

| APPLICATION NUMBER:   |  | 22/02772/F | VALID: | 06/01/2023          |  |
|---|--|------------|--------|---------------------|--|
| APPLICANT:  | Natabi Properties Redhill<br>Limited   |            | AGENT: | Woolf Bond Planning |  |
| LOCATION:   | F W MAYS HONDA 105 - 115 BRIGHTON ROAD REDHILL<br>SURREY RH1 6PS   |            |        |                     |  |
| DESCRIPTION:  | Full planning application for the demolition of existing buildings and structures and the erection of a 38-unit retirement living scheme (use class c3) with car parking, access, and associated landscaping. As amended on 01/09/2023, 07/09/2023, 11/09/2023 and on 03/10/2023 |            |        |                     |  |
| 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 |  |            |        |                     |  |

# **SUMMARY**

detail.

The site is located south of Redhill town centre within the Brighton Road, Redhill Local Centre, approximately 435m south of the Redhill Town Centre boundary and 835m from Redhill Railway Station. The site is located in the Brighton Road, Redhill Local Parade and within an Air Quality Management Area (No 12 dating from 2011). The site is adjoined on three sides by residential development. The land rises significantly to the west of the site with Garlands Road at a much high ground level. To the north is an existing flatted development, which includes retail units along its frontage. There are nearby bus stops going north towards Redhill and south towards Horley. National Cycle Route 21 runs along the Brighton Road between Horley and Redhill.

The site was previously in use as a Honda garage, with both sales and servicing available on site. There are two large buildings that sit towards the back of the site, one holds the workshop space, with the other holding the car showroom, offices and 3no. residential apartments. The site is now vacant. The site falls within the Urban area and part of the site also falls within the Brighton Road Local Centre.

This is a full application for the demolition of existing buildings and structures and the erection of a 38-unit retirement living scheme (use class c3) with car parking, access, and associated landscaping.

The development would comprise of 19 1-bed units and 19 2-bed units. The development is exclusive to the over 60's (noting that a partner can be over the age of 55) and is intended for the more independent older person with the apartments designed around a central core of communal facilities. The communal facilities include a residents' lounge, landscape gardens, refuse room and mobility scooter store. 11 of the units would have external balconies. 12 of the units would have Juliet balconies and 5 ground floor units would have outdoor space, which opens on to the communal space.

The scheme would not provide on-site affordable housing due to the specialist nature of the accommodation and following viability testing. The process has though demonstrated the potential for a contribution of £200,000 towards the off-site provision of affordable housing. This contribution will be secured by a S106 legal agreement.

In terms of design and scale it is acknowledged that the replacement development would be significant change from the existing built form. However, when the scale and form of the flatted scheme is compared to other flatted schemes in the area the scale and height is considered to be commensurate and acceptable.

Whilst significant in scale it is considered that the design and form of the eastern, streetscene elevation is sympathetic to the remaining historic Victorian housing to the south of the site by using appropriate roofing (slate) and elevational (red brickwork and render) materials and the use of gabled roofs and the use of well-proportioned sash style windows and brick detailing (such as gauged hack arches and brick quoins). The gable form, the varying ridge heights and breaking up of the front elevation in to separate elements results in a well-designed and proportioned street scene elevation which would not appear prominent in the street scene and appropriately reflects the more historic buildings within the street scene. Given the brownfield nature of the existing site where built form is right up to the rear of the site and the other flatted developments in the area, it is considered that the proposed depth and layout of the scheme is appropriate in this location and would not result in an overdevelopment of the site or have a detrimental impact on the character of the area.

Therefore, taking in to account the above the guidance of the NPPF to make efficient use of land and to give substantial weight to the development of brownfield sites it is considered that the impact on the character of the site and surrounding area would not be so harmful as to warrant refusal.

Taking in to account the proposed floor plans, the orientation of the proposed units, the level and type of communal facilities proposed and a condition to secure adequate ventilation and glazing to rooms (particularly those facing Brighton Road) it is considered that the proposal would provide a good standard for accommodation for the future occupants.

Whilst the proposal would result in a significant change in the relationship between the site and the neighbouring buildings, the proposal would not have an adverse impact upon existing neighbouring properties and would accord with the provisions of DMP Policy DES1, DES8 and DES9. Potential noise disturbance from any proposed plant is proposed to be controlled by condition. As is the potential impact of the solar panels on the neighbours to the west from glare and reflection.

The proposed development proposes 24 parking spaces. This is below the minimum parking standards of 46 - shortfall of 22. However, planning policy and guidance is clear that these standards are a guide and provision can be below them if evidence indicates that the level of parking would not result in unacceptable levels of on street parking and in areas within or adjacent to town centres. In this case the under provision is considered justified due to the type of retirement living development proposed, which the submitted evidence indicates will likely result in the demand of 16 spaces, together with the sustainable location close to Redhill and all the amenities it enjoys. Therefore, the provision of 24 spaces would meet the demand and generation of the scheme plus allow extra capacity for visitors and potential healthcare visits and housekeeping/maintenance visits.

The scheme would be acceptable in all other regards subject to conditions.

Given the specific nature of this scheme, housing for older persons of 60 years plus, and the implication this has had on affordable housing provision and parking demand it is considered reasonable and necessary to include a clause in the S106 agreement which restricts the occupants to 60 years or over (with an allowance that a partner can be over the age of 55).

# RECOMMENDATION

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) A contribution of £200,000.00 in-lieu of on-site affordable housing provision to go towards the provision of off-site affordable housing
- (ii) An age restriction for the occupation of the development to 60+ years old (with an allowance that a partner can be over the age of 55)
- (iii) The Council's legal costs in preparing the agreement

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

In the event that a satisfactorily completed obligation is not received by 1 May 2024 or such longer period as may be agreed, the Head of Places and Planning be authorised to refuse permission for the following reason:

1. The proposal fails to provide an agreed contribution towards affordable housing provision within the Borough of Reigate & Banstead and fails to adequately control the type of development (retirement living) and is therefore contrary to policy DES6 and DES7 of the Reigate and Banstead Development Management Plan 2019.

#### **Consultations:**

<u>Air Quality Officer:</u> "I have no issues with the air quality assessment at this stage." Although made recommendation that building is moved further away from the A23 to reduce potential impact.

<u>Environmental Protection Officer:</u> recommends asbestos and contaminated land conditions.

<u>Surrey County Council Highway Authority (CHA)</u>: The CHA has assessed the application on safety, capacity and policy grounds and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway with respect of access, net additional traffic generation and parking. The County Highway Authority therefore has no highway requirements subject to conditions.

Regulatory Support Services (RSS): The Council's Noise Consultants has considered the proposals and advised that the applicant has undertaken a suitable assessment and recommended appropriate mitigation. Conditions are recommended to secure implementation of appropriate window systems and plant.

<u>Surrey County Council Minerals and Waste Planning Authority:</u> no objection subject to the provision of adequate on-site waste facilities to dealt with proposed use and a Waste Management plan condition.

<u>Surrey County Council Lead Local Flood Authority (LLFA)</u>: Has reviewed the surface water drainage strategy for the proposed development and assessed it against the requirements of the NPPF, its accompanying PPG and the Non-Statutory Technical Standards for sustainable drainage systems.

The LLFA state that they are satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents and are content with the development proposed, subject to the imposition of conditions requiring the submission of a detailed drainage scheme and a verification report.

<u>Surrey Wildlife Trust:</u> No objections raised following submission of additional information. Condition recommended in relation to Landscape and Ecological Management Plan.

<u>Thames Water:</u> No objection with regard to wastewater network and sewerage treatment works infrastructure capacity

#### Representations:

To date 8 representations have been received raising the following issues:

Issue Response

Alternative location/ proposal Each case must be considered

preferred on its own merits. See paragraphs 6.2-6.11

Crime See paragraph 6.59-6.60

Health fears See paragraph 6.34-6.35 and

6.60

Inadequate parking See paragraph 6.37-6.44

Inconvenience during construction See paragraph 6.35

Increase in traffic and congestion See paragraph 6.37-6.44

Loss of private view Loss of a private view is not a material planning consideration

Loss of commercial space See paragraph 6.2-6.11

No need for the development See paragraph 6.2-6.11

Noise & disturbance See paragraph 6.34

Overbearing relationship See paragraph 6.28-6.36

Overdevelopment See 6.12-6.27

Overlooking and loss of privacy See paragraph 6.28-6.36

Overshadowing See paragraph 6.28-6.36

Poor design See paragraph 6.12-6.27

Property devalue Property devalue is not a material

planning consideration

# 1.0 Site and Character Appraisal

- 1.1 The site is located south of Redhill town centre within the Brighton Road, Redhill Local Centre, approximately 435m south of the Redhill Town Centre boundary and 835m from Redhill Railway Station. The site is located in the Brighton Road, Redhill Local Parade and in an Air Quality Management Area (No 12 dating from 2011). The site is adjoined on three sides by residential development. The land rises significantly to the west of the site with Garlands Road at a much high ground level. To the north is an existing flatted development, which includes retail units along its frontage. There are nearby bus stops going north towards Redhill and south towards Horley. National Cycle Route 21 runs along the Brighton Road between Horley and Redhill.
- 1.2 The site was previously in use as a Honda garage, with both sales and servicing available on site. There are two large buildings that sit towards the back of the site, one holds the workshop space, with the other holding the car showroom, offices and 3no. residential apartments. The site is now vacant.

# 2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: pre-application advice was provided under ref. PAM/22/00113 for 41 retirement living flats.
- 2.2 Improvements secured during the course of the application: reduction from 39 to 38 residential units and changes to design including reduction in height of front building, change in design and form of front building, removal of balconies and updated landscaping scheme. Additional highway, ecology and viability (for affordable housing assessment) information.
- 2.3 Further improvements could be secured: Conditions will be applied regarding levels, materials, contamination, tree protection, ecology, drainage, parking and highways, electric charging, water/energy efficiency and measures to protect the amenity of neighbouring and future occupants.

# 3.0 Relevant Planning and Enforcement History

3.1 03/02524/CLE

Certificate of lawfulness for the sale of new and used motor vehicles, the repair and services of motor vehicles, the sale of spare parts and accessories and uses ancillary to these. Withdrawn Fri 17 Dec 2004

# 4.0 Proposal and Design Approach

- 4.1 This is a full application for the demolition of existing buildings and structures and the erection of a 38-unit retirement living scheme (use class c3) with car parking, access, and associated landscaping.
- 4.2 The development would comprise of 19 1-bed units and 19 2-bed units. The development is exclusive to the over 60's (noting that a partner can be over the age of 55) and is intended for the more independent older person with the apartments designed around a central core of communal facilities. The communal facilities include a residents' lounge, landscape gardens, refuse room and mobility scooter store. 11 of the units would have external balconies. 12 of the units would have Juliet balconies and 5 ground floor units would have outdoor space, which opens on to the communal space.
- 4.3 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a four-stage design process comprising:

Assessment;

Involvement:

Evaluation; and

Design.

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

| Assessment  | The DAS includes at Section 1.0 and 2.0 details of site history & demographics, the site, transportation links, walking and cycling and Site analysis.   |  |  |
|-------------|--|--|--|
| Involvement | In addition to the pre-application process an online public exhibition took place on 3 November 2022, with follow up one-to-one meetings with residents. Feedback from this public process is set out in the Statement of Community Involvement that accompanies this application. |  |  |
| Evaluation  | Section 5.0 details the scheme's response to local contact and character design guide. Section 6 considers the impact on daylight and sunlight.  |  |  |
| Design      | Sections 7 to 13 provide details of the proposal. Section 14 sets out details of amendments made to the scheme post submission   |  |  |

# 4.5 Further details of the development are as follows:

| Site area                   | 0.29ha  |  |  |
|-----------------------------|---|--|--|
| Existing use                | Former Honda car dealership - sales and servicing and 3 residential units |  |  |
| Proposed use                | Retirement living scheme (Use Class C3)                                   |  |  |
| Existing parking spaces     | 23  |  |  |
| Proposed parking spaces     | 24  |  |  |
| Parking standard            | 46 (38 for flats and 8 visitor)   |  |  |
| Number of affordable units  | 0   |  |  |
| Net increase in dwellings   | 35  |  |  |
| Net retail floorspace       | -1363 square metres   |  |  |
| Existing site density       | N/A   |  |  |
| Proposed site density       | 131 dph   |  |  |
| Density in surrounding area | 156 dph (Sycamore Court, Greyhound Court, The Ivies)                      |  |  |
|                             | 152 dph (Bakers court, Archers Court)                                     |  |  |

# 5.0 Policy Context

# 5.1 <u>Designation</u>

Local Centre Boundary

Urban Area

Parking Score 8 (medium)

Air Quality Management Area - no. 12 dating from 2011

#### 5.2 Reigate and Banstead Core Strategy (CS)

CS1(Sustainable Development)

CS4 (Valued townscapes and the historic environment)

CS5 (Valued People/Economic Development),

CS7 (Town/Local Centres),

CS10 (Sustainable Development),

CS11 (Sustainable Construction),

CS12 (Infrastructure delivery)

CS14 (Housing Needs)

CS17 (Travel Options and accessibility)

#### 5.3 Reigate and Banstead Development Management Plan 2019 (DMP)

EMP4 (Safeguarding employment land and premises)

EMP5 (Local Skills and Training opportunities)

RET3 (Local Centres)

DES1 (Design of new development)

DES4 (Housing mix)

DES5 (Delivering high quality homes)

DES6 (Affordable Housing)

DES7 (Specialist Accommodation)

DES8 (Construction Management)

DES9 (Pollution and contamination land)

OSR2 (Open space in new developments)

TAP1 (Access, Parking and Servicing)

CCF1 (Climate Change Mitigation)

CCF2 (Flood Risk)

INF3 (Electronic communication networks)

NHE2 (Protecting and Enhancing Biodiversity)

NHE3 (Protecting trees, woodland areas and natural habitats)

INF2 (Community facilities)

INF3 (Electronic communication networks)

#### 5.4 Other Material Considerations

National Planning Policy Framework 2023 (NPPF)

National Planning Practice Guidance

(NPPG)

Supplementary Planning

Guidance/Documents

Surrey Design

Local Character and Distinctiveness

Design Guide SPD 2021

Climate Change and Sustainable

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Construction SPD 2021 Vehicle and Cycle Parking Guidance 2018 Affordable Housing

Other

Human Rights Act 1998

Community Infrastructure Levy Regulations 2010

#### 6.0 **Assessment**

#### 6.1 The main issues to consider are:

- Loss of existing use and principle of residential use
- Design appraisal
- Housing Mix, Affordable Housing and Standard of Accommodation
- Neighbour amenity
- Highway matters
- Flooding and surface water drainage matters
- Contamination
- Trees and Ecology
- Energy, Sustainability and Broadband
- Crime
- Employment and skills training
- Community Infrastructure Levy
- Material considerations put forward by applicant

# Loss of existing use and principle of residential use

- 6.2 The site is within a Local Centre and lawful use of the site is an employment use. Therefore, the potential loss of both retail and employment use require consideration.
- 6.3 The proposed accommodation for older people development scheme will replace the vacant garage and therefore there will be a loss of what could generally be termed a retail use at the Local Centre. Para 1.2.10 from the DMP states that: "Local centres provide an important function, serving the local needs of communities, and providing shops, services and facilities that are easily accessible and reduce the need to travel."
- 6.4 However Policy RET3: Local Centres of the DMP relate to previous use classes A1-A4 and D1/2, and the current use class of the automobile dealership would be under Sui Generis and therefore not fall under the requirements for criterions 1 and 2 from Policy RET3. It is still important to consider the importance of the Local Centre and the functions it provides to the local communities, but overall the loss of retail in this case is not considered to undermine the policy given the long term vacancy of the site.

- 6.5 DMP Policy EMP4: Safeguarding employment land and premises states the following:
  - "Development of existing employment land and premises must comply with the following criteria:
  - 1. The loss of employment land and premises will only be permitted if:
  - a. it can be clearly demonstrated that there is no reasonable prospect of (or demand for) the retention or redevelopment of the site for employment use (see Annex 3 for information on what will be required to demonstrate this); or b. the loss of employment floorspace is necessary to enable a demonstrable improvement in the quality and suitability of employment accommodation; or c. the proposal would provide a public benefit which would outweigh the loss of the employment floorspace.
  - 2. Where loss is justified under (1) above, proposals for non-employment uses will only be permitted if they would not adversely affect the efficient operation or economic function of other employment uses or businesses in the locality."
- 6.6 Within para 1.1.15 it goes onto state that:

  "Policy EMP4 recognises the importance of safeguarding viable employment land and premises, whilst also recognising the requirements of national policy that such land and premises should only be protected if there is a reasonable prospect of employment use"
- 6.7 The policy is clear to recognise the importance of employment land and that evidence should be provided by the applicant to demonstrate that there is no demand for retention, or redevelopment of the site for employment purposes.
- 6.8 The applicant has provided a marketing report produced by APC detailing the marketing information for the site. It is considered that the information provided in the report is appropriate and meets the requirements of Annex 3 'Marketing requirements' of the DMP. The marketing report demonstrates that the loss of the automobile dealership will not have an adverse impact due to the changing market and that there is no reasonable prospect of the retention of the site for the same use. The report also states that alternative uses for the site did not accumulate strong interest. The proposal for the site is not considered to cause an adverse effect on the economic function of employment uses locally, this is because of the nature of the site with many of the surroundings in residential use. For these reasons the application is considered to comply with DMP Policy EMP4.
- 6.9 Given that the scheme is considered to comply with both policy RET3 and EMP4 the redevelopment of the site for a residential use, in this case retirement living, is considered acceptable.
- 6.10 Policy DES7 supports schemes which provide accommodation for older people provided the proposals are easily accessible to shops, public transport, community facilities and services appropriate to the needs of the intended occupiers. As demonstrated in the Transport Statement the site is relatively accessible to shops and public transport and other services so the proposal is considered appropriate for such a use.

6.11 It should also be noted that the site is previously developed land and that both the Council's Development Plan and the NPPF promote the efficient use of the urban area. The NPPF at paragraph 120 c) states that planning policies and decisions should; "give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land".

# Design appraisal

- 6.12 DMP Policy DES1 relates to the Design of New Development and requires new development to be of a high-quality design that makes a positive contribution to the character and appearance of its surroundings. New development should promote and reinforce local distinctiveness and should respect the character of the surrounding area. The policy states that new development will be expected to use high quality materials, landscaping and building detailing and have due regard to the layout, density, plot sizes, building siting, scale, massing, height, and roofscapes of the surrounding area, the relationship to neighbouring buildings, and important views into and out of the site.
- 6.13 It is acknowledged that the replacement development would be significant change from the existing built form. The built form would be moved much further forward in the site so that the bulk of the development is closer to Brighton Road and therefore would appear more prominent in the streetscene when compared to the existing dealership, which currently has a large forecourt. However, when the scale and form of the flatted scheme is compared to other flatted schemes in the area the scale and height is considered to be commensurate. Such as the Bakers/Archers Court to the north of the site. As well as examples of larger three, four and five storey buildings such as the YMCA building to the east the recently approved application at the Brook Road garage site (ref. 19/00210/OUT) to the east and Furness and Forum House further to the north of the site.
- The east, street scene, elevation would be the most prominent elevation. 6.14 Whilst significant in scale it is considered that the design and form is sympathetic to the remaining historic Victorian housing to the south of the site by using appropriate roofing (slate) and elevational (red brickwork and render) materials and the use of gabled roofs and the use of wellproportioned sash style windows and brick detailing (such as gauged hack arches and brick quoins). Whilst this is a flatted scheme the front elevation has also been designed so that it appears as a terrace row with access doors to the ground floor and the stepping down of the ridges, which helps to break up the front elevation. The flat roof elements are also hidden well behind the front pitched roofs. The north-eastern corner of the flatter building also turns the corner next to the entrance to help retain an active frontage. southern end has been stepped down in height so that it is commensurate with the two-storey height of the properties immediately to the south and the northern elements, whilst three storey in height do step down so that the

building matches the three storey height of the building immediately to the north (Archers Court). The result in my view is a well-designed and proportioned street scene elevation which would not appear prominent in the street scene and appropriately reflects the more historic buildings within the street scene.

- 6.15 The rear element of the scheme is significant in scale and depth and car parking is proposed right up to the rear of the site. However, given the brownfield nature of the existing site where built form is right up to the rear of the site and the other flatted developments in the area, it is considered that the proposed depth and layout of the scheme is appropriate in this location and would not result in an overdevelopment of the site or have a detrimental impact on the character of the area.
- 6.16 Therefore, taking in to account the above the guidance of the NPPF to make efficient use of land and to give substantial weight to the development of brownfield sites it is considered that the impact on the character of the site and surrounding area would not be so harmful as to warrant refusal.
- 6.17 Conditions are recommended to secure further details of the proposed materials and to secure the elevation and fenestration details.

# Housing Mix, Affordable Housing and Standard of Accommodation

- 6.18 The submitted plans shows a total of 38 flats with a mix of 19 x 1 bed and 19 x 2 bed.
- 6.19 For Local Centre applications Policy DES4 requires that on "on all schemes, at least half of all homes [market homes] provided should be one and two bedroom homes." Further on scheme of 20 or more homes at least 10% of homes must have three or more bedrooms. This mix accords with the first requirement of DMP Policy DES4 however would not comply with the second part. However, given the nature of the proposal which is specifically for retirement living where occupants are downsizing it is considered that this would not be a reason to refuse the application.
- 6.20 In terms of affordable housing the application does not provide any on site affordable housing. The applicant's initial case was that the original scheme of 39 units was unable to provide any on-site units or contribution towards off site provision due to viability. This was primarily said to be down to current high build costs, the specialist nature of the product which provide for communal facilities which are not common in market schemes, and also the brownfield nature of the site which have additional costs compared to green field sites.
- 6.21 This position was tested by Council appointed consultants, Dixon Searle Partnership (DSP). DSP concluded that with a lower benchmark land value (BLV) being applied to the assessment there was a surplus of £418,207 which could go towards an off-site contribution. The Council's Housing

Officer was satisfied with this position given the retirement living product and the applicant had also agreed to pay this amount.

- 6.22 However following the amendment of the scheme to 38 units and the continued rise in built costs the applicant has reduced their offer to £200,000. This offer, when taking in to account all the viability information submitted, is considered to be reasonable by both Planning Officers and the Housing Officer. Particularly as the 38 units scheme is much improved from the 39 unit scheme. Given the specific nature of the development for retirement living and the impact this has on viability it is considered reasonable to include a clause in the S106 legal agreement which ensures that the scheme is only occupied by people 60 years old of over (with an allowance for the partner to be 55 or older).
- 6.23 Policy DES5 requires that all new residential development must provide high quality adaptable accommodation and provide good living conditions for future occupants. New accommodation must meet the relevant nationally prescribed internal space standard for each individual unit unless the council considers that an exception should be made. Sufficient space must be included for storage, clothes drying and the provision of waste and recycling bins in the home. Adequate outdoor amenity space including balconies and terraces and /or communal outdoor space should be provided.
- 6.24 The drawings submitted illustrate that each flat proposed would accord with the appropriate space standard and each unit is provided with sufficient storage space. Private outdoor amenity space is provided for 16 of the 38 units (11 of the units would have external balconies and 5 ground floor units would have outdoor space, which opens on to the communal space). Of the remaining 22 units twelve of the units would have Juliet balconies. Meaning that only 10 of the units would have no form of balcony or outdoor space. However, all units would have access to the indoor and outdoor communal garden which would provide good quality space for the future occupants. The majority of the flats would be single aspect only, however they would all have adequate outlook and the windows would provide adequate light throughout the flats. The proposals would therefore comply with the requirements of DMP Policy DES5.
- 6.25 The site is located adjacent to a busy road and close to other commercial uses. No objection has been raised by the Council's air quality officer. The Council's Environmental Health Consultants have therefore recommended a condition to secure further details and implementation of noise and ventilation measures for the flats prior to first occupation.
- 6.26 To prevent unacceptable light levels to both the future occupants and neighbouring properties a condition is recommended to secure further details of any external lighting prior to installation, which is necessary because the submitted lighting scheme relates to the originally submitted scheme.
- 6.27 Policy DES7 requires that on sites of 5 or more homes, at least 20% of homes should meet the Building Regulations requirements for 'accessible

and adaptable dwellings and on sites of 25 or more homes, at least 4% of homes should be designed to be adaptable for wheelchair users in accordance with the Building Regulations requirements for 'wheelchair user dwellings'. A condition is recommended to secure further details of this prior to occupation.

# Neighbour amenity

- 6.28 In addition to the comments noted above DMP Policy DES1 also requires new development to provide an appropriate environment for future occupants whilst not adversely impacting upon the amenity of occupants of existing nearby buildings, including by way of overbearing, obtrusiveness, overshadowing, overlooking and loss of privacy.
- 6.29 To the east of the site is residential properties. Due to the distance away from the proposed development, on the other side of the A23, it is not considered that there would be an adverse impact on the occupants of this building.
- 6.30 The property directly to the north of the site appears to be currently vacant but was last in commercial use. Therefore, whilst the proposed building would be significantly closer to this building and deeper than the existing property due to the use of the building it is not considered that there would be an adverse impact to occupants of this building.
- 6.31 The site directly to the south of the site, 117 Brighton Road, is a two-storey semi-detached dwelling. There are north facing windows however by looking at the plans for a recent certificate application the existing windows are either secondary windows or serve non-habitable rooms (ground floor serve a larder and kitchen, first floor serves a windows). The closest element of the proposed building would extend beyond the rear elevation of this property by some way however given that the existing dealership building runs along the northern boundary of no.117 it is considered that the proposed development would still result in an improvement to the current relationship. No side facing windows are proposed other than landing windows. Therefore, no concern is raised with regard to loss of light, overbearing impact and loss of privacy.
- 6.32 In terms of the impact to properties to the west of the site, the proposal backs on to rear gardens for modest two storey dwellings nos. 125-157 Garlands Road. These properties are, to a varying degree, at a higher ground level than the application site. Therefore, the relationship between the rear of these dwellings and the proposed building is more like a back-to-back relationship between these two storey dwellings and a 1/1.5 storey to 2 storey dwelling rather than the full three storey height of the building. Taking in to account this relationship and the separation distances which are a minimum of 17.2m if you measure to the nearest rear elements (which are mainly non habitable elements) and minimum of 23m to the main rear elevations, and the fact that the building is to the east, it is considered that the relationship would not result in an unacceptable overbearing impact, loss of light or loss of privacy.

- 6.33 To the north of the site are Archers Court and Bakers Court. These blocks run north to south so that the outlook for the occupants of these flats is east and west. The scale of the proposed building combined with the higher ground level of the application site will inevitably result in a significant change in the relationship between the two sites. However due to the perpendicular relationship and the separation distance it is considered that the level of overlooking from the proposed north facing flats would not be such that it would result in an unacceptable level of overlooking or result in an unacceptable overbearing impact. From the submitted plans it is clear that the proposed building would not breach the 45-degree rule when taken from the nearest windows indicating that there would not be an unacceptable loss of light to these flats.
- 6.34 In terms of noise and disturbance from the development it is considered that the proposed residential use would have a lower impact than the existing lawful use of a car dealership with all the associated noise that resulted from such a use. Given that the site surrounds residential properties on all sides a residential use, which is for retirement living, is considered a suitable use that works well with the neighbouring land uses. The Council's noise consultants Regulatory Support Services (RSS) has consider the proposal and has raised no objection subject to a condition to secure information regarding any external plant and potential noise impacts.
- 6.35 The site is located within close proximity of a number of residential properties. It is therefore inevitable that there will be some disruption created by the development however this is not a reason to refuse the application. To reduce the impact on neighbouring residents were the application to be approved a condition is recommended to secure the submission of a Construction Management Statement which addresses matters such as working hours and potential disruption from noise and pollution.
- 6.36 In conclusion, whilst the proposal would result in a significant change in the relationship between the site and the neighbouring buildings, the proposal would not have an adverse impact upon existing neighbouring properties and would accord with the provisions of DMP Policy DES1, DES8 and DES9.

# Highway matters

- 6.37 Policy TAP1 of the Development Management Plan 2019 requires new development to demonstrate that it would not adversely affect highways safety or the free flow of traffic, that it would provide sufficient off-street parking in accordance with published standards and that it would constitute development in a sustainable location.
- 6.38 In terms of the access Surrey County Council County Highways Authority (CHA) has raised no objection to the proposed access. The existing site access from Brighton Road at the north-eastern corner of the site would be retained and widened to serve the development for cars and delivery vans. The widened access would be satisfactory to serve two-way car movements

at the site. The other three dropped kerb accesses would be closed with kerbs and footway reinstated. To enable the widened access, it is proposed to move the existing on street parking bays further south. There would be no loss of the amount of on street parking. Again, the CHA has not objected to this subject to a condition ensuring that the relocation is implemented. The widening of the access and change to parking restrictions also enables a refuse truck to pull up adjacent to the access to collect refuse and recycling. At a minimum of 3.7metres wide, with give way points at either end, the access would be more than adequate to accommodate likely vehicles to the site (cars and vars for deliveries) and the car park allows adequate turning space. In terms of likely traffic generation, the Transport Statement demonstrates that there would be a net reduction of traffic compared to the existing dealership use. Therefore, the proposal is considered acceptable with regard to highway safety and capacity. The CHA has recommended conditions to secure a Construction Transport Management Plan prior to commencement to ensure highway safety during the construction phase.

- 6.39 In terms of parking Policy TAP1 of the DMP states that all types of development should include car parking and cycle storage for residential and non-residential development in accordance with adopted local standards (see Annex 4) unless satisfactory evidence is provided to demonstrate that non-compliance would not result in unacceptable harm. Such evidence could include on-street parking surveys, evidence of parking demand, and/ or further information on accessibility. Development should not result in unacceptable levels of on-street parking demand in existing or new streets. Annex 4, under the Residential Standards Section p.174, does state that "The standards are provided as a guide and they may be varied at the discretion of the Council to take into account specific local circumstances" and that "A lower amount of parking may be appropriate in areas within, or adjacent to town centres."
- 6.40 The proposed development includes 24 spaces, including 2 disabled bays. Whilst the number of disabled spaces meets the standards (5%) as set out above this is well short of the minimum parking standards for a standard C3 residential scheme with the required parking spaces being 46 spaces (38 spaces for the units and 8 visitor spaces).
- 6.41 The Transport Statement has addressed this shortfall by analysing the likely car demand for a housing scheme of this nature, which is different to general market C3 housing.
- 6.42 The Transport Statement advises that:

"Residents of age-restricted dwellings for retirement living have different daily routines and levels of mobility compared to normal residential development. Generally they do not have the same levels of car ownership and use and therefore parking demand is typically less than for normal residential. The site location near Redhill town centre with good accessibility by foot, cycle and public transport to a range of facilities means that residents would not need to own car on site.

Analysis of the parking accumulation at the TRICS surveyed retirement flats sites in similar locations has been used to determine the potential maximum car parking requirement for the proposed development. The individual site data and resulting analysis is provided at Appendix 11 [Of the Transport Statement]. This confirms an average maximum parking demand rate of 0.401 spaces per residential unit which based on the proposed 39 units equates to some 16 cars."

- On this basis the proposed 24 spaces would meet the likely parking demand 6.43 of 16 cars, providing 8 spaces for visitors and occasional healthcare and housekeeping/maintenance staff. Indicating that there is unlikely to be overspill on to the surrounding roads from this development. The CHA has raised no concerns with the evidence provided by the applicant or raised any objection to the level of off-street parking proposed. On this basis, when considering the type of occupancy and the sustainable location, no objections are raised with regards to the under provision of parking on the site. Conditions are recommended to secure the provision of the agreed car parking. Given the justification for the under provision of parking is related to the retirement living product of the scheme it is considered reasonable and necessary to include a clause in the S106 legal agreement which ensures that the scheme is only occupied by people 60 years old of over (with an allowance for the partner to be 55 or older). Conditions are also recommended to secure adequate cycle and mobility scooter parking and electric car charging points within the site.
- 6.44 In terms of refuse a bin store is proposed on the lower ground floor which would be approximately 10m from the edge of the highway, which is close to the Council's 9m guidance. As set out above the refuse truck would have space to pull in at the access point to enable cars to pass on the main road. Such a servicing arrangement is like many other properties along Brighton Road. A condition is recommended to secure the installation of the refuse area prior to occupation.

# Flooding and Surface Water Drainage matters

- 6.45 The site is not located within flood zone 2 and 3. As such no concern is raised with regard to fluvial flooding. The sewage capacity for the site would be assessed at building control stage, no objection has been raised by Thames Water in this regard.
- With regard to surface water drainage in support of the application, a Surface and Foul Water Drainage Strategy has been submitted and has been assessed by Surrey County Council Sustainable Drainage team as the Local Lead Flood Authority (LLFA) against the requirements of the NPPF, its accompanying PPG and the Non-Statutory Technical Standards for sustainable drainage systems. They state that they are satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents and are content with the development proposed, subject to the imposition of conditions requiring the submission of a detailed drainage scheme and a verification report.

# Contamination

6.47 The Council's Environmental Protection Officer has identified the potential for ground contamination and asbestos to be present on and/or in close proximity to the application site. Therefore, a number of conditions are recommended to mitigate against any potential harm.

# Trees and Ecology

- 6.48 The site does not have any significant trees within the site. The submitted Arboricultural Impact Assessment (AIA) identifies one C grade tree which is recommended to be removed. The report concludes that the loss of the tree will not impact on the wider public amenity and that suitable replacement planting would more than compensate for its loss. The report advises that all third party trees are located far enough away so as not to be impacted by the development and therefore no tree protection measures are recommended.
- 6.49 The Council's Tree Officer has assessed the submitted information and advised as follows:

"The proposed plan is accompanied with a Tree Constraints Plan and an Arboricultural Impact Assessment (AIA), in accordance with the British Standard BS5837: 2012. There are no Tree Preservation Orders (TPOs) on the site, and it is not located in a Conservation Area.

There are not trees on the site, and the affection in trees in neighbours properties will be minimal. Due the lack of trees in the area, it will be really positive is some trees are planted as their plan proposed (although there is not details about the tree planting).

In light of the above, I do not have objections to the proposal development, there are not arboricultural concern, the tree to be remove is in poor conditions with low value, being the removal of one tree is considered reasonable by the British Standard BS5837:2012."

- 6.50 Based on the tree officer's comments, subject to a landscaping condition, no objection is raised with regard to impact on trees.
- 6.51 Given the urban location of the site and the built nature of the site it is considered unlikely that there is potential for the proposal to impact on protected species however to make sure this is the case the applicant has undertaken a Biodiversity Impact Assessment (BIA, written by ACJ Ecology, June 2022) and Preliminary Ecological Assessment (PEA, written by ACJ Ecology, May 2022). The PEA concludes that the habitats are of limited ecological value and that the likely impact on protected species is negligible. The BIA predicts that the proposal would result in a biodiversity net gain of +251.87% which would be a significant increase. The reports have been considered by Surrey Wildlife Trust (SWT).

- Initially concern was raised that the further hazel dormouse survey had not been undertaken but following the submission of an Ecology Note (ACJ Ecology, March 2023), which has stated that there is no hazel dormouse habitat on the proposed development site and therefore it was an error to advise that further survey are required prior to determination, SWT has advised that "Based on the habitat(s) on the proposed development site this appears to be a suitable conclusion. No further comment, prior to determination". As such officers are satisfied that the proposals will not impact on protected species or habitats. SWT has recommended a Landscape and Ecological Management Plan (LEMP) to help deliver the biodiversity net gain identified in the BIA report.
- 6.53 It is noted that a lighting plan was submitted with the application, which look in to account the potential impact on ecology. As above, this has not been updated following the change to the scheme and therefore needs to be updated to reflect the amended proposals. As such a condition is recommended to secure further details prior to the installation of any external lighting.

# Energy, Sustainability and Broadband

- 6.54 DMP Policy CCF1 relates to climate change mitigation and requires new development to meet the national water efficiency standard of 110litres/person/day and to achieve not less than a 19% improvement in the Dwelling Emission Rate (DER) over the Target Emission Rate (TER) as defined in Part L1A of the 2013 Building Regulations.
- 6.55 The application includes an Energy Statement (by Energist). The report demonstrates that through the use of fabric first and demand reduction measures and renewable and low-carbon energy technologies, in this case a solar PV array, that the scheme would achieve a reduction in CO2 emissions of 19.43% over the TER. The report also sets out how the water consumption would be limited to 106 l/p/d by incorporating water saving measures and equipment, thereby meeting the requirement.
- 6.56 Following the recent changes to building regulations energy efficiency measures are now in excess of the 19% requirement. Therefore, it is not considered reasonable or necessary to include a condition requiring the 19% improvement. The water efficiency measures are still however required. In the event that planning permission is to be granted, a condition would be imposed to secure the implementation of the proposed water efficiency measures in order to comply with this element of DMP Policy CCF1.
- 6.57 The Surrey County Council Minerals and Waste Planning Authority has raised no objection subject to Council being satisfied that adequate waste storage and recycling is provided and the submission of a waste management plan to make sure as much of the material is re-used and recycled as possible. It is considered that the waste storage provision shown on site would be adequate. A condition is recommended in line with the recommendation.

6.58 A condition is also recommended to ensure that each dwelling is fitted with access to fast broadband services in accordance with policy INF3 of the DMP. As above a condition is also recommended to secure the implementation of electric car charging points throughout the site.

# Crime

- 6.59 Policy DES1 requires that: "Creates a safe environment, incorporating measures to reduce opportunities for crime and maximising opportunities for natural surveillance of public places. Developments should incorporate measures and principles recommended by Secured by Design."
- 6.60 The submitted DAS advises that overall the scheme follows the principles of 'Secure by design' including lighting, secure cycle and bin storage, CCTV, access controls and use of doors and windows that meet specification. A condition is recommended to secure further details of the measures to be implemented to ensure it meets the Secure by Design standards.

# Employment and skills training

- 6.61 Policy EMP5 states that "Requirements for employment and skills training in new development will be secured by means of condition or Section 106 agreements for new residential developments of 25 homes or more and for non-residential development in excess of 1,000sqm size (gross). The Council will seek to secure a minimum of 20% of the total jobs created by the construction of the new development for local residents or apprenticeships. Opportunities for training and placement schemes targeted at local residents in respect of any jobs created through the end use of any non-residential development will also be explored."
- 6.62 As the proposal is for over 25 dwellings were the application to be approved the requirements would secured for appropriate employment and skills training through a suitably worded condition.

# Community Infrastructure Levy (CIL)

- 6.63 The Community Infrastructure Levy (CIL) is a fixed charge which the Council will be collecting from some new developments from 1 April 2016. It will raise money to help pay for a wide range of infrastructure including schools, road, public transport and community facilities which are needed to support new development. This development would be CIL liable and the exact amount would be determined and collected after the grant of any planning permission.
- 6.64 In terms of other contributions and planning obligations, The Community Infrastructure Levy (CIL) Regulations were introduced in April 2010 which state that it is unlawful to take a planning obligation into account unless its requirements are (i) relevant to planning; (ii) necessary to make the proposed development acceptable in planning terms; and (iii) directly related to the proposed development. As such only contributions, works or other obligations

that are directly required as a consequence of development can be requested and such requests must be fully justified with evidence. In this case an affordable housing contribution and an age restriction clause is required in line with the details set out in the report. No other contributions or requirements have been requested or identified by consultees. Accordingly, any request for an infrastructure contribution would be contrary to CIL Regulation 122.

# Material considerations put forward by applicant

- 6.65 The applicant has put forward a number of benefits of the scheme which include:
  - 1. Optimum re-use of previously developed land
  - 2. Meeting an identified need for accommodation for older people
  - 3. Meeting general housing needs
  - 4. Health and well-being benefits
  - 5. Economic development and employment
  - 6. Environmental benefits
- 6.66 It is accepted that these are relevant material considerations in any balancing exercise which would weight in favour of the application, particularly the redevelopment of brownfield land.

# **CONDITIONS**

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

| Plan Type        | Reference | Version | <b>Date Received</b> |
|------------------|-----------|---------|----------------------|
| Site Layout Plan | LG 01     | Α       | 18.07.2023           |
| Elevation Plan   | PL 107    | С       | 18.07.2023           |
| Elevation Plan   | PL 106    | D       | 18.07.2023           |
| Elevation Plan   | PL 105    | E       | 18.07.2023           |
| Roof Plan        | PL 104    | G       | 18.07.2023           |
| Floor Plan       | PL 103    | Е       | 18.07.2023           |
| Floor Plan       | PL 102    | D       | 18.07.2023           |
| Floor Plan       | PL 101    | D       | 18.07.2023           |
| Site Layout Plan | PL 100    | Н       | 01.09.2023           |
| Section Plan     | PL 117    |         | 03.10.2023           |
| Site Layout Plan | PL 100    | J       | 11.09.2023           |
| Site Layout Plan | 3470.02   |         | 16.12.2022           |
| Location Plan    | LP 01     | Α       | 16.12.2022           |

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

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

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

3. The development shall be carried out in accordance with the levels details contained within the approved plans.

Reason: To ensure the Local Planning Authority are satisfied with the details of the proposal and its relationship with adjoining development and to safeguard the visual amenities of the locality with regard to Reigate and Banstead Development Management Plan 2019 Policy DES1.

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

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

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

- 5. No development shall commence until an Employment and Skills Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall detail how the development will promote local training and employment opportunities during construction and include:
  - Measures to ensure the developer and contractors work directly with local employment and training agencies;
  - Targets for employment of local labour
  - Targets for work experience and apprenticeships
  - Measures for monitoring and reporting outcomes against the plan to the Local Planning Authority at appropriate intervals during the development.

The development shall be carried out in accordance with the approved plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development promotes local training and employment opportunities with regard to Policy CS5 of the Reigate & Banstead Core Strategy 2014 and Policy EMP5 of the Reigate & Banstead Development Management Plan 2019.

6. Prior to the commencement of the development a Waste Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall demonstrate how the waste generate during the demolition, excavation and construction phase of the development is limited to the minimum quantity necessary and opportunities for re-use and recycling of any waste generate are maximised. The development shall then be implemented in accordance with the approved Waste Management Plan.

Reason: To ensure that the development maximises opportunities for re-use and recycling of any waste generated in accordance with Policy 4 of the Surrey Waste Local Plan 2019.

7. Prior to commencement of above ground construction a detailed scheme of glazing and ventilation shall be submitted to and approved in writing by the Local Authority. The scheme shall include evidence of compliance such as manufacturers specification sheets and shall be based on the principles detailed in SLR noise impact assessment (Version 2 dated August 2022). All details as approved shall be retained and maintained for the duration of the use hereby approved.

Reason: In order to protect the amenities of the future occupants with regard to Reigate & Banstead Development Management Plan 2019 policy DES1, DES5 and DES9.

8. No externally located plant, machinery or equipment shall be operated until assessment of the cumulative acoustic impact arising from the operation of all externally located plant has been submitted to and approved in writing by the local planning authority. The assessment of the acoustic impact shall be undertaken in accordance with BS 4142: 2014 (or subsequent superseding equivalent) and shall include a scheme of attenuation measures to ensure the cumulative rating level of noise emitted from the proposed building services plant is 5 dBA less than background.

Reason: To protect the amenities of adjoining occupiers and the surrounding area (Policy CS10 Sustainable Development of RBBC Core Strategy (2014)) and Policy DES1 and DES9 of the Reigate and Banstead Development Management Plan 2019.

9. No solar panels are to be installed until full details of the proposed PV scheme has been submitted to and approved in writing by the Local Planning Authority. The details shall include details of the proposed location, design and number of panels to be installed and details of how the reflection and glare will be minimised to ensure that it does not cause unacceptable harm to the neighbouring properties to the west of the site.

The scheme shall be implemented as approved and no subsequent alterations to the approved scheme are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: to ensure the development does cause unacceptable glare and reflection to the neighbouring properties to the west with regard to Reigate & Banstead Development Management Plan 2019 policy DES1 and DES9.

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

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

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

11. Prior to commencement of development a written comprehensive environmental desktop study report (preliminary risk assessment) is required to identify and evaluate possible on and off site sources, pathways and receptors of contamination and enable the presentation of all plausible pollutant linkages in a preliminary conceptual site model. The study shall include 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 accordance with the Environment Agency's Land Contamination: Risk Management Guidance (2020) 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 the Reigate and Banstead Local Plan Development Management Plan 2019 (Policy DES9 Pollution and contaminated Land) and the NPPF.

12. Prior to commencement of development, in follow-up to the environmental desktop study (preliminary assessment), a contaminated land site investigation proposal, detailing the extent and methodologies of sampling, analyses and proposed assessment criteria required to enable the characterisation of the plausible pollutant linkages identified in the preliminary conceptual model, shall be submitted to the Local Planning Authority. This is subject to the written approval in writing of the Local Planning Authority, and any additional requirements that it may specify, prior to any site investigation being commenced on site. Following approval, the Local Planning Authority shall be given a minimum of two weeks written notice of the commencement of site investigation works. Please note this means a proposal is required to be submitted and approved prior to actually undertaking a Site Investigation.

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 the Reigate and Banstead Local Plan Development Management Plan 2019 (Policy DES9 Pollution and contaminated Land) and the NPPF.

13. Prior to commencement of the development, a contaminated land site investigation and risk assessment, undertaken in accordance with the site investigation proposal as approved that determines the extent and nature of contamination on site and is reported in accordance with the standards of DEFRA's and the Environment Agency's Land Contamination: Risk Management Guidance (2020) and British Standard BS 10175, shall 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. If applicable, ground gas risk assessments should be completed inline with CIRIA C665 guidance.

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 the Reigate and Banstead Local Plan Development Management Plan 2019 (Policy DES9 Pollution and contaminated Land) and the NPPF.

- 14. A) Prior to commencement of the development a detailed remediation method statement should be produced that details the extent and method(s) by which the site is to be remediated, to ensure that unacceptable risks are not posed to identified receptors at the site and details of the information to be included in a validation report, has been submitted to and approved in writing by the Local Planning Authority, and any additional requirements that it may specify, prior to the remediation being commenced on site. The Local Planning Authority shall then be given a minimum of two weeks written notice of the commencement of remediation works.
  - B) Prior to occupation, a remediation validation report for the site shall be submitted to the Local Planning Authority in writing. The report shall detail evidence of the remediation, the effectiveness of the remediation carried out and the results of post remediation works, in accordance with the approved

remediation method statement and any addenda thereto, so as to enable future interested parties, including regulators, to have a single record of the remediation undertaken at the site. Should specific ground gas mitigation measures be required to be incorporated into a development the testing and verification of such systems should have regard to CIRIA C735 guidance document entitled 'Good practice on the testing and verification of protection systems for buildings against hazardous ground gases' and British Standard BS 8285 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings.

Reason: To demonstrate remedial works are appropriate and demonstrate the effectiveness of remediation works so that the proposed development will not cause harm to human health or pollution of controlled waters with regard to the Reigate and Banstead Local Plan Development Management Plan 2019 (Policy DES9 Pollution and contaminated Land) and the NPPF.

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

Note: Should no further contamination be identified then a brief comment to this effect shall be required to discharge this condition

Reason: To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to the Reigate and Banstead Local Plan Development Management Plan 2019 (Policy DES9 Pollution and contaminated Land) and the NPPF.

- 16. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
- a) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+ 40% allowance for climate change) storm events, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 1.2 l/s.
- b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any

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

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

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site in accordance with policy CCF2 of the Reigate and Banstead Borough Council Development Management Plan 2019.

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

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuD and the implemented drainage design does not increase flood risk on or off site in accordance with policy CCF2 of the Reigate and Banstead Borough Council Development Management Plan 2019.

- 18. No development above slab level shall take place until details setting out how the applicant will ensure that:
  - a) at least 20% of the homes meet the Building Regulations requirements for 'accessible and adaptable dwellings'; and
  - b) at least 4% of homes are designed to be adaptable for wheelchair users in accordance with the Building Regulations requirements for 'wheelchair user dwellings'

have been submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

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

- 19. Notwithstanding the approved plans no development shall take place above slab level until written details of:
- a) the materials to be used in the construction of the external surfaces;

- b) the fenestration including material and type of opening (note the Council expects the sash windows to be vertically sliding and for the windows to be set back behind the reveal); and
- c) finalised brick detailing (the expectation is that the brick arches are gauged in accordance with the submitted plans)
- d) finalised details of boundary treatments (including retaining walls) and any other means of enclosure within the site have been submitted to and approved in writing by the Local Planning Authority, and on development shall be carried out in accordance with the approved details.

Reason: To ensure that a satisfactory external appearance is achieved of the development with regard to Reigate and Banstead Development Management Plan 2019 policy DES1.

20. Notwithstanding the approved plans no external lighting shall be installed on the building hereby approved or within the site until an external lighting scheme, which shall include indication of the location, height, direction, angle and cowling of lights, and the strength of illumination, accompanied by a light coverage diagram, and details of how it meets guidance in relation to impact on bats, has be submitted to and agreed in writing by the local planning authority.

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

Reason: To protect the visual amenity of the area and neighbouring residential amenities, and ecology with regard to Reigate and Banstead Core Strategy 2014 Policy CS10 and policy DES9, NHE2 of the Reigate and Banstead Development Management Plan 2019.

- 21. No development shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority (LPA) to show how the application will deliver the biodiversity net gain identified in the submitted Biodiversity Impact Assessment (ACJ Ecology, June 2022). The LEMP should be based on the proposed biodiversity enhancement measures specified in the above referenced report and shall include the following:
  - a) Description and evaluation of proposed biodiversity net gain features to be managed
  - b) Ecological trends and constraints on site that might influence management
  - c) Aims and objectives of management
  - d) Appropriate management options for achieving aims and objectives
  - e) Prescriptions for management actions, together with a plan of management compartments
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period
  - g) Details of the body or organisation responsible for implementation of the plan

- h) Ongoing monitoring and remedial measures
- i) Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery.
- j) Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme

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

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

22. No development shall commence on site, other than demolition and construction work up to slab level, until a scheme for the landscaping of the site 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 first occupation or within the first planting season following completion of the development herby approved 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 comply with Reigate and Banstead Borough Development Management Plan 2019 policies NHE3 and DES1, and the recommendations within British Standards including BS8545:2014 and British Standard 5837:2012.

- 23. No development shall commence until a Construction Transport Management Plan, to include details of:
  - (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) programme of works (including measures for traffic management)
  - (e) provision of boundary hoarding behind any visibility zones
  - (f) HGV deliveries and hours of operation
  - (g) vehicle routing
  - (h) measures to prevent the deposit of materials on the highway
  - (k) on-site turning for construction vehicles

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

Reason: In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and Policy TAP1 Parking, access, and Servicing and DES8 Construction Management of the Reigate and Banstead Local Plan Development Management Plan September 2019 and Reigate and Banstead Core Strategy 2014 Policy CS17.

- 24. The development shall not be occupied until:
- a) the existing northern most access to Brighton Road has been modified with parking restrictions (relocated parking bay and double yellow lines) to allow for on street refuse collection in accordance with the approved plan 3470.02 (also as included in appendix 7 of the PEP Transport Assessment dated September 2022); and
- b) The three existing crossovers have been closed and reinstated in accordance with the approved plan 3470.02 (also as included in appendix 7 of the PEP Transport Assessment dated September 2022).

Reason: In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and Policy TAP1 Access, Parking, and Servicing of the Reigate and Banstead Local Plan Development Management Plan September 2019.

25. The refuse store shown on the approved plan PL101 Revision D shall be erected and made ready for use (i.e. bins installed) prior to the first occupation of the development.

Reason: To ensure the Local Planning Authority are satisfied with the details of the proposal and its relationship with adjoining development and to safeguard the visual amenities of the locality with regard to Reigate and Banstead Development Management Plan 2019 policy DES1.

26. 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.

Reason: In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and Policy TAP1 Access, Parking, and Servicing of the Reigate and Banstead Local Plan Development Management Plan September 2019.

27. The development hereby approved shall not be first occupied unless and until space for four bicycles and seven mobile scooters to be stored in a secure and covered location with EV charging points for each bike and mobile scooter has been provided in accordance with a scheme to be submitted to and approved in writing with the Local Planning Authority. Thereafter the bicycle and scooter parking area shall be retained and maintained for its designated purpose.

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

28. The development hereby approved shall not be occupied unless and until 20% (5) of spaces are fitted with a fast charge socket and a further 20% (5) are supplied with a power supply for the future installation of a charging system in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

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

29. The development hereby permitted shall not be occupied unless and until a Travel Information Pack containing information on employment, education, retail and leisure land uses within 2 km walking distance and 5km cycling distance of the site and details of public transport within 400 metres of the site and the destinations they serve including to the closest rail station to the site has been submitted to and approved in writing with the Local Planning Authority. The approved document shall be distributed to residents of the proposed development upon first occupation.

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

30. The development shall not be occupied until a scheme demonstrating compliance with 'Secured by Design' award scheme has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed before the occupation of the development hereby permitted and shall be permanently maintained as such thereafter.

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

31. The development hereby approved shall be carried out in accordance with the Energy Strategy report by Energist (dated 02/08/22 rev. R00) to ensure that the development restricts potential water consumption by occupants to maximum of 110 litres per person per day. All measures for each unit shall be implemented, installed and operational prior to first occupation of that unit.

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

- 32. All units within the development hereby approved shall be provided with the necessary infrastructure to facilitate connection to a high speed broadband. Unless otherwise agreed in writing with the Local Planning Authority, this shall include as a minimum:
- a) A broadband connection accessed directly from the nearest exchange or cabinet
- b) Cabling and associated installations which enable easy access for future repair, replacement or upgrading.

Reason: To ensure that the development promotes access to, and the expansion of, a high quality electronic communications network in accordance with Policy INF3 of the Reigate & Banstead Development Management Plan 2019.

# **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 <a href="https://www.firesprinklers.org.uk">www.firesprinklers.org.uk</a>.
- 2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions. Further information can be found on the Council website at: Climate Change Information.
- 3. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, to contact the Council's Neighbourhood Services team to confirm the number and specification of recycling and refuse bins that are required to be supplied by the developer. All developer enquires on recycling and refuse bin ordering, collections and discussing waste matters is via our department email address RC@reigate-banstead.gov.uk . Please also note our website area for developers https://www.reigate-

banstead.gov.uk/info/20062/recycling\_and\_refuse/392/fees\_for\_recycling\_and\_refuse\_services/3.

- 4. 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 <a href="https://www.reigatebanstead.gov.uk/info/20277/street\_naming\_and\_numbering">https://www.reigatebanstead.gov.uk/info/20277/street\_naming\_and\_numbering</a>
- 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 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.
- 6. The developer is advised that as part of the detailed design of the highway works required by the above conditions, 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.
- 7. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
- 8. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

- 9. The applicant is expected to ensure the safe operation of all construction traffic in order to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. Where repeated problems occur the Highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.
- 10. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <a href="http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html">http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html</a> for guidance and further information on charging modes and connector types.
- 11. Environmental Health would like to draw the applicant attention to the specifics of the contaminated land conditional wording such as 'prior to commencement', 'prior to occupation' and 'provide a minimum of two weeks notice'. The submission of information not in accordance with the specifics of the planning conditional wording can lead to delays in discharging conditions, potentially result in conditions being unable to be discharged or even enforcement action should the required level of evidence/information be unable to be supplied. All relevant information should be formally submitted to the Local Planning Authority and not direct to Environmental Health.

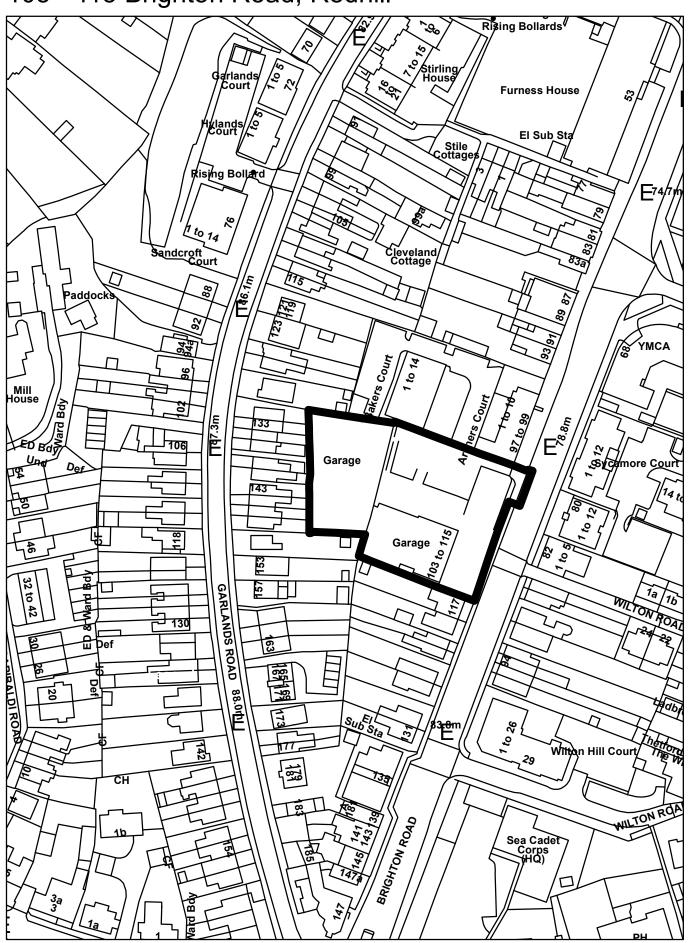
# **REASON FOR PERMISSION**

The development hereby permitted has been assessed against development plan policies CS1, CS4, CS5, CS7, CS10, CS11, CS12, CS14, CS17 and EMP4, EMP5, RET3, DES1, DES4, DES5, DES6, DES7, DES8, DES9, OSR2, TAP1, CCF1, CCF2, INF3, NHE2, NHE3, INF2, INF3 and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

#### **Proactive and Positive Statements**

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

# 22/02772/F - F W Mays Honda, 105 - 115 Brighton Road, Redhill



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Scale 1:1,250





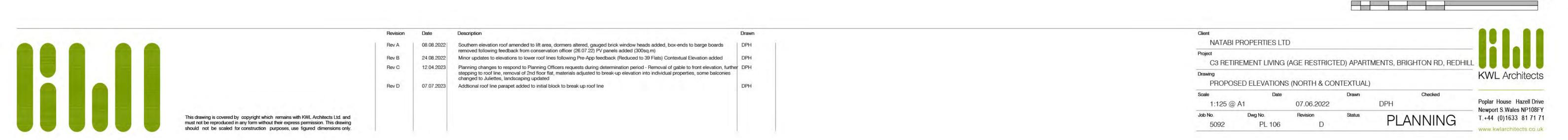




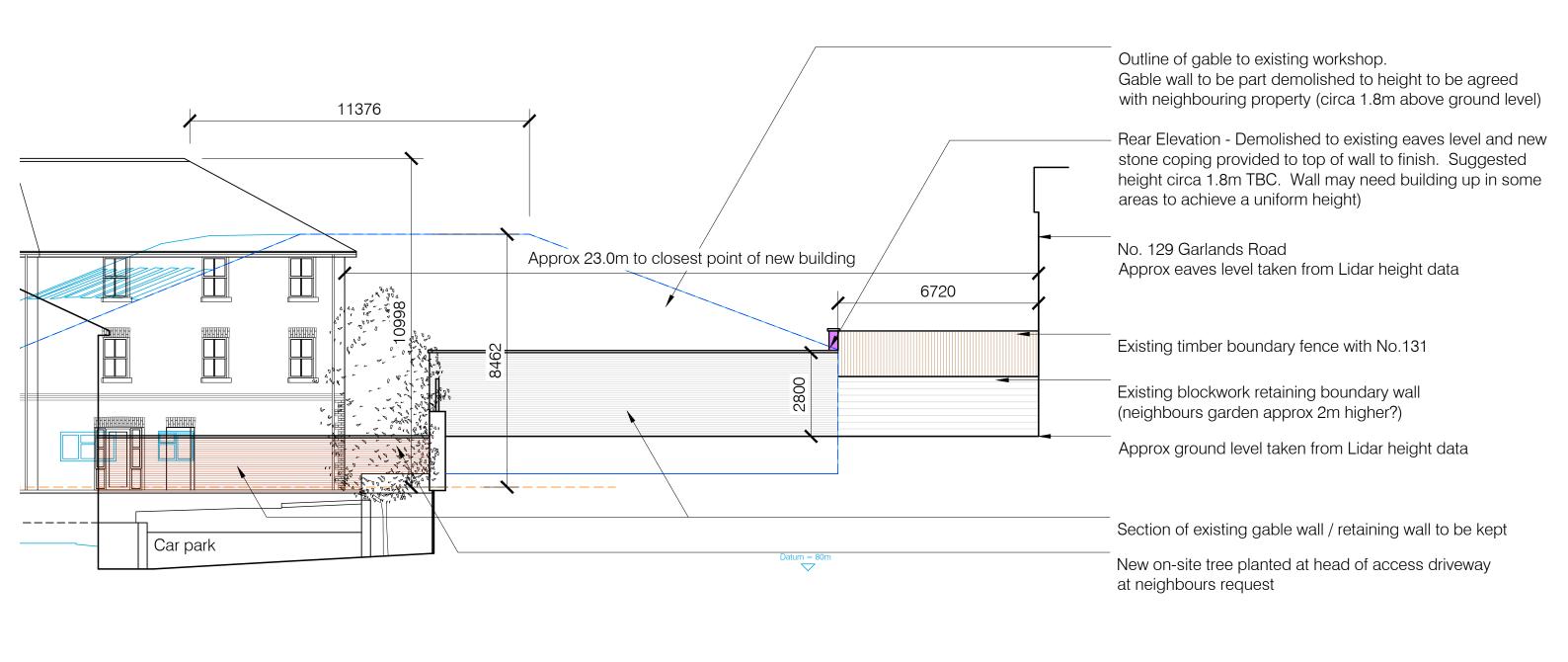




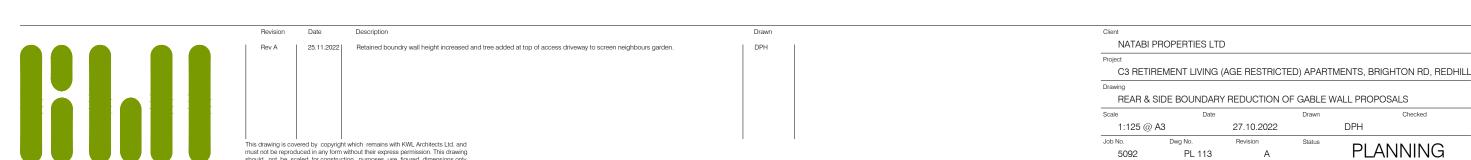
CONTEXTUAL SIDE ELEVATION (NORTH)



Scale 1:125



# No.129 Garland Rd





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