

 <p>Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate</p>	TO:	PLANNING COMMITTEE
	DATE:	16 January 2017
	REPORT OF:	HEAD OF PLACES & PLANNING
	AUTHOR:	Andrew Benson
	TELEPHONE:	01737 276175
	EMAIL:	Andrew.benson@reigate-banstead.gov.uk
AGENDA ITEM:	5	WARD: Redhill East

APPLICATION NUMBER:	16/01066/F	VALID:	03/05/2016
APPLICANT:	Reigate And Banstead Borough Council	AGENT:	WYG
LOCATION:	MARKETFIELD PUBLIC CAR PARK, MARKETFIELD ROAD, REDHILL		
DESCRIPTION:	<p>Demolition of existing buildings and redevelopment to provide new multi-screen cinema and flexible retail, restaurant and cafe units (use classes A1 and/or A3 and/or D2) at ground and first floor level and residential apartments within buildings comprising part five, part six, part ten and part thirteen storeys together with basement car parking and access, cycle storage and associated facilities including new amenity space and public realm.</p>		
<p>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.</p>			

SUMMARY

This application seeks the redevelopment of the Marketfield Way surface car park and a group of retail/commercial buildings fronting Redhill High Street in order to provide a comprehensive mixed use development with new multiplex cinema, 11 retail/restaurant uses at ground floor and 153 new apartments above in a building ranging from 5 to 13 storeys. 47 car parking spaces would be provided in a basement arrangement with 220 cycle spaces also proposed.

The existing surface car park provides 97 car parking spaces and, following the changes to the road system as part of the Balanced network, is now accessed from Marketfield Way. The proposed buildings proposed for demolition are 18 to 44 High Street which comprises a 1970s mixed-use development with two storeys of offices or ancillary retail above ground floor retail units. Various other parking spaces are also included within the application site which are privately used and some may have legal rights of access which, together with the leases over the retail/office units to be demolished would need to be acquired through negotiation and/or compulsory purchase powers.

Policy, Principle and Scale

The site is centrally located in a prominent position within Redhill town centre. Redhill is recognised as the main focal point for economic and cultural provision within the in the Council's 2014 Core Strategy due to its good transport connections. The Core Strategy seeks to ensure that in the future, Redhill realises its full potential to become the thriving centre of the Borough where people want to live, work, shop and spend their leisure time. Its vision for the town in 2027 is that "through regeneration, the potential of Redhill – and the town centre in particular – as an attractive sub-regional centre and vibrant place to live, work and spend time will have been realised."

A Retail and Leisure Needs Assessment was undertaken as part of the Core Strategy evidence base by Roger Tym & Partners in 2011. This identifies the retail floorspace needs within the Borough with the majority focussed on being provided in Redhill. The study finds that approximately 19,000 sq m of comparison retail floorspace and 7,000 sq m of convenience retail floorspace is required in Redhill town centre by 2027. The study also states that the Borough is currently poorly served by cinemas and the evidence supports a requirement for extra facilities to service the local population. Due to the policy support for growth, it suggests the additional facility should be directed to Redhill in the first instance. They also conclude that whilst Redhill's food and drink offer is 'adequate' there is some scope for improvement in the quality of the food and drink offer in Redhill and that the Council should encourage an improved evening economy.

Aside from retail and leisure provision, the Core Strategy, at Policy CS8 also identifies Redhill town centre for significant new housing provision within high density developments at opportunity sites within the town.

The site has long been earmarked for regeneration by the Council. It is included within the Redhill Town Centre Area Action Plan (AAP) Consultation Draft 2012, which is a material consideration for the purposes of determining planning applications and is likely to be incorporated into the DMP in due course.

The AAP seeks to recognise Redhill's transport connections and to transform its image, and opportunities to make these changes happen. The AAP also confirms that the Borough is "poorly served by cinemas" and the evidence supports a requirement for extra facilities to service the local population.

Policy RTC1-A of the AAP is specific to this site and envisages a mixed use retail and residential development with leisure (cinema) anchor to act as a catalyst to create a step change in the town centre's retail offer and transform Redhill's evening economy.

The AAP also identifies those sites within the town that are appropriate for tall buildings. This site is one of only a few within the town that are felt to be appropriate for taller buildings, which are classified as 8+ storeys (the others being Redhill Station, Post Office and Reading Arch Road).

It explains that ‘Tall buildings’ are buildings that stand out, are significantly higher than the surrounding buildings, and that recognisably changes the skyline. Tall buildings can provide legibility, providing a visual reference to aid way finding and navigation, in the right place, tall buildings can make a positive contribution to urban life as they affect the image and identity of the town as a whole. They can serve as beacons of regeneration and stimulate further investment, and will therefore be considered as part of the vision for Redhill.”

The proposal seeks a landmark town centre mixed-use development in general accordance with the above Policy RTC1-A of the AAP. The design is well justified by the submitted design and access statement with attention given to respecting the constraints and opportunities of the site and the context of the surrounding area. The design and materials of the cinema and residential elements are quite different, intentionally so, to reflect their contrasting uses. Cinemas by their very nature tend to be enclosed structures, without significant fenestration and attention has therefore been given to providing a high quality material, in the form of brass-effect cladding whilst reflecting an element of neighbouring Victorian buildings, in the form of a horizontal line running through the building; as well as some glass punctuations and a larger opening in the northern corner where the signage would likely be provided. The design is further benefitted by the active retail frontages provided at ground floor level. The design and materials for the residential element is also considered to be sound, following a contemporary brick approach with recessed balconies and high quality detailing.

Conservation

The site sits between locally listed buildings in the form of Marylebourne House to the west, Station Road to the north (also Conservation Area) and the former Odeon theatre (retained façade) to the east. The design has sought to be sympathetic to elements of these buildings whilst acknowledging that an exact replica would be undesirable in a larger, contemporary development of this nature. The Conservation Officer therefore has no objections.

The application is also accompanied by a Townscape and Visual Impact Appraisal which assists in describing and evaluating the townscape of the site and surrounding landscape context; examining the development proposals and analysing their potential effects on the townscape and providing an assessment of the significance of these impacts. The conclusions of this are agreed: whilst the development will impact the townscape of the town by adding considerable new built form to infill the site and adding considerable height to the town centre, the effect of this would not be harmful. The south-easternmost element would become the tallest building in the town centre and could become a wayfinding device for visitors to Redhill. It will be seen in the context of other tall buildings of large scale such as Kingsgate House and form a cluster of buildings of large mass and height in the town centre. The new buildings will improve Marketfield Way by providing an active frontage along it and helping to better connect and link the Station and south end of the High Street together.

Overall therefore the scale and design of development is considered appropriate.

Parking and Access

The existing site provides 97 surface car parking spaces as a public car park as well as other privately owned parking spaces. The loss of the car park and other spaces is considered acceptable within the wider context of the town centre and was considered as part of the Hyder Parking Review 2011, undertaken to inform the Council's Core Strategy. The review found there to be an over-supply of parking within the town, stating "*There will be ample spare capacity to accommodate the lost parking as a result of the Marketfield Way redevelopment*".

Whilst the Marketfield Way car park may be more popular than others within the town, such as Gloucester Road, due to its central location, it is important to note that other parking options do exist to take up the capacity lost from this site. Furthermore, significant new parking opportunities are being created by the Sainsbury's redevelopment where the existing basement car park is being changed to town centre parking from its existing use as a Sainsbury's customer car park, with a new customer car park being provided at upper levels. This change arising from the Sainsburys development benefits town centre car parking to the order of 357 so more than outweighing the loss of the 97 spaces on Marketfield Way.

The development itself would provide 47 car parking spaces in a basement arrangement to serve the new development, accessed off Marketfield. Whilst this would be shared amongst the occupiers of the 153 new apartments, this provision is considered acceptable due to the highly sustainable location of the site within the town centre and near to good rail and bus links. The provision equates to a ratio of 0.3 per flat. It should be noted how this provision compares to the AAP which advocates parking at 25% - 50% of the Borough Standard due to the highly accessible nature of the town. This equates to 0.25 spaces per one bed flat and 0.37 spaces per two bed flat. On this basis there can be no objection to the onsite parking provision.

The accessing and servicing arrangements were carefully considered by the County Highway Authority (CHA) which resulted in a minor change to the corner of the building to facilitate larger turning vehicles to access. Subject to this change and conditions, the CHA have no objections in terms of highway safety or parking capacity.

The amenities of neighbouring properties have been assessed and, on balance, are considered acceptable. The most affected residential properties would be those within Station Road, who currently look over the open car park. Their views would be altered by the development but not to the extent that their outlook would be significantly harmed given there is no 'right to a view'. A daylight and sunlight exercise has been undertaken which confirms that this impact would also be acceptable and there would also be no significant loss of privacy.

The existing legal rights of owners/occupiers of land and premises within the application site would need to be considered through negotiated compensation agreements or use of compulsory purchase orders. Given the clear and significant economic and social benefits that would result from the regeneration of this site it is considered that the use of CPO powers would be appropriate, if required.

Residential Amenity

Satisfactory amenities would be provided for the potential occupiers of the new development. The internal floor areas of each dwelling will be in compliance with the National Described Space Standards demonstrating that the development has been designed to provide spacious levels of accommodation for the new residents. Within this, 75% of the dwellings will contain a private balcony and this will be complemented by a second floor open space area for use by the new community of around 320 sq m and together the development will provide sufficient private and shared amenity areas, especially when considering the town centre location and other outdoor amenity opportunities in the locality, such as Memorial Park.

Flooding

The site is within the Environment Agency's Flood Zone 2 where there is a risk of flooding. However, the scheme has been designed with flood compensation measures as well as means of escape for its occupants and on this basis there is no objection in flooding terms.

Affordable Housing

Under Policy CS15 of the Council's Core Strategy and the Affordable Housing SPD 2014, the development should provide affordable housing as an on-site provision at a rate of 30%. Both the Policy and SPD make allowance for this where it is demonstrated that the provision of affordable housing would make the development unviable, in accordance with national policy.

In this case an open book viability appraisal was submitted with the application that demonstrated that the developer profit from the scheme would be just 11.15%, which is far below that expected to provide a reasonable developer return (reward for risk profit). This appraisal was scrutinised by independent development viability experts appointed by the Council who managed to extract further value from the scheme in their own appraisal, bringing the developer profit up to 14.8%. However, this is still short of the usual developer appraisal that would be expected, which does vary according to market conditions, the scale of development, nature of scheme etc. As an example, the viability quoted as being acceptable for the former Redhill Station and Former Liquid and Envy schemes was 15-20%.

Based on the risks of the scheme and current market conditions, which have improved over more recent years, a developer profit of 15% profit on cost is considered to be reasonable in this case, as confirmed by the Council's appointed consultants. This is the level at which it is reasonable to expect the developer to consider the potential returns worthy of the risks in proceeding with the development and has no bearing on the applicant, be they a private developer, charity or local authority.

The development viability has therefore been fully explored and it is concluded that it would not offer sufficient profit to enable the requirement of affordable housing in this case. However, in order to ensure that a contribution towards affordable housing is clawed back, should the development viability prove better than expected, a

clawback agreement has been negotiated with the agreement to provide 50% of any profit over and above a 15% profit on cost threshold as affordable housing contribution. Whilst this would normally be secured through Section 106 legal agreement, in this case, due to the Council being applicant and unable to enter into a Section 106 Agreement with itself, it is recommended as a condition.

Employment

Whilst the redevelopment would more than re-provide the retail floorspace lost, it would not re-provide the small amount of office accommodation over the shop units fronting the High Street in Surrey House and is therefore a departure from Policy Em1a of the Borough Local Plan. However, given the proposal would likely more than make up for this in terms of jobs created, and the significant social and economic regeneration benefits of the scheme, a departure is considered fully justified in this case.

Conclusions

Overall therefore the proposed development is considered to bring significant regeneration benefits to Redhill and the Borough more widely. It will improve the retail offer of the town and improve the evening economy as well as providing a new cinema which has been identified as a need for the local area. It would also provide significant new housing numbers in a sustainable location and, whilst there would be an impact on the townscape of the town, this is considered acceptable. The lack of affordable housing is justified by a scrutinised viability exercise and the loss of employment land is fully justified. On this basis the proposal fully accords with the aims and objectives of the Redhill Town Centre Area Action Plan and accords with other development plan policies.

RECOMMENDATION

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

Consultations:

Highway Authority: No objection subject to conditions (advice below).

Traffic Generation:

The development site is situated within the town centre and therefore provides opportunity for potential residents, employees and visitors of the development to travel by means other than the private car. The local railway station is just 100m to the northeast of the site and the town centre bus terminus is approximately 70m to the northern. The supporting TA suggests the development will generate up to approximately 60-70 vehicles trips per hour (but substantially less during the weekday AM peak). Being dispersed across the wider town centre highway network, many visitors will complete the final part of their arrival journey on foot. With the trips from the existing car park use dispersed across various parking facilities around the town centre, this level of traffic generations is unlikely to have a discernible impact on the adjacent highway.

Parking:

The supporting TA suggests that the loss of town centre parking (approximately 97 spaces) can be accommodated elsewhere in the town centre where existing capacity exists, and evidence to this end is provided through data from a recent town centre parking study. This study was conducted during 2011 and concluded that there is a significant amount of spare parking capacity in Redhill Town Centre, with approximately 1056 of the 4095 spaces unused during peak parking periods. The residential element of the scheme will be provided with 47 parking spaces at a ratio of 0.3 spaces per flat, meeting the Redhill Parking Standards which is based on 0.25 spaces per flat. On the basis of this data, SCC concludes that the development is unlikely to create localised parking problems which effect safety or the free movement of traffic. However, the question of local amenity, in that some visitors may have to park further from their primary destination within the town centre due to the loss of this car park, is a question for the LPA to consider and address.

Service Access:

Lengthy negotiations have taken place in relation to service access, and having reached a position where SCC are satisfied, the following elements will need to be addressed should the application be successful:

- The provision of service access from Marketfield Road, will require the adjacent highway to be kept clear of parked vehicles to allow for access by larger service vehicles, and for this reason the Section 278 works should include a local on street parking scheme;*
- The section 278 works will also include the relocation of the pedestrian crossing on Marketfield Way, the new access junction to the developments northern service yard, the adjustments to the junction of Marketfield Road / Marketfield Way (allowing improved HGV egress), and potentially including the adjustment to the advance direction sign at the corner of this junction (subject to the review of its adopted text height); and*
- A detailed service management plan will be required, covering the proposed layout of the northern service yard (bay positions, waiting restrictions, and pedestrian access restrictions), the use of banksman at both service areas, and the egress operation from the northern service yard.*

Stopping Up of Highway:

The applicant is reminded that SCC has confirmed the principle of allowing the affected access roads within the site to be stopped up. However, the question of the freehold ownership of these areas of highway will need to be addressed. Should they fall into the ownership of SCC negotiation in relation to the purchase of these areas land from SCC will be required.

Environment Agency – No objection. *The site in question is in Flood Zone 2. Through assessing a topographical survey, the applicant has demonstrated they are not at risk during a 1 in 100 inclusive of Climate Change at 20% flood event. According to our guidance relating to the new climate change allowances, More Vulnerable development in Flood Zone 2 should now consider the central allowance of 25%. Due to the distance and elevation of this site in relation to the Redhill Brook it is difficult for the applicant to accurately assess the central allowance without remodelling, which we deem excessive bearing in mind the nature and scale of the proposed development. The development also proposes to install self-raising barriers to all entrances of the building to a depth of 600mm, which is positive in relation to fluvial flooding.*

Conservation Officer – “I have no objection from a conservation viewpoint in regard to the setting of the Conservation Area. The scheme, a grid building, is neatly proportioned with active frontages. It should be considered whether conditions are needed in regard to tree provision in Marketfield Way.”

UK Power Networks – No objection

Environmental Protection – No objection subject to condition.

Surrey Sustainable Drainage Team: No objections subject to conditions.

Crime Prevention Advisor: No objections but suggested condition/informative.

National Air Traffic Safeguarding (NATS): No objections.

Gatwick Airport Safeguarding: No objections.

Representations:

Letters were sent to neighbouring properties on 18th May 2016, a site notice was posted on 9th June 2016 and advert placed in the local press on 26 May 2016.

7 responses have been received raising the following concerns:

Issue	Response
Inadequate Parking	See paragraphs 6.19-6.25
Increased traffic/congestion	See paragraphs 6.19-6.25
Incorrect ownership certificates served	Subsequently rectified
Overlooking	See paragraphs 6.26-6.29

Loss of Privacy	See paragraphs 6.26-6.29
Crime fears	See substantive crime fears – see crime prevention advice above
Property devaluation	Not a planning consideration
Construction inconvenience	See paragraph 6.30

Two letters of support were also received, including from Terrence O'Rourke on behalf of The Belfry Shopping Centre – Supporting the proposal subject to various conditions aimed at ensuring that it enhances the appearance, vitality and viability of Redhill as a shopping destination.

1.0 Site and Character Appraisal

- 1.1 The site comprises, in the main, the surface Marketfield Way car park which is a public car park providing 97 spaces. It also includes a three storey building fronting High Street which comprises ground floor retail units (including amongst others Argos, Subway, Coral, charity shops) with ancillary retail and/or offices above. The site extends to the rear of the locally listed buildings Marylebourne House (fronting High Street) and the locally listed Station Road parade so includes their rear servicing areas but excludes the properties themselves.
- 1.2 The existing car park is situated at a slightly lower level than Marketfield Way and is also used to store shipping containers associated with the Redhill market. There are various trees bounding the site at its boundary with Marketfield Way. The site is currently accessed from Marketfield Way following changes resulting from the Balanced Network.
- 1.3 The site is located at a prominent position in the centre of Redhill Town Centre and is included within a site specific policy RTC1-A within the Redhill Town centre Area Action Plan. It is within Environment Agency Flood Zone 2 and designated Primary Shopping Area in the 2005 Borough Local Plan. The Station Road parade to the north is also a designated Conservation Area and the site is opposite the retained façade of the former Odeon theatre which is locally listed.
- 1.4 The site is located nearby Redhill bus and train stations so is highly accessible and the surrounding area is characterised by town centre uses with retail and commercial uses predominating. Buildings in the vicinity are varied with Victorian elements as well as larger more modern commercial buildings such as Kingsgate House and Quadrant House.

2.0 Added Value

- 2.1 Improvements secured at the pre-application stage: Extensive pre-application discussions were held, and a public consultation undertaken which saw the

design of the scheme developed and the need for high quality materials confirmed.

- 2.2 Improvements secured during the course of the application:
The building has been altered to facilitate servicing requirements from the County Highway Authority as well as the affordable housing situation being fully explored.
- 2.3 Further improvements could be secured: the use of conditions will secure a number of improvements to the scheme including the use of appropriate materials, construction method statement, highway conditions and landscaping as well as a clawback of affordable housing contributions.

3.0 Relevant Planning and Enforcement History

There is no relevant planning history for the site other than its use as a public car park.

4.0 Proposal and Design Approach

- 4.1 The application seeks full planning permission for the demolition of the existing mixed use retail/commercial building at 18-42 High Street and the development of the site for a comprehensive mixed use retail/leisure/residential scheme. It would comprise a new multiplex cinema, 11 ground floor retail units and 153 apartments comprising 4 studios, 69 x 1-bedroom apartments and 80 x 2-bedroom apartments. 47 basement car parking spaces would also be provided in addition to 220 cycle spaces.
- 4.2 The proposal would have a dual frontage, facing onto both High Street and Marketfield Way as well as having a central break providing pedestrian access between the High Street and Marketfield Way onto which with units would also face, creating a partially covered colonnade. The development would extend up to 13 storeys at its highest point, that being the south eastern corner facing Marketfield Way with this elevation staggering down to ten storeys and then further down to the cinema which would be comparable in height to the ridge of The Abbot PH adjacent. Facing High Street the development would be between 6 and 8 storeys in height with 4 and 6 storeys of residential above a double-height retail frontage. This again has been staggered to reflect adjacent buildings.
- 4.3 The southernmost elevation would comprise the return of retail unit 7 as well as the residential entrance, basement car park entrance and refuse area on the ground floor with three storeys of residential above linking the High Street element to the Marketfield Way building. The basement parking would be accessed from here, with access from Marketfield Way.
- 4.4 The main servicing access for the cinema and other units would be at the north of the site, again of Marketfield Way, running along the rear of Station Road and Marylebourne House where individual refuse stores would be

located and the substations relocated. The corner of this element has been chamfered to allow for servicing vehicles to enter/exit from Marketfield Way.

- 4.5 The residential elements are designed with two different brick colours to provide contrast and are simply but neatly designed with even distribution of windows, recessed balconies and brick detailing. The cinema is designed with brass-effect rain screen cladding and several smaller window punctuations and a larger opening in the northern corner to provide an opening and opportunity for signage.
- 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	<p>The statement considers the existing character in depth, including historic buildings in the locality both existing and previously demolished. It also considers the larger or more prominent buildings that define the town centre.</p> <p>The existing trees fronting Marketfield Way are shown retained and the need to retain existing servicing arrangements is also included</p>
Involvement	<p>Extensive community consultation took place, including:</p> <ul style="list-style-type: none"> • Redhill Ward Members Briefing on the 25th February • Redhill Regeneration Forum on the 8th March • Presentation to Reigate and Banstead Councillors on 21st March • Posters placed around the town to notify the local community of the proposal and to invite people to attend the public exhibition; • Letters to stakeholders, inviting to exhibition events, in all 117 residents and business were sent individual invitations; • A public exhibition was held over two days on 9th March and 12th March 2016, at the former Mothercare Unit in the Warwick Quadrant. Exhibition boards were prepared and project team members present. Those attending were encouraged to complete a response form. • A dedicated project website was set up for the consultation period, to provide access to the exhibition boards and updates to the local community, detailing how viewers could contact the project team. <p>45 questionnaires were completed with 43 in support of the provision of the new retail and leisure facilities and 41 in support of the new housing</p>

Evaluation	The statement includes evidence of other development options considered in terms of how the scheme evolved in its design.
Design	The statement explains how the proposals were designed to respect the surrounding context and provide a new landmark development for the town with linkages between the rail station and High Street and built form to respect the surrounding building heights and character.

4.8 Further details of the development are as follows:

Site area	0.59 ha
Existing use	Public car park (sui generis) Retail (A1/A2/A3) Offices (B1a)
Proposed use	Cinema (D2 leisure) – 1,587sqm Retail (A1- 3,463sqm; A3 – 2,091sqm) Residential (C3)
Proposed residential apartments	153 (4 studios, 69 x 1-bed and 80 x 2-bed)
Existing parking spaces	97
Proposed parking spaces	47
Cycle spaces	220

5.0 Policy Context

5.1 Designation

Town centre Primary Shopping Area
EA Flood Zone 2
Adjacent to Conservation Area and Locally Listed Buildings

5.2 Reigate and Banstead Core Strategy

CS1(Sustainable Development)
CS4 (Valued Townscapes and Historic Environment)
CS5 (Valued People/Economic Development)
CS6 (Allocation of land for development)
CS7 (Towns and local centres)
CS10 (Sustainable Development)
CS11 (Sustainable Construction),
CS15 (Affordable Housing)
CS17 (Travel options and Accessibility)

5.3 Reigate & Banstead Borough Local Plan 2005

Landscape & Nature Conservation	Pc4
Employment	Em1a
Shopping	Sh1, Sh2, Sh3, Sh5
Housing	Ho2, Ho9, Ho9A, Ho13
Utilities	Ut4
Movement	Mo4, Mo5, Mo6, Mo7, Mo9, Mo10, Mo13
Recreation	Re2

5.4 Other Material Considerations

National Planning Policy Framework	
National Planning Practice Guidance	
Redhill Town Centre Area Action Plan Consultation Draft 2012	
Development Management Plan 2016 Regulation 18 Consultation Document	
Supplementary Planning Guidance	Surrey Design Local Distinctiveness Design Guide A Parking Strategy for Surrey Parking Standards for Development Affordable Housing
Other	Human Rights Act 1998 Community Infrastructure Levy Regulations 2010

6.0 **Assessment**

6.1 The main issues to consider are:

- Principle of development
- Design appraisal
- Highway matters
- Neighbour amenity
- Affordable housing
- Flooding and drainage
- Sustainability
- Ecology
- Environmental

Principle of development

6.2 The site is earmarked for development under Policy RTC1-A of the 2012 Redhill Town Centre area Action Plan Consultation Draft. This plan, whilst

not fully adopted has undergone consultation and so can be considered a material planning consideration for the purposes of decision making. Furthermore, it is intended that the AAP be incorporated into the DMP which is currently being prepared.

- 6.3 Policy RTC1-A of the AAP promotes the site for a mixed-use retail and leisure development together with residential. It draws upon evidence provided for the 2014 Core Strategy in the form of the Retail and Leisure Needs Assessment undertaken by Roger Tym & Partners in 2011. This identifies the retail floorspace needs within the Borough with the majority focussed on being provided in Redhill. The study finds that approximately 19,000 sq m of comparison retail floorspace and 7,000 sq m of convenience retail floorspace is required in Redhill town centre by 2027. The study also states that the Borough is currently poorly served by cinemas and the evidence supports a requirement for extra facilities to service the local population and due to the policy support for growth, suggests the additional facility should be directed to Redhill in the first instance. They also conclude that whilst Redhill's food and drink offer is 'adequate' there is some scope for improvement in the quality of the food and drink offer in Redhill and that the Council should encourage an improved evening economy.
- 6.4 Currently the town is served by the Harlequin which provides an excellent theatre as well as some cinema productions. It is considered that a multiplex cinema is different to the product offered by the Harlequin and so the two can compete positively. It is likely that combined, a new cinema in addition to the Harlequin will significantly improve Redhill's attraction from a leisure and cultural perspective, as envisaged by the Retail and Leisure Needs Assessment.
- 6.5 The proposed new retail units would help improve the attraction of Redhill as a shopping destination. Not only would they add to the retail floorspace of the town but, perhaps more importantly, they would be designed of a size and scale attractive to modern occupiers, including double-height units. This would help attract a different type of retail occupier to the town boosting its draw for shoppers and helping retain retail spend within the borough.
- 6.6 The draw of the multiplex cinema brings with it the potential to also attract restaurant chains that would otherwise be reluctant to locate within the town and are largely absent at present. Together with the cinema this would help improve the evening economy, bringing life and vitality to the town centre after dark so helping to provide a bustling presence that helps overcome issues of anti-social behaviour which has been a problem historically due to the lack of such facilities.
- 6.7 The town centre housing would not only provide welcome new housing in the Borough, as required by the 2014 Core Strategy but its town centre location would also significantly boost activity in the town when it would otherwise be quiet. This would have a symbiotically positive relationship with the retail units and shops.

- 6.8 The focus of Redhill town centre as the location for new housing, retail and leisure development would accord with Policies CS6, CS7 and CS8 of the 2014 Core Strategy which promotes this due to the town's excellent transport links and potential for growth.
- 6.9 The proposal would result in the loss of some office floorspace on the upper floors of Surrey House, to be demolished and, in isolation when assessed against Policy Em1a of the Borough Local Plan, this would represent a departure. However, when balancing this loss against the wider strategy for development in the development plan as well as the specific economic and social benefits that would result from the proposed development, including a likely overall increase in employment, this departure is considered to be fully justified and accords with other policies in the plan.

Design appraisal

- 6.10 The application was subject to pre-application consultation including discussions with Planning Officers regarding the proposed scale and design. It is supported by extensive and thorough design and access statement and townscape and visual impact assessment which both explain the context and rationale behind the chosen design.
- 6.11 At 13 storeys the south-eastern building would be the slightly taller than the adjacent Kingsgate House and would therefore represent the tallest building within this part of Redhill. However, this height would not extend to the entire length of the building which would be appropriately staggered down to a 10-storey element and then down again to the cinema building. The height scale is considered to accord with general townscape principles with the site being one of relatively few identified within the AAP and Draft DMP as appropriate for taller buildings (the others being Redhill Station, Post Office and Reading Arch Road).
- 6.12 The height of the building facing the high street would be between 6 and 8 storeys in height with 4 and 6 storeys of residential above a double-height retail frontage. Adjacent to the locally listed Marylebourne House, the upper floor would be set-back and subservient so represents an appropriate height and scale to provide a transition between this and Kingsgate House whilst also not unduly dominating or looming over the pedestrianised High Street.
- 6.13 The Conservation Officer was consulted about the application and considered its impact on the Station Road Conservation Area and locally listed buildings to be acceptable as well as commenting that the design was neatly proportioned with active frontages.
- 6.14 Aside the acceptability of the scale of buildings, their design is also well considered and responds to local context. The use of two bricks for the residential elements ensures that there would be some variety and responds to the criticisms of over-use of red brick in other Redhill buildings. The brick detailing is good with neatly composed and well-proportioned fenestration including recessed balconies and brick detailing to identify and articulate the

different elements and hierarchy of the buildings. The active frontages would ensure that at street level the development offers a human scale as well as activity and interest at street level.

- 6.15 The proposed cinema building has been designed with a copper/brass effect rain-screen cladding and, by its very nature, is a relatively enclosed structure although it does have several openings in its main elevation fronting Marketfield Way and a larger opening in the top northern corner which would likely be used for signage as well as the lower southern corner. In addition, the building would retain the active ground floor frontage giving it an open, active and accessible image at the human scale. The building could not replicate the more traditional and detailed designs of the historic buildings in the locality and neither would this be appropriate but it does respect their proportions with a horizontal line running across to mark the eaves of the adjacent building. Overall therefore the design of the cinema is considered to be appropriate to its function, location and context.
- 6.16 The building would have a central ground floor access linking High Street with Marketfield Way which would have an active frontage creating a colonnade type feature with retail and restaurants facing inwards onto this so creating a pleasant and welcoming environment for moving between the two streets or spending leisure time.
- 6.17 The servicing arrangements would be relatively discreet, to the rear of the building on its northern side and to the side on the southern extent. They would not dominate the views of the development or distract from its overall appearance and are therefore acceptable.
- 6.18 There are several trees along Marketfield Way on the boundary of the site which provide useful relief in the urban environment. It is important that these trees be either retained or replaced which would be secured through condition.

Highway matters

- 6.19 The existing car park provides 97 spaces and is a public town centre car park for shoppers use. Whilst it is popular due to its central location and surface arrangement, this is not reflective of the general over-supply of car parking spaces within Redhill Town centre more widely, such as at Gloucester Road. The loss of the car park and other spaces is considered acceptable within the wider context of the town centre and was considered as part of the Hyder Parking Review 2011, undertaken to inform the Council's Core Strategy. The review found there to be an over-supply of parking within the town, stating "There will be ample spare capacity to accommodate the lost parking as a result of the Marketfield Way redevelopment".
- 6.20 This is reflected in the County Highway officer's comments: "*The supporting TA suggests that the loss of town centre parking (approximately 97 spaces) can be accommodated elsewhere in the town centre where existing capacity*

exists, and evidence to this end is provided through data from a recent town centre parking study. This study was conducted during 2011 and concluded that there is a significant amount of spare parking capacity in Redhill Town Centre, with approximately 1056 of the 4095 spaces unused during peak parking periods.”

- 6.21 Furthermore, significant new parking opportunities are being created by the Sainsbury's redevelopment where the existing basement car park is being changed to town centre parking from its existing use as a Sainsbury's customer car park, with a new customer car park being provided at upper levels. This change arising from the Sainsburys development benefits town centre car parking to the order of 357 so more than outweighing the loss of the 97 spaces on Marketfield Way.
- 6.22 The development itself would provide 47 car parking spaces in a basement arrangement to serve the new development, accessed off Marketfield. Whilst this would be shared amongst the occupiers of the 153 new apartments, this provision is considered acceptable due to the highly sustainable location of the site within the town centre and near to good rail and bus links. The provision equates to a ratio of 0.3 per flat. It should be noted how this provision compares to the AAP which advocates parking at 25% - 50% of the Borough Standard due to the highly accessible nature of the town. This equates to 0.25 spaces per one bed flat and 0.37 spaces per two bed flat. With regards this aspect the County Highways Officer comments *“The residential element of the scheme will be provided with 47 parking spaces at a ratio of 0.3 spaces per flat, meeting the Redhill Parking Standards which is based on 0.25 spaces per flat. On the basis of this data, SCC concludes that the development is unlikely to create localised parking problems which effect safety or the free movement of traffic. However, the question of local amenity, in that some visitors may have to park further from their primary destination within the town centre due to the loss of this car park, is a question for the LPA to consider and address.”*
- 6.23 As explained above, the presence of other car parks within the town, especially the soon to be open Sainsbury's basement car park for other shoppers, which is located near to this site, the impact on the amenity of visitors having to potentially travel slightly further to their destination is accepted. Furthermore, the development of this site for non-parking uses is a Policy within the Council's own emerging Development Plan and so this impact has, to this extent, already been considered.
- 6.24 The impact on the capacity of the highway network has also been considered with the supporting TA suggesting the development will generate up to approximately 60-70 vehicles trips per hour (but substantially less during the weekday AM peak). With the local railway station just 100m to the northeast of the site and the town centre bus terminus approximately 70m to the north and with visitors likely to be arriving at the site having travelled on foot from other transport nodes or car parks surrounding the town, this level of traffic generations is unlikely to have a discernible impact on the adjacent highway.

- 6.25 Lengthy negotiations have taken place in relation to service access, particularly at the northern service yard where the ability for a larger service vehicle to turn in was questioned. Following an amendment to the building at this point to chamfer the corner to widen the access the County Highway Authority are now satisfied, subject to a number of conditions.

Neighbour amenity

- 6.26 The nearest and most affected neighbouring residential properties are those apartments on the upper floors of Station Road and Marlybourne House, facing onto the Marketfield Way car park. Presently they have a view and outlook over a relatively open area, given the nature of the surface car park presently. This outlook and view would be significantly altered by the proposed development but the loss of view is not itself a material planning consideration. Rather an assessment needs to be made with regards the level of harm, if any, resulting from the development in terms of the privacy and light of these neighbours and any overbearing impact on them.
- 6.27 A detailed daylight and sunlight assessment was requested of the applicants and submitted with the application. This provides an extensive assessment of the impact of the development on the light levels within the residential properties surrounding the site including Station Road, Marlybourne House and the potential impact on the occupiers of the permitted redevelopment of the Former Odeon site. The Council's own Supplementary Planning Guidance adopts a 45-degree or 25-degree approach to light assessments but this can be a relatively crude tool, especially when considering more complex built relationships where buildings are not directly parallel or perpendicular to one another. Instead a more complex measurement of the overall vertical sky component and average daylight factor has been adopted. The assessment concludes that, whilst some reduction in vertical sky component would result at some neighbouring windows, this results from the current open aspect enjoyed, uncommon in an urban environment. When considering the average daylight factor the assessment concludes that all rooms would maintain an acceptable level at or above the recommended BRE guidance. When considered in the context of the town centre location in which all these properties are located, and the relative amenities that are normally expected, the impact on light entering neighbouring properties is considered acceptable.
- 6.28 The proposed development would be sufficiently distant from the habitable windows of neighbouring properties or at a sufficiently oblique angle to them so as not to cause any undue loss of privacy from window-to window overlooking and is therefore acceptable in this regard.
- 6.29 The amenities provided for the potential occupants of the development are also deemed to be acceptable. Most would have access to a private balcony but a communal amenity area would also be provided within the development at the 2nd floor roof level, in a courtyard arrangement, providing further amenity space. Furthermore, the site is located within a town centre

close to Memorial Park and so its residents can benefit from the amenities associated with this and the amenity areas provided are therefore acceptable and commensurate to its location.

- 6.30 There will inevitably be some inconvenience caused to town users including neighbouring properties resulting from the construction phase. Whilst condition and informatives are suggested to mitigate this, it is an inevitable consequence of development and does not warrant refusal of planning permission.

Affordable housing and Infrastructure

- 6.31 Under Policy CS15 of the Council's Core Strategy and the Affordable Housing SPD 2014, the development should provide affordable housing as an on-site provision at a rate of 30%. Both the Policy and SPD make allowance for this where it is demonstrated that the provision of affordable housing would make the development unviable, in accordance with national policy.
- 6.32 In this case an open book viability appraisal was submitted with the application that demonstrated that the margin/developer profit from the scheme would be just 11.15%, which is far below that expected in order to provide a reasonable developer return (reward for risk profit). This appraisal was scrutinised by independent development viability experts appointed by the Council who managed to extract further value from the scheme in their own appraisal, bringing the developer profit up to 14.8%. This considered the potential viability from both a private market and a PRS scheme (Private Rental Sector) which is understood to be the preferred option for the applicant in order to appreciate the most profitable option.
- 6.33 However, even the 14.8% profit that the consultants considered could be returned is still short of the usual developer margins that would be expected. However this does vary according to market conditions, the scale of development, nature of scheme etc. There is no definitive profit level which is considered 'reasonable'. The NPPF advises it should *"provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable"*. RICS Guidance similarly suggests that profit *"should be at a level reflective of the market at the time of the assessment being undertaken. It will include the risks attached to the specific scheme. This will include both property-specific risk, i.e. the direct development risks within the scheme being considered, and also broader market risk issues, such as the strength of the economy and occupational demand, the level of rents and capital values, the level of interest rates and availability of finance."*
- 6.34 As an example, the viability quoted as being acceptable for the former Redhill Station and Former Liquid and Envy schemes was 20% (although market conditions have improved since then). More recently a smaller development of only three houses was allowed at appeal without affordable

contributions at a profit of 17%, where the risks would be expected to be far less than a scheme of this nature.

- 6.35 Based on the risks of the scheme, including the commercial uncertainties and construction complexities and current market conditions, a developer profit of 15% profit on cost is considered to be reasonable in this case, as confirmed by the Council's appointed consultants. This is the level at which it is reasonable to expect the developer to consider the potential returns worthy of the risks in proceeding with the development and has no bearing on the applicant, be they a private developer, charity or local authority. This is confirmed by the RICS guidance financial viability in planning viability in planning which states "*In undertaking scheme-specific viability assessments, the nature of the applicant should normally be disregarded, as should benefits or disbenefits that are unique to the applicant. The aim should be to reflect industry benchmarks in both development management and plan making viability testing.*"
- 6.36 The development viability has therefore been fully explored and it is concluded that it would not offer sufficient profit to enable the requirement of affordable housing in this case. To require the provision of affordable housing (or a contribution in lieu) would be economically unviable and would risk stalling the development. Core Strategy Policy CS15 allows for negotiation in cases where viability is genuinely at issue and national policy which advises that "*where obligations are being sought or revised, local planning authorities should...wherever appropriate, be sufficiently flexible to prevent planned development being stalled*". Furthermore it would likely be deemed unreasonable at appeal.
- 6.37 However, in order to secure a contribution towards affordable housing should the viability of the project improve (either by reduced costs or increased values from those anticipated), a clawback mechanism is recommended to secure a proportion of any profits over 15% towards an affordable housing contribution through a condition. This would ordinarily be secured through a S106 legal agreement but given the applicant being the Council, who cannot enter into agreement with itself, a condition is the appropriate mechanism in this case.
- 6.38 There have been no site specific infrastructure contributions identified as necessary from any consultees or in the assessment of the application and so no other Section 106 obligations are required. SCC Highways have made recommendations which can be met through conditions. The site is within the regeneration area of Redhill Town Centre where the challenging nature of development costs have led to the area being exempt from CIL and so none would be required in this case.

Flooding and Drainage

- 6.39 The site is located within the Environment Agency Flood Zone 2 but the application was supported by a Flood Risk Assessment which has been fully assessed by the Environment Agency who are satisfied that the proposed

measures are such that the development would not exacerbate the flood risks due to the measures and flood compensation areas proposed.

- 6.40 The site also has a history of surface water drainage problems which have been assessed by the County Council as Lead Local Flood Authority and the Council's own Drainage Engineer, both of whom are satisfied that the proposal is acceptable subject to mitigation measures through conditions.

Sustainability

- 6.41 The application was accompanied by a BREEAM Assessment which demonstrates how the non-residential elements would achieve a BREEAM rating of 'Very Good' in accordance with Core Strategy Policy and this shall be required by condition.
- 6.42 A sustainability statement also accompanied the application confirming how the residential elements would achieve a reduction in carbon dioxide emissions of over 12% and reduction in energy consumption by over 10% this accords with Policy and would be achieved through This is to be achieved through passive design, energy efficient measures incorporating design features such as energy efficient lighting, submetering of relevant areas, upgrading of 'U' values and occupancy sensing in relative areas Combined Heat and Power serving the residential element and Air Source Heat Pumps serving the commercial element. Again this requirement would be secured through condition.

Ecology

- 6.43 The application was supported by an ecological report which demonstrated that the likelihood of any protected species being present on the site was low. However, in order to mitigate any potential impacts in this regard, a condition is suggested to ensure that the report's recommendations are adhered to. These include: Nesting bird check, if nesting season cannot be avoided; Designing an extensive green/brown roof to include wildflower planting; Create dwellings for invertebrates on the roof; and Install bird boxes on/in new building walls.

Environmental

- 6.44 The application was accompanied by reports regarding air quality and noise both of which demonstrate that acceptable levels can be achieved and have no objections from Environmental Services.
- 6.45 The very northern part of the site was historically used as a garage and so could have contamination potential and therefore a condition is recommended should there be any digging or construction in this area.

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
Elevation Plan	AA3983-2203		03.05.2016
Elevation Plan	AA3983-2204		03.05.2016
Elevation Plan	AA3983-2207		03.05.2016
Street Scene	AA3983-2210		03.05.2016
Combined Plan	AA3983-2220		03.05.2016
Combined Plan	AA3983-2221		03.05.2016
Combined Plan	AA3983-2222		03.05.2016
Combined Plan	AA3983-2225		03.05.2016
Combined Plan	AA3983-2230		03.05.2016
Combined Plan	AA3983-2232		03.05.2016
Combined Plan	AA3983-2240		03.05.2016
Section Plan	AA3983-2251		03.05.2016
Section Plan	AA3983-2252		03.05.2016
Section Plan	AA3983-2253		03.05.2016
Combined Plan	AA3983-2225	A	03.05.2016
Section Plan	AA3983-2101	B	20.06.2016
Floor Plan	AA3983-2100	C	25.11.2016
Elevation Plan	AA3983-2205	A	25.11.2016
Elevation Plan	AA3983-2208	B	25.11.2016
Elevation Plan	AA3983-2209	A	25.11.2016
Combined Plan	AA3983-2241	A	25.11.2016
Site Layout Plan	AA3983-2006	A	25.11.2016

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. 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. The development shall be carried out in accordance with the approved levels.

Reason:

To ensure the Local Planning Authority are satisfied with the details of the proposal and its relationship with adjoining development and to safeguard the visual amenities of the locality with regard to Reigate and Banstead Borough Local Plan 2005 policies Ho9 and Sh2.

4. No development shall take place 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. It is expected that the materials will follow those listed in the Design and Access Statement and the development shall be carried out in accordance with the approved details.

Reason:

To ensure that a satisfactory external appearance is achieved of the development with regard to Reigate and Banstead Borough Local Plan 2005 policies Sh2, Ho9 and Ho13.

5. No development shall commence including groundworks or demolition until a detailed Tree Protection Plan (TPP) shall be submitted to and approved in writing by the local planning authority. The TPP shall contain details of the specification and location of tree protection (barriers and/or ground protection) and any construction activity that may take place within the protected root areas of trees/hedges shown, where retained on the TPP. The tree protection measures shall be installed prior to any development works and will remain in place for the duration of all construction works. The tree protection barriers/ground protection shall only be removed on the completion of all construction activity, including hard landscaping. 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 Pc12 of the Reigate and Banstead Borough Local Plan.

Informative

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. No development shall commence on site until a scheme for the landscaping of the site including the retention of existing landscape features and replacement tree planting has been submitted to and approved in writing by the LPA. Landscaping schemes shall include details of hard and soft landscaping, including any tree removal/retention, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation and management programme.

All hard and soft landscaping work shall be completed in full accordance with the approved scheme, prior to occupation or within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing with the local planning authority.

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

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 policies Pc4, Pc12, Ho9 of the Reigate and Banstead Borough Local Plan 2005. All hard and soft landscaping work shall be completed in full accordance with the approved scheme, prior to occupation or within the first planting season following completion of the development hereby approved.

Any trees shrubs or plants planted in accordance the approved scheme which are removed, die or become damaged or diseased within five years of planting shall be replaced within the one year by trees, shrubs of the same size and species in the same location.

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 Sh2, Ho9, Pc12 of the Reigate and Banstead Borough Local Plan 2005 and the recommendations within British Standard 5837:2012 Trees in relation to design, demolition and construction

7. A landscape management plan, including long term design objectives management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, which ever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason:

To preserve and enhance the visual amenities of the locality with regard to Reigate and Banstead Borough Local Plan 2005 policy Ho9 and Pc4.

8. No development shall commence until a Construction Transport Management Plan, to include details of: details of :
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding behind any visibility zones
 - (f) HGV deliveries and hours of operation
 - (g) vehicle routing
 - (h) measures to prevent the deposit of materials on the highway
 - (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused, and
 - (j) 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 hereby approved shall not be first occupied unless and until the proposed vehicular accesses on to Marketfield Road (including changes to local parking restrictions) and Marketfield Way (including the required relocation of the adjacent controlled pedestrian crossing) have been constructed and provided with visibility zones in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

Reason:

The above condition is 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.

10. The development hereby approved shall not be first occupied unless and until the existing access from the site to Marketfield Road has been permanently closed and any kerbs, verge, footway, fully reinstated.

Reason:

The above condition is 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.

11. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for vehicles to be parked for the loading and unloading of 6 light goods vehicles and 3 heavy goods vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / loading and unloading /turning areas shall be retained and maintained for their designated purpose.

Reason:

The above condition is 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.

12. The development hereby approved shall not be first occupied unless and until a service management plan specifying arrangements for deliveries to and removals from the site, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding behind any visibility zones

- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused, and
- (j) on-site turning for construction vehicles; and
- (k) a communications plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be implemented.

Reason:

The above condition is 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.

13. The development hereby approved shall not be first occupied unless and until a service management plan specifying arrangements for deliveries to and removals from the site, to include details of:
- (a) The types of vehicles to be used and hours of operation
 - (b) The dimensions and layout of lorry parking and turning areas
 - (c) The management of delivery scheduling
 - (d) The management of vehicle conflict at the exit onto Marketfield Way, and
 - (e) The use of banksman/general risk management.
- has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be implemented.

Reason:

The above condition is 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.

14. Prior to first occupation of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide". And then the approved Travel Plan shall be implemented on first occupation and for each and every subsequent occupation of the development, thereafter the Travel Plan shall be maintained and developed to the satisfaction of the Local Planning Authority.

Reason:

In recognition of Section 4 "Promoting Sustainable Transport " in the National Planning Policy Framework 2012.

15. No development shall be commenced until a Training and Employment Strategy, detailing how the proposed development, both during the construction and operational phases, will provide opportunities specific to the needs of the local area, has been submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure the development provides economic and social benefits to the town with regard to Policy Em1 of the Reigate and Banstead Borough Local Plan 2005.

16. No development shall be commenced until details of a scheme to update the wayfinding signage within the town centre have been submitted to and approved by the Local Authority. The development shall be carried out in accordance with the approved details.

Reason:

In order to ensure that town centre signage remains relevant and up to date and to promote the scheme as a visitor attraction with regards Policies RE2 and Sh2 of the Reigate and Banstead Borough Local Plan 2005.

Informative

For more information on the requirements of the above two conditions please contact the Council's Regeneration team.

17. An open book appraisal shall be submitted to the Local Planning Authority setting out the actual development costs and values as achieved. 50% of any development profit achieved above a level of 15% profit on cost shall be provided as an affordable housing contribution in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the penultimate residential unit.

Reason:

To ensure that a contribution towards affordable housing is provided if development viability allows, in accordance with Policy CS15 of the 2014 Core Strategy.

18. Prior to construction of the development hereby approved the following drawings need to be supplied to and approved by the local planning authority:
- Detailed development layout at an appropriate scale;
 - a drainage layout detailing the exact location of SUDs elements, including finished floor levels;
 - details of all SuDS elements and other drainage features, including long and cross sections of attenuation tanks, pipe diameters including the details of the methods of flow control and respective levels and how these relate to submitted calculations.

The development shall then be carried out in strict accordance with the details.

Reason:

To ensure that the SuDS are adequately planned, delivered and that the development is served by an adequate and approved means of drainage to comply with Policy Ut4 of the Reigate and Banstead Borough Local Plan 2005 and Policy CS10 of the Core Strategy 2014, as well as the requirements of the Non-statutory technical standards.

19. Prior to construction of the development hereby approved, details of the proposed maintenance regimes for each of the SUDs elements shall be submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with those approved details.

Reason:

To ensure that the SuDS are adequately planned, delivered and that the development is served by an adequate and approved means of drainage to comply with Policy Ut4 of the Reigate and Banstead Borough Local Plan 2005 and Policy CS10 of the Core Strategy 2014, as well as the requirements of the Non-statutory technical standards.

20. Prior to occupation, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Drainage System has been constructed as per the agreed scheme.

Reason:

To ensure that the SuDS are adequately planned, delivered and that the development is served by an adequate and approved means of drainage to comply with Policy Ut4 of the Reigate and Banstead Borough Local Plan 2005 and Policy CS10 of the Core Strategy 2014, as well as the requirements of the Non-statutory technical standards.

21. The development shall be carried out in accordance with the mitigation measures set out in the Air Quality Assessment dated 6th April 2016.

Reason:

To ensure that the development does not have any adverse air quality impacts with regards Policy Ho9 of the Reigate and Banstead Borough local Plan 2005.

22. The development shall be carried out in accordance with the Ventilation Strategy report dated 20 April 2016 undertaken by Cudd Bentley Consulting.

Reason:

To ensure that a successful ventilation strategy can be achieved with regards Policy Ho9 of the Reigate and Banstead Borough local Plan 2005.

23. The development shall be carried out in accordance with the Sustainability Statement report dated 28 April 2016 undertaken by Cudd Bentley Consulting and the energy and CO2 reductions contained therein.

Reason:

To ensure that the development would reduce greenhouse gases with regards Policies CS10 and CS11 of the 2014 Core Strategy 2014 and Ho9 of the Reigate and Banstead Borough local Plan 2005.

24. The development shall be carried out in accordance with the environmental improvements as set out in the BREEAM Pre Assessment Report dated 28 April 2016 undertaken by Cudd Bentley.

Reason:

To ensure that the development would reduce greenhouse gases with regards Policies CS10 and CS11 of the 2014 Core Strategy and Policy Sh2 and Re2 of the Reigate and Banstead Borough local Plan 2005.

25. The development shall be carried out in accordance with the ecological mitigation and enhancement measures as set out in the Ecology Report dated April 2016 undertaken by WYG.

Reason:

To ensure that the development would respect the ecological environment with regards PolicyCS10 of the 2014 Core Strategy.

26. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), the retail units 1 to 11 shall be for use classes A1 to A3 only and shall not be sub-divided without the prior written consent of the Local Planning Authority.

Reason:

To ensure that suitable retail facilities are provided in this location with regards policy Sh10 of the Reigate and Banstead Borough Local Plan 2005.

27. The development shall be carried out in accordance with the flood risk management measures as set out in the Site Specific Flood Risk Assessment dated August 2016 undertaken by Richard Jackson Engineering Consultants Ltd.

Reason:

To ensure that the development would not exacerbate the flood risk with regards Ut4 of the Reigate and Banstead Borough Local Plan 2005.

28. No development or other groundworks shall take place north of the proposed building extent unless and until a written Phase 1 and 2 Environmental Risk Assessment report(s) has been submitted to and approved in writing by the local planning authority

Reason: To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of the wider environment with regard to Reigate and Banstead Borough Council Local Plan 2005 Policy (insert reference) and the NPPF.

Informative:

The report should include but not be limited to an assessment of contamination sources, pathways and receptors and enable the presentation of all plausible pollutant linkages in a preliminary conceptual site model. The study shall include relevant regulatory consultations such as with the Contaminated Land Officer and be submitted to the Local Planning Authority and is subject to the approval in writing of the Local Planning Authority and any additional requirements that it may specify. The report shall be prepared in broad accordance with the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR 11) and British Standard BS 10175.

29. Should ground contamination be identified that requires remediation then a remediation method statement should be produced that details the extent and method(s) by which the site is to be remediated, to ensure that unacceptable risks are not posed to identified receptors at the site and details of the information to be included in a validation report, has been submitted to and approved in writing by the Local Planning Authority, and any additional requirements that it may specify, prior to the remediation being commenced

on site. The Local Planning Authority shall then be given a minimum of two weeks written notice of the commencement of remediation works.

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

30. Prior to occupation, if development north of the proposed building extent has taken place, a remediation validation report for the investigation area shall be submitted to and approved by the Local Planning Authority in writing. The report shall detail evidence of the remediation, the effectiveness of the remediation carried out and the results of post remediation works, in accordance with the approved remediation method statement and any addenda thereto, so as to enable future interested parties, including regulators, to have a single record of the remediation undertaken at the site.

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

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

Reason: To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of the wider environment with regard to Reigate and Banstead Borough Council Local Plan 2005 Policy (insert reference) and the NPPF.

INFORMATIVES

1. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
2. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.

3. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice.
4. 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).
5. The developer is advised that it is an offence to obstruct or divert the route of any right of way unless carried out in complete accordance with appropriate legislation.
6. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
7. The applicant is advised of the comments of the Surrey crime Prevention Design Advisor with regards achieving Secured By Design accreditation.
8. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at www.firesprinklers.info.
9. The applicant is advised that separate advertisement consent may be required for any proposed signage or advertisement to be displayed on the premises.
10. The essential requirements for an acceptable communication plan, as required by Condition 12 above, are viewed as:
 - (i) how those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme;
 - (ii) how neighbours will be notified prior to any noisy/disruptive work or of any significant changes to site activity that may affect them;

- (iii) the arrangements that will be in place to ensure a reasonable telephone response during working hours;
- (iv) the name and contact details of the site manager who will be able to deal with complaints; and
- (v) how those who are interested in or affected will be routinely advised regarding the progress of the work.

Registration and operation of the site to the standards set by the Considerate Constructors Scheme (<http://www.ccscheme.org.uk/>) would help fulfil these requirements.

11. The applicant is advised to contact Council's Neighbourhood Services Department with regards the refuse bin requirements for the development.
12. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
 - (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
 - (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
 - (c) Deliveries should only be received within the hours detailed in (a) above;
 - (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
 - (e) There should be no burning on site;
 - (f) Only minimal security lighting should be used outside the hours stated above; and
 - (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

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

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

REASON FOR PERMISSION

The development hereby permitted has been assessed against development plan policies CS1, CS4, CS5, CS6, CS7, CS10, CS11, CS15, CS17, Pc4, Em1a, Sh1, Sh2, Sh3, Sh5, Ho2, Ho9, Ho9a, Ho13, Ut4, Mo4, mo5, Mo6, Mo7, Mo9, Mo10, Mo13 and material considerations, including third party representations. It has been concluded that whilst the development would not be in strict accordance with Policy Em1a of the Borough Local Plan, the significant benefits of the scheme far outweigh this harm and as the development is in accordance with all other policies in the development plan 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.