

Ref: P18-598

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Reigate & Banstead Borough Council
Town Hall
Castlefield Road
REIGATE
Surrey
RH2 0SH

Vail Williams LLP
Unit 4 Peveril Court
6-8 London Road
Crawley
West Sussex
RH10 8JE

Tel 01293 612600
vailwilliams.com

Dear Sir / Madam

RE: Reigate & Banstead Borough Council (RBBC) Development Management Plan Regulation 19 Representations.

Following the release of this Regulation 19 consultation Vail Williams LLP would formally like to make representations on this stage of the emerging Development Management Plan and, in particular, policy HOR9, the Strategic Employment allocation that is proposed, the Horley Strategic Business Park. These representations are being made on behalf of Taylor Wimpey, who own a portion of land within this HOR9 site now identified as the Horley Strategic Business Park.

Taylor Wimpey fully supports that this site continues to be promoted as a Strategic Employment Site within the Development Management Plan 2018-2027, particularly in order to help alleviate the unmet need of both Reigate and Banstead, as well as the that from surrounding boroughs, and given the proximity of this site to both Gatwick Airport and the M23.

It is evident between the Regulation 18 and Regulation 19 stages of this plan that there have been a number of additions and updates to Policy HOR9, including the name change from Land West of Balcombe Road to Horley Strategic Business Park. While Taylor Wimpey wish to continue to provide their support for this policy, it was felt necessary that comments and request for clarification on some of these updates and additions to the policy be made.

The policy details and amendments between the Regulation 18 and Regulation 19 stages of this Development Management Plan add to the support by Taylor Wimpey, and our client wishes to continue support for this policy.

The additional policy detail into specific categories of requirements for the site such as Movement and Accessibility, Drainage, Design, Uses, and Delivery is also endorsed as a means to provide additional clarity as part of the planning policy framework.

In addition, the detailed policy explanation has now also been included after the specific policy. This is a welcome change as the policy is now more clear and comprehensive in what can be expected from this Strategic Allocation site for investors, developers and residents.

The enhanced policy also comprehensively identifies that the site will be allocated for;

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- *“A mix of business space for strategic employment purposes and suitable for a range of occupiers within Class B1 uses,*
- *A complementary range of commercial, retail and leisure facilities to serve and facilitate the main business use of the site,*
- *At least 5 ha of new high quality public open space, including parkland and outdoor sports facilities”.*

The more detailed specification of what was described as “Business Space, predominantly office use” in the Regulation 18 stage of the plan along with the addition of “retail” to the facilities complementary to the main use of the site, are welcome additions to this policy as it is felt they will aid the provision of a clearer development delivery. However, we also feel that these should be expanded to also include limited B8 and appropriate airport related uses.

Movement & Accessibility:

Within this section of the updated policy, it is now stated that a Requirement of the development will be to

- *“Demonstrate through a Transport Assessment or Transport Statement that there will be no severe residual impact on the Local and Strategic road network, taking into account the impact of committed developments in the borough and surrounding areas including West Sussex and any viable mitigation; and*
- *A secondary access from Balcombe road, to be limited to public transport and emergency services use”.*

It is not clear within these requirements who will provide these assessments and at what stage they are to be provided. Clarification on this is requested prior to the plan moving forward.

With regard to the secondary access from Balcombe Road, this should be changed to state;

“A secondary access from Balcombe road, for the use of public transport, emergency services use, and limited use by business park users.”

This is requested to allow for a limited number of business park users travelling from the Horley direction to access the business park from this side of the site without the need to join the M23 to gain entry. This would only be permitted by the business park managers in a limited capacity and would not be sited as an additional main entrance for all visitors.

However, whilst the requirement for a transport assessment is considered appropriate, the impact on the wider strategic network, for committed developments elsewhere in the Borough and surrounding areas including West Sussex and any viable mitigation, is an area that Taylor Wimpey would welcome further clarity given the significant development in the adjacent Boroughs.

Drainage:

The Drainage section has also been further developed, and the policy now requires the following;

“Layout to ensure no built development on land within Flood Zone 2, and incorporate a buffer zone and improvements to the ditch network within the site; [and]

Inclusion of flood mitigation and attenuation measures as appropriate. These measures should ensure no increase in the risk of flooding to the site and nearby properties and should seek opportunities to reduce both

the cause and impact of existing flooding. Opportunities to reduce cause and impact of flooding should be explored;"

The inclusion of a buffer zone, as yet undefined, adds ambiguity and therefore clarity regarding this requirement in this overarching policy is requested.

The policy continues to mention that additional Supplementary Planning Guidance will be provided, however whilst this will add clarity further discussion with Taylor Wimpey and Reigate and Banstead is welcomed in this regard.

Design:

Much has been added to this policy in terms of the Design section and details in the Explanation section which relate to design. The new points added since the Regulation 18 plan, include;

"Inclusion of an appropriate landscape buffer, and public open space, to reinforce the distinctive identity of Horley and its separation from Gatwick Airport (and Crawley) and the wider countryside setting to the east of the site;"

Again, the proposed SPD may clarify this, however, Taylor Wimpey would welcome further clarity on the extent of this buffer as the development progresses.

Whilst Taylor Wimpey recognise the need for high quality design the policy states that buildings are of "exemplar standard of design". This is an ambiguous requirement, however, Taylor Wimpey support the ethos of the policy requirement. However, the term "sufficient flexibility and adaptability in building parameters" could be refined to clarify what is required.

Noise:

In regard to Noise issues, the updated policy states that:

"As the site is within the 57dB LEQ airport noise contour, design must ensure an appropriate interior environment for users".

The phrasing of this point is misleading as it suggests that the entire site is covered by this airport noise contour and suggests that it is a constraint across the entire site. However, it is stated in the Regulation 18 version of this policy and later within the Explanation section of this policy (key considerations page 148) that only the Southern part of the site is affected by this noise contour. It is therefore, respectfully, asked that this statement be updated to read;

As the southern part of the site is within the 57dB LEQ airport noise contour, design in parts of the site which are affected by this contour must ensure an appropriate interior environment for users.

This section also adds further requirements such as;

- *"Provide measures to minimise the impact of lighting upon neighbouring residential and adjoining countryside areas which are intrinsically dark to avoid light pollution to the night sky; [and]*
- *Mitigate noise intrusion from activities on the site to adjacent residential and open areas."*

Again, Taylor Wimpey welcome clarity through the SPD as to these requirements.

Within the Explanation section, it was included that *“any proposals would need to have regard to conserving the setting of the statutory listed buildings at Fishers Farm and the locally listed buildings at Bayhorne Farm and Bayhorne. The retention of historic hedgerows will be encouraged as will retention of a buffer to the green corridor along Balcombe Road to retain the undesignated historic landscape character”*.

It is stated that *“the southern/central part of the site is reserved for public open space provision in the Borough Local Plan 2005”* and that *“in the southern part of the site the land falls within the Gatwick Open Setting designation in the Borough Local Plan 2005 and is affected by 57dB LEQ airport noise contour”*.

Clarification should be provided on whether this part of the site which is reserved for public open space provision and is within the Gatwick Open Setting designation will be required to be removed from inclusion within the development site, or whether the 5ha of required new high quality public open space which falls within the requirements of the allocation will be suitable for location in this portion of the site.

Uses:

The Uses section of the policy states that *“the predominant use of the site should be for B1a purposes with limited B1b, B1c and non B Class uses”*.

For sake of continuity and conformity throughout the plan, the site allocation section should be updated to include these additional *“limited ... non B Class uses”*.

A list of complementary uses on the site have been included, with the policy stating that *“complementary uses could include on-site catering, limited retail provision, gym, crèche and medical services and similar provision but not at a scale likely to significantly divert trade from the wider area or to detract from the prime focus of the site as a Strategic Business Park”*. This is a wide-ranging list and the use of the word could, ensuring that the uses are not solely limited to these uses are welcomed. It is assumed that this may be developed in the SPD but further clarity or a mix of uses or appropriate scale or proportion of uses may assist with clarity.

Within the Explanation section, the use of the business park being designated as a mixed employment area or an office/business park were discussed with it being stated that an office/business park *“has higher risks in terms of market demand/occupation”* and that while *“20-30ha of land is likely to be required to provide sufficient “critical mass” for an office/ business park, 40-50ha would be required for a mixed employment area”*.

The site is being promoted as an office/business park, which has *“higher risks”* and as the larger land mass is considered by the LPA as a *“more suitable for a mixed employment area”*, further clarification on the decision to allocate the site for office/business park, predominantly B1a uses, in place of a mixed employment area is therefore recommended to be included.

In addition, there appears to be an inconsistency between the *“allocation”* which states that the site is allocated for a mix of business space for strategic employment purposes, and the text then limits other *“limited B1b, B1c and non B Class uses”* in the Uses section of the policy, and then again in para 4.8.55 which cites the following:

- *“Up to 200,000sqm of B1 floorspace, predominantly focusing on B1(a), B1(b) and B1(c) including floorspace for new incubator/start-up units/Small Medium Enterprise”* and
- *“Up to 10,500 sqm of community facilities, including A1 (predominantly convenience shops); A3 (Food and Drink); D1 (Children’s Nursery) and/or D2 (Gymnasium)”*.

If indeed these figures are to form part of the allocation then Taylor Wimpey would request that the text should be amended to provide clarity in the policy itself.

However, para 4.8.55 also states that these figures are stated to be indicative and “detailed master planning and further market testing will advise on the final quantum and mix consistent with the underlying Strategic Business Park concept”, and para 4.8.58 that “the final scheme may vary from indicative maximum floorspace levels stated above”. Again, consistency between all of the floorspace requirements through the policy is recommended.

Delivery:

The Delivery section of Policy HOR9 sets out that “the development of the site will be in accordance with an agreed master plan requiring comprehensive development in line with the above requirements. The master plan will be submitted to assist the consideration of subsequent planning application (s) and must include details on phasing, programming of infrastructure and details on quantum of development and appropriate uses. To assist with the proper planning and on-going functioning of the site Supplementary Planning Guidance will be provided”.

On behalf of Taylor Wimpey, Vail Williams LLP would also like to make comment on other policy updates noted between the Regulation 18 and Regulation 19 stages of this local plan process.

These include Policies TAP1, NHE1, and INF1.

Policy TAP1: Access, Parking and Servicing has been updated to become a more comprehensive and detailed policy. Point 3 of this policy now states that “for all developments which are likely to generate significant amounts of movement, a Transport Assessment or a Transport Statement will be required”.

Policy NHE1: Landscape Protection has had additional points included in relation to development which is located between Gatwick Airport and Horley. This point in the policy now states that “proposals for development between Horley and Gatwick Airport must ensure that a physical visual break is retained through the protection and intensification of existing tree/hedgerow belts and other landscape measures including introducing a suitable and distinct landscape buffer to reinforce the identity and separateness of the settlement of Horley from Crawley and the airport, and have regard to the open setting of the Airport consistent with adopted planning policies in adjoining areas. This is reflected on the policies map with the notation of ‘Gatwick Open Setting’”. This addition to the policy is noted and welcomed to ensure that there is a maintained level of protection to the landscape, however as stated above SCC would welcome clarity on the extent of any buffer requirement, along with clarity that this buffer will not sit rigidly along the southern boundary of the site.

In addition, the amended **Policy INF1: Infrastructure** is a comprehensive policy outlining the aims of the Council to ensure that adequate infrastructure is secured and put in place with each new development that is granted planning permission.

However, as recognised by R&B in para 4.8.58 the timing of delivery may possibly continue beyond the plan period and therefore delivery of key infrastructure at the appropriate time should be integrated in any SPD or planning permission.

These comments are made following analysis of the new Regulation 19 plan as it is updated from the previous 2016 Regulation 18 plan, and it is respectfully requested that these comments be considered and the plan altered where required prior to its submission.



We would also respectfully request the opportunity to discuss this at examination with the Inspector and other interested parties.

Should you have any questions, please do not hesitate to contact me or my colleague Aine Bourke.

Yours faithfully

A handwritten signature in black ink, appearing as a dense, scribbled mass of lines.

Suzanne Holloway BA (Hons) BTP MRTPI
Associate
Vail Williams LLP
DDI: 01293 575121
Email: sholloway@vailwilliams.com

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