 <p><b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate</p>	<b>TO:</b>	PLANNING COMMITTEE
	<b>DATE:</b>	10 January 2024
	<b>REPORT OF:</b>	HEAD OF PLANNING
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<b>AGENDA ITEM:</b>	6	<b>WARD:</b> Nork

<b>APPLICATION NUMBER:</b>	23/01937/F	<b>VALID:</b>	31/10/2023
<b>APPLICANT:</b>	Earlswood Homes	<b>AGENT:</b>	Earlswood Homes
<b>LOCATION:</b>	<b>LAND TO THE REAR OF 141-147 RUDEN WAY, EPSOM DOWNS</b>		
<b>DESCRIPTION:</b>	<b>Erection of 3 dwellings with parking, landscaping and associated works.</b>		
<b>All plans in this report have been reproduced, are not to scale, and are for illustrative purposes only. The original plans should be viewed/referenced for detail.</b>			

**This application is referred to Committee in accordance with the Constitution as the application site is for net 3 dwellings.**

### **SUMMARY**

This is a full application is for the erection of two semi-detached 4-bedroom dwellings and one detached 5-bedroomed dwelling along with off road car parking, landscaping and associated works to be built on the rear gardens of No's. 141-147 (inclusive) Ruden Way.

The dwellings would be accessed via Brunswick Close which forms an existing back land development for 6 new dwellings approved in 2019. The resultant plot sizes would be commensurate with the existing dwellings within Brunswick Close and other similar back land developments within the locale.

The design and appearance of the properties would be of a traditional nature and in keeping with those recently built in Brunswick Close. Hipped roof finishes, bay windows and a traditional material palette are proposed which would result in a locally distinctive design, well integrated with the surroundings.

The access would cause no highway safety concerns given the existing access into Brunswick Close would be utilised. The properties would have a minimum of two off road car parking spaces per dwelling, together with 3 new visitor bays meaning the proposal would exceed the parking standards set out within policy TAP1 and Annexe 4 of the DMP. The County Highways Authority have confirmed no objection subject to recommended conditions.

The introduction of dwellings would represent a change in relationship with neighbouring dwellings, however it is not considered that there would be a harm impact to their amenity to justify refusal. The proposed dwellings would be sufficiently spaced away from the donor properties and other properties in Ruden Way and Brunswick Close so as not to materially impact the amenity of those properties.

Additional details with regards to issues such as landscaping, drainage, ecology, cycle storage and electric vehicle charging points can be secured by condition.

In view of the above the application is considered to be acceptable on design, character, neighbour amenity and highway/transport grounds, and is therefore recommended for approval subject to conditions.

### **RECOMMENDATION(S)**

Planning permission is GRANTED subject to conditions.

### **Consultations:**

Highway Authority: No objections subject to conditions relating to the provision of electrical charging points for cars and storage and charging points for e-bikes.

Tree Officer: No objections subject to conditions

Surrey Wildlife Trust: No objection subject to a condition requiring submission of an Ecological Enhancement Plan

Regulatory Support Services: No objection subject to a Construction Environmental Management Plan condition

Surrey County Council Archaeological Officer: No objections

National Rail: No objections subject to informatives

### **Representations:**

Letters were sent to neighbouring properties on 28 September 2023, 2 November 2023 and 30 November 2023. 14 letters of representation from local residents have been received raising the following concerns:

<b>Issue</b>	<b>Number</b>	<b>Response</b>
Drainage	12	See paragraph 6.42
Hazard to highway safety	7	See paragraphs 6.26-6.29
Inadequate parking	4	See paragraph 6.27
Inconvenience during construction	13	See paragraph 6.45
Increase in traffic and congestion	12	See paragraphs 6.15, 6.18 and 6.26-6.29
Loss of private view	4	See paragraph 6.46
No need for the development	8	See paragraph 6.1
Noise and disturbance	13	See paragraphs 6.20, 6.24 and 6.45
Harm to wildlife habitat	5	See paragraphs 6.33-6.35
Harm to Conservation Area	1	See paragraph 6.48
Health fears	6	See paragraph 6.47
Loss of/harm to trees	7	See paragraphs 6.3-6.32
Property devalue (a non planning matter)	5	See paragraph 6.44
Out of character with surrounding area	2	See paragraphs 6.3 -6.12

Overbearing relationship	2	See paragraphs 6.14-6.19
Overdevelopment	7	See paragraphs 6.3 -6.12
Overlooking and loss of privacy	4	See paragraphs 6.14-6.19
Flooding	1	See paragraph 6.42
Right of access	4	See paragraph 6.44

## **1.0 Site and Character Appraisal**

- 1.1 The application site is located on the western side of Ruden Way and comprises the rear gardens of 141, 143, 145 and 147 Ruden Way, together with the access road Brunswick Close. Ruden Way is a residential road, which leads off Reigate Road at the north eastern end and Fir Tree Road at the southern end. Brunswick Close forms an existing back land development of 6 dwellings recently built and not yet fully occupied. Other examples of residential developments have been built off Ruden Way in more recent years including – Amber Close, Poplar Close and Whitebeam Close.
- 1.2 The character of this part of the road, where the application site lies, is predominantly semi-detached houses, set in elongated plots. The existing dwellings on Brunswick Close form the exception to this, as detached dwellings sitting in smaller plots. Dwellings within this part of Ruden Way are largely modest in scale, with mainly mansard style roofs and including spacious gaps between dwellings. The dwellings are set back from the road on a uniform building line, following the curve of the road, with green verges with street trees and pavements. The dwellings on Brunswick Close hold tighter relationships, set within more modest plots, but are of a uniform design, holding a uniform building line with off street parking in front gardens. The dwellings towards the south end of Ruden Way are predominantly detached and the plots increase in width creating a more spacious feel. At the northern end of the road lies a large commercial site.
- 1.3 The Council's Local Distinctiveness Design Guide identifies the area as one of 1930s-1950s Suburbia. The road increases in level to the south. The site also increases in gradient towards the rear (west) where a railway line borders the application site. The gardens forming the main part of the application site are well established with some mature trees and boundary vegetation.

## **2.0 Added Value**

- 2.1 Improvements secured at the pre-application stage: The applicant did not approach the Council for pre-application advice therefore the opportunity to secure improvements did not arise.
- 2.2 Improvements secured during the course of the application: changes to the landscaping proposed, reduction in garage size, reduction in size of turning head and additional information regarding plot sizes.

- 2.3 Further improvements could be secured: Conditions regarding materials, levels, landscaping, tree protection, broadband, water, highways conditions, removal of permitted development rights for loft conversions and rear extensions, obscure glazing to first floor side facing window, drainage, CEMP, ecological enhancement, boundary treatment, air source heat pumps would be added to a grant of permission.

### 3.0 Relevant Planning and Enforcement History

19/01673/RM1	Reserved matters relating to landscaping of permission 20/02780/s73 - demolition of nos 129 and 131 ruden way and the erection of 6 new detached dwellings with access from ruden way together with car parking. Variation of condition 1 of permission 19/01673/out. Amend the currently approved scheme and substitute new drawings. As amended on 10/03/2021. As amended on 08/04/2021, on 04/10/2021 and on 15/11/2021.	Approved 14 <sup>th</sup> December 2021
19/01673/OUT	Demolition of nos 129 and 131 ruden way and the erection of 6 new detached dwellings with access from ruden way together with car parking. As amended on 13/11/2019 and on 18/11/2019.	Approved 29 <sup>th</sup> November 2019
18/01920/F	Demolition of nos 129 and 131 Ruden Way and the erection of 6 new detached dwellings with access from Ruden Way together with car parking and landscaping.	Refused 24th January 2019 Appeal dismissed 15 <sup>th</sup> July 2019
18/00548/F	Demolition of 129 and 131 Ruden Way and the erection of 9 new detached dwellings with access from Ruden Way together with car parking and landscaping.	Refused 9th May 2018 Appeal dismissed 27th January 2019

#### 4.0 Proposal and Design Approach

- 4.1 The proposal is for the erection of three new dwellings together with associated landscaping and car parking within the rear gardens of 141-147 Ruden Way. The dwelling would extend the existing residential development site forming Brunswick Close. The proposal would include a pair of semi-detached dwellings and one detached dwelling with detached garage.
- 4.2 The proposed scheme has been amended to reduce the level of hardstanding, reduce the garage from a double to a single and increase the soft landscaping within the site.
- 4.3 The design of the properties broadly reflects the properties within Brunswick Close, with a traditional design and materials. The properties would include hipped roofs with the pair of semi-detached properties including a crown roof. The proposed finishing materials would include a red multistock brick, tile hanging and timbering of gables with a red brown plain roof tile.
- 4.4 The design would include soft landscaping around the extended access road and a level of spacing around properties commensurate with those already built in Brunswick Close.
- 4.5 Parking has been provided for each property, together with three visitor bays.
- 4.6 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.
- 4.7 Evidence of the applicant's design approach is set out below:

Assessment	The immediate surroundings of the site along Ruden Way are characterised by typical two storey suburban semi-detached properties. Properties are set back from the road behind front gardens, many of which have been converted to hardstanding for driveways over the years. Further south along Ruden Way, detached properties become the prevailing character. As a result, the area has a relatively uniform character, albeit there is some variety in house designs and building forms. Examples of backland development are commonplace in Ruden Way and the surrounding area, with small cul-de-sacs and new estates having been developed on garden land in behind the original frontage properties over the past 20 to 30 years.
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Involvement	It is not stated that any community involvement or consultation has taken place.
Evaluation	The statement does not include any evidence of other development options being considered.
Design	Inspiration has been sought from the shapes and forms of the adjacent development site and other similar developments in the locality.

4.8 Further details of the development are as follows:

Site area	0.2 hectares
Proposed parking spaces	10
Parking standard	Accessibility – falls partly in both medium and low accessibility. Required spaces would be between 6 and 9.
Net increase in dwellings	3

**5.0 Policy Context**

5.1 Designation

Urban Area

5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)  
CS4 (Valued Townscapes and Historic Environment)  
CS10 (Sustainable Development),  
CS11 (Sustainable Construction),  
CS14 (Housing Needs),  
CS15 (Affordable Housing),  
CS17 (Travel Options and Accessibility)

5.3 Reigate & Banstead Development Management Plan 2019

DES1 (Design of New development)  
DES2 (Residential garden land development)  
DES4 (Housing Mix)  
DES5 (Delivering High Quality Homes)  
DES8 (Construction Management)  
TAP1 (Access, Parking and Servicing)  
CCF1 (Climate Change Mitigation)  
CCF2 (Flood Risk)  
INF3 (Electronic communication networks)  
NHE2 (Protecting and enhancing biodiversity and areas of geological Importance)

NHE3 (Protecting trees, woodland area and natural habitats)

#### 5.4 Other Material Considerations

National Planning Policy Framework

Supplementary Planning Guidance

Surrey Design 2002

Local Distinctiveness Design Guide  
2004

Local Character & Distinctiveness  
Design Guide SPD 2021

Climate Change and Sustainable  
Construction SPD 2021

SCC Vehicle and Cycle Parking  
Guidance 2018

Other

Human Rights Act 1998

Community Infrastructure  
Regulations 2010

#### 6.0 **Assessment**

6.1 The application site is situated within the urban area where there is a presumption in favour of sustainable development and where the principle of such development is acceptable in land use terms. The area is comprised of a mix of residential and commercial. There is therefore no objection to the principle of residential development in this location. Consideration of the application therefore rests on whether the application is acceptable with regards to various issues which are considered below.

6.2 The main issues to consider are:

- Design and Character
- Neighbour amenity
- Amenity of occupiers
- Highway and parking matters
- Trees and landscaping
- Affordable housing and Community Infrastructure Levy
- Sustainability and Climate Change
- Flooding and drainage
- Other matters

#### Design and Character

6.3 The application is for the erection of two 4-bedroom semi-detached dwellings and one detached 5-bedroom dwelling within the rear gardens of 141-147 Ruden Way. The proposed dwelling would be arranged in a linear form parallel to the dwelling fronting Ruden Way and following the line of existing dwellings on Brunswick Close. As amended, the site would include a well landscaped



access road and buffer area of landscaping between the rear of the donor properties and the frontages of the new dwellings in the public areas of the site.

- 6.4 Policy DES2 refers to development within residential garden land. It is considered that the sub-division of the plots as proposed would comply with policy DES2. The dwellings would occupy a slightly higher land level than the frontage dwellings along Ruden Way; however, the scale, form and external materials of the proposed development that would result from the design would follow with the character of area, in particular the dwellings as built on Brunswick Close. The proposed area of landscaping to the rear of the donor properties would allow for new planting, together with the retention of one good specimen mature tree which would provide some screening from views between the gaps of the existing dwellings fronting Ruden Way.
- 6.5 The design of dwellings would be commensurate with the style of dwelling built within the existing development site, Brunswick Close, including hipped roof finishes of traditional form with front facing gable features. A crown roof would be formed to the pair of semi-detached properties, but this would not be out of keeping with similar developments within the locality. Equally, a small side dormer would be included on the detached property, in keeping with examples found on some of the existing dwellings on Brunswick Close.
- 6.6 The proposed finishing materials would include a red multistock brick, tile hanging and timbering of gables with a red/brown plain roof tile. This would be commensurate with the existing properties and exact specification of the materials would be secured by way of condition. A street scene has been provided which shows the design would be reflective of the as built development site.
- 6.7 It is considered that the plot widths and front garden depths are consistent with other houses in the road and local development sites. Taken centrally, Plot 1 has a garden depth of approximately 11.9m, Plot 2 10.8m and Plot 3 10.6m. Plot 3, whilst shallowest, is more generously wide due to the side garage. The rear gardens are marginally smaller than the gardens to the existing dwelling due to the tapering off of the length of the original gardens here. However, they are still deeper than a number of examples within similar development sites in the locality as shown within a document provided by the applicant. Furthermore, when considering a previous appeal on the adjoining site the inspector noted:

*“The proposed plot and dwelling widths would also be similar to the existing properties on Ruden Way, notwithstanding the shorter garden lengths and differences in dwelling scale and design. Nevertheless, within close proximity to the site there are several examples of backland development of a denser grain which are not out of character.”*

This further reinforces the acceptability of the proposed garden sizes. Nonetheless, reflective of the existing permission allowing the dwellings on Brunswick Close and to avoid overdevelopment of the plots, conditions would be attached to remove permitted development rights for extensions.

- 6.8 The separation between the proposed dwellings would be greater than those within the existing development site with a minimum of approx. 2.2m between dwellings. This ensures that the plots would not appear overly tight nor out of keeping with the character of the surrounding area.
- 6.9 Whilst it is noted that previous refusals of permission on the adjoining site were partly in relation to the number of dwellings and resultant overdevelopment of the site, the increase here is formed through an increased size of the resultant overall development site. The dwellings would therefore not appear cramped, nor the site overdeveloped, particularly in comparison to the existing.
- 6.10 The site layout would include visitor parking bays in the land opposite the new dwellings together with parking to the front or side of the proposed dwellings. The access road would be extended, and a large turning head added at the end of the cul-de-sac. Whilst this would result in a reasonably high level of hardstanding within the site, amendments have been forthcoming to reduce this level and provide greater levels of soft landscaping to soften the overall appearance to the frontage of the site. The resultant appearance is considered in keeping and consistent with the layout allowed at and now forming Brunswick Close. Furthermore, the amendments reduced the proposed garage, serving the detached property, from a double to a single, reducing the level of built form and providing additional spacing and room for soft landscaping at the end of the site bordering No. 49 Ruden Way.
- 6.11 Land beyond the railway line to the rear of the site is formed of open fields, however the proposal is considered significantly spaced so as to create an acceptable transition to this open land beyond the railway line. Furthermore, there are examples of development closer to this land at Bunbury Way to the south and the commercial works to the north.
- 6.12 The proposed dwellings and associated works are considered an acceptable reflection of development within this locale, taking account of the varying factors set out above. It is considered therefore that the quantum of development and the design of the dwellings are appropriate on this site and that the proposal complies with both policies DES1 and DES2 in this regard.

#### Neighbour amenity

- 6.13 The proposed development has been assessed with regards to its impact on the amenity of neighbouring properties. The site backs onto a railway line with green belt land beyond. Therefore, the impact on neighbouring properties has been considered most closely with regard to those fronting the development (the host properties), the immediate side neighbour, No. 149 Ruden Way, the existing properties within Brunswick Close and the new dwellings own impact on one another. Consideration has also been given to all other surrounding properties. A site visit has been undertaken to assess the impact.
- 6.14 Given the separation distances between the new houses and existing residential dwellings on Ruden Way of between approximately 39m to 44m, it

is not considered that the proposed buildings would cause such a level of harm to these host properties amenity in terms of overbearing, overlooking, loss of light or loss of outlook so as to warrant refusal. The new dwellings would be located adjacent to the rearmost garden areas of these neighbours, which are typically less well used and protected than other parts. In drawing this conclusion particular regard has been given to the approval of the previous dwellings within Brunswick Close who hold a similar level of separation to the original host properties.

- 6.15 The dwellings currently found forward of the existing access road and either side of the access road would suffer from an increased level of traffic and general comings and goings within the extended cul-de-sac. However, the increase is not considered so severe as to result in a particularly altered relationship with the existing site. The separation distances to these properties from the proposed dwellings is greater than the existing relationship they hold with the properties currently found within Brunswick Close and therefore no increased harm is considered to arise worthy of refusal.
- 6.16 Plot 3 would become the final dwelling within the cul-de-sac and would hold a plot alongside the end of the garden of No. 149 Ruden Way. The main dwelling would however hold a separation distance of approximately 7m, which is sufficient to consider that it would not be considered overbearing to this rear garden area. Given the separation distance created by this side spacing and the distance resulting from the good length gardens, it is equally not considered that a loss of light or outlook worthy of refusal would arise. No side facing windows would face this boundary ensuring no harmful overlooking would arise. The garage would also retain spacing of approx. 2.4m to the boundary. Given its much smaller scale, ancillary use and the separation distances, this is equally not considered to result in any harmful neighbour amenity impact. Further separation would be retained to the following dwellings on Ruden Way (No. 151 onwards) and therefore the relationship is also considered acceptable.
- 6.17 No. 6 Brunswick Close is currently the end plot of the existing development site. The new dwellings would be built alongside this plot. The nearest dwelling would retain separation of approximately 2.5m to No. 6. This distance is greater than the distances provided between the 6 dwellings on Brunswick Close, and the siting of the dwelling would be largely alongside this neighbour. The relationship would therefore be comparable to that the existing properties hold with one another. It is not thereby considered that any overbearing relationship worthy of refusal would arise worthy of refusal. Whilst it is noted that there are side facing windows to No.6 these are a mix of obscure glazed windows, non-habitable rooms and/or secondary windows. None would therefore result in a loss of light or outlook to any room within this dwelling which would warrant refusal. Side facing windows would be included within the dwelling at Plot 1 looking back toward No. 6. However, the windows at all levels would serve non habitable rooms (bathrooms). An obscure glazing condition is also proposed which would limit any overlooking further, together with a condition ensuring no

additional windows, rooflights or dormers would be built in the side elevations of the dwellings once built.

- 6.18 Much like the relationships considered to other neighbouring properties, the rest of those forming Brunswick Close would clearly be impacted by an increased intensification of the access road, but not to an extent which is considered to warrant refusal of the application. No other harm would arise to these properties given the available screening and separation afforded by virtue of the built form of No. 6.
- 6.19 The proposed dwellings themselves would be sited alongside one another with reasonable separation distances comparable to those within the locale. Side facing windows are largely proposed to serve non-habitable rooms and to be obscure glazed or are high level rooflights within the roof of plot 3. None of the proposed properties are thereby considered to result in harm to one another having regard for a potential loss of light or outlook, potential overbearing relationship and potential overlooking.
- 6.20 A Construction and Environmental Management Plan condition is recommended to help manage noise mitigation during construction works. It is further noted that the submitted energy statement sets out that Air Source Heat Pumps will be provided. Given the potential noise implications of these, a condition is recommended requiring details to be submitted or the pumps to be in compliance with the relevant permitted development legislation (Part G, Class 14, Schedule 2) relating to air source heat pumps.
- 6.21 Consequently, it is considered that the proposal would not cause significant or material harm to the amenity of neighbouring properties and therefore, the proposal complies in this regard with policy DES1.

#### Amenity of occupiers

- 6.22 Policy DES5 requires that all new residential development must provide high quality adaptable accommodation and provide good living conditions for future occupants. It further advises that new accommodation must meet the relevant nationally prescribed internal space standard (NDSS) for each individual unit unless the Council considers that an exception should be made.
- 6.23 In this case the proposed properties meet or exceed NDSS standards for 4 and 5 bed units and each habitable room would be served by good sized windows as shown on the proposed floor plans. The top floor bedrooms are served only by rooflights and whilst this is not optimum it is reflective of those approved within Brunswick Close and still considered to provide sufficient levels of light and outlook to these rooms so as to be deemed acceptable. The rear gardens, whilst not significant in size, are considered sufficient for the size of properties and are commensurate with examples within the locale including the adjacent properties.

- 6.24 The principle of new dwellings here has already been established including the acceptability of the railway line to the rear and the potential impacts this would have on the enjoyment of resident's properties with particular regard for noise implications. The applicant has provided a noise assessment considering this impact. The assessment takes a number of points into consideration including the distances from the railway line, the design of the dwellings, the expected noise resulting from the railway line and building regulation requirements among other things. The report concludes that 'The soundscape predicted is consistent with that measured for the adjacent site where 6 new properties were consented' and that therefore 'planning permission should not be withheld on noise grounds.'

The Council's own noise consultants considered the proposal including this noise assessment. Following review, they raised no objection in regard to the noise implications of the railway line. They did however recommend a Construction and Environmental Management Plan condition should permission be recommended for approval to mitigate against the noise implications of the construction works.

- 6.25 It is considered therefore that the proposal complies in this regard with Policy DES5.

#### Highway and Parking Matters

- 6.26 The County Highways Authority has assessed the proposed development on safety, capacity, manoeuvrability and policy grounds and have recommended that conditions should be imposed on the permission relating to the new access, parking and turning, and the provision of electrical charging points for cars along with storage and charging for e-bikes and bikes.
- 6.27 DMP policy TAP1 states that new residential development should: "Include car parking and cycle storage for residential and non-residential development in accordance with adopted local standards (see Annex 4). The application sets out that 10 parking spaces are proposed. Two off street spaces are provided per dwelling and an additional garage for plot 3. Three visitor bays are also proposed. The application site falls partially within an area of low accessibility and partly within an area defined as medium accessibility within the DMP. The number of parking spaces are however sufficient to exceed the requirements of Annex 4 of the DMP regardless of which area is considered to be the predominant and most relevant accessibility area. A minimum of 9 spaces would be required for a low acceptability area and 6 for a medium accessibility area. The 10 proposed comfortably exceeds this.
- 6.28 In regard to highway safety the site would be accessed via the existing cul-de-sac with no access from Ruden Way proposed and would therefore have no particular implications on increased potential for highway safety concerns. As such, the Highway authority raised no objection to the scheme. Conditions requiring the submission of schemes for Electric Vehicle charging sockets and

cycle storage and charging of e-bikes were put forward and would be included with any grant of permission.

- 6.29 In light of the above considerations the scheme is considered to comply with Policy TAP1 of the DMP 2019 with regard to highway safety, capacity and policy grounds and would therefore be acceptable.

#### Trees and Landscaping

- 6.30 There are a number of mature trees within the application site, some of which are proposed to be retained. The Tree Officer was therefore consulted on the proposal and provided the following comments:

*'My comments are based on a desk top review of the arboricultural report submitted with this application. Most of the trees within the site are low quality specimens and removing them to facilitate this development will not have an impact on the appearance of Ruden Way. The proposed layout has identified two individual specimens, both are moderate in quality and one group and hedge to be retained, and doing so ensure there will be an established canopy cover and screening for the future occupants.'*

- 6.31 The Tree Officer has recommended a tree protection implementation condition are added to the permission in order to facilitate good tree management and protection but otherwise raises no objection to the scheme.
- 6.32 In addition, a landscaping condition will be added to the permission to ensure that the hard and soft landscaping proposed is of a suitable standard and will enhance the character of the area. Subject to these conditions being complied with, it is considered that the proposal complies in this regard with policy NHE3.

#### Ecology

- 6.33 During the course of the previous appeal of application 18/01920/F for the adjacent site the Inspector's single reason for refusal related to the matter of no substantive evidence having been submitted to demonstrate that the proposed development would not harm any protected species and habitat. The subsequent approved application therefore provided such information which was considered acceptable.
- 6.34 This current application has also provided an Ecological Impact Assessment which notes among other things:

*'During the walkover survey, habitats recorded on site included improved grassland, ornamental planting, tall ruderal vegetation, an ornamental pond, an allotment, species poor ornamental hedges, scattered trees and areas of hardstanding/gravel and outbuildings.'*

*The habitats on the site have been assessed as having some limited potential to support commuting and foraging bats and common nesting bird species. Some areas of the site also have potential to support reptiles if they are present*

*in the area. Based on the plans provided, it is anticipated that there will be a loss of habitat of low ecological importance which would be utilised by these species. A number of mitigation measures have therefore been set out with respect to these species in order to safeguard them throughout the development process.*

*During the building inspection the outbuilding were assessed as providing negligible potential to support roosting bats due to a lack of crevice roosting features and a suitable void space. None of the trees on site had featured that could support roosting bats.*

*Therefore, the proposed plans will not directly impact any bat roosts and works can proceed without precautionary measures.*

*In the unlikely event that a bat is discovered during the works, all works must cease and a bat licence ecologist contacted for advice.'*

*Outline mitigation and enhancement recommendations have been made in order to ensure that opportunities are available for protected species following the completion of the development, and that the ecological value of the site is enhanced in the long-term.*

- 6.35 Surrey Wildlife Trust were consulted upon the application, reviewed this report and have raised no objection on the grounds of protected species subject to a recommended condition relating to an Ecological Enhancement Plan. A condition relating to boundary treatments and the inclusion of wildlife friendly boundaries is also recommended. Therefore, subject to such conditions, it is considered that the proposal is acceptable in regard to its ecological impact.

#### Affordable Housing and Community Infrastructure Levy

- 6.36 Development Management Plan DES6 states that on developments providing 11 or more homes, 30% of the homes on site should provide affordable housing. This supersedes the Core Strategy policy CS15 in its entirety.
- 6.37 In view of this, the Council is not presently requiring financial contributions from applications such as this resulting in a net gain of 10 units or less.
- 6.38 The Community Infrastructure Levy (CIL) is a fixed charge which the Council has been collecting from some new developments since 1 April 2016. It will raise money to help pay for a wide range of infrastructure including schools, roads, public transport and community facilities which are needed to support new development. This development would be CIL liable although the exact amount would be determined and collected after the grant of planning permission.

#### Sustainability and Climate Change

- 6.39 Policy CCF1 of the Councils Development Management Plan 2019 seeks to

ensure that all new development contributes to reducing carbon emissions and improving water efficiency. 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. Therefore, in the event that planning permission were to be granted, a condition requiring demonstration that it will meet the national water efficiency standard of 110litres/person/day would be attached.

- 6.40 An energy statement was also submitted by the applicant. This sets out that Air Source Heat Pumps will be included with each new dwelling which would help in ensuring energy efficient dwellings. As discussed above, a condition requiring details to be submitted or the pumps to be in compliance with the relevant permitted development legislation relating to air source heat pumps is recommended.
- 6.41 A condition would also be recommended to ensure that each dwelling is fitted with access to fast broadband services in accordance with policy INF3 of the DMP should permission have been granted.

#### Flooding and Drainage

- 6.42 The site is not located within flood zone 2 or 3. It is located in flood zone 1 which has the lowest risk of flooding and where national and local planning policy directs is the most suitable for development. As such no concern is raised with regard to fluvial flooding. Only a small section of the site is shown to have a risk of surface water flooding. However, concern was raised by a number of contributors that the drainage of the existing development site at Brunswick Close would not be capable of coping with the additional demands of the additional dwellings. A condition is recommended that would require additional detail to be provided in order to ensure that the drainage strategy will work correctly and meet the requirements of policy CCF2. Nonetheless, the applicant, in response to these comments has provided initial information in this regard. Whilst only indicative at this stage, this sets out that the drainage could be run in conjunction with the existing on site, with surface water running to new soakaways and fluvial water pumped via a rising main independent of the pipe network in Brunswick Close. There would therefore be no conflict that the existing drainage would not be able to cope with the additional dwellings. As such, it is considered that the recommended condition would be sufficient to provide adequate finalised detail in this regard.

#### Other Matters

- 6.43 Representations were received from a number of local residents. These raised a number of concerns with the proposal including in regard to a number of items not considered above. These are therefore considered here. Issues already covered have not been repeated.
- 6.44 Concerns have been raised that the applicant has no right of access to the



development site in utilising the existing road, Brunswick Close. This is not a planning matter and is instead a separate legal matter between owners of the land. It is not therefore reason to refuse the application. Equally, property devaluation is not a material consideration of a planning application.

- 6.45 Inconvenience during construction and noise and disturbance have also been raised as a concern. Construction works are inconvenient and noisy in nature and are not reason to refuse a planning application. Statutory nuisance legislation exists to control any significant disturbance caused during the construction of the proposal. Furthermore, information relating to working hours etc will need to be submitted in regard to the resultant impact on neighbouring properties by the recommended Construction and Environmental Management Plan condition. The noise assessment submitted was considered acceptable by the noise consultants and excessive noise issues can be dealt with by Environmental Health.
- 6.46 Comments in regard to loss of private view are not considered to be reason to refuse such an application. As set out above, the siting of the dwellings would be such that views would be minimal from Ruden Way. Equally, the separation distances between dwellings are considered acceptable and there is no right to a view under planning policy or guidance. All surrounding dwellings would retain acceptable light and outlook in line with policy as set out above.
- 6.47 Representations have also been received regarding health fears; however it is considered that the nature of the proposed development would not give rise to any health issues.
- 6.48 The application site does not fall within or in close proximity to a Conservation Area and therefore this is not a material consideration of this application.

## CONDITIONS

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

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

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site Layout Plan	CDA-341-001	B	18.09.2023
Elevation Plan	CDA-341-008	B	18.09.2023
Elevation Plan	CDA-341-007	B	18.09.2023

Proposed Plans	CDA-341-005	B	18.09.2023
Proposed Plans	CDA-341-006	C	18.09.2023
Floor Plan	CDA-341-004	B	18.09.2023
Location Plan	CDA-341-003	B	21.11.2023
Proposed Plans	CDA-341-009	A	21.11.2023
Street Scene	CDA-341-010	A	21.11.2023
Site Layout Plan	CDA-341-002	K	21.11.2023
Site Layout Plan	CDA-341-002	K	21.11.2023
Landscaping Plan	EH42 - LAND - 01		21.11.2023

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

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

3. No development shall take place above slab level until written details of the materials to be used in the construction of the external surfaces, including fenestration and roof, have been submitted to and approved in writing by the Local Planning Authority, and on development shall be carried out in accordance with the approved details.

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

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

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

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

Reason: In recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2023 to accord with the National Planning Policy Framework 2023 and Reigate and Banstead Core Strategy 2014 Policy CS17 (Travel Options and Accessibility).

6. The development hereby approved shall not be first occupied unless and

until facilities for the secure, covered parking of bicycles and the provision of a charging point for e-bikes by said facilities have been provided within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2023 to accord with the National Planning Policy Framework 2023 and Reigate and Banstead Core Strategy 2014 Policy CS17 (Travel Options and Accessibility).

7. No development shall commence until a strategy for the disposal of surface and foul water is submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: To ensure that the site is satisfactorily drained and in order to protect water and environmental quality with regard to Policy CS10 of the Core Strategy 2014, Policy CCF2 of the Development Management Plan 2019 and the NPPF.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification), no first floor windows, dormer windows or rooflights other than those expressly authorised by this permission shall be constructed.

Reason: To ensure that the development does not affect the amenity of the neighbouring property by overlooking and to protect the visual amenities of the area in accordance with Reigate and Banstead Development Management Plan policy DES1.

9. The first floor windows in the side elevations of plot 3 and the first and second floor windows in the side elevations of plots 1 and 2 of the development hereby permitted shall be glazed with obscured glass and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall be maintained as such at all times.

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

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or roof enlargements permitted by Classes A or B of Part 1 of the Second Schedule of the 2015 Order (as amended) shall be constructed without the prior approval of the Local Planning Authority.

Reason: To control any subsequent enlargements in the interests of the visual and residential amenities of the locality with regard to Reigate and Banstead Development Management Plan 2019 policy DES1.

11. The development hereby approved shall not commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the following relevant measures:

- Site working hours and a named person for residents to contact;
- Detailed Site logistics arrangements
- Details regarding parking, deliveries, and storage including provision of a suitable booking system for HGV deliveries;
- Details regarding dust and noise mitigation measures to be deployed
- Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network;

The construction shall thereafter be carried out in accordance with the details and measures approved in the CEMP for the related phase, unless the written consent of the Local Planning Authority is received for any variation.

Reason: To protect the neighbouring occupants from noise, disturbance and inconvenience with regard to Development Management Plan 2019 policies DES1 and DES8 and the National Planning Policy Framework 2019.

12. No development above ground level shall commence until an Ecological Enhancement Plan has been submitted to and approved in writing by the local planning authority (LPA) in accordance with the recommendations found within section 7 of the submitted Ecological Impact Assessment by Darwin Ecology dated August 2023. The submitted details should be written by a suitably qualified ecologist.

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.

13. The development shall not be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall include wildlife friendly access and be completed before the occupation of the development hereby permitted.

Reason: To preserve the visual amenity of the area and protect neighbouring residential amenities with regard to the Reigate and Banstead Development Management Plan 2019 policy DES1 and NHE3.

14. No development shall commence on site until a finalised scheme for the landscaping of the site in accordance with approved plan EH42 - LAND - 01 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 hereby 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.

15. No development shall commence including groundworks preparation and demolition until all related arboricultural matters, including arboricultural supervision, monitoring and tree protection measures are implemented in strict accordance with the approved details contained in the Arboricultural Method Statement and Tree Protection Plan compiled by DAA, dated September 2023

Reason: To ensure good arboricultural practice in the interests of the maintenance of the character and appearance of the area and to comply with British Standard 5837:2012 'Trees in Relation to Design, demolition and Construction - Recommendations' and policies NHE3 and DES1 of the Reigate and Banstead Development Management Plan 2019.

16. The development hereby approved shall not be first occupied unless and until the proposed dwellings are provided with Air Source Heat Pumps in accordance with the submitted Energy Statement (by Arcadian Architectural Services Ltd dated 10.08.2023). The Air Source Heat Pumps shall comply with the requirements of Part G, Class 14, Schedule 2 the Town and Country Planning (General Permitted Development) Order 2015 or alternatively shall be installed in strict accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development supports the efficient use of resources and minimises carbon emissions and to protect the occupants of the proposed development from noise disturbance with regard to Policy CS10 of the Reigate & Banstead Core Strategy 2014 and Policies CCF1 and DES1 of the Reigate & Banstead Development Management Plan 2019.

17. The development hereby approved shall not be first occupied unless and until an Energy and Water Efficiency Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall

detail how the development will:

- a) Ensure that the potential water consumption by occupants of each new dwelling does not exceed 110 litres per person per day,

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

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

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

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

## **INFORMATIVES**

1. 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. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.
2. It is the responsibility of the developer to provide e-bike charging points with socket timers to prevent them constantly drawing a current over night or for longer than required. Signage should be considered regarding damaged or shock impacted batteries, indicating that these should not be used/charged. The design of communal bike areas should consider fire spread and there should be detection in areas where charging takes place. With regard to an e-bike socket in a domestic dwelling, the residence should have detection, and an official e-bike charger should be used. Guidance on detection can be found in BS 5839-6 for fire detection and fire alarm systems in both new and existing domestic premises and BS 5839-1 the code of practice for designing, installing, commissioning, and

maintaining fire detection and alarm systems in non-domestic buildings.

3. 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).
4. 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.
5. 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.
6. Anecdotal evidence submitted to the Council, in response to the notification of a previous planning application, on this site suggests that properties in the locality may have been damaged via aerial delivered ordnance during WWII. Therefore, there is the potential for the presence of Unexploded Ordnance (UXO) to be present beneath part(s) of the site. Groundworkers should be made aware of this so suitable mitigation measures and groundworker awareness is in place prior to commencement of any intrusive works. Should any suspect or actual UXO be identified during intrusive works, works should cease immediately and the Local Police and Environmental Protection (for information purposes) should be contacted immediately for further guidance. CIRIA C681: UXO a Guide to the Construction Industry (Guidance Document) can provide further information on UXO matters relating to construction.
7. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at <https://firesprinklers.org.uk/>
8. 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.
9. 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](https://www.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](https://www.reigate-banstead.gov.uk/info/20062/recycling_and_refuse/392/fees_for_recycling_and_refuse_services/3).

10. Building works involving work on an existing wall shared with another property; or new building on the boundary with a neighbouring property; or excavating near a neighbouring building, may fall within the scope of the Party Wall, etc. Act 1996 and may require that you serve a Statutory Notice on all affected owners. Further guidance is available from <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>
11. The applicant is advised that the Borough Council is the street naming and numbering authority and you will need to apply for addresses. This can be done by contacting the Address and Gazetteer Officer prior to construction commencing. You will need to complete the relevant application form and upload supporting documents such as site and floor layout plans in order that official street naming and numbering can be allocated as appropriate. If no application is received the Council has the authority to allocate an address. This also applies to replacement dwellings. If you are building a scheme of more than 5 units please also supply a CAD file (back saved to 2010) of the development based on OS Grid References. Full details of how to apply for addresses can be found [http://www.reigate-banstead.gov.uk/info/20277/street\\_naming\\_and\\_numbering](http://www.reigate-banstead.gov.uk/info/20277/street_naming_and_numbering)
12. With regard to the boundary treatment condition the Council is encouraging the developer to incorporate planting and measures to encourage biodiversity and wildlife and allow wildlife to move into and out of gardens and, in particular, include Hedgehog friendly gravel boards where appropriate. Details of the 'wildlife friendly' measures should be provided with the submission of the details for approval.
13. The developer must ensure that their proposal, both during construction and after completion of works on site, does not:
  - o encroach onto Network Rail land
  - o affect the safety, operation or integrity of the railway and infrastructure
  - o undermine its support zone
  - o damage the company's infrastructure
  - o place additional load on cuttings
  - o adversely affect any railway land or structure
  - o over-sail or encroach upon the air-space of any Network Rail land
  - o cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

The developer should comply with the following comments and requirements to ensure the operational railway is protected.

#### Future maintenance

The applicant must ensure that any construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of/or encroaching upon Network Rail's adjacent land and air- space. Therefore, any buildings are required to be situated at least 2 metres (3m for overhead lines and third rail) from Network Rail's boundary.



This requirement will allow for the construction and future maintenance of a building without the need to access the operational railway environment. Any less than 2m (3m for overhead lines and third rail) and there is a strong possibility that the applicant (and any future resident) will need to utilise Network Rail land and air-space to facilitate works as well as adversely impact upon Network Rail's maintenance teams' ability to maintain our boundary fencing and boundary treatments. Access to Network Rail's land may not always be granted and if granted may be subject to railway site safety requirements and special provisions with all associated railway costs charged to the applicant.

As mentioned above, any works within Network Rail's land would need approval from the Network Rail Asset Protection Engineer. This request should be submitted at least 20 weeks before any works are due to commence on site and the applicant is liable for all associated costs (e.g. all possession, site safety,

asset protection presence costs). However, Network Rail is not required to grant permission for any third-party access to its land.

#### Plant & Materials

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no plant or materials are capable of falling within 3.0m of the boundary with Network Rail.

#### Drainage

Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property; full details to be submitted for approval to the Network Rail Asset Protection Engineer. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed within 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.

#### Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. The applicant/applicant's contractor must consider if they can undertake the works and associated scaffold/access for working at height within the footprint of their property boundary.

#### Piling

Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be

carried out in accordance with the approved method statement.

#### Fencing

In view of the nature of the development, it is essential that the developer provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. The 1.8m fencing should be adjacent to the railway boundary and the developer/applicant should make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point during or post construction should the foundations of the fencing or wall or any embankment therein, be damaged, undermined or compromised in any way. Any vegetation within Network Rail's land boundary must not be disturbed. Any fencing installed by the applicant must not prevent Network Rail from maintaining its own fencing/boundary treatment.

#### Lighting

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers' vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting.

#### Noise and Vibration

The potential for any noise/vibration impacts caused by the proximity between the proposed development and any existing railway should be made aware to the future occupiers of the site. It must also be assessed in the context of the National Planning Policy Framework which holds relevant national guidance information.

The current level of usage may be subject to change at any time without notification including increased frequency of trains, night-time train running and heavy freight trains. The appropriate building materials should be used to reduce any potential noise disturbance from the railway.

#### Vehicle Incursion

Where a proposal calls for hard standing area/parking of vehicles area near the boundary with the operational railway, Network Rail would recommend the installation of a highways approved vehicle incursion barrier or high kerbs to prevent vehicles accidentally driving or rolling onto the railway or damaging lineside fencing.

#### Landscaping

Any trees/shrubs to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary as the species will contribute to leaf fall which will have a detrimental effect on the safety and operation of the railway.

Network Rail wish to be involved in the approval of any landscaping scheme adjacent to the railway. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its

boundary fencing. If required, Network Rail's Asset Protection team are able to provide more details on which trees/shrubs are permitted within close proximity to the railway.

#### Existing Rights

Whilst not a planning matter, we would like to remind the applicant of the need to identify and comply with all existing rights on the land. Network Rail request all existing rights, covenants and easements are retained unless agreed otherwise with Network Rail.

#### Property Rights

notwithstanding the above, if any property rights are required from Network Rail in order to deliver the development, Network Rail's Property team will need to be contacted.

If you would like to discuss any of the above, please contact your local Network Rail's Asset Protection team:

Anglia: [AssetProtectionAnglia@Networkrail.co.uk](mailto:AssetProtectionAnglia@Networkrail.co.uk)

Kent and Sussex: [AssetProtectionLondonSouthEast@NetworkRail.co.uk](mailto:AssetProtectionLondonSouthEast@NetworkRail.co.uk)

Wessex: [AssetProtectionWessex@NetworkRail.co.uk](mailto:AssetProtectionWessex@NetworkRail.co.uk)

To identify your route, please use the link:  
<https://www.networkrail.co.uk/running- the-railway/our-routes>

14. The use of a suitably qualified arboricultural consultant is essential to provide acceptable supervision and monitoring in respect of the arboricultural issues in respect of the above condition. All works shall comply with the recommendations and guidelines contained within British Standard 5837.

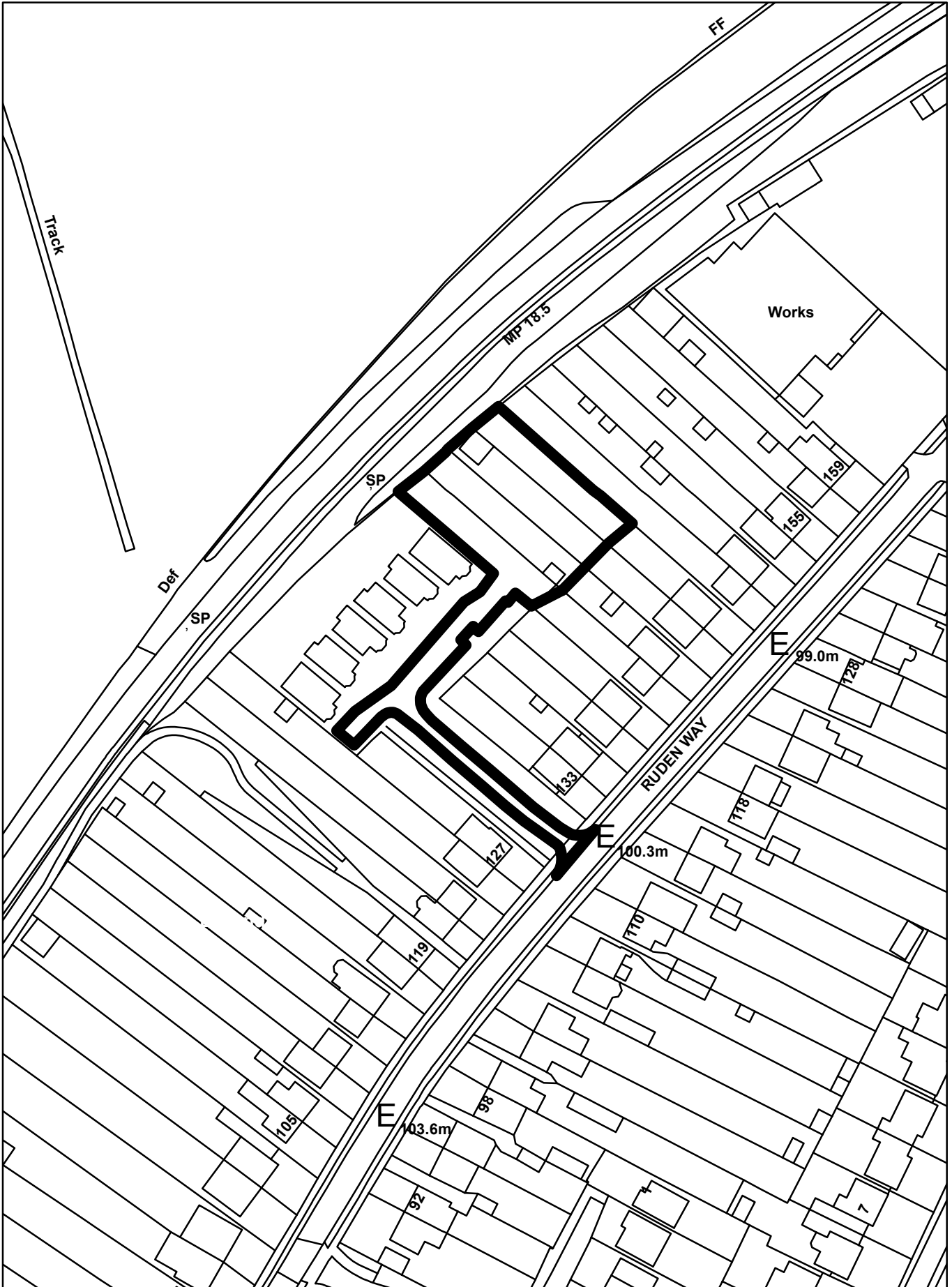
## **REASON FOR PERMISSION**

The development hereby permitted has been assessed against development plan policies DES1, DES2, DES4, DES5, DES8, TAP1, CCF1, CCF2, INF3, NHE2, NHE3 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**


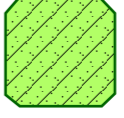
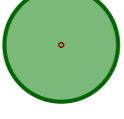
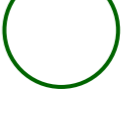
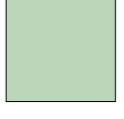

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in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

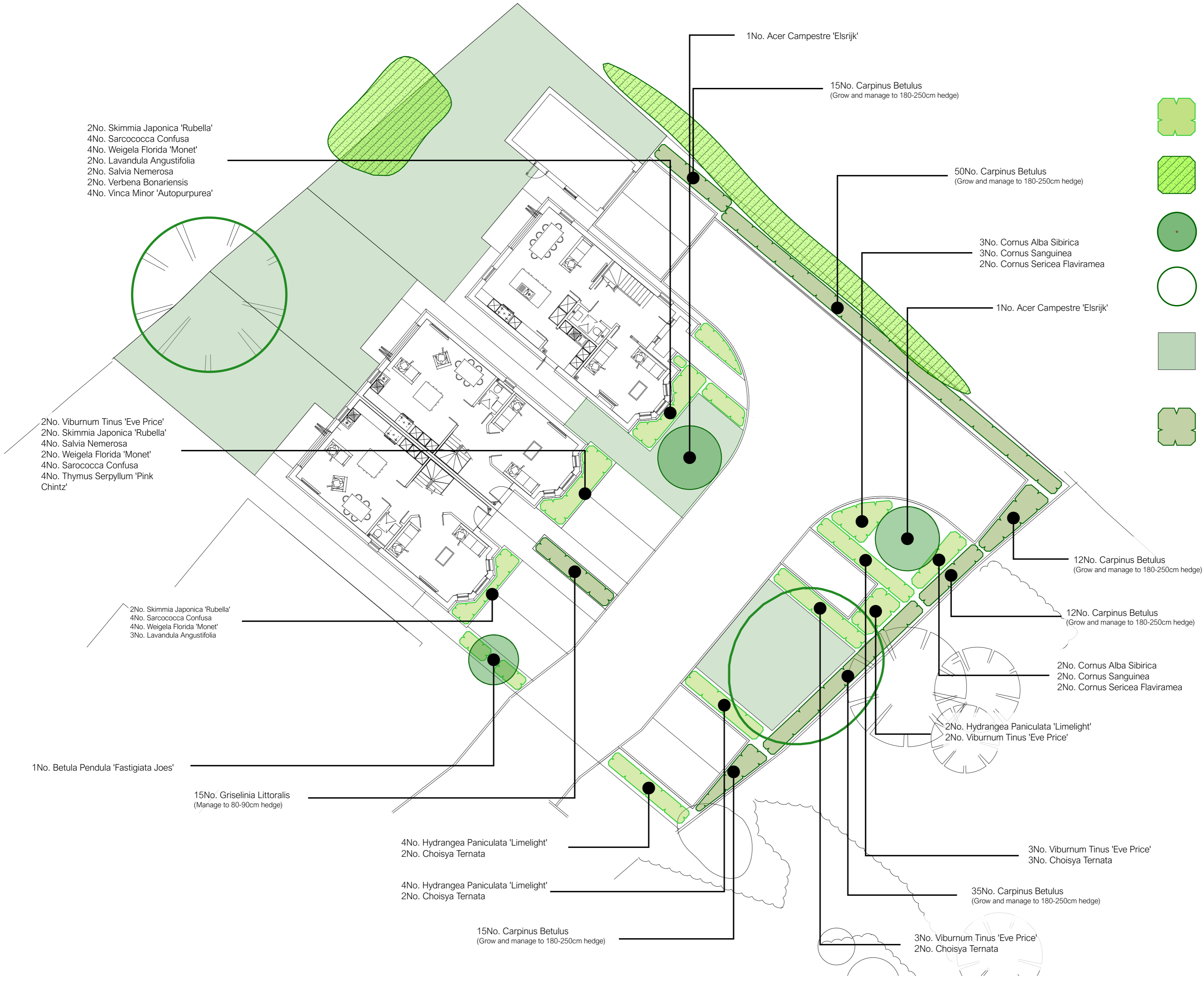
# 23/01937/F - Land To The Rear Of 141-147 Ruden Way, Epsom Downs



Drawing for CONSTRUCTION  
 All measurements to be checked on site  
 Refer to Structural Engineers details for structural design criteria  
 Any discrepancies to be reported to Earlswood Homes.

This drawing remains the copyright of Earlswood Homes

-  Proposed Shrub and Herbaceous Planting  
To receive a 40mm bark mulch topping after planting operations
-  Existing Shrub and Hedge Planting  
Retained and managed
-  Proposed Tree Planting
-  Existing Trees  
Retained
-  Proposed Grass Areas  
To receive good quality amenity grass turves laid in accordance with good horticultural practices.  
Garden lawns to leave a 600mm border bed for future planting by occupants)
-  Proposed New Hedge Planting  
To receive a 40mm bark mulch topping after planting operations  
Double staggered row - 50cm spacing



Rev	Date	Description



Date: Nov 2023	Drawn by: BC
Scale: 1:150 @ A2	Checked: *

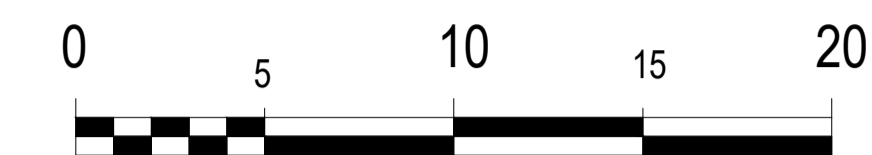
Client:  
Earlswood Homes

Project:  
Ruden Way  
Epsom Downs

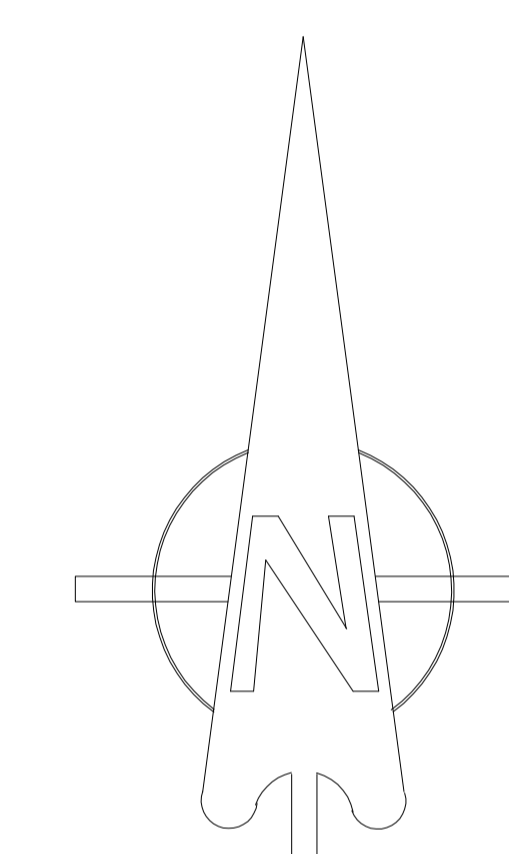
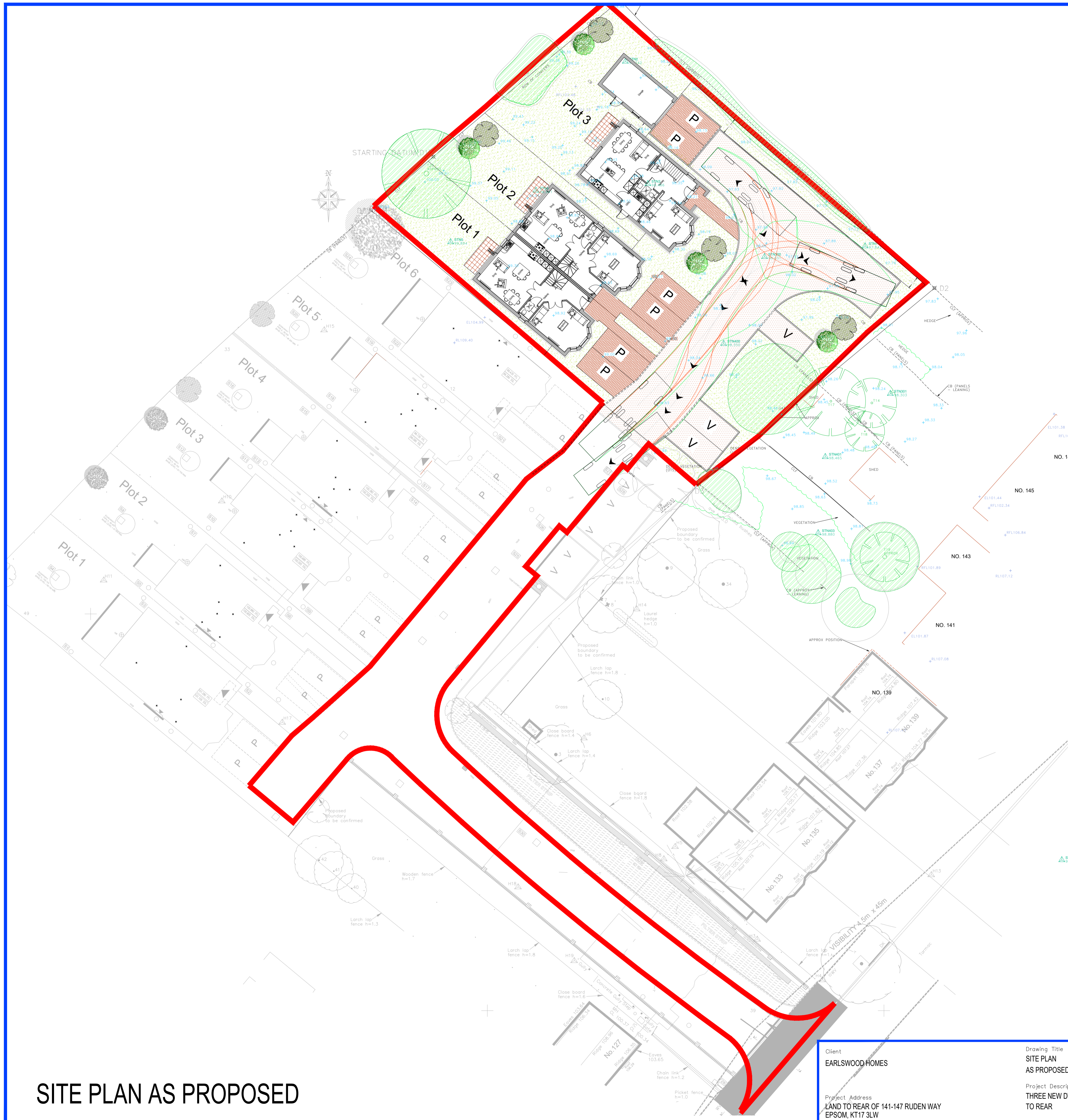
Title:  
Landscape Plan

Drawing:  
EH42 - LAND - 01

NOTE:  
 THIS DRAWING IS FOR PLANNING PURPOSES ONLY  
 THIS DRAWING IS BASED UPON SURVEY INFORMATION  
 DRAWN BY OTHERS.  
 ALL CRITICAL DIMENSIONS TO BE CHECKED ON SITE.



ORIGINAL SHEET SIZE - A1  
 SCALE 1:200 @ A1



KEY	
	1.8m HIGH CLOSEBOARDED FENCE
	DRIVEWAYS/ACCESS PATHS TBA WITH LA
	INDICATIVE TREE PLANTING
	TURF TO GARDENS
	ROADWAY/VISITOR PARKING TBA WITH LA
	REFER TO ARB REPORT FOR TREES TO BE RETAINED/REMOVED

SITE PLAN AS PROPOSED

Client <b>EARLSWOOD HOMES</b>	Drawing Title <b>SITE PLAN AS PROPOSED</b>	Rev. K	Date 16.11.23	Description AMENDED AS REQ. BY CLIENT	Drawn GDP	Checked GDP
Project Address LAND TO REAR OF 141-147 RUDEN WAY EPSOM, KT17 3LW	Project Description THREE NEW DWELLINGS IN LAND TO REAR	Scale 1:200	Drawn GDP	Author GDP	Checked GDP	
		Date MAY 23	Rev. K			
		Drg.No CDA-341-002				

**CDA** Conceptual Design Associates Ltd  
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PLOT 3 REAR (NORTH) ELEVATION



PLOT 3 SIDE (EAST) ELEVATION

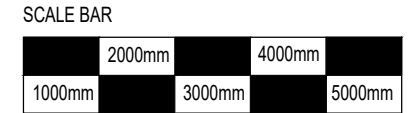


PLOT 3 FRONT (SOUTH) ELEVATION



PLOT 3 SIDE (WEST) ELEVATION

NOTE:  
 THIS DRAWING IS FOR PLANNING PURPOSES ONLY  
 THIS DRAWING IS BASED UPON SURVEY INFORMATION  
 DRAWN BY OTHERS.  
 ALL CRITICAL DIMENSIONS TO BE CHECKED ON SITE.



SCALE 1:100 @A3

Client  
 EARLSWOOD HOMES

Project Address  
 LAND TO REAR OF 141-147 RUDEN WAY  
 EPSOM, KT17 3LW

Drawing Title  
 PLOTS 3 ELEVATIONS  
 AS PROPOSED DETACHED DWELLING

Project Description  
 THREE NEW DWELLINGS WITHIN  
 CURTILAGE OF 141-147 RUDEN WAY, EPSOM

Rev.	Date	Description	Drawn	Checked
B	17.08.23	DRAWINGS UPDATED TO PLANNING ST.	GDP	GDP

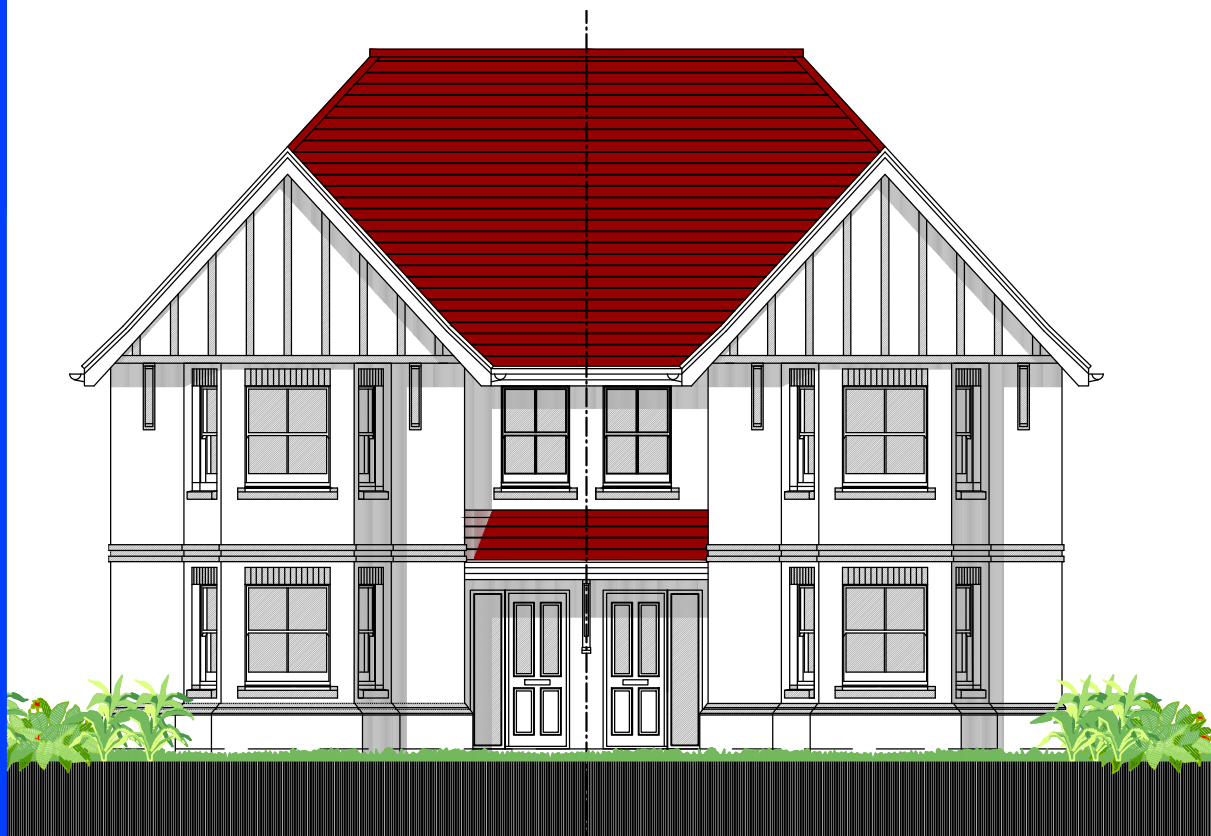
Scale 1:100      Drawn GDP      Author GDP

Date JUNE 23      Drawing Status

Drg.No CDA-341-008      Rev. B      PLANNING



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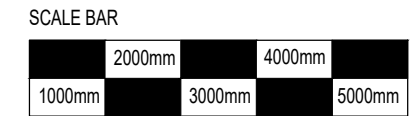


PLOTS 1 & 2 FRONT (SOUTH) ELEVATION



PLOT 2 SIDE (EAST) ELEVATION

NOTE:  
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 ALL CRITICAL DIMENSIONS TO BE CHECKED ON SITE.



T 1 SIDE (WEST) ELEVATION



PLOTS 1 & 2 REAR (NORTH) ELEVATION

SCALE 1:100 @A3

Client  
 EARLSWOOD HOMES

Drawing Title  
 PLOTS 1 & 2 ELEVATIONS  
 AS PROPOSED SEMI-DETACHED DWELLINGS

Project Address  
 LAND TO REAR OF 141-147 RUDEN WAY  
 EPSOM, KT17 3LW

Project Description  
 THREE NEW DWELLINGS WITHIN  
 CURTILAGE OF 141-147 RUDEN WAY, EPSOM

Rev.	Date	Description	Drawn	Checked
B	17.08.23	DRAWINGS UPDATED TO PLANNING ST.	GDP	GDP

Scale	1:100	Drawn	GDP	Author	GDP
Date	JUNE 23	Drawing Status	PLANNING		
Drg.No	CDA-341-007	Rev.	B		

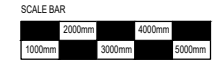
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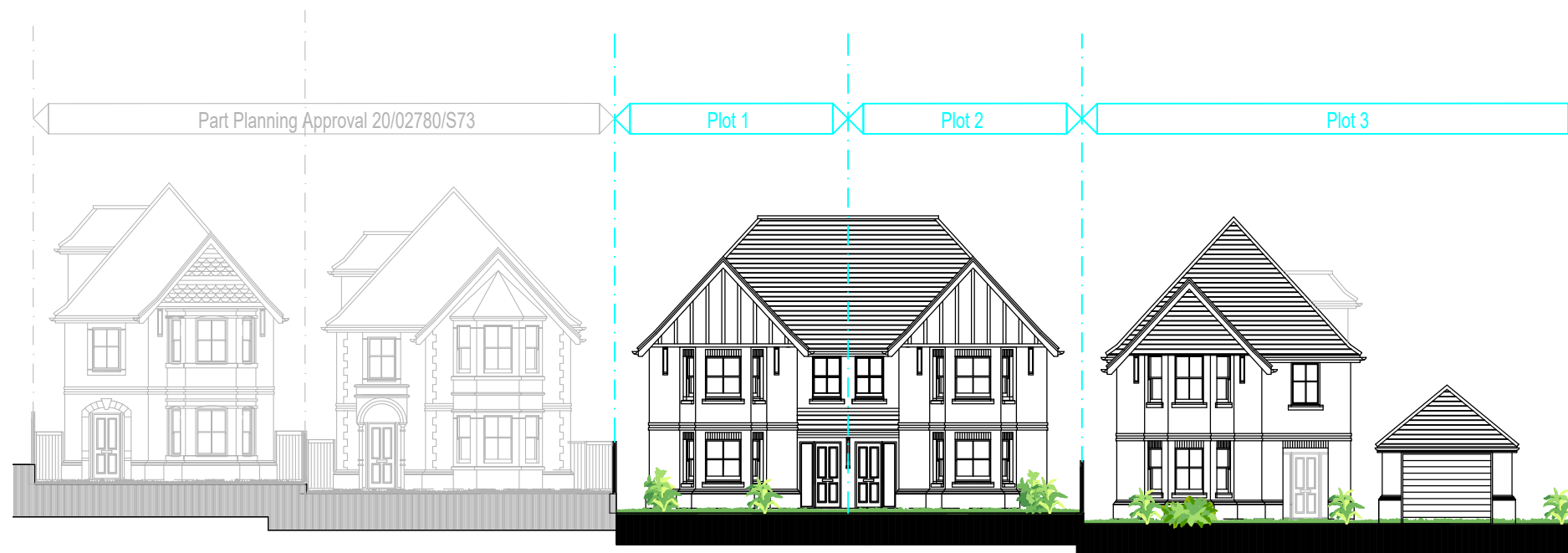


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SCALE 1:200 @A3



EAST ELEVATION STREET SCENE

Client  
EARLSWOOD HOMES

Project Address  
LAND TO REAR OF 141-147 RUDEN WAY  
EPSOM, KT17 3LW

Drawing Title  
EAST ELEVATION STREET  
SCENE AS PROPOSED

Project Description  
THREE NEW DWELLINGS WITHIN  
CURTILAGE OF 141-147 RUDEN WAY, EPSOM

Rev.	Date	Description
A	16.11.23	AMENDED AS REQUESTED

Scale 1:200 Drawn GDP

Date AUG 23

Drg.No CDA-341-010

Drawn	Checked
GDP	GDP

Author GDP

Drawing Status

PLANNING

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