a Vâ	TO:		PLANNING COMMITTEE
	DATE	2	18 April 2018
REPORT OF: AUTHOR:		ORT OF:	HEAD OF PLACES & PLANNING
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AGENDA ITEM: 6	I	WARD:	Reigate Hill

APPLICATION NU	IMBER:	18/00172/F	VALID:	21 February 2018
APPLICANT:	Montreaux Ltd		AGENT:	GVA
LOCATION:	MOUNT PI	MOUNT PLEASANT, COPPICE LANE, REIGATE		
DESCRIPTION:	Demolition of existing residential dwelling (Use Class C3) and erection of replacement buildings comprising 6 no. flats and 1 no. 5 bedroom dwelling house, plus associated hard and soft landscaping measures.			
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This application is referred to Committee in accordance with the Constitution

SUMMARY

detail.

The application relates to a large detached two storey building standing on the west side of Coppice Lane within the Metropolitan Green Belt (MGB), having a previous lawful C2 (Residential care home) use, understood to have been occupied by retired artists, with current permission for a C3 residential dwelling use. Apart from the self-contained staff flat being occupied by security staff, the building is vacant and remained at the time of the site inspection in its residential care home layout and fittings.

The recent planning history of the site includes planning permission under application no.16/00544/F for demolition of the building and erection of two detached dwelling houses; and under application no. 17/00912/CU for change of use of the extant building to a dwelling. Planning permission was refused on 8 November 2017 (application no. 17/01061/F) for demolition of the building and erection of replacement buildings comprising 6 flats and a detached dwellinghouse on the grounds of harm to openness of the Metropolitan Green Belt by virtue of size and scale of buildings combined with intensification of use and extent of surface car parking. The refusal of application 17/01061/F is currently the subject of an appeal.

The proposal is for erection of two detached buildings following demolition of the extant building, the larger of these (plot 1) accommodating 6 flats rather than the 1 dwellinghouse approved in 2016. Save for reduction in size of chimney stacks and

minor fenestration details, plot 1 is identical in scale, footprint, dimensions and design to the approved dwelling scheme, ref: 16/00544/F. The house on plot 2 is also the same as that approved and extant planning permission.

Thus the scale, design and "envelope" of the proposed buildings is directly comparable with those of the permitted scheme as two single dwellinghouses. The level of activity would be more than the extant permission for two dwellinghouses on the site but be commensurate with the recent and previous lawful C2 use of the building, which by reason of its recent use remains a material consideration.

The site is located within the MGB and it is considered that the site at Mount Pleasant constitutes previously developed land (PDL) for the purposes of the National Planning Policy Framework (NPPF). In these circumstances, the provisions of paragraph 89 of the NPPF come into play; these allow for the "limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development".

As regards the assessment and conclusion on the development under 16/00544/F, it was concluded that as this would result in one net additional physically separate dwelling it constituted inappropriate development in the MGB and very special circumstances were required to override the harm. It was accepted that the previous residential and care home uses combined with breaking up of the massing presented by the present building, went in favour of the development and amounted to very special circumstances outweighing the harm done to the openness of the MGB. It is concluded that the current proposed development of virtually identical buildings would have a neutral effect in comparison to the built form of the extant planning permission, ref: 16/00544/F and in this regard be acceptable in principle subject to its not having a greater impact on the openness of the MGB and the assessment of all other planning issues, the focus being the effect on local living conditions, provision of hardstanding/car parking and implications for highway safety and free flow of traffic.

The Highway Authority's writ does not run in Coppice Lane, which is a private road. Nonetheless the Authority does opine that, in the wider context, the proposal "would not have a material impact on the safety and operation of the adjoining public highway." Moreover the proposal's traffic generation, it is considered, would not be such as to materially disturb the site's tranquil setting by reason of disturbance arising from comings and goings of vehicles and attendant noise.

The proposal would not, in summary, bring about a material change in intensification of the use of the site in terms of its vehicular movements and would be comparable to the recent and lawful use as the C2 care home use as to its impact on the openness and other harm of the MGB.

In light of the above considerations the development is therefore on balance considered in the light of the previous use and scale of the building to be consistent with the Previous Development Land approach set out in Paragraph 89 of the NPPF. However if the alternative approach were to be taken that the development

was to amount to inappropriate development in the MGB where Very Special Circumstances are required to outweigh the harm to openness and other harm it is clear that the directly comparable scale with the extant permission for two replacement dwellinghouse and the comparability with the level of use that the care home had potential for means that there would exist Very Special Circumstances to outweigh any harm to the MGB and for the proposal to be consistent with the provisions of the NPPF and Policy Co1 of the Local Plan. In summary the Very Special Circumstances would be: i) breaking up of the bulk and massing of the existing building with opening up of new vistas between the proposed buildings; ii) the proposal's being virtually identical externally speaking to the approved scheme under ref. 16/00544/F; iii) reduction of hardstanding on Plot 1 when compared to the approved scheme from 1816sq m to 1645sq m (9.4% reduction); and, iv) the proposal is in effect, not leading to significant change in impact on the local traffic situation or local residential amenities when compared to the potential and recent lawful use as a C2 care home.

Accordingly with either or both approaches to the assessment under the MGB policy it is concluded that the proposal is consistent with MGB policy and other policies it is recommended that planning permission be granted.

RECOMMENDATION

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

Consultations:

Highway Authority:

"The application site is accessed via Coppice Lane, which is a private road and does not form part of the public highway, therefore it falls outside the County Highway Authority's jurisdiction. The County Highway Authority has considered the wider impact of the proposed development and considers that it would not have a material impact on the safety and operation of the adjoining public highway."

Representations:

Letters regarding the proposal were sent to neighbouring properties on 5 March 2018: a site notice was posted 6 March 2018.

77 responses have been received raising the following issues:

Issue	Response
Inadequate parking	See paragraph 6.17
No need for the development	Assessment individually
Inconvenience during construction	See paragraph 6.14 and condition no. 8
Out of character with surroundings	See paragraphs 6.3 & 6.4
Crime fears	See paragraph 6.14
Drainage/flooding	See paragraphs 1.2 & 6.25
Harm to MGB	See paragraphs 6.9-6.12 incl
Harm to wildlife habitat	See paragraph 1.2
Scale	See paragraph 6.4
Loss of outlook	Not a planning consideration
Loss of/harm to trees	See paragraphs 6.5 & 6.6
Harmful precedent	See paragraphs 3.1 & 3.2
Overdevelopment	See paragraph 6.9
Overlooking	See paragraph 6.13
Overshadowing	See paragraph 6.13
Overbearing effect	See paragraph 6.13
Poor design	See paragraphs 6.3 & 6.4
Property devaluation	Not a planning consideration
Obtrusiveness of development	See paragraphs 4.2 & 6.4
Increase in traffic congestion/hazards	See paragraph 6.15 & 6.16
Loss of buildings	See paragraph 1.2
Care home use queried	See paragraphs 1.1 & 3.1

Harm to listed building Alternative location referred Hazard to highway safety Noise and disturbance Harm to Conservation Area Building is not listed Examined on individual merits See paragraph 6.15 See paragraph 6.14 Site not in Conservation Area

1.0 Site and Character Appraisal

- 1.1 The application relates to a vacant large detached 2 storey building of traditional arts and crafts design standing on the west side of Coppice Lane. Area of the site is 1.39ha. The premises have most recently been used as a home occupied by retired artists inclusive of a self-contained flat (occupied at the moment by security staff) and a 3 bedroom staff accommodation unit. The lawful use of the building is therefore C2: residential care home although there is an extant permission for conversion to C3 use. In the application form the use is described as "Residential C3 with Care Home C2" and in the Planning, Design & Access Statement "...The existing current lawful use is as residential (C3) with an element of care home use (C2)." An officer's inspection has revealed that internally the building gives every sign of a C2 use, which use it is considered could arguably be lawfully resumed as the conversion to a dwellinghouse has not physically taken place.
- 1.2 The building stands in generously sized grounds within the Metropolitan Green Belt (MGB). The site is open in character with built form being concentrated towards its northern end. There are historic gardens to the rear of the site. The building is not listed, either statutorily or locally.
- 1.3 The site is not within a Conservation Area nor is it identified as being of ecological or other wildlife significance or within an area liable to flooding. Mount Pleasant is not listed, statutorily or locally and none of the trees on site is subject of a Tree Preservation Order (TPO). the site is within Flood Risk Zone 1 where there is low risk of flooding.
- 1.4 To the north and south of the site are substantial residential properties, The Coppice and The Red House respectively, in a neighbourhood composed of similarly scaled buildings. Between the south wall of the existing building and the northernmost wall of The Red House is an open gap of some 32m; the northernmost wall of the existing house and outbuildings runs along the northern boundary.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: none.
- 2.2 Improvements secured during the course of the application: none.

2.3 Further improvements could be secured: conditions relating to external materials, tree protection measures, landscaping, tree works, Construction Transport Management Plan, boundary treatment, no further upper floor windows (plot 2) and removal of PD rights (plot 2).

3.0 Relevant Planning and Enforcement History

3.1	14/01748/CU	Change of use from C2 residential home to C3 dwelling	Granted 24 October 2014
3.2	16/00544/F	Demolition of vacant residential care home and two dwelling houses and erection of two single dwelling houses with associated garaging, landscaping and other related works	Granted 16 May 2016
3.3	17/00912/CU	Change of use from residential care home (C2) to residential dwelling (C3)	Granted 29 June 2017
3.4	17/01061/F	Demolition of existing residential dwelling (Use Class C3) and erection of replacement buildings comprising 6 no. flats and 1 no. 5 bedroom dwelling house, plus associated hard and soft landscaping measures.	Refused 8 November 2017 Appeal Submitted and Pending registration by the Planning Inspectorate.

4.0 Proposal and Design Approach

4.1 This is a full planning application for the erection of 6 flats (plot 1) and a detached dwellinghouse (plot 2) following the demolition of the existing property, both buildings of traditional design. The dwellinghouse on plot 2 is identical to that for which permission was granted under application no. 16/00544/F and the building on plot 1 is almost identical to the development on that plot under that permission, differences being reduction in size of chimney stacks and minor fenestration alterations. The rear extensions forming part of the proposal under 17/01061/F have been omitted and the footprint, as well as scale, design and dimensions, follow the approved development including the proposed buildings' being set back from the frontage by virtually the depth of the existing building.

- 4.2 The proposed buildings have up to three floors of accommodation (inclusive of roof space lit by dormers) and are of an Arts and Crafts style. Plot 1 is the more southerly. Both the dwelling and flats would have access via the existing arrangements. The proposed buildings are set back farther from the road than the present building, such that the front walls would be aligned approximately with the main existing rear wall, and the dwelling on plot 1 would also project farther south than the existing. This layout is the same as that approved under application no. 16/00544/F.
- 4.3 Each plot would have separate vehicular access and driveway off Coppice Lane utilising the existing entrances, similar to the arrangement under ref. 16/00544/F.
- 4.4 Most of the tree planting along Coppice Lane would be retained and would be supplemented by new tree and hedge planting (21 trees) including along the northern boundary of plot 2, the boundary between the plots and towards the southern boundary of plot 1. Trees/hedges to be removed would be category B (moderate quality) or C (low quality).
- 4.5 No external materials are specified although the applicant makes reference to use of brickwork and roof/hanging tiles and specified traditional examples in previous applications. Materials details would be the subject of a condition on any permission.
- 4.6 The application includes a Design and Access Statement. The Statement sets out the proposal's details, design philosophy and justification, as follows.

Plot 1: flat block

- 4.6.1 The proposed flat block entirely accords with the approved scheme under ref. 16/00544/F in terms of bulk, scale, massing, visual appearance and design. The building is located in a central position within the site which allows for a significant area of open land to be retained to the south of the proposed flats and to maintain the openness of the Green Belt. As with the previous approval, the building is located deeper into the site than the dwelling to be demolished. This enables a landscaped setting to be provided to the front of the building and also reduces its prominence when viewed from Coppice Lane. The siting of the building follows the established general building line. The building is set within extensive grounds enhanced by mature planting with vistas to the west across the site.
- 4.6.2 There would be 14 car parking spaces to the front of the proposed flat block, in 2 separate courtyard areas, screened by landscaping, as well as 7 bicycle parking spaces.
- 4.6.3 The proposed flat block is almost identical in terms of its design and external appearance to the dwelling house previously approved. It incorporates features such as projecting two storey gables, some with traditional tile hanging detailing. Feature brick detailing is used in the window surrounds, window heads and banding. The design includes fully glazed two storey bay

windows defined by a stone surround. A varied ridge height would break up the linearity of the building.

4.6.4 The northern wing of the flat block is subservient in appearance to the remainder of the building with a much lower eaves and ridge height, which further adds to the increased openness and widening of the gap between the flat block and Plot 2.

Plot 2: detached dwellinghouse

- 4.6.5 The dwellinghouse on Plot 2 is identical to that already approved on the site employing a similar design approach to the flats, with feature brick and stone detailing, projecting front gables, two storey bays, tile hanging and feature chimneys. A covered walkway links the detached double garage fronting the dwelling house in accordance with the Arts and Crafts vernacular (two other spaces would be provided in the driveway). The proposed dwelling house is significantly smaller than and subservient to the adjacent flat block and reflects the current building arrangement of the main house and coach house. There would be new boundary planting along the southern boundary with Plot 1, continuing towards the western boundary of the plot which lies adjacent to Colley Copse and along the boundary perimeter with The Coppice. Where viable, existing trees would be retained along Coppice Lane. Hedgerows would be retained at the corner of east/ north boundary and north boundary with Coppice Lane. The house would be provided with 4 parking spaces, 2 in garaging.
- 4.6.6 The Statement makes further points in favour of the proposal, viz:
 - use complementing that of the neighbourhood;
 - provision of new homes;
 - creating greater openness in MGB;
 - high quality landscaping scheme;

- the proposal accords with relevant national planning policy guidance and development plan policies.

- 4.7 The application also includes an Arboricultural Impact Assessment which concludes that proposal would allow for the long-term viability of retained and appropriate tree cover, and would not result in harm to the wider treescape: the principle of the proposed development, this document continues, is therefore considered supportable from the arboricultural perspective and in terms of Local Policy where it relates to trees, subject to appropriate mitigation planting and the adoption of safeguards for protecting trees. A revised Transport Note also accompanying the application concludes the level of parking is in accordance with standards and the site lends itself to sustainable modes of transport, and that the level of vehicle movements/activity would be comparable to the previous lawful use.
- 4.8 A design and access statement should illustrate the process that has led to the development proposal, and justify the proposal in a structured way, by demonstrating the steps taken to appraise the context of the proposed development. It expects applicants to follow a four-stage design process comprising:

Assessment; Involvement; Evaluation; and Design.

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

Assessment	The character of the surrounding area is assessed as semi-rural bounded by large single dwellings, within the Metropolitan Green Belt (MGB)
	No site features worthy of retention were identified.
Involvement	No community consultation took place.
Evaluation	The statement does not include any evidence of other development options being considered.
Design	The applicant's reasons for choosing the proposal from the available options were that the design and proposed layout are virtually identical to those of the approved scheme (application no. 16/00544/F).

4.10 Further details of the development are as follows:

Site area	1.4ha
Existing use	C2/C3 (ancillary residential accommodation) See paragraph 1.1 above
Proposed use	C3 (6 flats and 1 detached house)
Existing parking spaces	11
Proposed parking spaces	18 in total, comprising: 14 (2 per proposed flat plus 2 for visitors) and 7 cycle spaces (plot 1); 4 (plot 2)
Parking standard	16+ (maximum recommended)
Net increase in dwellings	5 (7 including approved dwelling on Plot 2 minus 2 units in existing building on Plot 1)
Existing site density	1.4dph (on basis of 2 units in existing building)
Proposed site density	5.03dph

5.0 Policy Context

5.1 <u>Designation</u>

Metropolitan Green Belt (MGB)

5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development) CS2 (Valued Landscapes and Natural Environment), CS3 (Green Belt) CS10 (Sustainable Development), CS11 (Sustainable Construction)

5.3 Reigate & Banstead Borough Local Plan 2005

Metropolitan Green Belt	Co1
Housing	Ho1, Ho9
Housing Outside Urban Areas	Ho24
Movement	Mo7

5.4 Other Material Considerations

National Planning Policy Framework National Planning Practice Guidance Supplementary Planning Guidance

Surrey Design Local Distinctiveness Design Guide Human Rights Act 1998

Other

6.0 Assessment

- 6.1 The principle of new residential development on the site has been established with the grant of permission under 16/00544/F with buildings almost identical in design, footprint, scale/dimensions and location to those now proposed. The fundamental topic to be assessed is the impact of 6 residential units as opposed to the approved dwellinghouse on Plot 1.
- 6.2 The main issues to consider are:
 - Design appraisal
 - Impact on trees
 - Impact on the MGB
 - Neighbour amenity
 - Highway implications
 - Community Infrastructure Levy (CIL)
 - Affordable Housing

• Other matters

<u>Design</u>

6.3 Local distinctiveness plays an important role in the application's assessment . The design proposed derives from the Arts & Crafts school, as has already been noted, and in that sense sits comfortably with existing neighbouring properties of individual traditional design. The Council's Conservation Officer has been consulted on this issue and raises no objection, subject to detailed conditions relating to the detailed design, specifications, restoration of features and landscaping. The Conservation Officer's summary of the present house and features is are set out below:

"The existing house was built in 1934 for Sir Francis D'Arcy Cooper, the chairman of Unilever, to the designs of James Lomax-Simpson, the Unilever architect, responsible for the model village, Port Sunlight. The house bears a resemblance to his Port Sunlight buildings. The two sculptures at the north end of the west walk and the east end of the south lawn and the fountain statue on the lower pond fountain should be noted for retention on the garden layout, and will need protection during building works. They were all installed in the 1934. The lower pond fountain statue of a putto on a seahorse is by Gilbert Ledward.

6.4 The proposed flat block and dwelling are of traditional design and materials, harmonising with the imposing residential properties of similar style in the locality and closely following (or identical as regards plot 2), in terms of design, scale, dimensions, footprint and location, the approved scheme under 16/00544/F. Hence the Conservation Officer's views are endorsed. The proposed scheme is also, as revised, of comparable design, quality and almost identical in form and scale to the built form that was previously granted under planning permission, ref. 16/00544/F, and is therefore considered acceptable.

Trees

6.5 The site is distinguished by mature groups of trees and the application includes an Arboricultural Impact Assessment together with indication of additional planting of 21 trees, hedges and shrubs. The Assessment concludes that the proposal gives confidence in the long-term viability of retained and appropriate tree cover. The Council's Tree Officer's comments have been sought: these are as follows.

"...The arboricultural information which has been submitted to support this application has been compiled by an arboricultural practice known to the Council and who have been involved in some of the larger projects within the borough. The supplied information has been compiled in accordance with the advice guidelines and recommendations contained within British Standard 5837:2012.

The AIA (Arboricultural Impact Assessment) has identified trees for removal and trees suitable for long term retention within the proposed development. The information discuses the tree protection measures that will be required and how trees being retained will be protected from construction activity including the incursion into the root protection area of T4 which is considered to be minor.

Some trees are lost to the proposed development; these are mainly domestic plantings which are of internal landscape value only. Their removal would not result in any adverse affects on the local and wider landscape. The proposed development would not have any adverse effect on the nearby ancient woodland.

The proposed development provides a significant opportunity to secure specimen and structural tree planting along with additional landscaping which will add value, enhance and improve the existing landscape.

Subject to replacement planting, tree protection measures, qualified arboricultural supervision and monitoring where required the proposed development is considered to be acceptable in respect of the arboricultural and landscape matters which can be adequately controlled by imposing suitable and appropriate condition, which are attached to these comments."

6.6 The comments provide a similar approach to the previously approved development and with the required tree protection and landscaping the proposal would have an acceptable impact on the sylvan and landscaped character of the locality. The additional planting would also have a part to play in screening the "clusters" of car parking spaces on plot 1. The proposal in relation to the impact on present and proposed landscaping would therefore be consistent with adopted policies Ho9 and Pc4.

MGB

6.7 The site is located within the MGB which calls for the proposal to be scrutinised under policies Co1 and Ho24 of the Local Plan and CS3 of the Core Strategy and the provisions of in particular paras 89 & 90 of the NPPF. The NPPF counsels that construction of new buildings is inappropriate in the MGB, with certain exceptions. These exceptions include: "...the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces..." The site constitutes previously developed land (PDL) and the NPPF provides that: "...limited infilling or the partial or complete redevelopment of previously developed sites...which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development..." is also not inappropriate development.

Policies Co1 and Ho24 contain similar provisions albeit in relation to replacement dwellings in particular and not buildings in general.

6.8 In terms of sizes of buildings, the respective figures for gross external area (GEA) and other data for the existing, approved, refused and proposed schemes are set out below. For example the GEA for the current application would be as for the approved scheme ref. 16/00544/F, a floorspace increase over the existing building in both cases of 8.3%.

	Floorspace GEA (sq m)	Floorspace increase over existing (%)	Parking spaces	Number of dwellings	Height of building in metres	Dwellings per hectare
Existing building (C2 use inc 2 ancillary residential units)	1495	N/A	15	2 (ancillary to main C2 use)	10.27	1.4 (on basis of 2 ancillary dwellings)
GRANTED Application No. 16/00544/F (2 dwellings, Plots 1 & 2))	1224 (Plot 1) 395 (Plot 2) Total: 1619	8.3%	3+ (Plot 1) 2+ (Plot 2)	2	10.6 (Plot 1) 9.2 (Plot 2)	1.4
Application no. 17/01061/F (REFUSED) (6 dwellings on Plot 1, 1 as approved on Plot 2)	1273 (Plot 1) 395 (Plot 2) Total: 1668	11.5%	14 (Plot 1) 2+ (Plot 2)	7 (including approved dwelling on Plot 2)	10.45 (Plot 1) 9.2 (Plot 2)	5.03
CURRENT Application no. 18/00172/F (6 dwellings on Plot 1, 1 as approved on Plot 2)	1224 (Plot 1) 395 (Plot 2) Total: 1619	8.3%	14 (Plot 1) 4 (Plot 2)	7 (including approved dwelling on Plot 2)	10.6 (Plot 1) 9.2 (Plot 2)	5.03

6.9 It is material to reiterate the separation distances between the proposed buildings and their existing neighbours and between each of the proposed buildings, contrasting with the gap between the existing building on the site and The Red House, in understanding to what extent the MGB's openness is impacted. Thus the separation distance between the existing building and The Red House is some 32m; the distances between The Red House and the proposal on Plot 1, 22m; between the buildings on Plots 1 and 2, 7m; and between the Plot 2 development and boundary with The Coppice, 2m; and between the side walls of the dwelling on Plot 2 and The Coppice, 22m. These gaps' dimensions would in total be less than the existing but the MGB's open qualities would be served and perceived by the breaking up of the bulk and mass of the existing building.

- 6.10 The five net additional dwellings (six flats minus two dwellings in the existing building on plot 1 and the already approved detached dwelling on Plot 2) represent a 360% development density increase. This is substantial but the question to be posed is to what extent this magnitude of density increase is harmful, in particular to the MGB. The existence of the flats would not be readily appreciated from the outside; their traffic generation and domestic activities would be more apparent but it is considered that this would not, based on the trip generation assessment, be materially different to the potential traffic generation of the site as a C2 Care home. The Increase over existing floorspace would amount to 8.3% as per the approved 2016 scheme and, in the exact footsteps of that scheme, the proposal involves the breaking up of the massing presented by the present building and creating a situation where at the least there would be no adverse impact on the openness of the MGB and, looked at in the most favourable light, enhancing this quality.
- 6.11 The scale of the development is thereby almost identical to the extant permission and the change in the level of activity would be commensurate with the lawful use of the building as a care home which as a recent lawful use is a material consideration. The vehicular movements emanating from the proposal would not be such as to materially adversely affect the site's setting within the MGB and it is opined that the proposal would have no greater impact on the openness of the MGB than the existing situation or the approved development and is in accord with the appropriate provisions of paragraph 89 of the NPPF, with its constituting PDL, and of the Local Plan.
- 6.12 However if the alternative approach were to be taken that the development was to amount to inappropriate development in the MGB where Very Special Circumstances are required to outweigh the harm to openness and other harm it is clear that the directly comparable scale with the extant permission for two replacement dwellinghouse and the comparability with the level of use that the care home had potential for means that there would exist Very Special Circumstances to outweigh any harm to the MGB and for the proposal to be consistent with the provisions of the NPPF and Policy Co1 of the Local Plan. In summary the Very Special Circumstances would be:

i) breaking up of the bulk and massing of the existing building with opening up of new vistas between the proposed buildings;

ii) the proposal's being virtually identical externally speaking to the approved scheme under ref. 16/00544/F;

iii) reduction of hardstanding on Plot 1 when compared to the approved scheme from 1816sq m to 1645sq m (9.4% reduction); and,

iv) the proposal is in effect, not leading to significant change in impact on the local traffic situation or local residential amenities when compared to the potential and recent lawful use as a C2 care home.

6.13 Overall the proposal would be commensurate with the overall building scale on the site, offering new if different vistas, set back from the road and breaking up of mass, with a comparable level of activity in terms of vehicle movements to that of the lawful use as a care home. It is therefore considered that, in accordance with paragraph 89 of the Framework, the development of this brownfield site would not on balance have a greater impact on the openness of the Green Belt and the purpose of including land within it. For these reasons, the development is not considered to be inappropriate development and would therefore accord with Policy Co1 of the Borough Local Plan 2005, Core Strategy Policy CS3 and the NPPF. However if the alternative approach is taken that the proposal would on balance constitute inappropriate development very special circumstances exists to override any harm. Accordingly with either or both approaches to the assessment under the MGB policy it is concluded that the proposal is consistent with MGB policy.

Neighbour amenity

- The proposal, given its scale and its reflecting the existing footprint and 6.14 building line exactly as the approved scheme under 16/00544/F and notwithstanding the increase in number of dwelling units, is not considered to have an adverse impact upon the amenities enjoyed by the occupants of neighbouring properties which are well spaced in generously sized plots and having mature boundary planting. To revisit the various dimensions: the northern main flank wall of the house on Plot 2 (which contains a first floor bedroom window) would be 5.75m from the boundary with The Coppice and some 22m from the flank wall of the latter; the northern flank wall of the proposed flat block on Plot 1 would be approximately 7m from the opposing flank wall of the flat block on Plot 2; and the southern main flank wall of the house on Plot 1 would be 22m from the flank wall of The Red House. It is not considered, given this arrangement, that the living conditions of neighbouring properties would be adversely affected in terms of overlooking, overshadowing or overbearing effect.
- 6.15 Local concerns have been raised about loss of privacy and the visual impact of the development. However, it is not felt that the proposal would lead to any undue harm on these counts to local residential amenities for the reasons set out above. Disturbance from construction activities would be by nature a temporary aberration but a condition regulating these through a Construction Transport Management Plan would be attached to any permission. As regards security matters, the development would be capable of adequate surveillance from neighbouring properties.

<u>Highways</u>

- 6.16 The Highway Authority has no remit for Coppice Lane which is a private road but taking a wider view does not adjudge that the development would give rise to highway safety or traffic flow problems. Notwithstanding that the Highway Authority thus makes no recommendations for conditions, it is considered appropriate to impose a condition relating to a Construction Transport Management Plan, as well for traffic safety as amenity justification.
- 6.17 Accompanying the application is a Transport Statement which identifies trip rate and travel demand figures for the existing C2 use and the proposal and concludes that there would be no material intensification regarding traffic effects and no measurable harm.

6.18 The flat block would be provided with 14 parking spaces (2 per flat and 2 for visitors) on the frontage and 7 cycle parking spaces; the proposed detached house would be served by 4 parking spaces, 2 in garages. This provision would exceed the parking standard. In the Transport Statement it is asserted that a review of parking demand based on empirical Census data shows that the provision of 14 parking spaces (2 per apartment and 2 for visitors) would be slightly higher than predicted future demand and should avoid vehicles being displaced onto any surrounding roads, which would affect the character of the locality. The hardstanding/parking areas when compared to the approved scheme has been reduced from 1816sq m to 1645sq m (9.4% less); in the approved development the north parking area on Plot 1 laps up to the front of the flat block, in the current proposal set apart from the front wall with planting intervening; the south element now has a rectilinear form as opposed to turning circle in the approved layout.

<u>CIL</u>

6.19 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, 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.

Affordable Housing

- 6.20 Core Strategy Policy CS15 and the Council's Affordable Housing SPD require financial contributions towards affordable housing to be provided on housing developments of 1-9 units. However, in November 2014, the Government introduced policy changes through a Written Ministerial Statement and changes to the national Planning Practice Guidance which restrict the use of planning obligations to secure affordable housing contributions from developments of 10 units or less. These changes were given legal effect following the Court of Appeal judgement in May 2016.
- 6.21 In view of this, and subsequent local appeal decisions which have afforded greater weight to the Written Ministerial Statement than the Council's adopted policy, the Council is not presently requiring financial contributions from applications such as this resulting in a net gain of 10 units or less. The absence of an agreed undertaking does not therefore warrant a reason for refusal in this case.

Other Matters

6.22 As well as arboricultural and traffic impact submissions which are discussed above, the application is accompanied by air quality and noise technical

notes, energy statement and a flood risk assessment. The applicant has also made comment on affordable housing and developer contributions but these are not required in this instance: see the section "Affordable Housing" above.

- 6.23 As regards air quality the relevant note states that the background concentrations obtained from the Defra website for the year 2017 are well below the relevant Air Quality Strategy (AQS) objective levels and therefore contends that the impact of the proposed development in terms of exposure of future residents is also negligible.
- 6.24 The noise note finds that the neighbouring properties are over 30m from the drives to the development plots and located further from these properties than Coppice Lane. The noise effects of existing traffic on Coppice Lane will predominate and will ensure than the noise from car movements on these drives is negligible at the neighbouring properties, the note opines.
- 6.25 The energy statement specifies flue-gas heat recovery system for each dwelling and roof-mounted solar PV panels as the energy saving measures.
- 6.26 The flood risk assessment concludes that the risk of flooding from fluvial sources is very low; residential development is suitable is this location (Flood Zone 1); and the risk of flooding from other sources such as groundwater, sewers and pluvial sources is low and the risk from tidal or coastal flooding is negligible: the proposal is therefore in accordance with Policies CS10 and Ut4.

CONDITIONS

1. 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.

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

Plan Type	Reference Version	Date Received
Location Plan	LP	24.01.2018
Prop Layout	500	24.01.2018
Site Info	501	24.01.2018
Plot 1 GF	502	24.01.2018
Plot 1 F/F	503	24.01.2018
Plot 1 S/F	504	24.01.2018
Plot 1 Els E/S	505	24.01.2018

Plot 1 Els W/N	506		24.01.2018
Plot 2 Plans/Els	407		24.01.2018
Plot 2 Garage	408		24.01.2018
Street Scene	509		24.01.2018
Exg Floor Plans	411		24.01.2018
Exg Elevns	412		24.01.2018
Bin store dets	419	В	24.01.2018

Reason:

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

3. Notwithstanding the drawings, the development hereby permitted shall be carried out using the external facing materials and details specified below.

a) All tiles and tile hanging shall be of Wealden handmade sandfaced plain clay tiles and all elevations shall be tile hung above ground floor level.

b) All external joinery shall be of painted timber with architraved bargeboards and no box ends omitted.

c) All dormers shall have an ogee cornice.

d) All casement windows shall be of painted timber with casements in each opening.

e) All fascias shall be no more than two bricks depth.

f) All brickwork shall be of handmade sandfaced multistockbrick

g) The front courtyard, parking areas and drives shall be of gravel or fixed gravel.

h) The rooflight to the porch shall be a blacked painted metal conservation rooflights with a single vertical glazing bar.

i) All stonework, except the cills, shall be of natural sandstone.

j) All brick arches shall be of gauged brick.

k) The entrance gates shall be of dark stained timber.

I) The existing front hedge adjacent to the highway boundary shall be retained on an ongoing basis and managed to maintain a height of at least 1 metre hereafter. Any gaps or losses through death or disease shall be remedied by replacement in holly, to current landscape standards, within 1 year to maintain this feature.

m) Before works commence a specification and plan for the repair and retention of the garden sculpture shall be submitted to and approved in writing by the LPA before works commence, including the two sculptures at the north end of the west walk and the east end of the south lawn and the fountain statue on the lower pond fountain. Before works commence, protective fencing for the sculpture shall be erected and shall be maintained during the building process.

There shall be no variation to the above specifications without the prior approval in writing of the Local Planning Authority.

<u>Reason:</u>

In the interests of the visual amenities of the locality having regard to policies Co1, Ho9 and Ho24 of the Reigate and Banstead Borough Local Plan 2005 and the provisions of the NPPF

4. No development shall commence including demolition and or groundworks preparation until a detailed, scaled Tree Protection Plan (TPP) and the related Arboricultural Method Statement (AMS) is submitted to and approved in writing by the Local Planning Authority (LPA). These shall include details of the specification and location of exclusion fencing, ground protection and any construction activity that may take place within the Root Protection Areas of trees (RPA) shown to scale on the TPP, including the installation of service routings. The AMS shall also include а pre commencement meeting, supervisory regime for their implementation & monitoring with an agreed reporting process to the LPA. All works shall be carried out in strict accordance with these details when approved. 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 Pc4 and Ho9 of the Reigate and Banstead Borough Local Plan.

5. No development, groundworks or demolition processes shall be undertaken until an agreed scheme of supervision for the arboricultural protection measures have been submitted to and approved in writing by the local planning authority. The pre commencement meeting, supervision and monitoring shall be undertaken in accordance with these approved details. The submitted details shall include:

Pre commencement meeting between the retained arboricultural consultant, Local Planning Authority Tree Officer and individuals and personnel responsible for the implementation of the approved development;

timings, frequency of the supervison and monitoring regime and an agreed reporting process to the local planning authority;

the supervision monitoring and reporting process to be undertaken by a qualified arboriculturist.

<u>Reason</u>: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 Pc4 and Ho9 of the Reigate and Banstead Borough Local Plan.

6. No development shall commence until details of hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority (LPA). These shall include frontage tree and hedge planting, planting around the refuse store and any other existing or proposed, soft or hard, landscaping in the front garden area, or adjacent to boundaries where appropriate. Specifically included shall be details that the existing front hedge adjacent to the highway boundary shall be retained on an ongoing basis and managed to maintain a height of at least 1 metre thereafter.

losses through death or disease shall be remedied by replacement in holly, to current landscape standards, within 1 year to maintain this feature.

The soft landscape details shall include an establishment maintenance schedule for a minimum of 2 years, full planting specifications, planting sizes & densities. Upon implementation of the approved development all the landscaping works shall be carried out in strict accordance with the landscape details as approved, and these shall be completed, before building completion, occupation or use of the approved development whichever is the earliest.

If any of the new or existing tree/s or hedge/s, detailed and approved under this condition, are removed, die, or become significantly damaged or diseased within 5 years of completion, it/they shall be replaced before the expiry of one calendar year by trees or shrubs of the same size and species. The hedges detailed shall be retained at a minimum height of 1 metre, or if new, once grown to this height thereafter.

Reason:

To ensure good landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies Pc4, Ho9, and Ho13 of the Reigate and Banstead Borough Local Plan 2005.

7. No pruning, removal or other works to the retained trees and hedges located both within and overhanging the site, shall take place during construction, or for one year after completion except with the prior written approval of the Local Planning Authority. Any tree work already approved as part of this consent and any other work undertaken should be done in accordance with British Standard 3998 'Recommendations for Tree Work'. If any of the retained trees or hedges, within the site, controlled by this condition, are removed, die, or become damaged or diseased within one year of completion, it/they shall be replaced before the expiry of one calendar year by tree/s or hedge/s, to a planting specification agreed in writing by the Local Planning Authority.

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 policy Pc4 of the Reigate and Banstead Borough Local Plan 2005.

- 8. 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) measures to prevent the deposit of materials on the highway

(f) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused

(g) 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:

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

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

Reason:

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

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 permitted by Classes A, B, C, D or E of Part 1 of the Second Schedule of the 2015 Order in regard to the dwellinghouse hereby permitted on plot 2 shall be constructed. Reason:

To control any subsequent enlargements in the interests of the visual and residential amenities of the locality with regard to Reigate and Banstead Borough Local Plan 2005 policy Ho9 and to restrict the enlargement of dwellings in this rural area with regard to Reigate and Banstead Borough Local Plan 2005 policies Co1 and Ho24.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking and re-enacting that Order with or without modification), no first floor windows, dormer windows or rooflights other than those expressly authorised by this permission shall be constructed as regards the dwellinghouse hereby permitted on plot 2.

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 Borough Local Plan 2005 policy Ho9 and to restrict the enlargement of dwellings in this rural area with regard to the Reigate and Banstead Borough Local Plan 2005 policy Ho24.

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 <u>www.firesprinklers.info</u>.
- 2. The applicant is encouraged to provide renewable technology within the development hereby permitted in order to reduce greenhouse gas emissions.

- 3. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, a 140 litre wheeled bin conforming to British Standard BSEN840 and a 60 litre recycling box should be provided for the exclusive use of the occupants of that dwelling. Prior to the initial occupation of any communal dwellings or flats, wheeled refuse bins conforming to British Standard BSEN840, separate recycling bins for paper/card and mixed cans, and storage facilities for the bins should be installed by the developer prior to the initial occupation of any dwelling hereby permitted. Further details on the required number and specification of wheeled bins and recycling boxes is available from the Council's Neighbourhood Services on 01737 276097, or on the Council's website at www.reigate-banstead.gov.uk. Bins and boxes meeting the specification may be purchased from any appropriate source, including the Council's Neighbourhood Services Unit on 01737 276775.
- 4. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
 - (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
 - (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
 - (c) Deliveries should only be received within the hours detailed in (a) above;
 - (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
 - (e) There should be no burning on site;
 - (f) Only minimal security lighting should be used outside the hours stated above; and
 - (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit.

In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme - <u>www.ccscheme.org.uk/index.php/site-registration</u>.

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

- 6. The use of a suitably qualified arboricultural consultant is essential to provide acceptable submissions in respect of the arboricultural tree condition above. All works shall comply with the recommendations and guidelines contained within British Standard 5837.
- 7. The use of suitably experienced landscape architects is recommended to satisfactorily address both the design and implementation of the landscape details of the above condition although such landscaping is often straightforward and small scale in proportion to the approved development.
- 8. The planting of trees and shrubs shall be in keeping with the character and appearance of the locality. There is an opportunity to incorporate substantial sized trees into the scheme to provide for future amenity and long term continued structural tree cover in this area. It is expected that the replacement structural landscape trees will be of Extra Heavy Standard size with initial planting heights of not less than 4m, with girth measurements at 1m above ground level in excess of 14/16cm.
- 9. The applicant is advised that they will likely be required to restore/make good any damage to Coppice Lane or its verges resulting from construction vehicle activity associated with the proposed development.

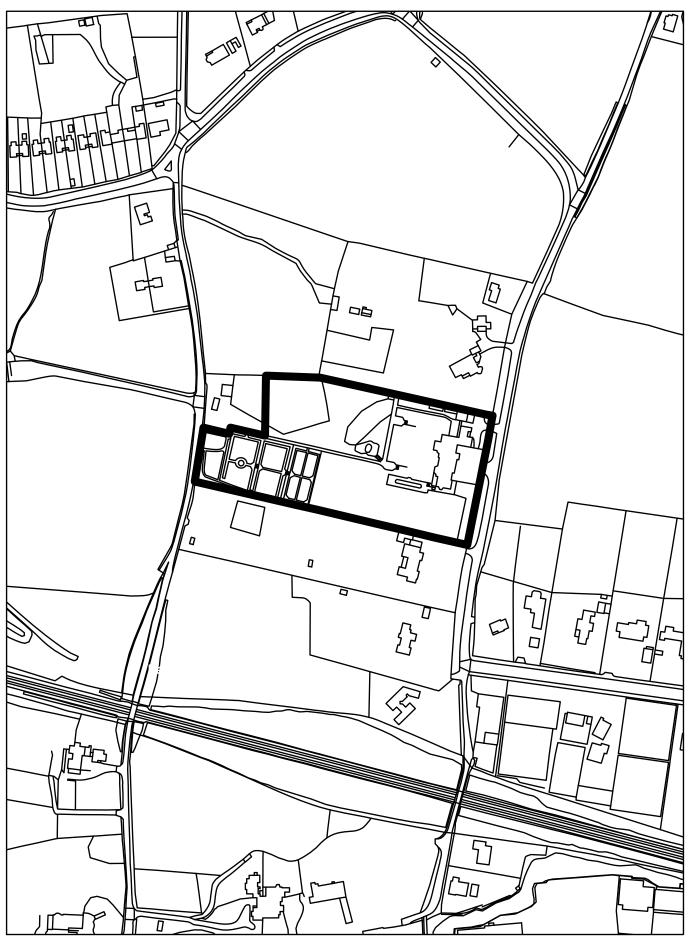
REASON FOR PERMISSION

The development hereby permitted has been assessed against development policies CS1, CS2, CS3, CS10, CS11, Co1, Ho1, Ho9, Ho24, Mo7, Pc4 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.

18/00172/F - Mount Pleasant, Coppice Lane, Reigate



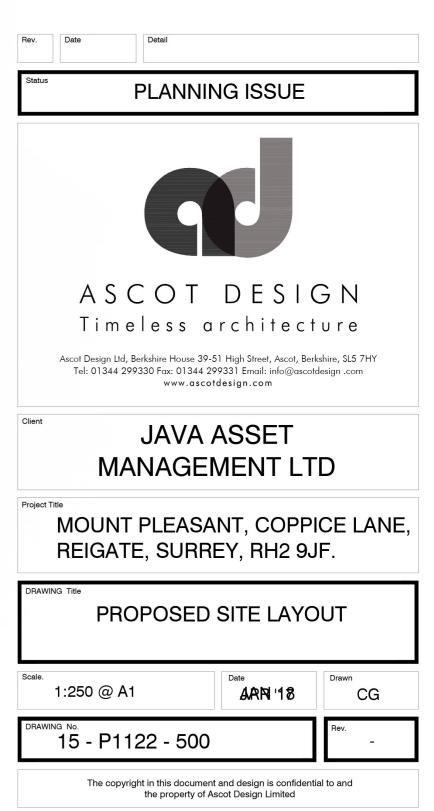
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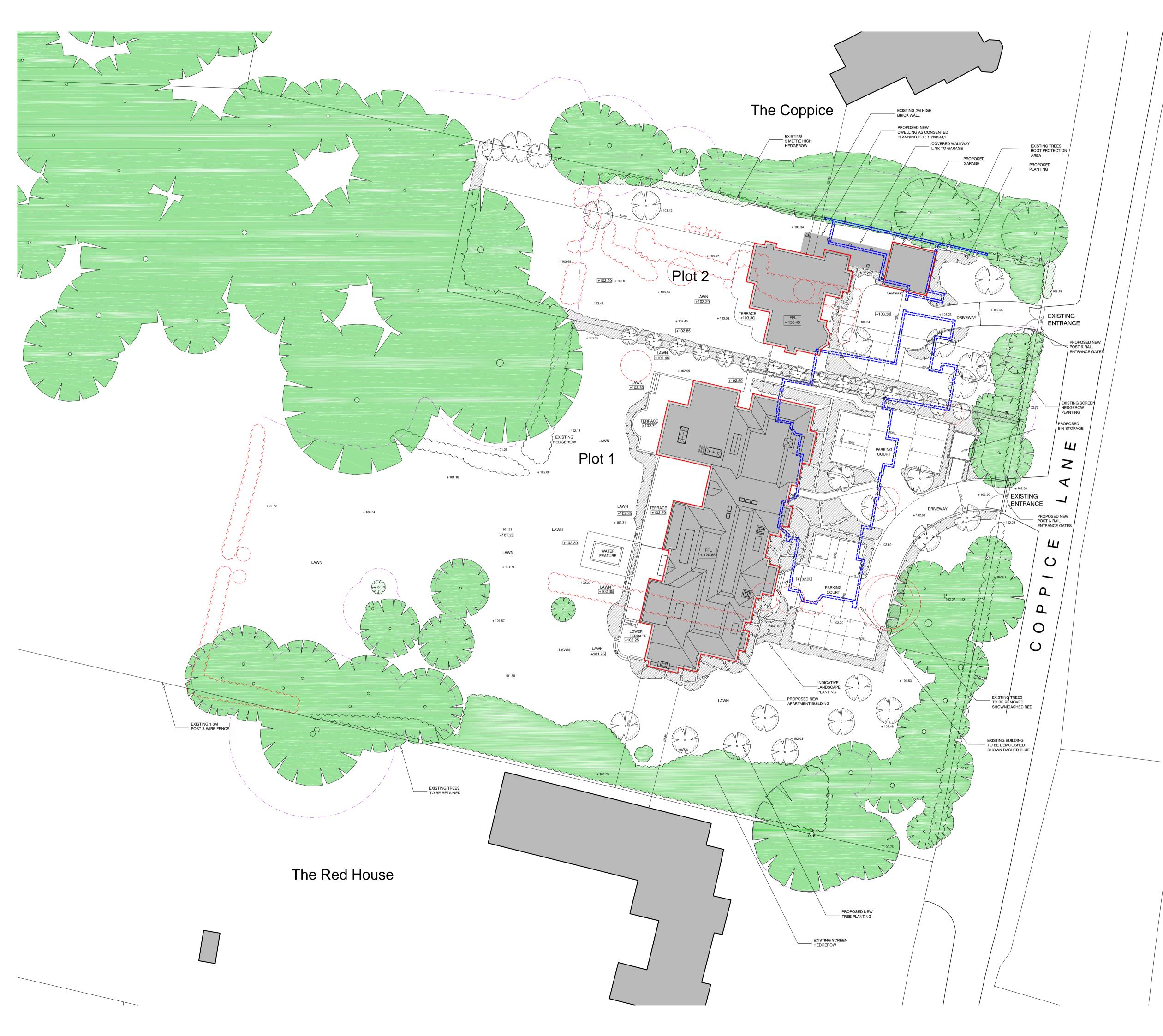
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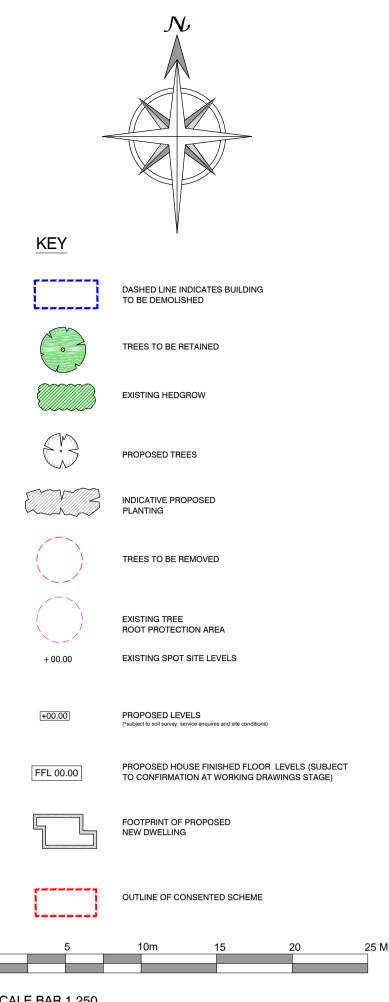


	KEY				
		TREES TO BE RETAINED			
		PROPOSED TREES			
		PLANTING			
0	F	10m	15	20	25 1

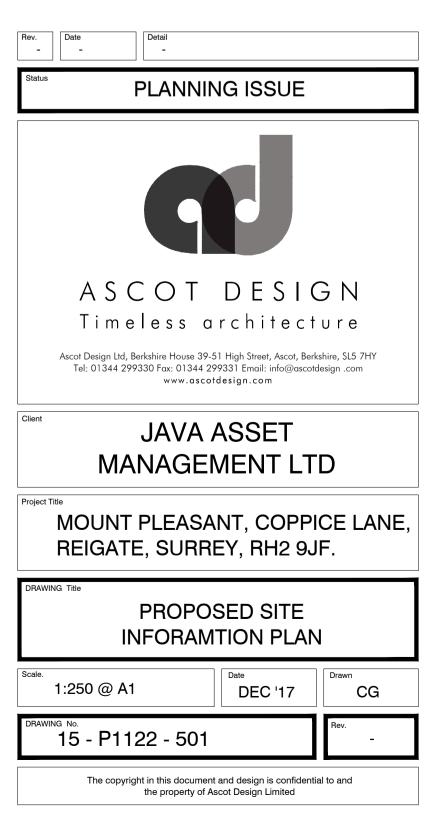
SCALE BAR 1.250





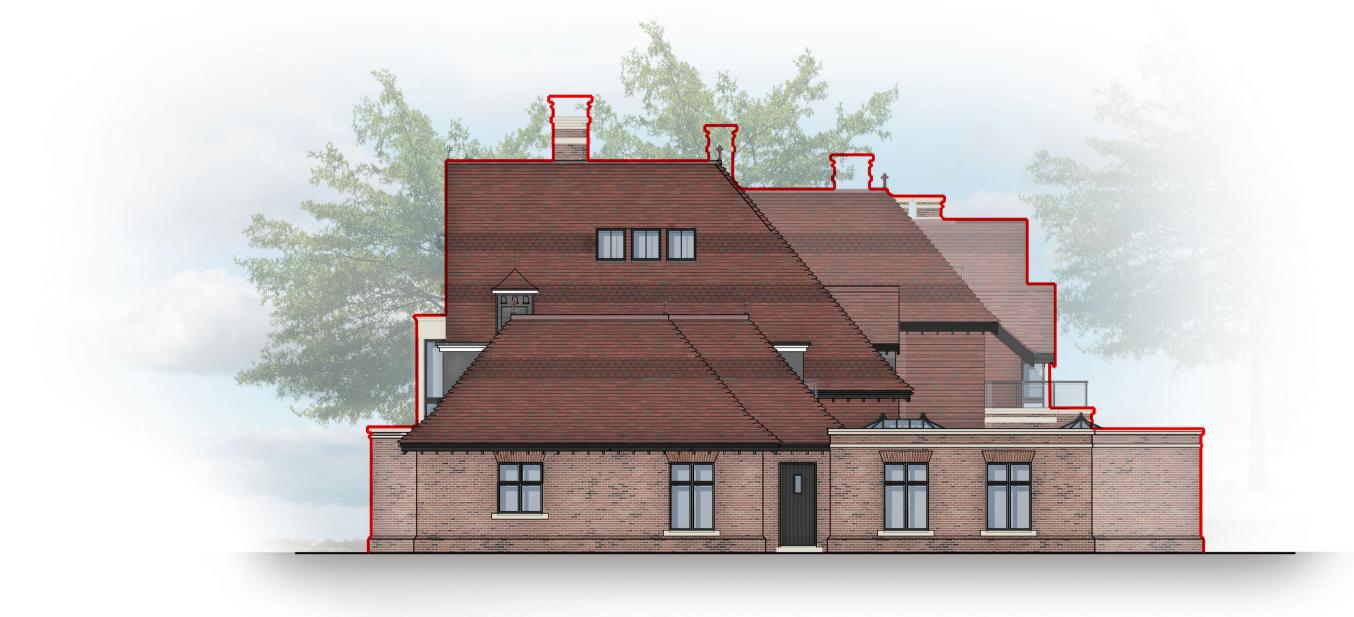








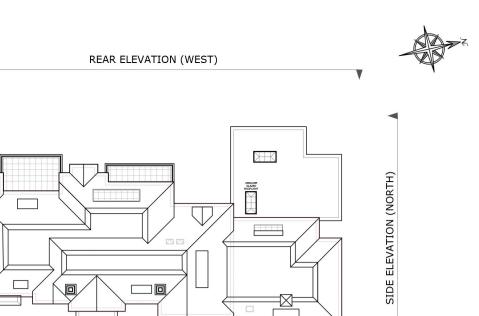
REAR ELEVATION (WEST)



0 1 2 3 4 m 6 8 10 metres

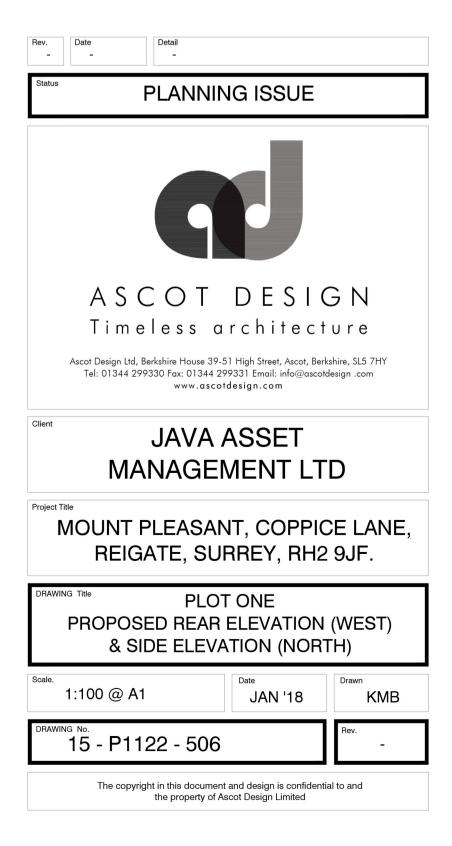
SCALE 1:100

SIDE ELEVATION (NORTH)





FRONT ELEVATION (EAST)





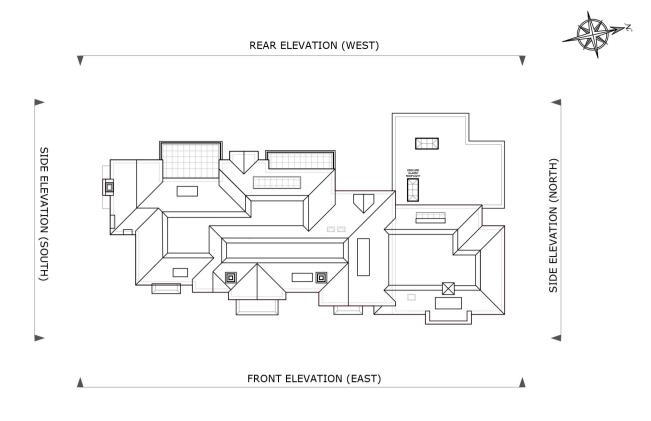
FRONT ELEVATION (EAST)



SIDE ELEVATION (SOUTH)

0 1 2 3 4 m 6 8 10 metres

SCALE 1:100



ORIENTATION PLAN (NOT TO SCALE)

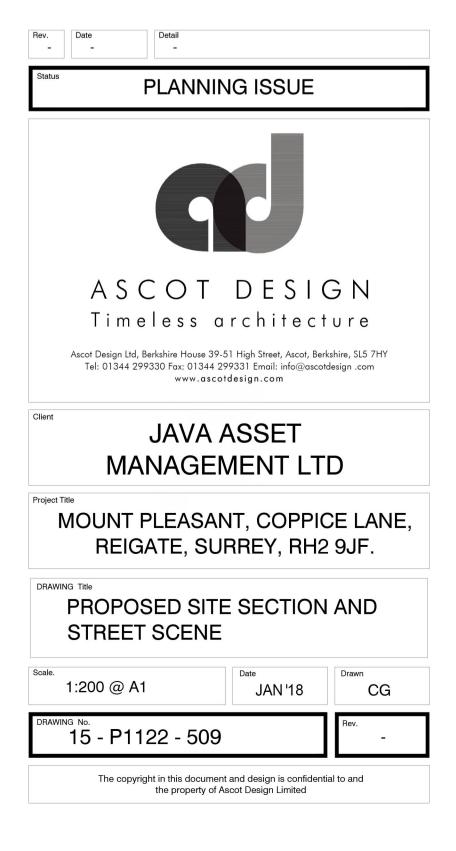
Rev. Date Detail - - -
Status PLANNING ISSUE
ASCOT DESIGN Timeless architecture
Ascot Design Ltd, Berkshire House 39-51 High Street, Ascot, Berkshire, SL5 7HY Tel: 01344 299330 Fax: 01344 299331 Email: info@ascotdesign .com www.ascotdesign.com
JAVA ASSET MANAGEMENT LTD
Project Title MOUNT PLEASANT, COPPICE LANE, REIGATE, SURREY, RH2 9JF.
DRAWING TITLE PLOT ONE FRONT ELEVATION (EAST) & SIDE ELEVATION (SOUTH)
Scale.DateDrawn1:100 @ A1JAN '18KMB
DRAWING No. 15 - P1122 - 505 -
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PROPOSED SITE SECTION- COMPARISON WITH EXISTING & CONSENTED BUILDINGS



PROPOSED STREET SCENE



0 5 m 10 15 20 METRES SCALE BAR 1:200

