elevation of the goods shed? More working is need on this elevation and the form of the Stable Block. It would be very important that the embankment to Hooley Lane is rebuilt or refaced in brick in a complementary*

*style. The change in design of the new flats is disappointing as less sympathetic to the historic railway character of the site. The garden wall on the east boundary also has a pseudo and mock appearance and needs to be revised."*

Contaminated Land Officer: Potential for ground contamination to be present on and/or in close proximity to the application site. No objection subject to conditions

Tree Officer: No objection subject to conditions

Surrey Lead Local Flood Authority (SUDS): No objection subject to conditions

Gatwick Airport: Recommends condition requiring a bird hazard management plan

Reigate Society: Object – welcome the incorporation of ground level parking but object to the increased density and loss of historic railway shed

RBBC Neighbourhood Services: Expresses some concerns about the number of units which would be served by one of the bin stores. Requested vehicle tracking for a 26 tonne refuse collection vehicle (*NOTE: this was provided by the applicant in a revised Transport Statement and demonstrates that such a vehicle can manoeuvre adequately within the site*).

Surrey Crime Prevention Officer: Recommends a planning condition relating to Secured by Design

Natural England: No comments

Thames Water: No objection with regard to waste water and waste water processing capacity based on information provided. Identifies public sewers crossing or close to site – advisory provided for applicant.

### **Representations:**

Letters were sent to neighbouring properties on 8<sup>th</sup> June 2018; a site notice was posted 21<sup>st</sup> June 2018 and the application was advertised in local press on 21<sup>st</sup> June 2018.

Thirteen responses were received on the original plans, with a further two in relation to the second period of consultation on the revised plans. Of the responses received, nine objected to the proposals, two were in support and one took a neutral position.

The issues raised were as follows:

<b>Issue</b>	<b>Response</b>
Noise & disturbance	See paragraphs 6.20 to 6.27 and conditions 4, 15, 17 and 26
Overshadowing	See paragraphs 6.20 to 6.27 and conditions
Overlooking and loss of privacy	See paragraphs 6.20 to 6.27 and conditions 3 and 28

Overbearing relationship	See paragraphs 6.20 to 6.27 and condition 3
Out of character with surrounding area	See paragraphs 6.9 to 6.19 and conditions 5, 11, 12 and 13
Overdevelopment	See paragraphs 6.9 to 6.19
Poor design	See paragraphs 6.9 to 6.19 and conditions 5, 11, 12, 13 and 21
Harm to listed building	See paragraphs 6.15 to 6.18 and condition 5
Hazard to highway safety	See paragraphs 6.30 to 6.31 and conditions 4, 18, 19 and 22
Increase in traffic and congestion	See paragraphs 6.28 to 6.32 and condition 20
Inconvenience during construction	See paragraph 6.50 and condition 4
Inadequate parking	See paragraph 6.28 to 6.29 and conditions 19, 20, 22 and 24
Drainage and sewage capacity	See paragraph 6.44 and conditions 6 and 27
Harm to wildlife habitat	See paragraphs 6.45 to 6.46 and conditions 11 and 16
Crime fears	See paragraph 6.49
Impact on infrastructure	See paragraphs 6.33 to 6.35
Loss of/harm to trees	See paragraph 6.46 and conditions 7 and 11
Loss of private view	Not a material planning consideration
Property devaluation	Not a material planning consideration
Harm to Green Belt/countryside	The site is not within an area of countryside and is not within or adjacent to the Green Belt. No impact identified.
Harm to Conservation Area	The site is not within or in close proximity to a Conservation Area
Support – Benefit to housing need	See paragraph 6.51
Support – Community/regeneration benefit	See paragraph 6.51
Support – Visual amenity benefits	See paragraph 6.51
Support – Economic growth/jobs	See paragraph 6.51

## **1.0 Site and Character Appraisal**

- 1.1 The site is a wedge shaped piece of land, located between Hooley Lane, Woodlands Avenue and the railway in Redhill. The site is presently used for a variety of general industrial uses including motor vehicle repairs and storage and is occupied by four principal buildings.

- 1.2 Hooley Lane rises in level quite sharply along the frontage of the site from a low point under the railway bridge. As a result, part of the site is elevated quite significantly above the road level and there is a high part concrete, part brick retaining wall along the Hooley Lane frontage which dominates the street scene.
- 1.3 Three of the buildings upon the site have some historic merit, with the main and larger building fronting onto Hooley Lane not considered of merit. The small building at the front of the site and the building present employed for coach repairs have some historic merit by reason of their siting, brickwork, arches and detailing, whilst the building located at the rear is a locally listed building. Examining the historic maps, it appears that the buildings are not original station buildings, but some may date from 1840-1860's.
- 1.4 The rear most building is presently locally listed. After review, it is concluded the goods shed running down the side of the site is the most important historic building on the site, likely to have been built sometime between 1845 and 1860, after the first Redhill railway station of 1841 had closed on the site in 1844.
- 1.5 Adjacent to the site is a terrace of Victorian properties – Brighton Terrace - located just off Woodlands Avenue with pedestrian access onto Hooley Lane. Woodlands Avenue itself is a more eclectic mix of predominantly Victorian era detached and semi-detached properties. There is some variety surrounding the site ranging from recent new build flatted development, the Marquis of Granby pub and the more open, green areas of Redhill Common to the west of the application site.
- 1.6 As a whole, the application site extends to approximately 0.52ha.

## **2.0 Added Value**

- 2.1 Improvements secured at the pre-application stage: The opportunity did not arise as the applicant did not approach the Council for pre-application advice in respect of the current scheme.
- 2.2 Improvements secured during the course of the application: Reductions to, and improvements in, the height and massing of Block 1. Improvements to design and articulation. Revision of ground floor wall to Block 2 to reflect existing arched elevation/allow for elements to be salvaged. Revised parking layout to increase level of amenity space and soft landscaping within site. Agreement to 3 units of affordable housing.
- 2.3 Further improvements to be secured through planning conditions or legal agreement: Various conditions are recommended to control materials, details and landscaping to ensure a high quality development. A legal agreement will be required to secure the on-site affordable housing provision. A condition is also proposed to secure salvage of elements of the Goods Station eastern elevation. Condition to secure uncontrolled pedestrian crossing on Hooley Lane.

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

- 3.1 15/01008/OUT Partial demolition of existing buildings, Refused

erection of 4 apartment blocks comprising 33 x 2 bed and 16 x 1 bed apartments, retention of Locally Listed wall and conversion of existing building into 2 bed house.

Appeal allowed  
8 May 2017

3.2 In addition, there is history associated with the business/industrial use of the site; however, this is not felt to be pertinent to wholesale redevelopment of the site.

#### **4.0 Proposal and Design Approach**

4.1 The proposed development seeks outline planning permission for the demolition of the existing buildings and the erection of four apartment blocks of varying sizes to provide 60 residential units. An existing Victorian stable building would be retained and converted to provide ancillary facilities (bin/cycle storage).

4.2 The matters for approval at this stage are access, appearance, layout and scale. Landscaping is reserved for a later application if this proposal were to be approved.

4.3 The layout of the scheme is broadly similar to that approved at appeal. Each block would be provided with private amenity space, with a larger area of formal landscaped amenity space between Blocks 1 and 2. There would be areas of surface parking along the access road, interspersed with planting and landscaping.

4.4 Block 1 is the largest of the blocks and fronts onto Hooley Lane, containing 28 units with some undercroft parking. It would be four storeys, the fourth being reduced in size and set back to reduce bulk. The Hooley Lane elevation would have two projecting bays joined by a recessed central section. It would be predominantly in brick, but with areas of brick detailing, render and metal cladding to provide variety. Block 4 is situated on the opposite side of the access road to Block 1 and is a smaller footprint and to a height of three storeys.

4.5 Block 2 is positioned adjacent to the eastern boundary with the railway line. It would have a broadly L-shaped footprint and would again be four storeys, the top floor being recessed and set back. Materials palette would be similar to Block 1; however, the design includes for a contemporary replacement for the existing Goods Shed eastern elevation (potentially with some salvage).

4.6 Block 3 is situated on the southern part of the site and is a three storey building consisting of 8 apartments, the reduced height intended to minimise impact on neighbouring properties on Woodlands Avenue.

4.7 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.

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

Assessment	The Design & Access (D&A) Statement describes that the site is located to the south of the town of Redhill. A railway line flanks the site to the east, to the rear are properties off Woodlands Avenue. The site is surrounded by predominantly residential properties in its immediate environs; however, there are a number of commercial properties on the A23. Key characteristic features of the existing site including railway buildings with high quality brick detailing and arches, variation in height and scale and some buildings with cladding and render. Surrounding residential properties are typically facing brick, with some render and cladding panels, with traditional brick details such as zip course, quoins, headers, arch lintels and brick sills.
	The Victorian stable block is proposed to be retained and converted. The retained wall on the eastern rail track boundary has been structurally assessed and it is now unviable to be retained, make good and incorporate into Block 2.
Involvement	The D&A Statement identifies that pre-application advice was sought from the Council in 2017 and design of the scheme amended in response. No evidence of public consultation is provided in the D&A.
Evaluation	The principles of the scheme are unchanged from the approved scheme but seek to make efficient use of the land. During the redesign of the buildings, internal arrangements have been studied further to ensure that the scheme improves quality of living and amenity space for residents and neighbouring buildings. The increase in units is predominantly be redesigning the undercroft of Block 1 and 2 due to the construction being unviable.
Design	The D&A explains that the chosen design follows a design code which seeks to: create bespoke buildings with a strong sense of place; use focal landscaped areas, respect human scale and materials which complement the character of the area; and create logical zones of hardstanding and soft landscaping.

4.9 Further details of the development are as follows:

Site area	0.52ha
Existing use	Mixed commercial/industrial
Proposed use	Residential (flats)
Net increase in dwellings	60

<i>Of which affordable</i>	3 (5%)
Proposed site density	115 dwellings per hectare (dph)
Density of the surrounding area	Varied 62dph – Brighton Terrace 145dph – Artillery Court 141dph – Niche Place (Brook Road)
Proposed parking spaces	50
Parking standard	BLP 2005 – 78 spaces (maximum)
Estimated CIL contribution	£220,000 (subject to indexation and existing buildings)

## 5.0 Policy Context

### 5.1 Designation

Urban Area  
Locally listed building (railway warehouse)

#### Reigate and Banstead Core Strategy

CS1 (Presumption in favour of sustainable development)  
CS4 (Valued townscapes and historic environment)  
CS5 (Valued people/economic development)  
CS8 (Area 2a: Redhill)  
CS10 (Sustainable development)  
CS11 (Sustainable construction)  
CS13 (Housing delivery)  
CS14 (Housing needs of the community)  
CS15 (Affordable housing)  
CS17 (Travel options and accessibility)

### 5.2 Reigate & Banstead Borough Local Plan 2005

Landscape & Nature Conservation	Pc4
Heritage	Pc10
Housing	Ho9, Ho10, Ho13, Ho16
Employment	Em1A
Movement	Mo4, Mo5, Mo6, Mo7
Utilities	Ut4

### 5.3 Other Material Considerations

National Planning Policy Framework

National Planning Practice Guidance

Supplementary	Developer Contributions SPD
Planning Guidance	Affordable Housing SPD

## Local Distinctiveness Design Guide

Other

Human Rights Act 1998  
Community Infrastructure Levy Regulations 2010 (as amended)  
Conservation of Habitats and Species Regulations 2010  
Public Sector Equality Duty

### 6.0 Assessment

- 6.1 The site is in existing employment use and comprises locally listed building and other features of heritage interest. It closely abuts the railway line and existing residential properties and is prominently located on Hooley Lane, set significantly above the adjoining road in places. The main issues are therefore considered to be:
- 6.2 The main issues to consider are therefore:
- Loss of employment land
  - design and impact on the character of the area and heritage assets
  - effects on the amenity of neighbouring properties
  - access, parking and highway implications
  - affordable housing and infrastructure contributions
  - other matters

#### Loss of employment land

- 6.4 As above, whilst the site is not a designated Employment Area within the 2005 Borough Local Plan, the site nonetheless comprises existing commercial and industrial premises which remain in active employment use with a mixture of vehicle repairs, vehicle storage and other general industrial uses. These employment uses would be replaced with residential as a result of the development and thus policies relating to the loss of employment land are relevant (e.g. Em1A of the Local Plan and CS5 of the Core Strategy).
- 6.5 The application, as with the previous proposals, was supported by evidence from Chartered Surveyors which contends that due to the poor condition of the accommodation, it is not suited to modern employment, will progressively worsen and deteriorate and that replacement/investment within them to bring them up to standard would prove uneconomic and unlikely to yield an acceptable return.
- 6.6 On balance, it is agreed that the long-term economic and employment potential of the site is compromised and the likelihood of decline and vacancies is therefore high. Mindful of this limited economic role and the position in the Framework that local planning authorities should support proposals to use employment land for homes in areas of high housing demand provided this would not undermine key economic sectors, it is considered that the loss of employment land is justified in this case.
- 6.7 A similar conclusion was reached by the Council and Inspector in the previous application where no objection was raised to the loss of employment. This

application remains extant and is a material consideration in this case which further justifies the development on this point.

- 6.8 Consequently, the loss of employment land is not considered to be objectionable when considered against the provisions of policies Em1A, CS5 of the Core Strategy and the provisions of the Framework.

Design and impact on the character of the area and heritage assets

- 6.9 The proposals would see the demolition of the majority of buildings on site (save for the pleasant single storey Victorian stable building which would be retained and converted to a cycle/bin store) and the erection of 4 blocks ranging from 3 to 4 storeys in height.
- 6.10 The scheme differs from the development approved at appeal in that a number of the blocks have been revised in terms of their positioning, massing and design. There have also been some adjustments to the internal layout of the site – particularly with reference to parking and landscaping.
- 6.11 The originally submitted scheme for this application was considered to be a retrograde step from that allowed at appeal, particularly as it proposed a marked increase in the height, bulk and massing of Block 1 (which faces onto Hooley Lane) and a significant reduction in areas of landscaping and amenity space internally within the site.
- 6.12 However, through the course of the application, Block 1 has been reduced back to a four storey building and now has a height and massing onto the Hooley Lane frontage which is broadly comparable to the scheme approved at appeal. In addition, the fourth storey would – as per the appeal scheme – remain set back and recessed, helping to reduce the perceived scale of the building such that it would not be unduly dominant. In terms of height, scale and massing, the other Blocks (2 to 4) proposed on the site would also remain broadly similar to those on the previous scheme. No objection was raised by either the Council or the appeal Inspector to the height, scale and massing of these buildings in that case. Overall, it is still considered that they would not be out of keeping with their surroundings.
- 6.13 Whilst there have been some changes to the appearance and architectural detailing of the buildings compared to the appeal scheme, a good standard of design would still be achieved. The scheme makes good use of projecting and recessed elements to provide variation in plane such that it for the most part avoids long, unbroken elevations, particularly on more prominent elevations. The elevations are well ordered in terms of fenestration and balcony features are used to good effect to add interest. The use of different brick tones and areas of render and metal cladding also help to break up the buildings. Whilst each of the buildings has some individuality in terms of their form, footprint and design, the consistent palette of materials across all four would mark them out as a cohesive group with a clear identity and character.
- 6.14 In terms of internal layout, the plans originally submitted for this application incorporated a marked and detrimental increase in the extent hard standing within

the site, along with a consequent reduction in planting and amenity space. Through discussion with the applicant, amended plans have been secured which revert back to an internal layout which now very closely resembles the appeal scheme. Each block would have an appropriate area of private amenity space, with a landmark central area of formal laid out gardens between Blocks 1 and 2 which would provide a sense of place to the development. There would be ample soft landscaping and planting along the length of the main access road and around the footprint of each of the blocks so as to ensure it would not have an unduly urbanised feel.

- 6.15 The application proposes the demolition of the locally listed railway warehouse. This is consistent with the previous application and is not objected to, particularly given the views of the Conservation Officer (as set out above), that the building lacks the significance originally ascribed to it. However, the current scheme also proposed the removal of the east elevation of the 1855 Goods Station/Shed which was proposed to be retained and incorporated into Block 2 in the previous scheme.
- 6.16 Whilst the Goods Shed eastern elevation is not locally listed at present, as above, the Council's Conservation Officer considers it to be of merit (architectural and historic) and is thus felt to be a non-designated heritage asset. The particular interest derives from the eight arched elevation, with sign lettered sections and arched windows. It must however be acknowledged that opportunity for the public to appreciate the interest and significance of this asset is limited by its siting directly along the railway boundary; such that it can only really be observed by those passing on the train. The applicants have also supplied structural survey information regarding the condition of the wall which concludes that *"wall is generally in poor condition, with deterioration to the masonry and brickwork noted throughout. Spalling, mortar loss and diagonal stepped cracking of up to 5mm was also noted, with peeling and flaking of the paint also evident"*. The report also notes that *"an assessment of the wall shows that it is unstable in its proposed condition and construction activities of the proposed development will induce ground disturbance that may cause the wall to collapse. The proposal to retain the existing wall as part of the redevelopment works will require substantial strengthening works to stabilise the wall and ensure compliance with current design codes."* Whilst the report includes recommendations as to how the wall could be retained, it ultimately concludes that the wall should be demolished. It also notes that, due to proximity to the railway and land title restrictions which forbid works within 1.5m of the railway boundary, there is doubt as to whether works required to stabilise/strengthen the wall could be achieved.
- 6.17 It is agreed that, as the Conservation Officer notes, the structural evidence is not wholly conclusive and it is acknowledged that it appears not to rule out the possible retention of the wall as an option (albeit acknowledging that works which would be required are substantial and there are questions over their feasibility). However, the Framework requires a balanced judgement to be made where a proposal would result in harm to a non-designated heritage asset such as this.
- 6.18 In this context, it is considered that the loss of this heritage interest, whilst regrettable, is justified in this case and in isolation would not warrant refusal. In coming to this view, account has been taken of the Conservation Officers view of the significance of the asset (tempered by the limited opportunity for public

appreciation), the structural evidence and feasibility of retention and the wider benefits of the scheme including the provision of additional housing on a well-located previously developed site. Through the course of the application, amended plans have been secured which provide a replacement wall of similar arched design along this elevation and the applicant is agreeable to a condition requiring them to salvage as much of the existing wall as feasible (such as the arched windows and potentially some sign written sections of wall). This would help to preserve some historic reference.

- 6.19 Overall, whilst the scheme has changed compared to the appeal scheme, it is considered that – with the improvements secured during the application process - the proposals achieve a good standard of design and a development, in keeping with the surroundings. In this regard, whilst it would increase the density of the site and thus maximise its capacity for development, it would do so without material harm or detriment to character of the area. Furthermore, as above, the impact on heritage assets has been fully considered and is felt to be justified in the circumstances. The proposal would therefore comply with policies Pc10, Ho9, Ho13 and Ho16 of the Local Plan 2005, CS4 and CS10 of the Core Strategy and the provisions of the Framework in respect of achieving well designed places.

#### Effects on the amenity of neighbouring properties

- 6.20 The site directly adjoins a number of existing dwellings on Woodlands Avenue and Brighton Terrace and there are other neighbours opposite the site on Hooley Lane. The impact of the proposal on these neighbours has been carefully considered.
- 6.21 Blocks 1 and 2, given their positioning, scale and separation to neighbouring properties, are not considered to give rise to unacceptable effects on neighbour amenity. The overall height of Block 2 would not be that dissimilar to the existing approved scheme and it would be sufficiently far from the side/rear boundaries of properties on Woodlands Avenue and Brighton Terrace (12-13m) so as to not cause an unacceptable overbearing or overshadowing effect. Given the distances and changes in levels, it is also concluded that the front facing windows on Block 2 would not cause unacceptable loss of privacy for these existing neighbouring properties. The nearest existing properties to Block 1 would be on the opposite side of Hooley Lane, due north of the application site and Block 1. Given their positioning, orientation and juxtaposition compared to Block 1, it is not felt that they would experience a serious loss of amenity albeit there would be some change.
- 6.22 The new Blocks 3 and 4 are considered to be most sensitive in terms of their impact on neighbour amenity, Block 3 in respect of its relationship to properties on Woodlands Avenue and Block 4 due to its impact on Brighton Terrace.
- 6.23 Block 4 would be sited due north of Brighton Terrace which adjoins the site. These dwellings face onto the boundary where Block 4 would be sited albeit it is acknowledged that their main access is to the rear and their main outdoor amenity areas would adjoin the boundary with the site. Brighton Terrace is elevated above the application site, as shown on the survey plans, by a considerable amount in places. Whilst the neighbours at Brighton Terrace would experience a change in relationship and outlook as a result of the construction of Block 4, the proposed

building in this case is largely unchanged compared to the approved scheme in terms of its siting, height, scale and massing. Block 4 was not previously identified by either the Council or the Inspector as causing harm to amenity and there have been no other changes which would warrant taking a different view in this case. Elevation wise, the pattern and positioning of windows in the flank adjacent to Brighton Terrace would be the same as the approved building and all of the windows are shown on the approved plans to be obscure glazed and fixed shut which would prevent any loss of privacy. The front terraces to this Block are significantly smaller than that on Block 3 (discussed below) and further from the rear boundaries with the neighbours at Brighton Terrace.

- 6.24 Turning to Block 3, this has been amended compared to the approved scheme in respect of both its siting, footprint and massing. It would have a deeper footprint than the approved Block 3, projecting further south and occupying a greater extent of the length of the boundary with no.12 Woodlands Avenue. However, it would remain the same height as the building already approved under 15/01008/OUT and the flank wall would actually be sited further from the shared boundary with no.12 (the “gap” would be opened up from 1.7m as approved to approximately 2.8m under the current proposals). Given this increased separation, the impact of the approved block, and mindful of the significant difference in levels (as illustrated on section drawing 17-386-63 Rev B), it is – on balance – concluded that Block 3 would not cause an unacceptable overbearing or overshadowing effect on this neighbour.
- 6.25 The revised design and layout of fenestration and balconies also requires consideration in terms of potential for overlooking and loss of privacy. The proposed building would have 8 windows at first floor and above in the flank of the building facing towards no.12 Woodlands Avenue. However, these either serve bathrooms or are secondary windows to habitable rooms (lounge/kitchen); as such, it would be reasonable for these to be obscure glazed and fixed shut to safeguard against loss of privacy for the neighbour. There is also a large glazed section in the recessed section of the top floor shown to serve a landing; given this is again non-habitable, it would again be reasonable to condition this window to be obscure glazed and non-opening.
- 6.26 The current proposals also show front facing balconies and terraces for the first and second floor apartments. The first floor balconies are shown on the plans as having high sided walls along the side adjacent to no.12 which would prevent sideways views and ensure that any glimpses towards no.12 would be so oblique that they would not cause unacceptable harm. The plans for Block 3 originally included a large second floor terrace to Plot 54 which would have potentially give rise to overlooking and noise and disturbance to 12 Woodlands Avenue. However, the applicant has provided plans clarifying that this area is not intended to be used as a terrace (with balustrading shown to restrict access); a condition is also proposed to reinforce this. With these changes, it not felt that there would be an unacceptable impact on the living conditions of no.12 Woodlands Avenue.
- 6.27 Taking the above into account, whilst neighbouring properties would experience some change as a result of the development, the proposals would not give rise to a serious detriment to their living conditions and thus comply with policies Ho9 and Ho13 of the Local Plan 2005 and the general provisions of the Framework (para

127) which seeks to ensure that developments provide a high standard of amenity for existing and future occupants.

Accessibility, parking and highway implications

- 6.28 The application proposes to maintain the access from Hooley Lane with a new access road created stretching into the site. A total of 50 parking spaces are proposed within the site, equivalent to 0.83 per unit.
- 6.29 The proposed level of parking would fall short of the expectations set out in the 2005 Borough Local Plan 2005 which would require a maximum provision of 78 spaces based on the number and mix of units proposed on the site. However, the County Highway Authority has reviewed the application and confirmed that they have no objection as the highway network in the vicinity of the site is subject to parking controls which would prevent injudicious or inappropriate parking. As a result, the shortfall in parking is – in the Highway Authority’s view – unlikely to give rise to a highway safety issue. Given the reduce parking, the County Highway Authority has recommended conditions requiring a Travel Statement for future occupants and cycle parking (note the CHA has recommended space for 50 bicycles, however, given 60 flats are proposed and the car parking is at a reduced level, a ratio of 1 per flat as a minimum is considered more appropriate and would comply with the CHAs guidance). The site is in a relatively accessible location, reasonably close to Redhill Town Centre and the wide range of shops and services it provides, as well as bus and train services.
- 6.30 The County Highway Authority has confirmed that they consider that vehicles could enter and exit the site in forward gear; hence, there is no specific highway safety issue. The Council’s Neighbourhood Services Team sought tracking diagrams to demonstrate that a refuse freighter could manoeuvre within the site and these have been provided and demonstrate that there would be sufficient space. It is also noted that the internal layout of the access road is broadly identical to that previously approved.
- 6.31 With regard to pedestrian access to the site, the CHA notes that there is no footway on the southern side of Hooley Lane at present and, as such, pedestrians would have to cross the one way road to gain access to the footway on the northern side which is not ideal from a highway safety perspective particularly given the restricted visibility caused by parked vehicles on the south side of Hooley Lane. As a result, the CHA has recommended provision of an uncontrolled crossing point adjacent to the site access to provide a safe place to cross which would also have the added benefit of increasing visibility for and of oncoming vehicles. Given the specific circumstances of the site and the need to particularly encourage sustainable travel in light of the reduced parking provision, a Grampian condition requiring this provision to be made is considered to be necessary and reasonable.
- 6.32 Subject to the conditions recommended by the Highway Authority, the proposal is considered to be acceptable in transport and highway terms and thus complies with policies Mo4, Mo5 and Mo7 of the Local Plan and Policy CS17 of the Core Strategy.

### Community Infrastructure Levy (CIL) and requested contributions

- 6.33 As the proposals involve the creation of new dwellings, the development would be CIL liable. The exact amount of liability would be determined and collected after the grant of planning permission. Based on the information provided and subject to evidence regarding whether existing buildings are “in use”, the estimated CIL liability is c. £220,000 before indexation.
- 6.34 In terms of other contributions and planning obligations, the Community Infrastructure Levy (CIL) Regulations which were introduced in April 2010 which states that it is unlawful to take a planning obligation into account unless its requirements are (i) relevant to planning; (ii) necessary to make the proposed development acceptable in planning terms; and (iii) directly related to the proposed development. As such only contributions, works or other obligations that are directly required as a consequence of development can be requested and such requests must be fully justified with evidence. In this case, no such contributions or requirements have been requested or identified. The affordable housing position is discussed separately below.
- 6.35 Whilst it is noted that concerns have been raised in representations regarding pressure on local services and infrastructure, as above, no specific requests for contributions or in lieu works arising as a direct result of the development have been received. Improvements to strategic infrastructure such as schools, healthcare and transport could be supported through the CIL contributions which would be due from this development.

### Affordable housing

- 6.36 Under Policy CS15 of the Council's Core Strategy and the Affordable Housing SPD 2014, the development should provide affordable housing as an on-site provision at a rate of 30%. Both the Policy and SPD make allowance for a lower level to be negotiated where it is demonstrated that the provision of affordable housing would make the development unviable, in accordance with national policy.
- 6.37 In this case, the application was accompanied by an open book viability appraisal which indicated that a policy compliant scheme would not generate sufficient surplus to provide a commercially acceptable developer profit and meet the benchmark land value for the site. Even without affordable housing, the applicant's submission concludes that the scheme would generate a deficit of over £860,000 assuming a developer profit of 20% on GDV for market housing and 6% for affordable units. On this basis, the submitted scheme included no affordable housing provision.
- 6.38 This position differs significantly from the appeal scheme (where full policy compliant affordable housing was agreed). Given this situation, and the size of the scheme, Officers sought independent advice from viability experts Aspinall Verdi (appointed by the Council) who reviewed and assessed in detail the applicant's position.

- 6.39 Aspinall Verdi's initial review identified a number of areas of disagreement between their own appraisal and the applicant's assumptions, most notably in relation to construction abnormal costs but also contingencies, ground rents, car parking income, affordable housing revenues and land value.
- 6.40 Following this independent review, considerable dialogue occurred between the applicant's consultants, officers and Aspinall Verdi with a view to reaching an agreed position with regards to the various inputs, the overall viability and by consequence, the appropriate level of affordable housing provision. Through this dialogue, the applicant and Aspinall Verdi (on the Council's behalf) reached agreement that 3 units of affordable housing (5%) would be viable on the original 64 unit scheme.
- 6.41 Since then, the applicants have – as above – revised the scheme in response to Officer's concerns regarding scale and massing of Block 1 in particular. This has resulted in a reduction in the number of units from 64 to 60, with consequent implications for viability. Whilst the applicant maintains that the scheme would technically be unviable against normally accepted metrics and assumptions as a result of the drop in units, they are nonetheless willing to commit to the previously agreed 3 units/5% affordable housing offer.
- 6.42 Given the viability position – which has been investigated in detail by the Council's external consultants – the offer of 3 units is considered to be acceptable and the maximum figure achievable (and which could reasonably be defended at appeal). This is particularly so given the scheme has, in the meantime, been reduced in terms of the number of units proposed. The 3 units are proposed to be all shared ownership tenure as mixed tenure would not be appropriate on such a small offering.
- 6.43 Taking all of the above into account, the affordable housing provision – whilst dramatically reduced from the appeal scheme – is justified by the latest available evidence and therefore acceptable in the context of Policy CS15 of the Core Strategy and the provisions of the Framework and associated Practice Guidance. Requiring a greater contribution (or requiring a clawback arrangement) would risk stalling the development and, given the prevailing appeal decisions, would likely be considered unreasonable at appeal.

#### Other matters

- 6.44 The site is in Flood Zone 1 and therefore not considered to be at high risk of flooding and no Flood Risk Assessment was needed to support the application. The application was supported by a drainage strategy setting out how surface water from the site will be managed: this was reviewed by Surrey County Council as the Lead Local Flood Authority who confirms that the scheme meets the requirements set out in national policy and technical guidance/standards. Subject to conditions, the development therefore complies with relevant local and national policies in respect of flooding and drainage. Thames Water have raised no objection in relation to waste water capacity and infrastructure.

- 6.45 A Preliminary Ecological Assessment & Bat Survey was submitted to accompany the application. The Assessment identifies that, whilst there are some habitats on site, there have low ecological value and the proposal would not adversely affect the overall ecology of the site. The potential for vegetation around the site to support breeding birds is identified and the report contains recommendations as to construction practices and habitat mitigation to ensure there would not be an adverse effect. The site is concluded as having low potential for bat roosting; however, given the mobility of bats, recommendations are made as to precautionary practices and habitat enhancement. The findings of this report are agreed and subject to a condition requiring adherence to the mitigation measures recommended, it is considered that the scheme would comply with policy Pc2G of the Local Plan in respect of ecology.
- 6.46 The proposal would result in the loss of a number of trees on the site, including to the north of Brighton Terrace. The arboricultural information submitted with the application has been reviewed by the Council's Tree Officer who has advised that the tree stock is of low quality and the removals will have limited impact on the appearance of the area and that there would be some scope for replacement trees in the site. Whilst there would be some trees losses, subject to conditions, the arboricultural impacts of the development are not considered to warrant refusal. However, as above, it is considered that the internal layout would be overly dominated by hardstanding and that there would be insufficient amenity space and opportunity for meaningful soft landscaping – the development would as a result fail to accommodate and maintain an appropriate balance of built form against open space as is required by paragraph 127 of the Framework.
- 6.47 The application was supported by an Environmental Performance Statement by BRY Energy Services which makes a number of recommendations as to building fabric, renewables and other efficient technologies in order to achieve appropriate CO2 reductions and water efficiency. Subject to a condition requiring compliance with the recommendations of this report, the proposals would meet with the requirements of Core Strategy Policies CS10 and CS11 (the latter being applied appropriately following the cessation of Code for Sustainable Homes).
- 6.48 Given the proximity of the site to the railway line, the applicant provided noise and vibration assessments in order to evidence that a satisfactory residential environment could be achieved for future occupants. In relation to vibration, the assessment by NVE concludes that Vibration Dose Values which would be experienced by occupants would fall within the range where it is considered there would be "low probability of adverse comment" by residential occupants (BS6472-1). These findings are not disputed and, subject to the structural recommendations in the report, it is concluded that vibrations levels would not be so severe as to cause an unacceptable amenity for future occupants. In respect of noise, the assessment by Martec concludes that, subject to achieving uprated specifications on windows to habitable rooms and the use of appropriate ventilation systems (for which specific recommendations are made), the development would achieve acceptable internal noise levels meeting the BS8233:2014 design targets. This could be secured by condition and subject to this the development would achieve an acceptable noise environment.

- 6.49 Representations have raised general concerns in relation to crime; however, no specific issues or reasons have been identified. The scheme is considered to be adequately designed so as to avoid undue risk or fear of crime (e.g. the main access road, amenity spaces and parking areas would all have some level of natural surveillance); no issues have been identified which would set this aside from any other residential redevelopment.
- 6.50 Concern has been raised from residents regarding inconvenience that may occur during the construction process if the application were to be granted. Whilst this is acknowledged, such impacts would be temporary and would not constitute a sustainable reason for refusal. Other legislative regimes, including statutory nuisance legislation, exist to protect neighbours and surrounding residents should significant unacceptable events and disturbance occur. The County Highway Authority has recommended a Construction Transport Management Plan be required to ensure that activities do not have a prejudicial effect on highway safety or operation.
- 6.51 The proposal would make efficient use of a well-located previously developed site within the urban area and thus would support the Council's urban areas first approach as identified in the Core Strategy. It would make a meaningful contribution to meeting housing requirements in the borough, including with the provision of some affordable housing units, with consequent social, economic and local financial benefits. The presently degraded condition of the site is acknowledged and the limited prospect of on-going viability for commercial uses in the long term means this is unlikely to improve substantially.

## CONDITIONS

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Street Scene	17-386-57	C	07.11.2018
Street Scene	17-386-58	C	07.11.2018
Site Layout Plan	17-386-50	D	07.11.2018
Section Plan	17-386-61	B	07.11.2018
Section Plan	17-386-55	B	07.11.2018
Section Plan	17-386-62	C	07.11.2018
Street Scene	17-386-65	C	07.11.2018
Street Scene	17-386-64	C	07.11.2018
Section Plan	17-386-63	C	07.11.2018
Floor Plan	17-386-100	C	07.11.2018
Floor Plan	17-386-101	C	07.11.2018
Roof Plan	17-386-102	C	07.11.2018
Elevation Plan	17-386-103	D	07.11.2018
Elevation Plan	17-386-104	C	07.11.2018
Elevation Plan	17-386-105	C	07.11.2018
Floor Plan	17-386-200	B	07.11.2018
Elevation Plan	17-386-201	B	07.11.2018
Elevation Plan	17-386-202	B	07.11.2018

Floor Plan	17-386-300	B	07.11.2018
Elevation Plan	17-386-301	B	07.11.2018
Elevation Plan	17-386-302	B	07.11.2018
Street Scene	17-386-900	C	07.11.2018
Street Scene	17-386-901	C	07.11.2018
Street Scene	17-386-902	C	07.11.2018
Street Scene	17-386-905	B	02.05.2018
Location Plan	17-386-01	A	02.05.2018
Elevation Plan	17-386-402	A	02.05.2018
Elevation Plan	17-386-401	A	02.05.2018
Floor Plan	17-386-400	A	02.05.2018
Block Plan	17-386-60	A	02.05.2018
Elevation Plan	17-386-06	A	02.05.2018
Block Plan	17-386-05	A	02.05.2018
Block Plan	17-386-04	A	02.05.2018
Survey Plan	17-386-03	A	02.05.2018
Block Plan	17-386-02	A	02.05.2018

Reason:

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

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

2. Approval of details of the landscaping of the development (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. Plans and particulars of the reserved matters referred to above shall be submitted in writing to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason:

To comply with Article 5 of the Town and Country Planning (Development Management Procedure) Order 2010 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990.

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

Reason:

To ensure the Local Planning Authority are satisfied with the details of the proposal and its relationship with adjoining development and to safeguard the visual

amenities of the locality with regard to Reigate and Banstead Borough Local Plan 2005 policy Ho9.

4. No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) Parking for vehicles of site personnel, operatives and visitors
  - (b) Loading and unloading of plant and materials
  - (c) On-site turning for construction vehicles
  - (d) Storage of plant and materials
  - (e) Programme of works (including measures for traffic management)
  - (f) Measures to prevent the deposit of materials on the highway

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

Reason:

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

5. No development, including demolition, shall commence until a scheme for the salvage and subsequent re-use of features of the Goods Station eastern elevation has been submitted to and approved in writing by the Local Planning Authority.

Such a scheme should be prepared by a suitably qualified conservator and should include an appraisal of the feasibility of salvage of elements of the eastern elevation (such as the arched windows and sign written brick panels). The scheme should also include a method statement and detailed specification for the re-use of such features within the eastern elevation of Block 2.

Reason:

In order to secure a realistic strategy for the preservation of this non-designated heritage asset with regard to policy CS4 of the Reigate and Banstead Core Strategy 2014 and the provisions of the NPPF.

6. No development shall commence until the detailed design of the surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. Such details should include:
- a) A design that satisfies the SuDS Hierarchy and is compliant with the national non-statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS
  - b) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stage of the development (pre, post and during), associated discharge rates and storage volumes shall be provided using a Greenfield discharge rate of 34.1 litres per second (unless otherwise agreed by the Local Planning Authority)
  - c) Detailed drainage design drawings and calculations to include: a finalise drainage layout detailing the location of drainage elements, pipe diameters, levels and long and cross sections of each element, including details of any flow

restrictions and maintenance/risk reducing features (silt traps, inspection chambers, etc.)

- d) Details of how the sustainable drainage system will be protected during construction and how run-off (including any pollutants) from the development site will be managed before the drainage system is operational.
- e) Details of drainage management responsibilities and maintenance regimes for the drawing system.
- f) A plan showing exceedance flows (i.e. during rainfall greater than design or during blockage) and how property on and off site will be protected

Reason:

To ensure that the development is served by an adequate and approved means of drainage which would not increase flood risk on or off site and is suitably maintained throughout its lifetime to comply with Policy Ut4 of the Reigate and Banstead Borough Local Plan 2005, Policy CS10 of the Core Strategy 2014 and the requirements of non-statutory technical standards.

- 7. No development shall commence including groundworks preparation and demolition until all related arboricultural matters, including arboricultural supervision, monitoring and tree protection measures are implemented in strict accordance with the approved details contained in the Tree Protection Plan and Arboricultural Method Statement compiled by Broad Oak Tree Consultants dated 5th April 2018 reference J49.20.

Reason

To ensure good arboricultural practice in the interests of the maintenance of the character and appearance of the area and to comply with policy Pc4 of the Reigate and Banstead Borough Local Plan 2005 and the recommendations within British Standard 5837.

- 8. No development shall commence until a written comprehensive Phase 1 environmental desktop study report is required to identify and evaluate possible on and off site contamination sources, pathways and receptors and enable the presentation of all plausible pollutant linkages in a preliminary conceptual site model. The study shall include any relevant regulatory consultations such as with the Contaminated Land Officer and be submitted to the Local Planning Authority and is subject to the approval in writing of the Local Planning Authority and any additional requirements that it may specify. The report shall be prepared in broad accordance with the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR11) and British Standard BS 10175.

Reason:

To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to policy CS10 of the Reigate and Banstead Core Strategy 2014 and the NPPF.

- 9. Should the Phase 1 study identify ground contamination which requires remediation, the following additional information, and any additional requirements that the Local Planning Authority may specify, should be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and prior to any activities specified:

- (a) A contaminated land site investigation proposal detailing the extent and methodologies of sampling, analyses and proposed assessment criteria to enable the characterisation of the plausible pollutant linkages identified in the preliminary conceptual model
- (b) Prior to any site investigation work being commenced on site, a contaminated land site investigation and risk assessment undertaken in accordance with the above site investigation proposal as approved and reported in accordance the standards of DEFRA's and the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR 11) and British Standard BS10175 which determines the nature and extent of contamination on the site
- (c) If applicable, ground gas assessments completed in line with CIRIA C665 guidance
- (d) Prior to any remediation being commenced on site, a detailed remediation method statement that explains the extent and method(s) by which the site is to be remediated and provides details of the information to be included in a validation report

Following approval of the details in relation to parts (b) and (d) above, the Local Planning Authority shall be given a minimum of two weeks before the relevant investigation or remediation works commence on site.

Reason:

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

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

Reason:

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

11. No development above ground floor slab level shall commence on site until a scheme for the landscaping and replacement tree planting of the site including the retention of existing landscape features has been submitted and approved in writing by the local planning authority.

The landscaping schemes shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme.

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

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

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

Reason:

To ensure good arboricultural and landscape practice in the interests of the maintenance of the character and appearance of the area and to preserve and enhance the ecological value of the adjoining watercourse in order to comply with policies Pc4, Ho9 and Ut4 of the Reigate and Banstead Borough Local Plan 2005, Policy CS10 of the Reigate and Banstead Core Strategy 2014 and the recommendations within British Standard 5837.

12. No works to the retained Victorian stable block (identified as Building G on drawing 17-386-60 Rev A) shall commence until a detailed scheme for the restoration and conversion of the building has been submitted to and approved in writing by the Local Planning Authority.

Any works to the stable block shall thereafter be carried out in strict accordance with the approved details.

Reason:

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

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

Reason:

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

14. The development hereby approved shall be carried out in accordance with the Environmental Performance Statement by BRY Energy Services (dated March 2018 ref: 106-025/108-006)

Notwithstanding the approved plans, details of the final siting and positioning of the proposed solar photovoltaic panels shall be submitted to an approved in writing by the Local Planning Authority prior to the occupation of the first residential unit.

Thereafter, the panels shall be installed and operational prior to the occupation of the first residential units.

Reason:

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

15. The development hereby approved shall be carried out in accordance Rail Noise Screening Assessment by Martec Environmental Consultants (dated 19<sup>th</sup> March 2015).

Notwithstanding the approved plans and aforementioned report, details of the final siting, positioning and specification of acoustic fencing shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the first residential unit. Thereafter, the panels shall be installed prior to the occupation of the first residential units.

Reason:

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

16. The development hereby approved shall be carried out in accordance with the recommendations of the Preliminary Ecological Assessment & Bat Survey Report by Arbeco (dated 29<sup>th</sup> March 2018), including in relation to construction/demolition practices and installation of bird/bat boxes.

Reason:

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

17. No plant or machinery, including lifts, fume extraction, ventilation and air conditioning, which may be required by reason of granting this permission, shall be installed within or on the building without the prior approval in writing of the Local Planning Authority. Any approved plant or machinery shall be installed and thereafter maintained in accordance with the approved details and any manufacturer's recommendations.

Reason:

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

18. The development hereby approved shall not be first occupied unless and until the proposed modified vehicular access to Hooley Lane has been constructed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the development would not prejudice highway safety nor cause inconvenience to other highway users to satisfy policies Mo5 and Mo7 of the

Reigate and Banstead Borough Local Plan 2005 and the objectives of the NPPF 2012.

19. The development hereby approved shall not be first occupied unless and until an uncontrolled pedestrian crossing point consisting of a build out with a dropped kerb and tactile paving has been constructed on Hooley Lane adjacent to the site access in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason:

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

20. The development hereby approved shall not be first occupied until facilities for the secure, accessible storage of a minimum of 60 bicycles has been provided within the site in accordance with the approved plans.

Thereafter, the bicycle storage facility shall be retained and maintained for its designated purpose to the satisfaction of the Local Planning Authority.

Reason:

To ensure that the development would promote sustainable transport choices with regard to Policy CS17 of the Reigate and Banstead Core Strategy 2014 and in recognition of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2012

21. Notwithstanding the drawings, the development shall not be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority.

Such details shall include any works, repairs or refurbishment to the existing front boundary retaining wall on Hooley Lane.

The boundary treatment shall be completed before the occupation of the development hereby permitted.

Reason:

To preserve the visual amenity of the area and protect neighbouring residential amenities and those of future occupants with regard to the Reigate and Banstead Borough Local Plan 2005 policies Ho9 and Pc4.

22. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking/turning areas, including electric vehicle charging bays, shall be retained and maintained for their designated purposes.

Reason:

To ensure that the development would not prejudice highway safety nor cause inconvenience to other highway users to satisfy policies Mo5 and Mo7 of the

Reigate and Banstead Borough Local Plan 2005 and the objectives of the NPPF 2012.

23. Notwithstanding the approved plans, the development hereby approved shall not be first occupied until refuse storage facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The said facilities shall thereafter be retained exclusively for its designated purpose.

Reason:

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

24. The residential units hereby approved shall not be first marketed for sale, rent or other occupation until details of Travel Packs to be provided to occupants have been submitted to and approved in writing by the Local Planning Authority.

The Travel Packs shall include, as a minimum, details of the nearest leisure, retail, employment, education and health facilities and information as to the availability and location of local public transport facilities (bus and train), walking and cycling routes.

The approved Travel Packs shall be given to each household upon occupation and shall be updated appropriately as required.

Reason:

To ensure that the development would promote sustainable transport choices with regard to Policy CS17 of the Reigate and Banstead Core Strategy 2014 and in recognition of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2012

25. The development hereby approved shall not be first occupied until details of any external lighting have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and thereafter retained and maintained as such.

Reason:

To ensure safeguard the visual and residential amenities of adjoining occupiers and the surrounding area with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9 and Ho13.

26. The development hereby approved shall not be first occupied unless and until a remediation validation report detailing evidence of the remediation, the effectiveness of the remediation carried out and the results of post remediation works, in accordance with the approved remediation method statement and any addenda thereto, has been submitted to and approved in writing by the Local Planning Authority.

Should specific ground gas mitigation measures be required to be incorporated into a development the testing and verification of such systems should have regard to CIRIA C735 guidance document entitled 'Good practice on the testing and verification of protection systems for buildings against hazardous ground gases' and

British Standard BS 8285 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings

Reason:

To demonstrate remedial works are appropriate and demonstrate the effectiveness of remediation works so that the proposed development will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Local Plan 2005 Policy (insert reference) and the NPPF.

27. The development hereby approved shall not be first occupied unless and until a verification report demonstrating that the sustainable urban drainage system has been constructed as per the agreed scheme has been submitted to and approved in writing by the Local Planning Authority. The validation report should be carried out by a qualified drainage engineer.

Reason:

To ensure that the development is served by an adequate and approved means of drainage which would not increase flood risk on or off site and is suitably maintained throughout its lifetime to comply with Policy Ut4 of the Reigate and Banstead Borough Local Plan 2005, Policy CS10 of the Reigate and Banstead Core Strategy 2014 and the requirements of non-statutory technical standards.

28. The first floor and second floor windows in the west side elevation of Block 3 (identified as rear on drawing 17-386-301 Rev B) shall be glazed with obscured glass and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and shall be maintained as such at all times.

Reason:

To ensure that the development does not affect the amenity of the neighbouring property by overlooking with regard to Reigate and Banstead Borough Local Plan 2005 policy Ho9.

29. The area of flat roof on Block 3 (shown on the second floor plan on drawing 17-386-300 Rev B) shall not be used at any time as a balcony, roof garden, terrace or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Plot 54 shall not be first occupied unless and until the balustrading indicated on drawing 17-386-300 Rev B) has been installed in full accordance with the approved plans.

Reason:

To ensure that the development does not affect the amenity of the neighbouring property by overlooking with regard to Reigate and Banstead Borough Local Plan 2005 policy Ho9.

## INFORMATIVES

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at [www.firesprinklers.info](http://www.firesprinklers.info).

2. The applicant is advised that prior to the occupation of the development, adequate provision should be made for waste storage and collection. You are advised to contact the Council's Recycling and Cleansing team to discuss the required number and specification of wheeled bins on [rc@reigate-banstead.gov.uk](mailto:rc@reigate-banstead.gov.uk) or on the Council's website at [http://www.reigate-banstead.gov.uk/info/20051/commercial\\_waste](http://www.reigate-banstead.gov.uk/info/20051/commercial_waste).
3. Your attention is drawn to the benefits of using the Secured by Design award scheme.
4. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
  - (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
  - (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
  - (c) Deliveries should only be received within the hours detailed in (a) above;
  - (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
  - (e) There should be no burning on site;
  - (f) Only minimal security lighting should be used outside the hours stated above; and
  - (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

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

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

6. When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.
7. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
8. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
9. If the proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written consent.
10. The proposed development is located within 15m of Thames Water underground assets, as such, the development could cause assets to fail if appropriate measures are not taken. The developers attention is drawn to Thames Water's guide "Working near our assets" to ensure that any works are in line with the necessary processes: <https://developers.thameswater.co.uk/developing-a-large-site/planning-your-development/working-near-or-diverting-our-pipes>
11. The use of a suitably qualified arboricultural consultant is essential to provide acceptable supervision and monitoring in respect of the arboricultural issues in respect of the above condition. All works shall comply with the recommendations and guidelines contained within British Standard 5837.
12. The use of landscape/arboricultural consultant is considered essential to provide acceptable submissions in respect of the above relevant conditions. Replacement planting of trees and shrubs shall be in keeping with the character and appearance of the locality.
13. The applicant's attention is drawn to the specifics of the contaminated land conditional wording such as 'prior to commencement', 'prior to occupation' and 'provide a minimum of two weeks' notice'. The submission of information not in accordance with the specifics of the planning conditional wording can lead to delays in discharging conditions, potentially result in conditions being unable to be discharged or even enforcement action should the required level of evidence/information be unable to be supplied. All relevant information should be formally submitted to the Local Planning Authority and not direct to Environmental Health.
14. The applicant is advised that the Borough Council is the street naming and numbering authority and you will need to apply for addresses. This can be done by

contacting the Address and Gazetteer Officer prior to construction commencing. You will need to complete the relevant application form and upload supporting documents such as site and floor layout plans in order that official street naming and numbering can be allocated as appropriate. If no application is received the Council has the authority to allocate an address. This also applies to replacement dwellings.

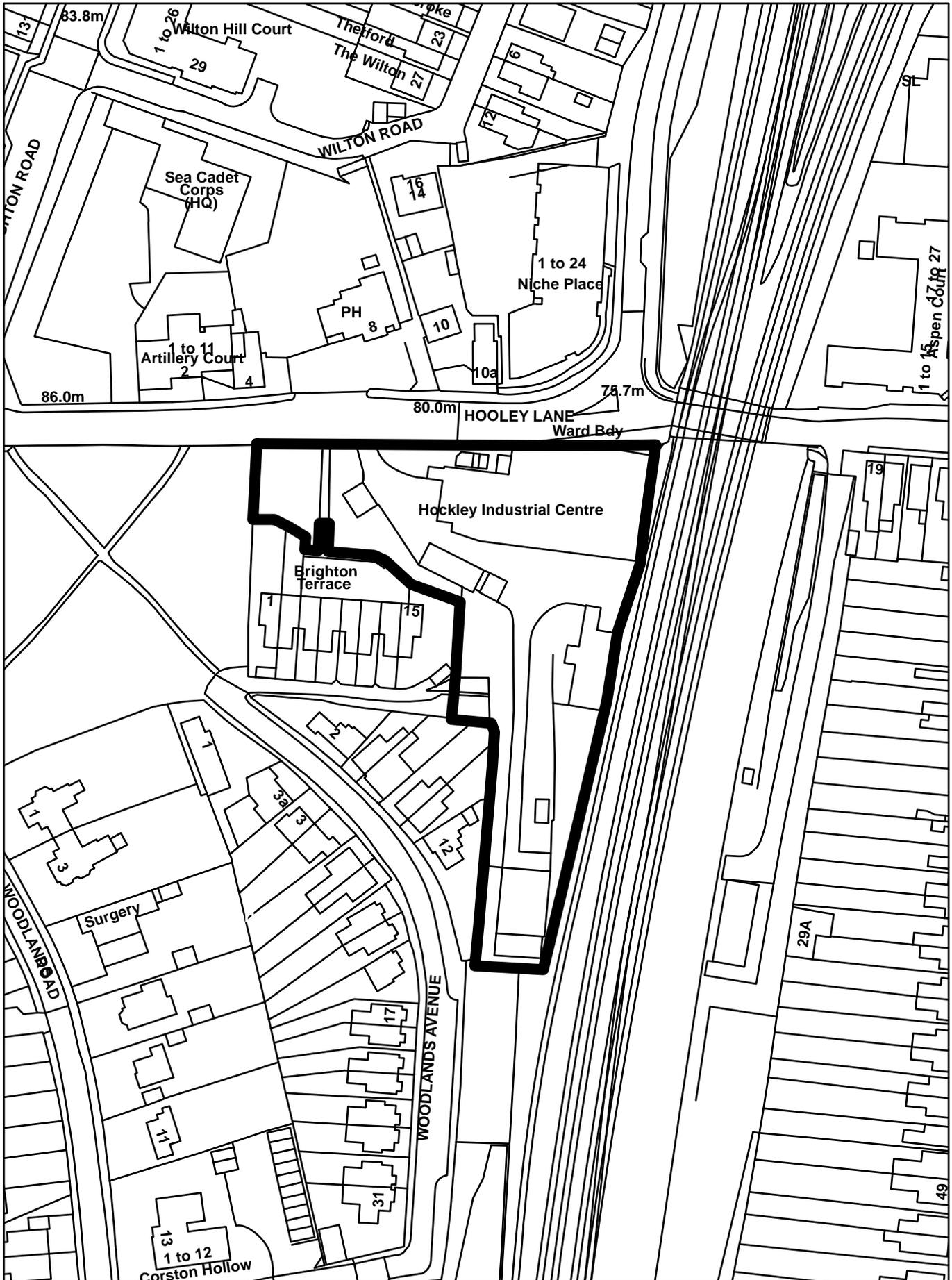
If you are building a scheme of more than 5 units please also supply a CAD file (back saved to 2010) of the development based on OS Grid References. Full details of how to apply for addresses can be found [http://www.reigate-banstead.gov.uk/info/20277/street\\_naming\\_and\\_numbering](http://www.reigate-banstead.gov.uk/info/20277/street_naming_and_numbering)

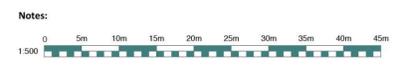
## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against development plan policies CS1, CS4, CS5, CS8, CS10, CS11, CS13, CS14, CS15, CS17, Ho9, Ho10, Ho13, Ho16, Em1A, Sh14, Mo4, Mo5, Mo6, Mo7 and Ut4 and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

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

# 18/00967/OUT HOCKLEY INDUSTRIAL CENTRE HOOLEY LANE REDHILL





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- Notify Addo Design Ltd of any discrepancies.

Rev.	Description	Date
1	Accommodation updated	16.11.2017
2	Parking updated	01.12.2017
3	Internal issue for comment	05.12.2017
A	Planning issue	08.12.2017
B	Notes updated	01.03.2018
C	Block 1 updated	23.03.2018
D	Updated following meeting with LA	12.05.2018

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Rev.	Description	Date
A	Planning Issue	04.12.2017
B	Revised following meeting with LA	14.10.2018



Front Elevation



Right Side Elevation

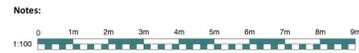


Left Side Elevation



Rear Elevation





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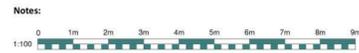
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Rev.	Description	Date
A	Planning Issue	06.12.2017
B	Elevations updated	23.02.2018
C	Updated following meeting with LA	12.10.2018



Left Side Elevation

Rear Elevation



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Rev.	Description	Date
A	Planning Issue	06.12.2017
B	Elevations updated	23.02.2018
C	Updated following meeting with LA	12.10.2018
D	Updated for submission	05.11.2018



Front Elevation



Right Side Elevation

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Rev.	Description	Date
A	Planning Issue	06.12.2017
B	Updated following meeting with LA	12.10.2018



Front Elevation



Right Side Elevation

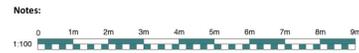


Left Side Elevation



Rear Elevation





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Rev.	Description	Date
A	Planning Issue	08.12.2017



Front Elevation



Right Side Elevation



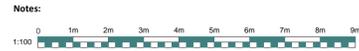
Left Side Elevation



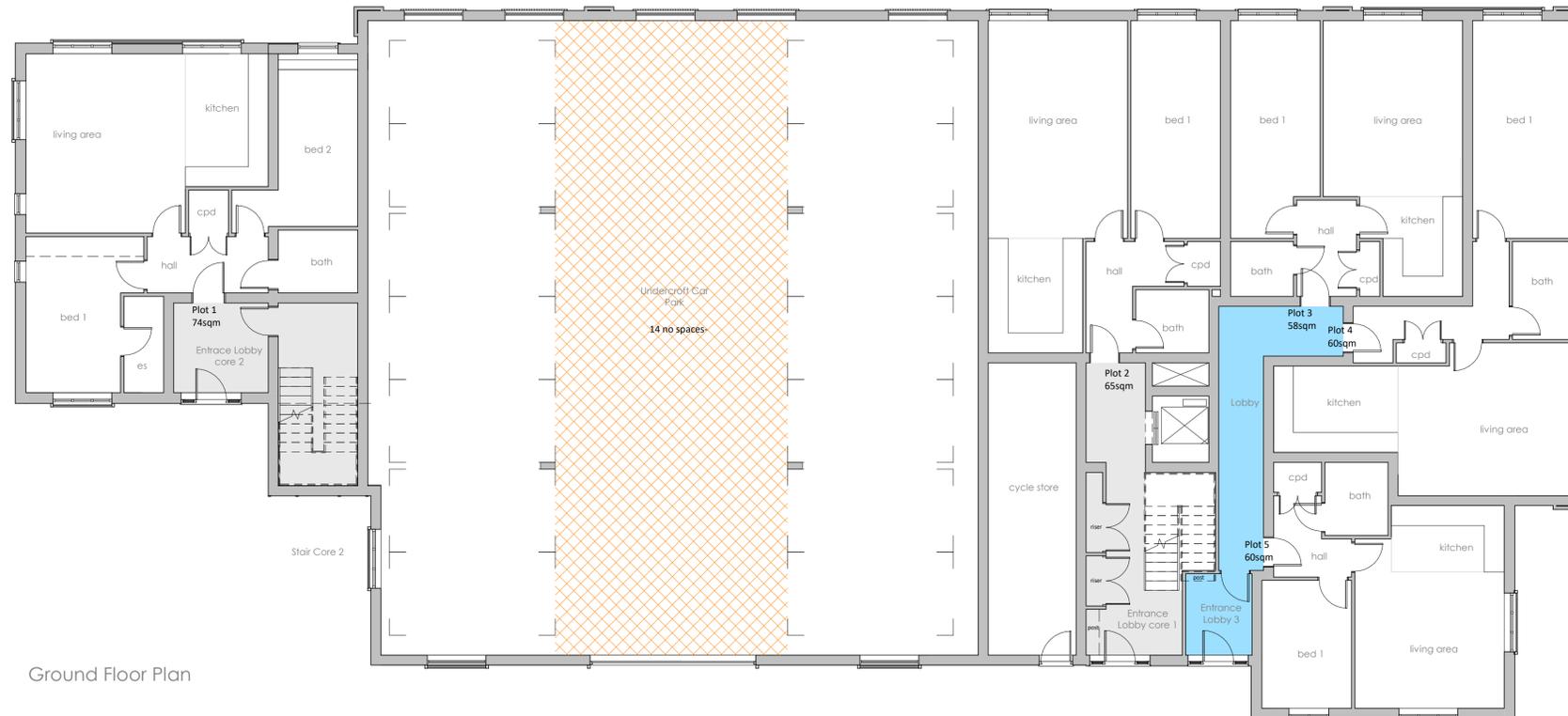
Rear Elevation



Generic Section



First Floor Plan

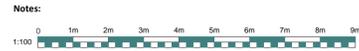


Ground Floor Plan

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Rev.	Description	Date
A	Planning Issue	08.12.2017
B	Elevations updated	23.02.2018
C	Updated following meeting with LA	12.10.2018



Penthouse Level



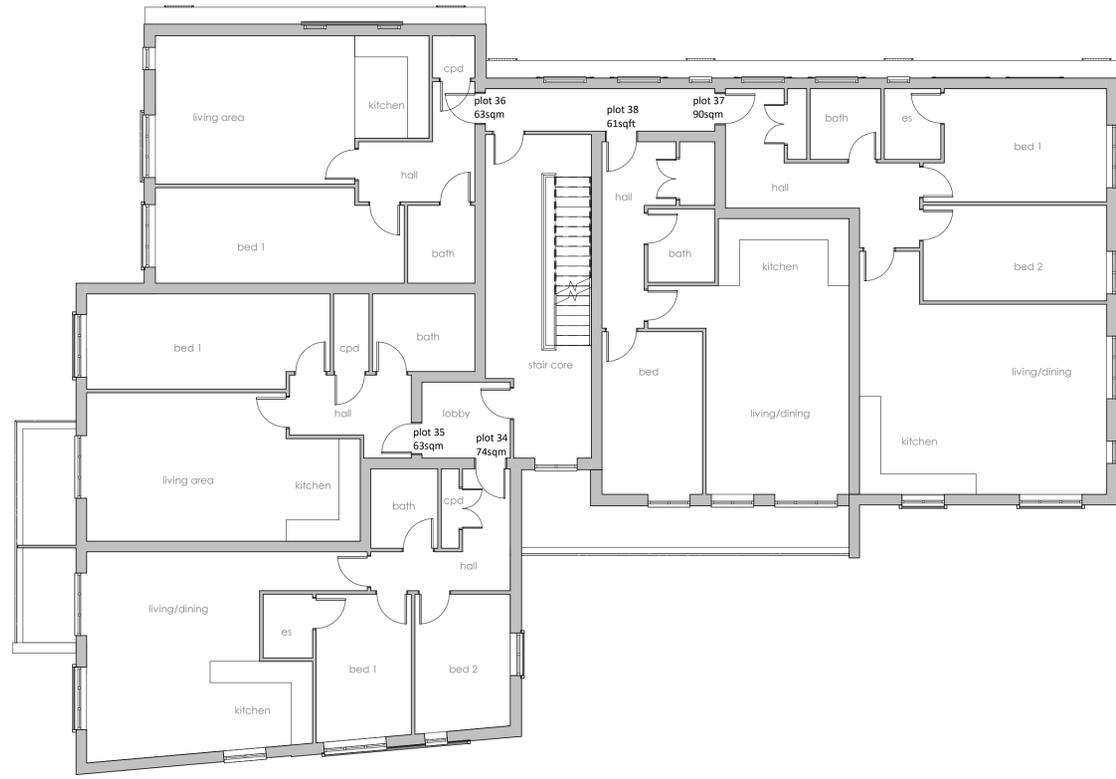
Second Floor Plan

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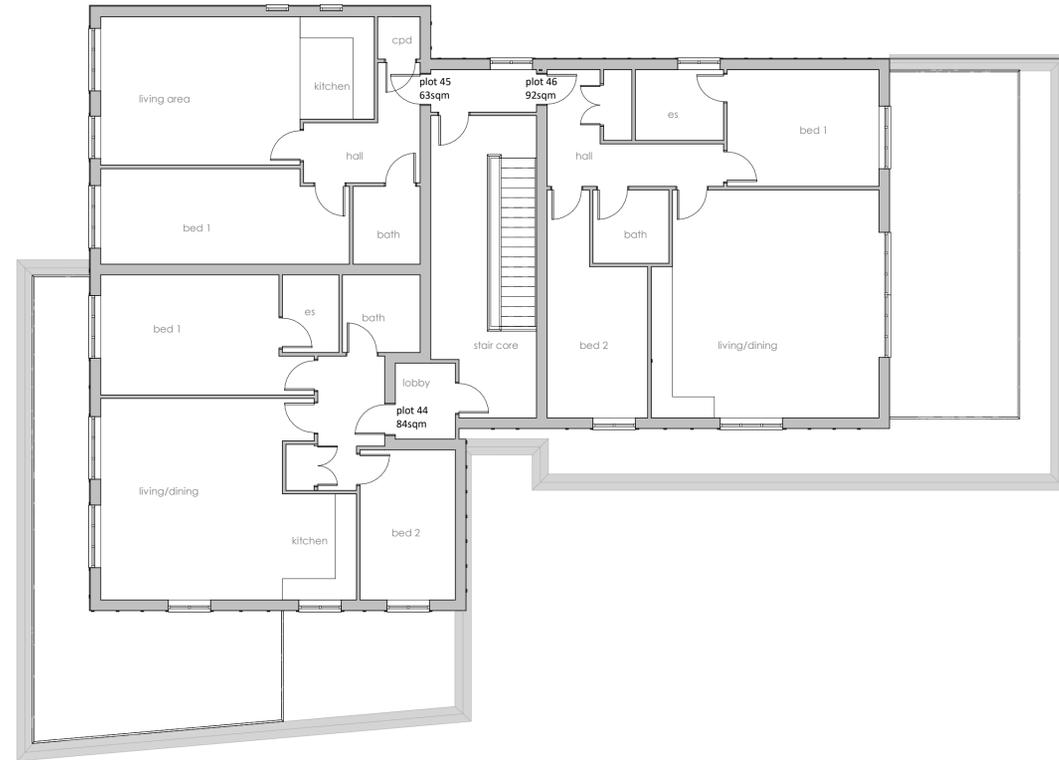
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Rev.	Description	Date
A	Planning Issue	06.12.2017
B	Elevations updated	23.02.2018
C	Updated following meeting with LA	12.10.2018

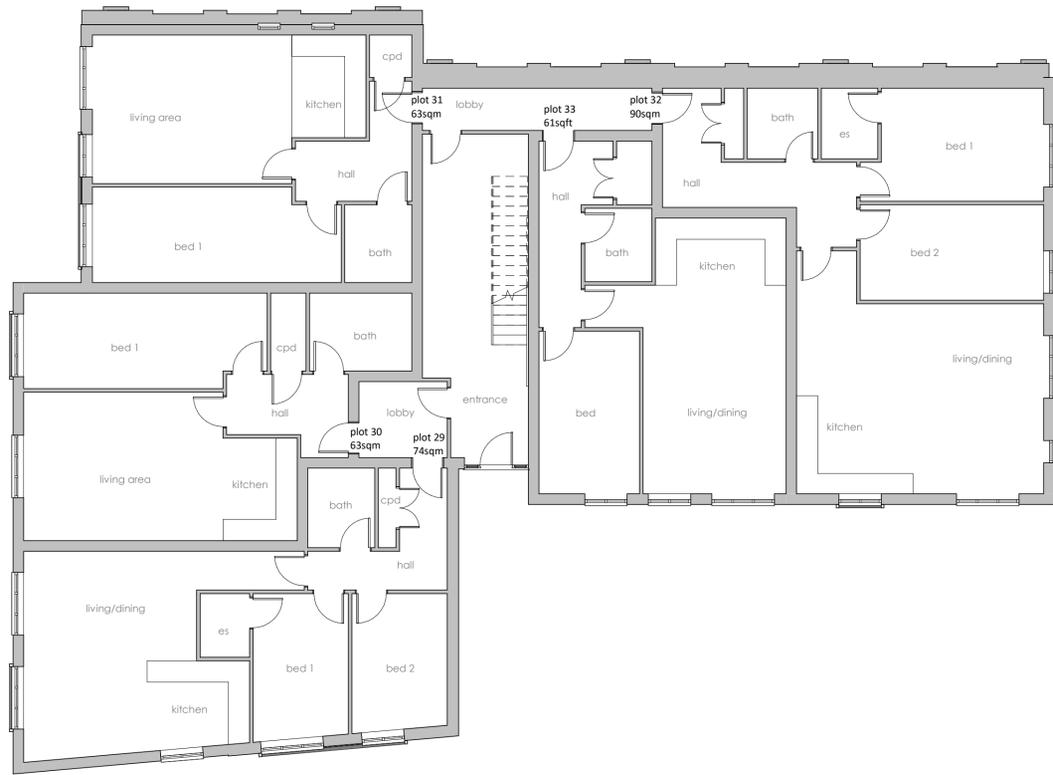
Notes:



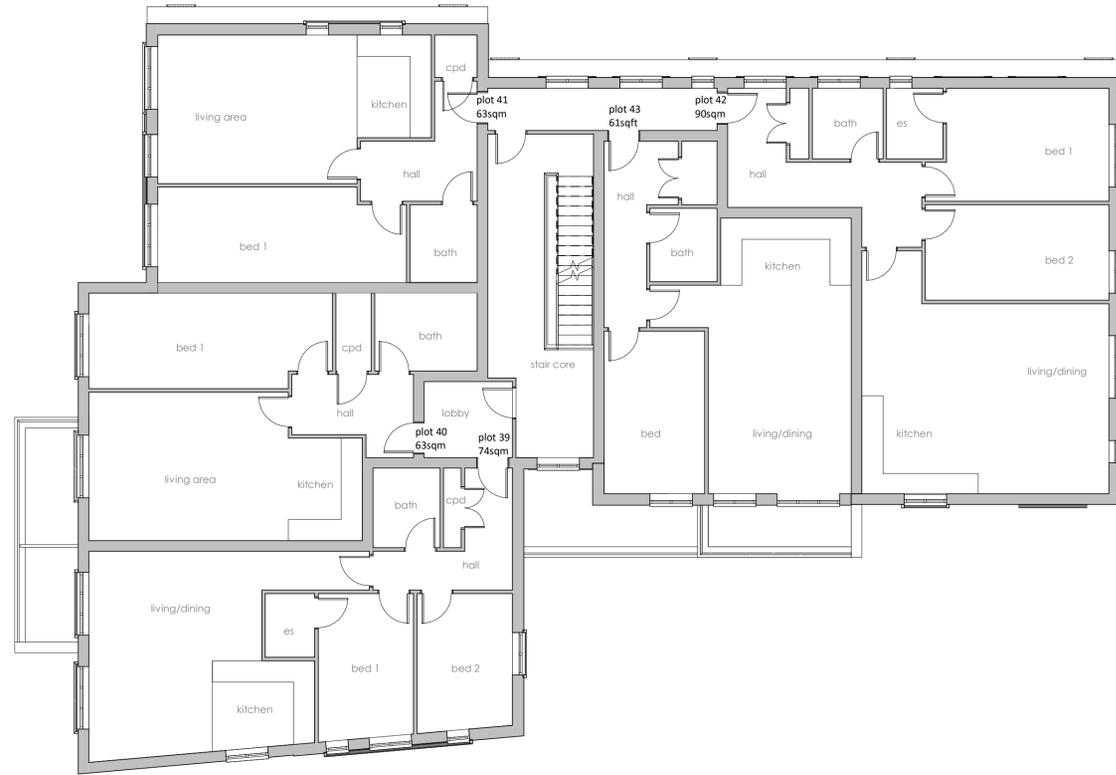
First Floor Plan



penthouse



Ground Floor Plan

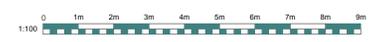


Second Floor Plan

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Rev.	Description	Date
A	Planning Issue	06.12.2017
B	Revised following meeting with LA	14.10.2018

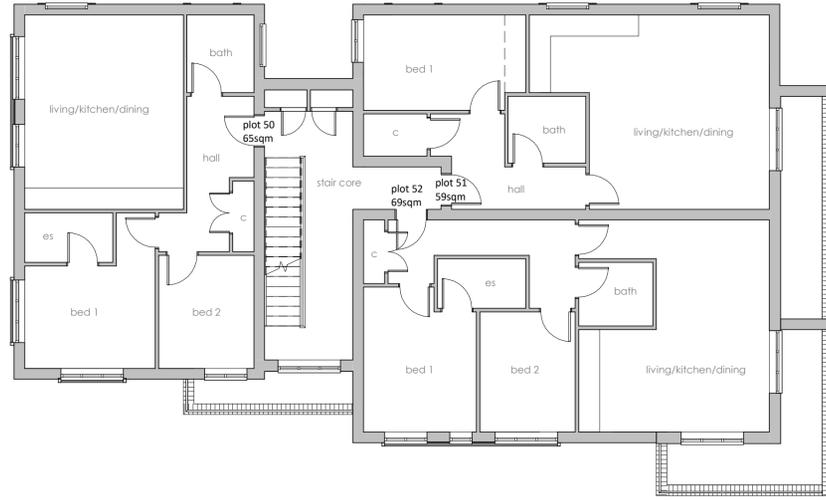


Notes:

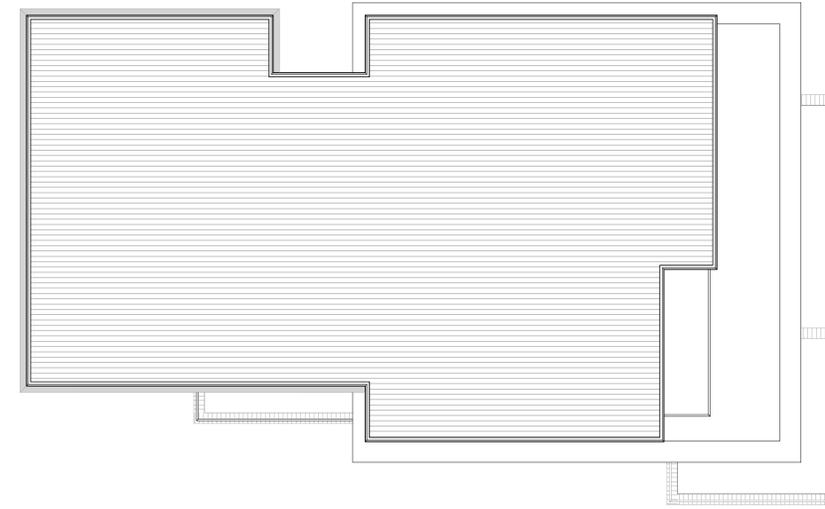
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Rev.	Description	Date
A	Planning Issue	06.12.2017
B	Updated following meeting with LA	12.10.2018



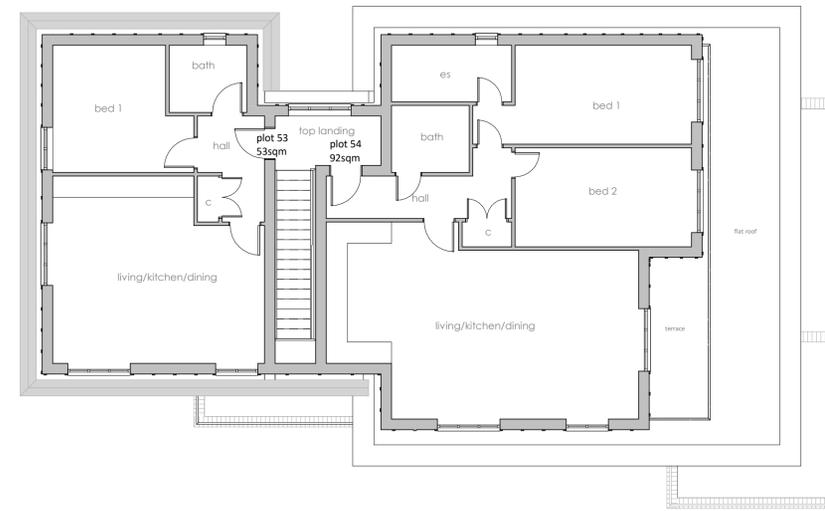
First Floor Plan



Roof Plan

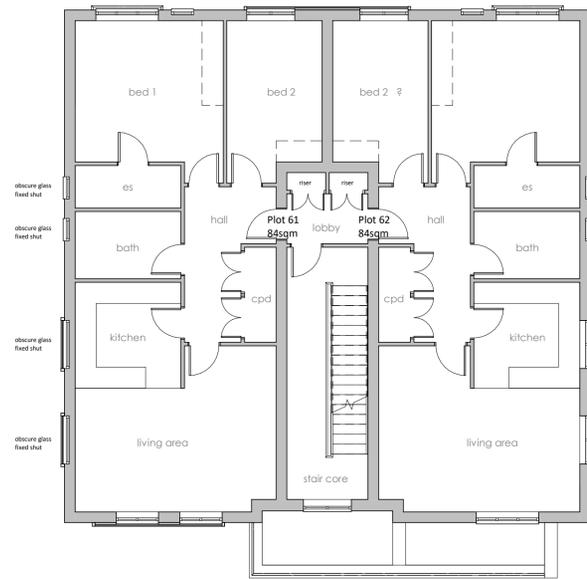
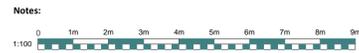


Ground Floor Plan

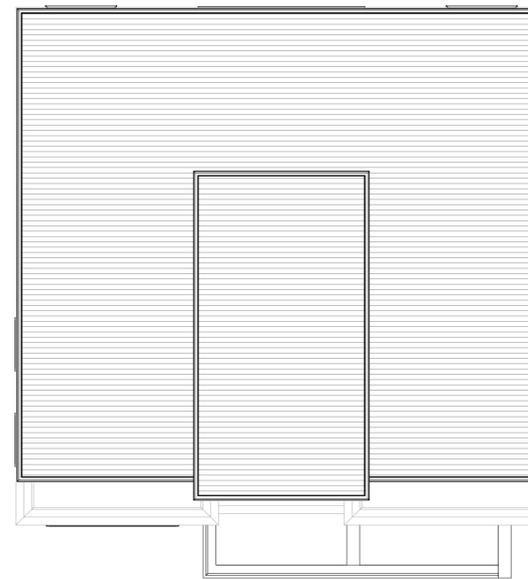


Second Floor Plan

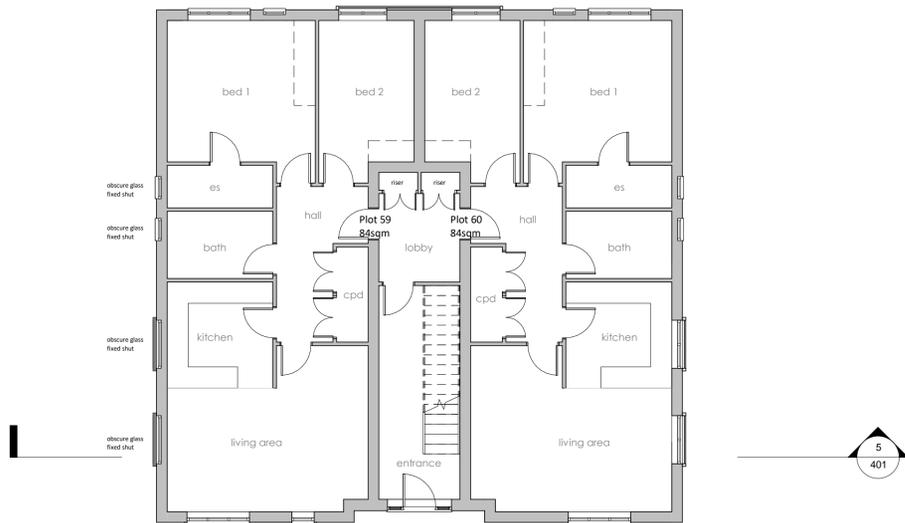




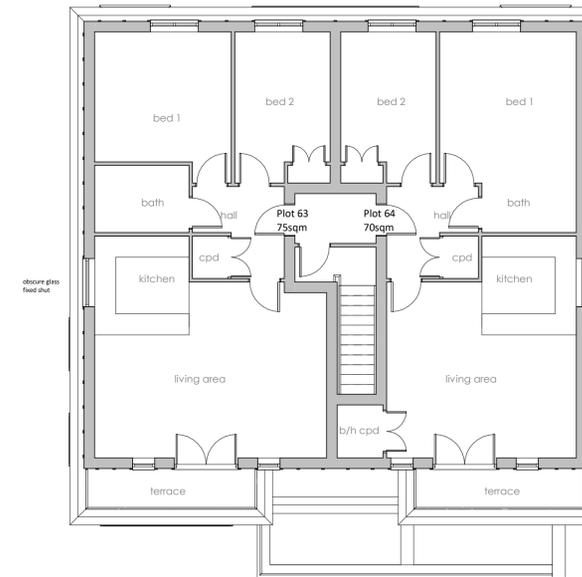
First Floor Plan



Roof Plan



Ground Floor Plan

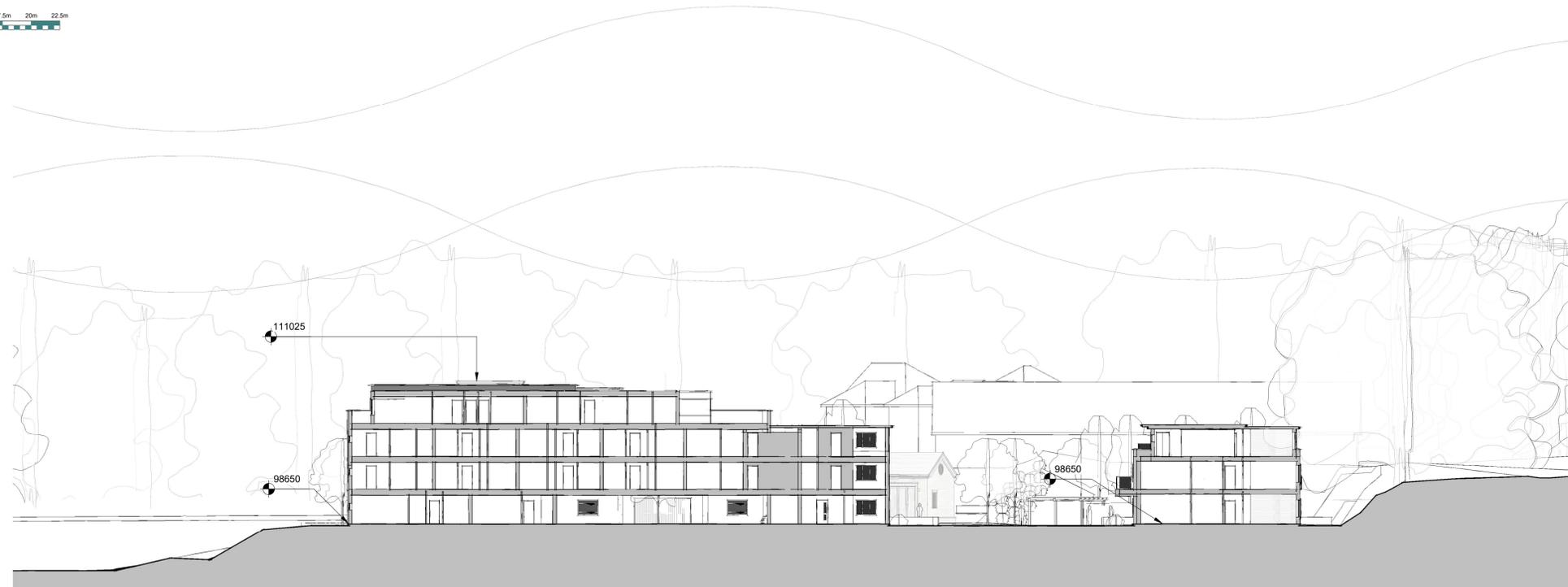
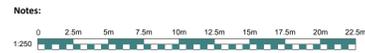


Penthouse Level Floor Plan

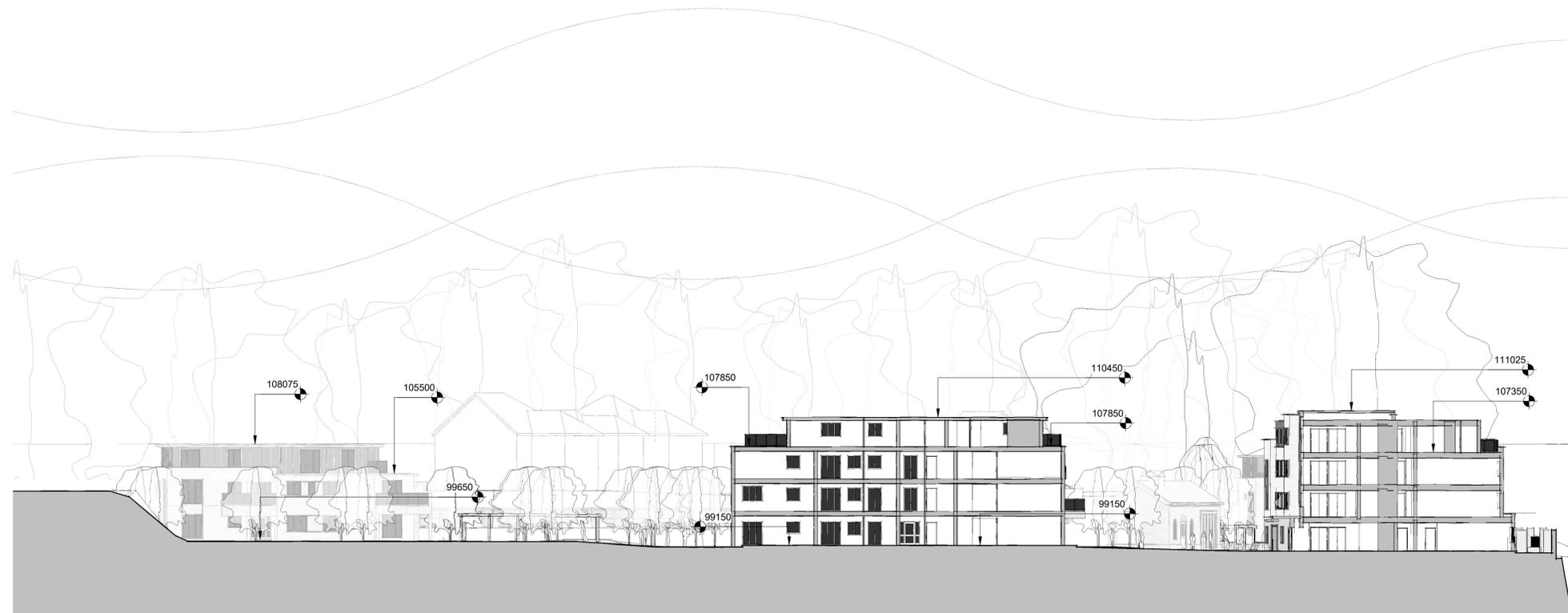
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Rev.	Description	Date
A	Planning Issue	08.12.2017



Section 1 Proposed



Section 2 Proposed

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Rev.	Description	Date
A	Planning Issue	08.12.2017
B	Updated following meeting with LA	12.10.2018

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# Appeal Decision

Site visit made on 25 January 2017

**by Claire Victory BA (Hons) BPI MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 8 May 2017**

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**Appeal Ref: APP/L3625/W/16/3158272**

**Hockley Industrial Centre, Hooley Lane, Redhill, Surrey RH1 6ET**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Nordhus Properties against the decision of Reigate & Banstead Borough Council.
  - The application Ref 15/01008/OUT, dated 7 May 2015, was refused by notice dated 10 March 2016.
  - The development proposed is the partial demolition of existing buildings, erection of 4 apartment blocks comprising 33 x 2 bed and 15 x 1 bed apartments, retention of locally listed wall and conversion of existing building into 2 bed house.
- 

## Decision

1. The appeal is allowed and planning permission is granted for the partial demolition of existing buildings, erection of 4 apartment blocks comprising 33 x 2 bed and 15 x 1 bed apartments, retention of locally listed wall and conversion of existing building into 2 bed house at Hockley Industrial Centre, Hooley Lane, Redhill, Surrey RH1 6ET in accordance with the terms of the application Ref 15/01008/OUT, dated 7 May 2015, and subject to the conditions in the attached schedule.

## Preliminary Matters

2. The application was made in outline with only landscaping reserved for future consideration. Amended plans were submitted with the appeal that show a reduced number of units from 50 to 49, and the appellant's grounds of appeal describes the application as comprising "33 x 2 bed and 15 x 1 bed apartments" rather than 16 x 1 bed apartments as set out in the application description. As this would reduce the number of units and the Council are aware of the change,<sup>1</sup> I do not consider anyone would be disadvantaged by my dealing with the appeal on this basis. I have therefore amended the description of development in the banner heading and formal decision to reflect this change.

## Background and Main Issue

3. The appeal site is in an employment generating use. The appellant has submitted evidence including an employment land review, building surveys and commercial valuation in support of the proposal. These indicate that there is an oversupply of employment land in the borough, and that the poor condition of the existing buildings and low value of the site would necessitate wholesale

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<sup>1</sup> The Council's statement of case refers to the reduction in the number of units in paragraph 6.10

---

redevelopment of the site in the future. It would therefore not be viable to continue the existing industrial use. The site has also been identified within the Council's Strategic Housing Land Availability Assessment as having potential for redevelopment. On balance, having due regard to policy EM1a of the Reigate and Banstead Borough Local Plan (LP) (2005), the Council does not object to the proposed change of use to residential.

4. In addition, the Council has confirmed that in light of the signed and executed unilateral undertaking submitted by the appellant, it no longer seeks to contest the second reason for refusal, relating to affordable housing provision. The main issue in the appeal is therefore the effect of the development on the character and appearance of the surrounding area.

## **Reasons**

5. The appeal site is an industrial estate on the southern edge of Redhill. The eastern boundary of the site is formed of the London to Brighton railway line. Vehicular and pedestrian access to the site is taken from Hooley Lane. The ground level rises considerably from east to west along Hooley Lane, and a large concrete and brick retaining wall extends from the railway bridge to the site access forming part of the boundary of the site. To the south east are residential dwellings on Brighton Terrace and Woodland Avenue, and to the west is Local Open Land on the corner of Hooley Lane and Brighton Road. There is a public house and Sea Cadets centre on the opposite side of Hooley Lane, along with a number of recent housing developments on both sides of the railway line.
6. The appeal site contains four existing warehouse buildings, occupied by a number of businesses, including motorcycle repairs, glazing and metalworks. The proposal would involve the demolition of most of these with the exception of the eastern façade of the locally listed Goods Station shed which faces the railway line. This would be retained and incorporated into Block 2. The small brick building described as Block 4 on the submitted drawings would be converted into a two bedroom dwelling. Block 3 would be situated at the southern edge of the site and would replace an existing building.
7. Blocks 1 and 5 would be positioned on the Hooley Road frontage, on either side of the site access. Block 1 would have a similar footprint to the existing building, and would be about 2 metres greater in height. The top floor would be set back from the front elevation, and there would be a step down in height at the western end to three storeys. As such it would be broadly comparable in height with the three to four storey Niche Place on the opposite side of Hooley Place, and would be about the same width as the warehouse it would replace.
8. Block 5 would be located in the north-west corner of the site. Blocks 1 and 5 would be separated by the vehicular access and a landscaped area to the west of Block 1. Together with the stepping down in height and reduction in depth by almost half at the westernmost end of Block 1, this would ensure that the two blocks would not appear as a single building when viewed from Hooley Lane.
9. The National Planning Policy Framework (the Framework) is clear that planning policies and decisions should not attempt to impose architectural styles or particular tastes. Whilst there would be repetition in the pattern of fenestration on the front elevations, this would be broken up by the use of brick and render

supplemented with timber cladding. The contemporary design would incorporate architectural references to the historic association of this site with the railway, the layout would generally reflect that of the existing buildings on site, and the proposal would secure the retention and enhancement of non-designated heritage assets within the site. In this way the development would provide an appropriate response to the existing site and the predominantly residential character of the surrounding area.

10. For the above reasons I conclude that the proposal would not harm the character and appearance of the surrounding area. Thus it would accord with LP policies Ho9, Ho13 and Ho16. These policies seek, amongst other things, to respect the scale of development in the surrounding area, respect and maintain the local character of the area, and ensure that infill development would not be cramped in appearance. For the same reasons it would also accord with the Reigate and Banstead Local Distinctiveness Design Guide Supplementary Planning Document (2004).
11. It would also comply with policies CS1 and CS4 of the Reigate and Banstead Core Strategy (CS) (2014). CS Policy CS1 applies a presumption in favour of sustainable development, and CS Policy CS4 requires development to respect, conserve and enhance the historic environment.

### **Other Matters**

12. CS Policy CS15 requires proposals for dwellings of 15 or more net dwellings to provide 30% affordable housing, equivalent to 15 units. A signed and executed unilateral undertaking has been submitted by the appellant that would provide 30% affordable housing on site, and so the proposal would comply with CS Policy CS15. I am therefore satisfied that the aforementioned contribution would meet the test set out in Regulation 122 of the Community Infrastructure Regulations and paragraph 204 of the Framework.
13. Surface water drainage can be addressed through a suitable condition, as indicated in the submitted Flood Risk Assessment, to ensure site is adequately drained and to prevent surface water run-off within and beyond the site.
14. Two sycamore trees would be removed within the site but they would be replaced, and a third tree would need to be removed in any event due to its poor condition. An updated Arboricultural Method Statement and Tree Protection Plan, to protect the trees on site during construction and ensure their long term survival can be required by condition to safeguard the character and appearance of the area.
15. The potential for noise and disturbance during construction can be addressed through a condition requiring the submission of and adherence to a Construction Transport Management Plan.
16. Third parties consider that the site is viable for employment use, has been deliberately neglected by current owners, and that levels of employment have been underestimated, but for the reasons I have set out above the loss of employment land has been accepted by the Council and on the basis of the evidence before me I see no reason to disagree. Consequently I have given this matter little weight in reaching my decision.
17. I have had regard to all other matters raised, including the potential for harm to health and for an increase in crime in the vicinity of the site, but there is

nothing before me to suggest that the development would cause material harm to future or existing residents in this respect. Similarly, the effect of the proposal on property values and private views from neighbouring properties are outside the scope of this appeal.

### **Conditions**

18. I have found that the proposal would be acceptable subject to certain conditions, framed with regard to the Planning Practice Guidance. In addition to the conditions already referred to, I have specified the approved plans for certainty. Details of the landscaping scheme are required to be submitted as reserved matters to safeguard the character and appearance of the area. Details of the existing and proposed ground levels, external materials and details of boundary treatment/s are also required for the same reason.
19. Details of a modified access to Hooley Lane, the provision of an uncontrolled pedestrian crossing to Hooley Lane, and the provision and retention of car parking and turning space and cycle parking as shown on the approved plans are all necessary in the interests of highway safety.
20. I shall require a condition to provide and retain refuse and recycling facilities in the interests of residential amenity. Acoustic fencing details are necessary to ensure a satisfactory appearance and to safeguard the amenities of future occupiers of the development.
21. Details of ecological enhancement measures are required to ensure protected species found on site are not harmed by the development and are protected during the construction period. Due to the previous industrial use of the site an investigation and risk assessment is required, with remediation if appropriate where contamination is found.
22. All the new build properties would be flats and thus would not benefit from permitted development rights. Furthermore, as the proposed dwelling shown as Block 4 is proposed to incorporate roof lights, it is not considered necessary to impose a restriction on windows, dormer windows or roof lights to safeguard the living conditions of neighbouring occupiers. A restriction on extensions within Class A of the GPDO<sup>2</sup> is justified however, to ensure that adequate amenity space would be retained for future occupiers of that dwelling.

### **Conclusion**

23. For the reasons set out above I conclude that the appeal should be allowed.

*Claire Victory*

INSPECTOR

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<sup>2</sup> Town and Country Planning (General Permitted Development) (England) Development Order 2015

## **Schedule of Conditions**

- 1) Approval of details of the landscaping of the site (hereinafter called the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced and carried out as approved. Plans and particulars of the reserved matters referred to above, shall be submitted in writing to the local planning authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Layout Plan PL 14-137-50 Rev B; Floor Plan PL 14-137-110 Rev B; Floor Plan PL 14-137- 111 Rev B; Combined Plan PL 14-137-112 Rev B; Combined Plan PL 14-137-130 Rev D; Elevation Plan PL 14-137-131 Rev D; Other Plan PL 14-137-160 Rev C; Other Plan PL 14-137-161 Rev C; Other Plan PL 14-137-162 Rev C; Combined Plan PL 14-137-150 Rev A; Elevation Plan PL 14-137-151 Rev A; Floor Plan PL 14 137-120 Rev A; Floor Plan PL 14 137-121 Rev A; Combined Plan PL 14 137-122 Rev A; Elevation Plan PL 14 137-123 Rev A; Site Layout Plan PL 14 137-51 Rev A; Site Layout Plan PL 14 137-52 Rev A; Site Layout Plan PL 14 137-53 Rev A; Section Plan PL 14 137 55 Rev A; Block Plan PL 14 137-02 Rev A; Survey Plan PL 14 137-03 Rev A; Site Layout Plan PL 14 137-04 Rev A; Site Layout Plan PL 14 137-05 Rev A; Elevation Plan PL 14 137-06 Rev A; Section Plan PL 14 137-07 Rev A; Site Layout Plan 2215/15/B2; Site Layout Plan 2215/15/B/3; Arboricultural Plan 2215/15/B/1; Location Plan PL 14 137-01 Rev A; Other Plan PL 14-137-163 Rev B; Other Plan PL 14-137-164 Rev B; Other Plan PL 14-137-165 Rev B; Other Plan PL 14-137-166 Rev B; Other Plan PL 14-137-167 Rev B; Other Plan PL 14-137-168 Rev B; Other Plan PL 14-137-169 Rev B; Combined Plan PL 14-137-140 Rev A; Combined Plan PL 14-137-141 Rev A.
- 3) No development shall take place until the developer obtains the local planning authority's written approval of details of both existing and proposed ground levels and the proposed finished ground floor levels of the buildings. The development shall be carried out in accordance with the approved levels.
- 4) The proposed external finishing materials and details shall be carried out using the external facing materials and details specified below: before works commence a detailed specification for the conservation and restoration of the lettering and cast iron windows on the Goods Station shed east elevation and the stabilisation and repair of the east elevation by an accredited conservator shall be submitted to and approved in writing by the local planning authority and shall be carried out by the approved conservator before the flats are occupied; revised detailed drawings of the retained east elevation of the Goods Station shed with the entablature retained shall be submitted to and approved in writing by the local planning authority before works commence; revised drawings of the stable building shall be submitted to and approved in writing before works commence with reconfigured fenestration and reduced rooflight configuration; before works commence revised details of the boundary treatment and landscaping between the east

elevation of the Goods Station shed and the railway line shall be submitted to and approved in writing by the LPA; all windows have casements in each opening and be set back behind the reveal at one brick depth; all windows and doors shall have equal sightlines by having a casement in each opening in the case of windows and a door in each opening in the case of doors; all brickwork shall be in London stock brick with gauged brick arches.

- 5) No development shall commence including demolition and or groundworks preparation until a detailed, scaled Tree Protection Plan (TPP) and the related finalised Arboricultural Method Statement (AMS) is submitted to and approved in writing by the local planning authority. These shall include details of the specification and location of exclusion fencing, ground protection and any construction activity that may take place within the Root Protection Areas of trees (RPA) shown to scale on the TPP, including the installation of service routings. The AMS shall also include a pre commencement meeting with the local planning authority, supervisory regime for their implementation & monitoring with an agreed reporting process to the local planning authority. All works shall be carried out in strict accordance with these details when approved.
- 6) No development shall commence on site until a scheme for the landscaping of the site including the retention of existing landscape features has been submitted to and approved in writing by the local planning authority. Landscaping schemes shall include details of hard and soft landscaping, including any tree removal/retention, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation and management programme. All hard and soft landscaping work shall be completed in full accordance with the approved scheme, prior to occupation or within the first planting season following completion of the development hereby approved. Any trees shrubs or plants planted in accordance with this condition which are removed, die or become damaged or become diseased within five years of planting shall be replaced within the next planting season by trees, shrubs of the same size and species.
- 7) No development shall commence until a Construction Transport Management Plan (CTMP), to include details of: parking for vehicles of site personnel, operatives and visitors; loading and unloading of plant and materials; storage of plant and materials; programme of works, including measures for traffic management; HGV deliveries and hours of operation; construction vehicle routing to and from the site; measures to prevent the deposit of materials on the highway; and on-site turning for construction vehicles has been submitted to and approved in writing by the local planning authority. The CTMP shall be implemented in accordance with the approved details during the construction of the development hereby permitted.
- 8) The development hereby approved shall not be first occupied unless and until the proposed modified vehicular access to Hooley Lane has been constructed in accordance with a scheme to be submitted to and approved in writing by the local planning authority.
- 9) The development hereby approved shall not be first occupied unless and until an uncontrolled pedestrian crossing consisting of a build out with a

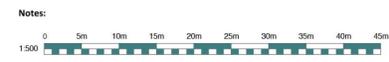
dropped kerb and tactile paving has been constructed on Hooley Lane adjacent to the site access in accordance with a scheme to be submitted to and approved in writing by the local planning authority.

- 10) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.
- 11) The development shall not be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed before the occupation of the development hereby permitted.
- 12) The development hereby approved shall not be first occupied unless and until the following facility has been provided in accordance with the approved plans for the secure parking of 50 bicycles within the development site, and thereafter the said approved facility shall be provided, retained and maintained to the satisfaction of the local planning authority.
- 13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions permitted by Class A of Part 1 of the Second Schedule of the 2015 Order shall be constructed in relation to the two bedroom dwelling shown as Block 4 on the approved drawings.
- 14) No development shall take place until a scheme of ecological enhancement measures for biodiversity gain have been submitted to and been approved in writing by the local planning authority, the scheme shall include a schedule for their implementation and should consider native planting, bird nesting boxes, invertebrate habitat and floral diversity. The works shall be implemented in accordance with the approved details prior to completion of the development.
- 15) No development shall take place until details of proposed drainage works, including surface water attenuation facilities, have been submitted to and been approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details concurrently with the carrying out of the development and permanently retained.
- 16) No development shall take place until details of adequate refuse and recycling storage and collection facilities, including suitable collection and servicing to take place from within the site, has been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details and thereafter maintained.
- 17) No development shall take place until details of a scheme of acoustic fencing, including its siting, materials and appearance have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details and thereafter maintained.

- 18) No development shall commence on site unless required to be carried out as part of an approved scheme of remediation until this condition has been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until has been complied with in relation to that contamination.
- 19) An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments; (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".
- 20) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 21) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.
- 22) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 19, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 20, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with condition 21.

- 23) A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of five years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the local planning authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the local planning authority. This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".



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- Do not scale from the drawing.
- The Contractor is to check all site dimensions and levels before work commences.
- This drawing must be read with and checked against all structural and other specialist drawings, specifications and bills of quantities.
- The Contractor is to comply with all current British Standards and Building Regulations whether or not specifically stated on these drawings.
- Notify Addo Design Ltd of any discrepancies.

Rev.	Description	Date
A	Planning Issue	07.08.2015
B	Revised Submission	06.01.2016



Client: Nordhus Properties Ltd

Project: Land at:  
Hockley Industrial Centre  
Hooley Lane  
Redhill  
Surrey

Title: Proposed Site Layout

Scale: 1:500 @ A1 Date: Aug 2015

Proj No: pl 14-137-50 Rev: B