

REIGATE AND BANSTEAD BOROUGH COUNCIL

THE REIGATE AND BANSTEAD BOROUGH COUNCIL (MARKETFIELD WAY)

COMPULSORY PURCHASE ORDER 2018

AND

ASSOCIATED APPLICATION TO EXTINGUISH PUBLIC RIGHTS OF WAY

TOWN AND COUNTRY PLANNING ACT 1990

AND

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

AND

ACQUISITION OF LAND ACT 1981

PROOF OF EVIDENCE

OF

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DEVELOPMENT MANAGER

FOR

REIGATE & BANSTEAD BOROUGH COUNCIL

Planning Inspectorate and Planning Casework Unit Reference:

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1.0 INTRODUCTION

- 1.1 I am the Development Manager employed by Reigate and Banstead Borough Council, responsible for both the Development Management and Planning Policy departments at the Council. I have been employed by the Council since July 2001. I have over seventeen years' experience of local authority planning in both the development management and planning policy fields and am a Chartered Town Planner having been elected a Member of the Royal Town Planning Institute. I have a Masters degree in Town and Country Planning and a BSc in Geography, both from the University of Reading. I am familiar with the site at Marketfield Way ("the Site"), its relevant planning history and policy context. I was Case Officer for planning application (reference 16/01066/F), for which planning permission was granted on 20 January 2017.
- 1.2 In this proof of evidence I set out the strategic planning policy context for the development, the Council's long-held aspirations for the Site and the benefits to the area's social, environmental and economic well-being that will flow from the proposed scheme. My evidence will provide details of the proposed development for which planning permission has been granted and will explain how the public sector equality duties and human rights issues were considered as part of the application process.
- 1.3 The evidence which I have prepared and provide for this Compulsory Purchase Order Inquiry reference APP/PCU/CPOP/L3625/3198457 in this proof of evidence is true and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

2.0 BACKGROUND

- 2.1 The redevelopment of the Site for a mixed-use retail/leisure/residential redevelopment has long been an aspiration for the Council so as to secure various social, economic and environmental regenerative benefits for Redhill. The town of Redhill grew up initially (in the early 1800s) on the London to

Brighton road, and expanded more rapidly with the coming of the London, Brighton and South Coast Railway in the 1840s.

- 2.2 In the mid to late twentieth century, town centre renewal activities saw the disappearance of much of the old Victorian Railway town and creation of a ring road, pedestrianised precinct and central shopping mall (the Belfry). By the early 2000s, the passage of time had meant that the town centre environment and buildings were dated and declining in quality.
- 2.3 The town centre has been constrained by its road system, and inward facing layout, with poor pedestrian connectivity and areas of uninspiring public realm. The town's building pattern and poor flexibility in retail unit size (with a limited number of larger modern units) has meant that in recent years the retail offer has been of a generally low quality with limited representation from high street multiples, and the town has failed to attract anything beyond very local spend, facing competition from other nearby centres.
- 2.4 Redhill is the largest town in Reigate & Banstead borough and is identified as a transport hub (Objective SO20 of the Core Strategy 2014 – CD38) given it is well located, at the interchange of north-south and east-west (A23/A25) road and rail links and in close proximity to the M25, M23 and Gatwick Airport. Yet Redhill does not fulfil the potential that this excellent strategic location offers.
- 2.5 It currently underperforms as the Borough's main town centre by virtue of its lack of a high quality retail and leisure offer and its lacklustre image. Whilst recent investment in the town has improved public reputation to a degree, Redhill still suffers from a relatively weak market perception as a town in which to invest, and does not provide the retail and leisure opportunities that local residents want, for which they currently have travel out of the town to access (as evidenced in the 2011 and 2016 Retail and Leisure Needs Assessments (CD12 and CD18) discussed later).
- 2.6 The Council's regeneration objectives for Redhill are set out primarily within the Redhill Town Centre Area Action Plan, which also includes a plan of sites at

Figure 35 (RTCAAP - CD14) detailed later within this proof and focused on improving the pedestrian environment, public realm and legibility of the town, driving forward the redevelopment of key sites; enhancing the retail offer and quality and changing the perception of the town as a place to visit and to invest.

2.7 Completed and planned regeneration projects for the town have included:

- The Redhill balanced network programme to convert the former one way system between the Belfry shopping centre and Lombard roundabout to two-way, with improvements to walking and cycling routes and the public realm between the station and Maple Square (completed 2015);
- The refurbishment of the Harlequin theatre and cinema to improve its image and environment and improve its offer as a leisure attraction within the town (completed 2016);
- Significant public realm improvements throughout the town, including new waymarkers, cycle storage, tree planting, pavements and street furniture (completed 2015);
- A new Sainsbury's redevelopment with 70-bed hotel and gym at the Warwick Quadrant with circa 900 car parking spaces and a new canopy feature over the High Street (completed 2017);
- Ongoing improvements to Redhill train station including new lift arrangements and a new platform to improve capacity and accommodate an increased number of services to a greater number of destinations including Bedford, Reading, London Victoria and Reigate. Plans are also progressing on a new planning application for a mixed-use redevelopment of the station and improved car park to help fulfil its potential (planning application expected early 2019);
- Significant investment into and upgrade of Redhill Memorial Park including new play facilities and café (completed 2015);

- Redevelopment of the former Liquid and Envy site and Redhill Youth Association (opposite side of Marketfield Way) to deliver new residential and community facilities within improved townscape (works started, completion 2019);
- In addition a planning application is currently pending consideration for a mixed-use development of Cromwell Road to deliver improved retail (secondary) and residential accommodation (Scheduled for Planning Committee decision on September 5th 2018).

2.8 The redevelopment of the Site would therefore complement other regeneration activities that have already been implemented or are underway around it and, in my opinion, represents the best opportunity of all the various schemes referred to above to promote the long-lasting social, economic and environmental regeneration of the town. This is in part due to the Site's prominent location, at the centre of the town, close to the train and bus stations; its scale and potential to provide for a number of complimentary uses; its current limited offer and the Council's vision for it to provide a mixed-use retail, leisure and residential development which would ensure increased footfall and activity within the town throughout the day and to enhance the night time economy.

2.9 The Council's regeneration aspirations, for both the Site and the town, have been set out in a range of planning policy documents over recent years. In this Proof I set out the various documents and how they relate to the site/development as well as how this is supported by the development plan and national policy.

3.0 POLICY CONTEXT

This section sets out the policy context and evidence base underpinning it which has led to the formulation of this scheme. I will do so in chronological order, so as to reveal the historical development of the current policy position and indicate the length of time for which the redevelopment of Redhill Town Centre, and this site in particular, have been regarded as a strategic priority by the Council. Under

each document title I have identified whether it forms part of the development plan, part of the evidence base underpinning the Council's planning policy or a separate planning policy / guidance document or Council strategy.

Reigate and Banstead Borough Local Plan 2005

(Development plan document)

- 3.1 The Council's Borough Local Plan was adopted in April 2005 and sets out the detailed planning policies for the Borough. Included within it is Policy Rd3, which was 'rolled forward' from the 1994 Local Plan and encouraged the redevelopment of the South East Quadrant of Redhill (including the Site).

- 3.2 The Policy was 'saved' for decision making purposes in 2007 and states:
The Borough Council will encourage the redevelopment of land fronting 2-84 High Street, 16-36 Station Road and land east of Marketfield Way, Redhill, as shown on the Proposals Map, primarily for retail floorspace. In addition to any business use, the Borough Council will require the provision of replacement and additional public car parking and the provision of entertainment facilities. The development must comply with policies Sh3, Em 5, Em 7 and the appropriate design and layout policies of this Local Plan.

- 3.3 Until such time as it is replaced by the Development Management Plan (DMP) the policy continues to carry weight as the development plan for decision making purposes and the current aspirations for the Site and consented development of it are considered to accord with the policy, providing new retail floorspace and entertainment facilities (as well as residential). Although the consented scheme altered the balance of uses, with greater emphasis on leisure and entertainment facilities than that originally envisaged as a result of the more recent retail and leisure evidence assessments in 2011 and 2016 (CD12 and CD18), it is very much in accordance with the spirit and objectives of the Policy and other general policies within the Borough Local Plan. Furthermore whilst replacement public car parking is not provided on the Site itself, the policy precedes the Redhill Parking Needs Study (CD13) and significant new car parking provided by the

Sainsbury's and Travelodge redevelopment of the Warwick Quadrant completed last year and discussed in more detail later within this proof.

- 3.4 The encouragement of new leisure facilities within the Borough's urban areas, and particularly within Integrated Mixed Use Schemes, such as development of the Site, is contained within Policy Re12 of the Borough Local Plan: *The Borough Council will normally encourage proposals for new provision, rebuilding or extensions for sporting, leisure and cultural facilities within the urban areas if:-*

(i) the proposal conforms with the other policies of this Plan;

(ii) the proposal would not result in a significant worsening of local traffic conditions; and

(iii) the design requirements as set out in Policy Re 2 are met in full.

Such facilities will be promoted particularly where appropriate within Integrated Mixed Use Schemes, as shown on the Proposals Map.

- 3.5 Redevelopment of the site is therefore an explicit policy objective within the Borough Local Plan, with which the consented development accords. It is also in full compliance with the overall thrust and principle of other 'general' policies within the Borough Local Plan, such as policy Re12 above.

A Community Plan for Reigate and Banstead 2020 (published 2008)

(Council strategy / vision document)

- 3.6 The Community Plan (CD10) was prepared by the Reigate & Banstead Partnership, comprising the local authorities, police and health services with input from a range of other stakeholders. Its aim was to improve every aspect of daily life for people who live in, work in and visit the Borough. While it was not a development plan document, it nonetheless set out opportunities for growth, including a priority to revitalise Redhill Town Centre through the development of

key sites and improved transport links, which encompass new public spaces, and integrated housing, leisure and shopping facilities (page 10) and supported the on-going viability of town centres and local shopping parades that contribute to the character and vitality of neighbourhoods especially in the north of the Borough (page 11).

Redhill Town Centre Area Action Plan – Preferred Options Document – January 2009

(Initially intended as standalone development plan document)

- 3.7 The Redhill Town Centre Area Action Plan (RTCAAP) Preferred Options document (CD51) sought to provide a strategy for the regeneration and development of Redhill town centre in order to provide a coherent spatial vision for the town. It set out a proactive, integrated strategy for Redhill as a “hub” to fulfil its potential as a location for sustainable growth. It identified the distribution of land uses and their inter-relationships within the town centre and included site-specific allocations (including the Site) and a timetable for the implementation of development.
- 3.8 The Council consulted on the Preferred Options document from 9 January 2009 for six weeks with residents and other interested stakeholders’ views invited by email, fax and post. It was envisaged that the RTCAAP would be a development plan document (DPD) forming part of the Local Development Framework. However, whilst the RTCAAP progressed to a 2012 Consultation Draft (see CD14) (discussed below), the timings led to it being decided to subsume the document into the Council's emerging Development Management Plan rather than keep as a standalone DPD.
- 3.9 The aspirations for development proposals at Marketfield Way identified within the Preferred Options document under Area Proposal 2 (AP2) are set out below but are later refined within the 2012 Consultation Draft, as discussed later in this proof (my comments on whether each is met by the consented scheme are set out in brackets after each) :

- *Redevelopment of existing retail units fronting the High Street and development on Marketfield Way surface car park to provide for a comparison retail-led mixed use scheme (Met – although the consented scheme was leisure-led rather than retail led (reflecting the later 2012 Consultation Draft and retail/leisure assessments discussed below), it still provided significantly improved retail space) ;*
- *Provision of a range of retail units primarily fronting onto the High Street and to include a mid sized department store anchor unit. Potential for two floors of retail units along this prime retail frontage. Additional units to front Marketfield Way, including entrance to department store unit (Met – a range of retail units will be provided including two-floors fronting High Street and additional units fronting Marketfield Way. As above, a leisure anchor rather than retail anchor will be provided reflecting the 2012 Consultation Draft and retail and leisure needs assessments, discussed below);*
- *Upper level development of complementary land uses, including mixed tenure residential, small-scale office/business space and potential for a hotel or small scale leisure function e.g. gym (Met, in the form of 153 residential apartments);*
- *Low/no on site parking provision for dwellings/other uses (Met – low parking is provided for the 153 apartments, in the form of a 47-space basement car park).*
- *Exploration of opportunities for on-site energy generation (Met – air source heat pumps, passive design and combined heat and power provided as per Sustainability Statement CD29).*

3.10 Its reasoning for this was as follows:

- *Meets demand for town centre department store anchor and other larger retail units, strengthening existing town centre offer and reinforcing town centre retail “circuit”.*

- *Contributes to town centre housing demand and growth targets in accessible location – close to public transport and within town centre.*
- *Mix of uses contribute to the vitality of the High Street and provides activity along Marketfield Way*
- *Built form provides significant enhancement of key gateway area, defined by area proposals AP1, AP2, AP4 and AP6.*

Regional Spatial Strategy for the South East – South East Plan – 2009

(Development plan document until revoked)

- 3.11 The Regional Spatial Strategy for the South East "The South East Plan" (Appendix 1) was published on 6th May 2009 before being revoked in February 2013. The South East Plan formed part of the Development Plan until its revocation and set out the long term spatial planning framework for the region. This included the identification of Reigate/Redhill as one of 22 regional hubs within the south east within Policy TC1 of the Plan as well as being a Centre for Significant Change.
- 3.12 Paragraph 4.8 of the South East Plan states: *“Regional hubs will be: a focus for investment in multi-modal transport infrastructure both within and between hubs, supported by initiatives to re-balance travel patterns through behavioural change; a focus for other new infrastructure, including health, education, social and green infrastructure, and public services; a focus for new investment in economic activity and regeneration, including skills and training investment; a focus for new market and affordable housing, to support the creation of higher density ‘living centres’; a focus for new major retail and employment development.”*
- 3.13 The role of Reigate/Redhill as a centre for significant change is covered in Policy TC2 of the South East Plan *“The Centres for Significant Change, indicated with an asterisk in Policy TC1 are expected to undergo the most significant change across the range of town centre uses during the plan period and proactive,*

integrated strategies for their development will be particularly important. All of the Centres for Significant Change are identified as Regional Hubs. These town centres will be the focus for significant growth, along with areas where there are particular regeneration needs or a specific growth area focus. Major retail developments, and other town centre uses of a large scale, should be located in these Centres for Significant Change.”

- 3.14 The development of the Site for a mix of retail, leisure and residential uses therefore accords with the policies and aspirations of the South East Plan and helped inform the latest iteration of the Redhill Town Centre Area Action Plan (discussed below).

Redhill Town Centre Parking Options – November 2011 (CD13)

(Evidence base document)

- 3.15 This study was commissioned to inform policy development in the preparation of the Redhill Town Centre Area Action Plan (RTCAAP) and comprised 3 parts:

Stage 1 – Review and List of Options

Stage 2 – Parking Matrix; and

Stage 3 – Summary Report

- 3.16 Section 2, Page 5 of the Summary report explains the current (2008) parking provision for Redhill:

“Overall, there is a significant amount of spare parking capacity in Redhill Town Centre, with 1,056 of 4,095 parking spaces unused during the peak parking periods. 36% of the sampled off-street parking spaces are unused during the peak parking period (12:00-14:00) in 2008. Similarly, 34% of available on-street parking spaces within 800m (10 minute walk) of the town centre were unused.

This surplus in car parking spaces could be used to help manage any increases in parking demand as a result of new development.”

- 3.17 The parking demand forecasts within the Report are set out at page 7 of the Summary report and looked at the possibility of all sites coming forward for development, including five new supermarkets (Warwick Quadrant, Cromwell Road, Queensway, Liquid and Envy, Station Road and Reading Arch Road) of which only one (the built-out Sainsburys at Warwick Quadrant) looks likely to be delivered in the medium term with none of the other sites currently being progressed. Page 9 of the Summary Report states that “The redevelopment of the Marketfield Way site in 2010-16 will lead to the loss of 97 off-road parking spaces at this location. In addition, the redevelopment of the Gloucester Road and Station Road sites in 2017-21 will lead to the loss of 503 off-road parking spaces. However, additional public parking will be made available at Warwick Quadrant and Cromwell Road, which could be used as a replacement for the lost parking. Overall, there will be an increase of 292 publically available parking spaces across the whole time period in scenarios 1&2, and an increase of 639 spaces in scenarios 3&4.”
- 3.18 As the scenarios are unlikely to be realised with only one of five supermarkets progressed and parking no longer featuring in development at Cromwell Road, it is important instead to consider the actual situation rather than that forecast. Importantly, any loss of the Marketfield Way parking spaces (97 public spaces) will be outweighed by the development of Warwick Quadrant (planning ref: 11/00212/F) for a new food store with customer parking above and the former basement parking given over to public use. This provided 531 spaces above ground to serve the development itself whilst the existing basement car park, comprising 365 parking spaces has been provided for public use.
- 3.19 The Marketfield Way scheme and the Warwick Quadrant scheme are the only two significant town centre retail options that have been developed/granted planning permission since the parking study was prepared that significantly affect parking provision within Redhill Town Centre (other than an application at Redhill Station which has now lapsed). With this in mind, there has been a net increase

of 268 public parking spaces within the town since the parking study was published. The only further development with the possibility of reducing the availability of public parking within the town would be if and when Gloucester Road is developed. At 285 spaces this would lead to a net loss of just 17 spaces from the situation as assessed in 2008 when there were 1,056 spaces unused during peak times. None of the other car parks within the town are being progressed for redevelopment currently or in any future plans, with the exception of the Network Rail-owned station car parks at Station Road and Redstone Hill (total of 370 spaces cumulatively). However, Network Rail is committed from a service-delivery and income perspective not to reduce parking capacity in any development options involving these sites and has an internal target of increasing station parking by 10% in any station redevelopment proposals. The previous planning application for the site (covering both station car parks) proposed a total of 735 parking spaces with 431 being exclusively for commuter use. The conclusions of the report in finding there to be an oversupply of parking provision in the town therefore remain up to date.

- 3.20 Section 6 of the Report, page 21, considers various options for improved parking infrastructure, such as improved wayfinding, signage and access arrangements. These have now been undertaken leading to a rationalised and more efficient parking arrangement, ensuring car parking spaces that are available are fully optimised. Although no further studies have been undertaken to assess parking spaces since these measures have been undertaken, from my own perception when visiting the centre, the situation appears to have improved.
- 3.21 Overall, I fully consider that the loss of the 97 public parking spaces at the Site would be more than outweighed by the significant new provision that has been provided by the new Sainsburys/Travelodge development at the north of Warwick Quadrant as well as improvements that have resulted from the options undertaken to manage existing demand.

2011-2015 Corporate Plan

(Council strategy / vision document)

3.22 The Corporate Plan covering the period 2011 to 2015 (Appendix 2) sets out the vision, priorities and objectives for the Borough over this period. The regeneration of Redhill formed a key part of the plan with redevelopment of the site a specific priority within this section, as follows:

- *Redevelop the Marketfield Way site as a major mixed use regeneration scheme (subject to scheme viability and market conditions) by 2015*

Whilst the timeframe for the site's redevelopment slipped due to the need for further design/consultation work and the progression of the planning application, the objective is clear. This aligned to one of the key outcomes also within the Redhill Regeneration section of the Corporate Plan, which was for:

- *A revitalised town centre through significantly improved supermarket provision, more comparison shopping to improve the range of shops and consumer choice, enhanced community, leisure and recreation facilities and a better quality environment*

2011 Retail and Leisure Needs Assessment Update Study (RLNUS) (CD12)

(Evidence base document)

3.23 This report, published September 2011 was undertaken by Roger Tym & Partners (RTP) on instruction by the Council to update the 2006 Retail and Leisure Needs Assessment (RLNA) and partially updated in March 2009. It was used as the retail evidence base for the Core Strategy and was prepared in order to (Page 1):

- *Inform the preparation of town, district and local centre policies and proposals for inclusion in the Council's Local Development Framework (Core Strategy and Redhill Town Centre Area Action Plan)*

- *Establish if there is a need for additional retail and leisure floor space by 2027, and if so, what amount, type and size of units are needed and where these would be appropriate*
- *Provide details on relationships and impacts on surrounding areas and their plans*
- *Provide more direction on the provision of additional leisure floorspace in the Borough*
- *Provide information to assist the Council in determining planning applications involving new or loss of existing retail floor space*
- *A 'reality check' of the quantitative forecasts and monitoring*

3.24 The Study found a need for an improvement in the quality of food and drink provision within Redhill as well as lending support to a new cinema to assist with improvements to the evening economy at page vii of the Executive Summary:

There is scope for an improvement in the quality of the food and drink offer in Redhill and therefore we consider the Council should encourage an improved evening economy offer in conjunction with its wider regeneration

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, we suggest an additional facility should be directed to Redhill in the first instance.

This summarises the qualitative findings at paragraph 6.14 and quantitative/gap analysis at paragraphs 6.16 and 6.17 on page 43 which state:

6.14 According to our observations, Redhill's leisure offer is lacking in range and quality, although it does house the Harlequin cinema and theatre complex. According to the visitor survey in 2007 the perception is that there is a lack of a

cinema in Redhill. In our view this is connected with the quality of cinema provision, with the facility at the Harlequin being a one-screen facility, not a multiplex such as the eight-screen Odeon found in Epsom.

6.16 Cinema operators make decisions of expansion or location based on 'screen density' – that is, the existing provision within appropriate drive-time isochrones, taking account of population levels (or the number of screens available per 100,000 people). The latest information that we have access to indicates that the average travel time to a cinema is around 18 minutes (as defined by Cinema and Video Industry Audience Research Ltd [Caviar]). Therefore, as a best estimate and to provide an indicative analysis of 'need' across the Borough, we have analysed cinema provision within an 18-minute drive-time of Redhill town centre.

6.17 Within the 18 minute drivetime there are two cinemas; the Harlequin in the Warwick Quadrant in Redhill which has one screen and the Everyman Cinema in Reigate which has two. As shown in Table 6.2 (should refer to 6.5) below, after calculating the population of the 18 minute drivetime as 118,391 this equates to 2.5 screens per 100,000 people, and is below both the national and South East averages. This analysis indicates that cinema provision is insufficient for the area.

Table 6.5 Cinema Screen Density within an 18-minute drive-time of Redhill Town Centre

Cinemas within 18 minute drive-time	No of screens within 18 minute drive-time	Population within 18 minute drive-time	Screen Density (i.e. screens per 100,000 people)	South East Average Screen Density	UK Average Screen Density
2	3	118,391	2.5	6.4	6.0

Source: UK Film Council Statistical Yearbook 2009/10 and MapInfo population data 2008.

Redhill Town Centre Area Action Plan – Consultation Draft – January 2012 (CD14)

(Initially intended as standalone Development Plan document)

- 3.25 This version of the RTCAAP was a Consultation Draft which built upon and superseded the Preferred Options (January 2009) document. It was subject to extensive public consultation between 16 January 2012 to 24 February 2012 which resulted in 88 responses being made on it. It was developed by taking forward the best parts of the previous consultation version and reflecting the views expressed on it as well as being updated to reflect additional evidence, particularly the 2011 Retail and Leisure Needs Update (CD12), emerging Core Strategy and Core Strategy Sequential Test Addendum – Redhill Town Centre (all discussed below). The main change to development aspirations for the Site resulting from the updated evidence base were to change the mix of uses envisaged, by dropping reference to the anchor retail unit and giving greater emphasis to the need for leisure, food and drink and residential uses in response to the findings of the Retail and Leisure Needs Assessment (discussed above).
- 3.26 The document sought to respond to the Borough's Community Plan (CD10); Corporate Plan (Appendix 2); the NPPF (CD36); the South East Plan (Appendix 1) and the emerging Core Strategy, in order to facilitate social, environmental and economic development and help make Redhill a thriving town centre, given Redhill's role as a Primary Town Centre and strategic transport hub and to fulfil its potential in the regional context. The policies, objectives and aspirations of each of these documents jointly and collectively provide a compelling evidence base for the need for, potential for and benefits of larger scale development within Redhill Town centre to assist with its social, environmental and economic regeneration.
- 3.27 The RTCAAP identified major opportunity sites (paragraph 1.6, page 5) which have the capacity to significantly deliver against the plan's objectives and are considered to be capable of delivery within the first part of the plan period. Given

the majority ownership of the Site by the Council, its prominent, under-utilised nature and its prior inclusion within the 2005 Borough Local Plan as a site allocation, its inclusion within the RTCAAP accorded with the vision to regenerate Redhill as well as development plan policy.

3.28 The Site was the first major opportunity site identified within the RTCAAP with Policy RTC1-A identifying it for Retail (comparison) with leisure and complementary uses. The allocation policy envisaged Retail (comparison): 4,400sqm; Leisure: 3,510sqm (2,214sqm D2, 1,296sqm A3) and Residential : 21 units. The quantum of residential development was based on a density of 150 dwellings per hectare on the areas of the Site considered developable for residential around the proposed retail and leisure uses. This was subject to change in the final scheme as will be discussed later and significantly underestimated the site's potential to deliver more residential units, to deliver the Core Strategy housing requirements for the Borough as well as the appropriate scale of developments coming forward in the town, such as those approved at Redhill Railway Station and the Former Liquid and Envy site.

3.29 The vision, proposals and justification for the site, as set out on page 8 of the document, was as follows (with my commentary on how the consented scheme responds to each in brackets after each):

“A.1 Vision – The Council, demonstrating its leadership and commitment to driving forward the regeneration of Redhill will deliver a high quality, mixed use, retail led regeneration scheme which, with a leisure anchor, will act as a catalyst to create a step change in the town centre’s retail offer and transform Redhill’s evening economy. This will help establish and secure the town’s position as both a shopping and business destination of choice, as well as a desirable place to live. (Met in full)

A.2 Proposals – The Marketfield Way site and car park occupies a prominent location in the town centre, but has yet to make the most of its prime spot on Redhill’s shopping circuit. It is currently occupied by a surface level car park and has some shop units facing the High Street, but these units do not meet the size

requirements of the major national retailers needed to secure Redhill's success. The Redhill Brook runs underneath the roadway adjacent to the car park and has been known to flood. (Met - the site specific flood risk assessment set out appropriate flood mitigation, discussed below).

A.3 The existing shops which front the High Street and the existing car park will be redeveloped to provide new shops at ground level facing the High Street and Marketfield Way – including a range of unit sizes to meet a variety of needs on the High Street – alongside food and drink outlets in conjunction with a leisure anchor, and on the upper floors, flats. In the event that a leisure anchor cannot be secured, due to financial viability, the residential capacity of the site should be maximised at upper floors. (Met – the retail, leisure and food and drink requirements are met including how they address High Street and Marketfield Way. The consented scheme increased the residential capacity of the site beyond that envisaged largely due to the need to deliver the higher housing numbers within the Core Strategy and following pre-application discussions and considerations of options which realised that a greater scale of building would be acceptable, especially in light of other schemes coming forward in the vicinity and the need to maximise the efficient use of land).

A.4 As it is a prime location within Redhill – one that can be seen from both the High Street and from Marketfield Way and the railway station, the development should be designed to reflect its important position with a high standard of architectural and environmental design. The new buildings which front the High Street should be of a comparable height with adjacent buildings to avoid overshadowing the street, and the whole development should seek to ensure that the risk of flooding is addressed through on-site attenuation and resilience measures. It will also be important for development on this site to incorporate a pedestrian and visual link to Marketfield Way, and development sites beyond in order to open up the Town Centre core and to provide strong visual and pedestrian links to the bus and railway station. (Met in full – the consented scheme is of a high quality design and materials palette and responds appropriately to height of High Street buildings. Flood risk attenuation and

resilience measures are incorporated as set out within the site specific flood risk assessment and summarised later in this proof).

A.5 Justification – Retail studies and town centre user surveys indicate there is a demand for larger shop units and higher specification retailers, the Marketfield Way site provides the opportunity for the town centre to expand its shopping offer (as set out in Policy RTC2-2 Improving the retail offer) and help to develop Redhill’s position as a destination for comparison shopping. 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, the Retail and Leisure Needs Assessment suggests that an additional facility should be directed to Redhill in the first instance. The site is close to public transport and within the town centre and therefore also presents an opportunity to provide new homes to meet housing demand and targets in an accessible and sustainable location. The delivery of a leisure anchor, and associated quality food and drink outlets, will meet the proven need and provide a sufficient cluster to create an appropriate evening economy for Redhill. This will support Redhill as both a shopping and business destination, as well as making it a more desirable place to live. Redevelopment of the Marketfield Way site in a comprehensive manner will bring significant improvements to the quality of the urban fabric and the public realm in this key town centre location. It also presents opportunities to strengthen the sense of place in Redhill by providing restaurant uses with outside seating areas.” (Met in full – the consented scheme provides the leisure anchor and larger format retail units with associated food and drink outlets).

3.30 The wording of Policy RTC1-A itself is as follows:

Development on this site will provide new comparison retail units which front the High Street and link to Marketfield Way, with complementary uses likely to include leisure and residential.

A development proposal for this site should;

i) deliver new development which is of a high quality in urban design, architectural and environmental standards with strong building frontages onto High Street and Marketfield Way, with entrances and activity on both roads. The heights of the scheme should carefully consider those of neighbouring buildings and uses, add to the distinctiveness of the town centre and integrate well with both the existing centre and other planned developments (Met in full);

ii) contributes significantly to the retail offer, at least 4000sqm, containing a variety of retail spaces to suit a range of retail requirements (Met - 3,463 sqm A1 retail, 2,091 A3 restaurants and cafes; 1,587 D2 leisure uses);

iii) be a mixed use development including significant amounts of leisure and quality food and drink alongside residential uses (Met in full);

iv) provide revised access arrangements from Marketfield Road and new access arrangements from Marketfield Way together with appropriate provision for taxi/private hire vehicles, cycle and pedestrian access and drop-off/pick-up points (Mostly met – new access arrangements, cycle storage and pedestrian access are all included);

v) make best endeavours to secure the re-provision or relocation of market storage facilities (No longer required – alternative site for market storage facilities is provided at Gloucester Road car park);

vi) make best endeavours to secure the re-provision or relocation of businesses displaced by the development (Met – please refer to proof of evidence of John Reed);

vii) provide onsite storage of surface and flood water alongside incorporating flood resistant/resilient design features given the risk of localised flooding on this site (Met – surface water attenuation and flood resilience measures incorporated, please see later section on site specific flood risk assessment);

viii) provide on and off-site highway improvements (Met – new access and service areas provided);

ix) include low provision of residents' car parking and include secure cycle parking / storage (Met – 47 parking spaces provided at a ration of 0.3 per residential flat, 1 cycle space per flat plus public spaces provided);

x) make no provision for town centre parking (Met – only parking provided is for residents);

xi) provide affordable housing within any residential element as appropriate (see Policy RTC2-6 Housing Type) (Not met – viability prevented on-site affordable provision but condition 17 secured overage to secure if profit allowed);

xii) incorporate green infrastructure (see Policy and RTC2-10 Promoting the enhancement of Green Infrastructure Appendix A urban design principles) (Met – new tree planting along Marketfield Way plus roof graden for residential apartments);

xiii) incorporate sustainable forms of construction, energy conservation measures and renewable energy and where possible include opportunities for on-site energy generation (see Policy CS10 Sustainable Construction, RTC 2-9 District Heating Network, Renewable Energy and Community Energy) (Met - air source heat pumps, passive design and combined heat and power provided as per Sustainability Statement CD29); and

xiv) be accompanied by an appropriate contribution package (see Policy RTC 2-14 Developer Contributions) (Not required in final scheme as no site specific infrastructure necessary).

3.31 Implementation of this Policy within the RTCAAP considered the site assembly issue:

“Site assembly - The site is in the Council’s ownership subject to leasehold and other interests. The Council will conduct negotiations with the owners of these interests in order to secure a comprehensive developable plot. If this cannot be secured the Council may explore the use of compulsory purchase powers. The Council will then work with a selected developer partner to deliver the scheme”

The above indicates that the potential need for compulsory purchase has been known and considered at the earliest stages, although the exact land interests may not have been fully investigated at the time of the policy.

- 3.32 In summary therefore the RTCAAP reached an advanced stage having been consulted upon at the issues and options; preferred options and consultation draft stages. The Consultation Draft RTCAAP generally sought to set out and deliver the regenerative vision for Redhill as set out within the Borough Local Plan, South East Plan, Community Plan and earlier iterations of the RTCAAP. More specifically for the Site, it sought to identify and bring forward development for a mixed use retail/leisure and residential development again in general accordance with previous iterations and the Borough Local Plan allocation. This was underpinned by a robust evidence base considering issues of parking, flooding, air quality, retail and leisure needs and master planning process. Ultimately the RTCAAP was not adopted as a stand-alone DPD as good progress was already made on delivery of some key sites and due to this and timings it was considered preferable to absorb this work into the emerging Development Management Plan DPD. However, the evidence base and policies in respect of the AAP and the Site identified continued to be up to date and relevant for these purposes.

The Reigate and Banstead Local Plan Core Strategy 2014 ("the Core Strategy") (CD38)

(Development plan document)

- 3.33 The Core Strategy was adopted in July 2014 and sets out the strategic spatial vision for the Borough over the next 15 years. The Core Strategy was adopted

having been found legally sound in all respects following examination hearing in December 2013 and following an extensive consultation process, including a series of issues and options, preferred options, revised preferred options, proposed changes and further modifications over a period stretching back to 2006. It sets out the quantum of development required over the plan period (to 2027) with at least 6,900 new homes (equating to at least 460 per year) and at least 25,800 sqm comparison retail floorspace required.

3.34 A key objective of the Core Strategy as set out in the Core Strategy Objectives in Figure 5, page 16 (SO20) is *“To enhance the role of Redhill town centre as a centre of strategic importance, part of a regional transport hub, and as a safe and attractive retail, culture, leisure destination with a high quality environment.”*

3.35 The Core Strategy sets out how regeneration will be prioritised and, at paragraph 5.1.9 states:

“Redhill is the main focal point for economic and cultural provision in the borough. The town has good transport connections - it is not only a transport interchange and gateway for movement within the borough but also to inter-regional and international destinations. As a commercial centre offering a wide range of office space, Redhill is an attractive employment location for both employers and employees and an accessible destination for shoppers and people to spend their leisure time. However Redhill does not currently fulfil its potential in terms of its retail offer and range of leisure facilities. This results in the borough’s residents, and potential employers, choosing to - or having to - travel or locate elsewhere. Given its strong locational advantages, Redhill is identified in the Core Strategy as the main centre for consolidation and growth. The 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.”

3.36 Policy CS5, page 34, of the Core Strategy states that the Council will promote and support continued sustainable economic prosperity and regeneration in Reigate & Banstead by:

a. Identifying, targeting and working to improve the priority Regeneration Areas, where development and growth can deliver economic, social and environmental improvements to those areas and the people who live in them

b. Sustaining those areas of the borough which already prosper by supporting communities and improving infrastructure and community facilities to meet their needs

c. Recognising and nurturing the distinctive economic role of different parts of the borough (in particular raising the profile of Redhill as a commercial location), and working with adjoining authorities and other partners to maximise the opportunities arising from our position within the Gatwick Diamond, the Coast to Capital Local Enterprise Partnership, Surrey Connects and our proximity to London

d. Planning for a range of types and sizes of employment premises to cater for the needs of established, growing and start-up businesses; and ensuring sufficient flexibility to meet their changing needs and attract new businesses

e. Planning for the delivery of additional employment floorspace to meet the forecast growth needs of the borough, by: (i) focusing on retaining and making the best use of existing employment land, particularly within town centres and industrial areas unless it can be demonstrated that there is no reasonable prospect of a site being used for that purpose over the life of the plan; and (ii) ensuring that any new employment development outside these areas reflects wider policy priorities and is located in accordance with sustainability principles.

f. Supporting entrepreneurship and innovation by facilitating the provision of affordable start-up/ incubator units in the most accessible locations.

3.37 Paragraph 6.6 of the Core Strategy and the relevant parts of Policy CS8 (Area 2a) are important in setting out Redhill's role within the Borough, and the location of potential development within the town:

6.6.1 Redhill is the borough's largest town. It is a primary shopping centre and major site for employment with excellent road and rail links north-south and east-west including the A25/A23 and the London to Brighton and Reading to Gatwick lines. The unique combination of rail and bus services and connections to the national trunk road and motorway networks make Redhill one of the most accessible locations in the region, providing relatively easy access to both Central London and Gatwick Airport.

6.6.2 The Council's townscape analysis shows that the centre of Redhill has a relatively low sensitivity to growth and high capacity for change. The evidence also shows that Redhill is the borough's most accessible location by public transport. This is reflected in the Council's efforts to regenerate the town centre to reflect its primary centre status and take advantage of its excellent transport links.

6.6.3 Regeneration proposals for Redhill town centre will be addressed through the DMP. The definition of town centre boundaries and identification of site specific allocations within town centres will be set out in the DMP.

Development proposed

6.6.4 Housing in the urban area: Redhill town centre has the potential to provide up to 750 new housing units between 2012 and 2022. Almost all of these will be high-density units associated with opportunity sites in the town....

6.6.5 Employment: As the main urban centre in the borough and a centre for significant change, Redhill will be a focus for employment development, with the town centre being a key location for additional office space of up to 7,000sqm (net) to enhance the role of Redhill as a commercial destination. There are also a number of other employment areas in Area 2a – these offer some potential for reuse/intensification for other commercial uses and provide important complementary employment opportunities for the area. The DMP will confirm employment designations in the Area 2a. For monitoring purposes, a target of

12,500sqm of employment floorspace has been identified for Area 2a and Area 2b together (excluding Redhill town centre).

6.6.6 Retail and leisure: As a primary shopping centre, Redhill caters for both local and borough-wide needs. The majority of both comparison retail and convenience retail development in the borough will be accommodated within Redhill town centre - 15,480sqm and 7,020sqm respectively within the current town centre boundary, with potential for an extension to the town centre boundary in the longer term, subject to realisation of wider regeneration objectives and further testing. The DMP will plan for and allocate sites to provide the identified retail floorspace. Retail provision figures will be reviewed regularly to ensure opportunities for regeneration within the town centre, and Redhill's potential as a primary shopping centre for the borough and beyond, are realised. To support the development of Redhill's sub-regional role, other complementary uses, such as leisure, need to be delivered. The DMP will therefore also set out the amount and type of leisure provision required in the town centre.

6.6.7 Regeneration: Redhill town centre and Merstham have been identified as priority regeneration areas. The regeneration of Redhill is linked to its status as a centre for significant change and its role as a hub with its strong transport connections. The regeneration of Redhill will result in population growth alongside employment, retail and cultural development in a highly accessible location with a strong economic base. There is the opportunity to generate significant jobs and training opportunities to help benefit the local community. The development will involve innovative environmental design and public realm improvements and other sustainable development initiatives including the potential for renewable energy schemes being explored...

6.6.8 Infrastructure: Realising regeneration and growth within Redhill town centre will require some key improvements to the transport infrastructure, flood attenuation works and relocation of essential community facilities to ensure the town centre fulfils its potential. The DMP and IDP will plan for, and identify funding sources to deliver, the necessary infrastructure. This will include parking provision....

3.38 Policy CS10 of the Core Strategy explains how sustainable development will be achieved, stating at paragraph 7.1.7 *“Making the best use of land: The borough contains many areas that are appropriately developed at a relatively low density, as well as areas where there is the opportunity to develop at higher densities to make better use of previously developed land and existing infrastructure. To respect the character of existing built-up areas, and to promote regeneration where appropriate, policy criteria to guide development densities, and/or area or site specific densities, will be developed in the DMP, along with policy relating to the development of garden land. This will ensure that the most efficient use is made of previously developed land but will also take account of character, infrastructure capacity or potential, and accessibility to and from jobs and services. Our spatial strategy, through policy CS6, prioritises development sites within the urban area, particularly in the most sustainable locations, however recognises that in the longer term, some release of sites beyond the current urban area for development may be required. The allocation of such sites will be guided by the sustainability criteria set out in this policy and policy CS6.”*

Paragraph 7.1.10 goes on to state *“Redhill: Development sites within Redhill town centre will be allocated through the DMP. A flood risk assessment has been carried out for the town centre and the Sequential Test has been applied to all of the proposed development sites in this area. This has concluded that it would not be possible to locate the development proposed for these sites in areas at lower risk of flooding. For sites in Redhill town centre where the Exception Test is required it has been demonstrated that the proposed development would provide wider sustainability benefits to the community that outweigh the flood risk, owing to the regeneration benefits arising from the development. It has therefore been demonstrated that the first two requirements of the Exception Test has been met. The remaining requirement of the Exception Test is to demonstrate that the development will be safe, without increasing flood risk elsewhere and where possible would reduce flood risk overall. Developers will be required to meet this requirement through the application of policies in the DMP.”*

3.39 Policy CS10 itself requires development (amongst other things) to:

“1. Make efficient use of land, giving priority to previously developed land and buildings within the built up areas.

2. Be at an appropriate density, taking account of and respecting the character of the local area and levels of accessibility and services.”

- 3.40 Development of the Site therefore accords with the key Core Strategy policies and objectives redeveloping a prominent Redhill town centre which is identified as the primary location for growth and regeneration. It assists with the regeneration objectives and helps deliver the development required by Policy CS8 and would play a key role in delivering one of the strategic objectives of the plan, to enhance the role of Redhill town centre as a centre of strategic importance.

Reigate & Banstead Retail Needs Assessment – Peter Brett Associates – June 2016 (CD18)

(Evidence base document)

- 3.41 This study was undertaken to inform the identification of development sites to meet retail needs in the borough and feed into the Council's Development Management Plan. It sought to update the position since the 2011 Retail and Leisure Needs Update Study (RLNUS) (CD12) in light of changing retail habits following the economic downturn and the role of town centres following this.
- 3.42 The growth of the commercial leisure sector is set out at paras 3.23 to 3.25 of the report:

“3.23 Most commentators predict that commercial leisure, such as cafes, bars, restaurants and cinemas, will constitute a growing share of town centre floorspace. This is partly a replacement activity generated as a consequence of the reduced demand for traditional retail space, and partly driven by the increase in leisure expenditure as discretionary household expenditure rises. Although the scope of this report will not assess the need for leisure floorspace, trends in the

leisure sector have an impact on the wider uptake of town centre floorspace. These key trends include :

□ *Cinema sector: is expected to expand via acquisition and diversification of the market despite falling attendance figures over the last two years. The main three operators in the market are primarily opting to focus on larger markets where there is limited competition, whereas the second tier and boutique operators are focusing on the qualitative difference in their offer to enable them to create specialist markets.*

□ *Restaurant sector: contributed significantly to the continued growth of the leisure sector throughout and since the recession. Demand for A3 space is being driven by the regional expansion of successful A3 operators established in London.*

□ *Health and fitness: the market is expected to experience continued growth in market value with annual memberships increased from 12.6% to 13.2% and 177 new facilities opened in the year up to 2014 predominantly in the budget sector.*

3.24 *When considering leisure expenditure available to households, spending on food and drink typically accounts for more than 50% of total leisure spending, compared to around 15% on 'cultural services' (e.g. going to the cinema, theatre, art galleries or live music) and under 10% on hotels, games of chance and recreation/sporting services.*

3.25 *There is scope for town centres to capitalise on this trend, redefining their function as leisure 'destinations' in their own right. The development of a strong commercial leisure offer can help to increase footfall, particularly outside of retail hours, and visitors undertaking 'linked trips' between retail, leisure and other uses also spend increased dwell-time in centres"*

3.43 Paragraphs 3.29 and 3.30 (page 19) consider the implications following changing retail trends:

“The combined effects of polarisation, driven by shifting consumer behaviour, and the growth of internet shopping present both an opportunity and a threat for small and medium sized towns like Redhill and Reigate which compete for expenditure with higher-order centres such as Croydon.

There is a threat that if town centres fail to respond positively to these trends that they will continue to lose market share to larger centres. However, there is also significant opportunity if centres succeed in harnessing the benefits of omni-channel retailing such as promoting click and collect schemes and allowing showrooming to effectively increase the retail offer and drive footfall in the town centre. The rise of commercial leisure presents another opportunity for small/medium town centres, such as Horley and Redhill, to incorporate a wider mix of uses in order to drive footfall and support the vitality and viability of centres.”

3.44 With regards to Redhill, its findings are as follows (Page 94): “

“Redhill is also a successful town centre, but would benefit from some environmental improvements. There is evidence of market demand for additional floorspace, but the existing retail accommodation cannot meet the needs that exist. Based on the deliverability assessment, the comparison goods need is estimated at 7,500 sqm net by 2027, increasing to about 13,100 sqm net by 2032.

It is expected that the need by 2027 can primarily be met by potentially available development sites (as assessed in Section 8) and potentially also by 2032. Furthermore, there are areas of the town centre that could improve its performance (and therefore meet some of the expenditure needs) through asset management rather than wholesale redevelopment.”

3.45 The comparison need was therefore found to be less than that in the 2011 Study for Redhill and the Borough as a whole, reflecting the changing retail trends since the economic downturn. Table 4.2 on page 22 of the report illustrates how Redhill has higher proportion of comparison retailers to overall uses and a lower

proportion of food and drink and miscellaneous uses compared to the national average.

3.46 Paragraphs 7.20 and 7.21 (amongst others) set out the qualitative need for leisure and restaurant floorspace within Redhill town centre and state:

“7.20 Redhill has a relatively limited food and drink offer compared to competing centres such as Crawley. Market research indicates that an improved dining offer would support the main retail function by increasing dwell time. An improved leisure offer would also encourage office workers to spend more time in the centre beyond working hours contributing to growth of the evening economy. Marketfield Way has attracted significant interest from national A3 operators and national cinema operators indicative of strong local demand for floorspace.

7.21 Overall it is considered that the performance of Redhill could be improved in qualitative terms, the main areas for improvement are set out below:

- *Increase diversity of the offer within the convenience and comparison sector ;*
- *Increase representation from national multiples in the convenience and comparison sector;*
- *Increase the provision of large format retail units;*
- *Improve the quality and diversity of the food and drink sector to support growth of the evening economy; and,*
- *Public realm improvements in those parts of the centre with low environmental quality.*

3.47 Volume 2 of the Report details these potentially available development sites, including Marketfield Way and reports as follows:

Market signals:

Market research indicates that there is strong demand from retailers and commercial leisure operators. The development has attracted significant interest from national retailers, A3 operators and cinema operators without the need for marketing. To date, one national retail operators is in discussion to take a large (19,000sq ft) unit within the proposed development, and the cinema has attracted interested from two of the main cinema operators. Securing pre-lets to A3 operators is likely to progress following the pre-let to a cinema operator.

Recommendations:

The developers are in discussions with a number of tenants to pre-let units which suggests that the development is likely to go ahead, subject to obtaining planning permission. The development has the potential to significantly improve the vitality and viability of the centre. The development would significantly improve the comparison shopping offer by providing large format retail units to meet modern retailer requirements. The development will provide much needed commercial leisure facilities to support the growth of the evening economy.

The Reigate and Banstead Development Management Plan Regulation 18 Consultation – August 2016

(Development plan document)

- 3.48 The Development Management Plan (DMP) seeks to provide a more detailed policy matrix (through detailed policies and site allocations) for the delivery of the development principles and targets set out in the Council's adopted Core Strategy. As a Development Plan Document, it is underpinned by a robust evidence base with a raft of documents relevant to the allocation of development sites as set out at page 106 of the Plan.
- 3.49 The Regulation 18 consultation draft of the DMP (CD54) was prepared to seek the public's views on the proposed objectives, policy approaches and potential site designations set out and was consulted upon between 1 August 2016 to 10 October 2016. In total, 1,141 representations were received during the consultation period. The DMP has since advanced through Regulation 19 stage

to submission with examination to be held in October but this earlier consultation draft is relevant as part of that process.

3.50 At page 118, Redhill town centre potential development sites are set out and it is explained that *“The following potential development sites have been identified in Redhill Town Centre as having potential for redevelopment or intensification over the plan period (to 2027). The majority of these sites have previously been identified as having development potential through the Council’s draft Redhill Town Centre Area Action Plan. The DMP carries forward the majority of identified Redhill Town Centre Area Action Plan (Draft 2012) sites but with modifications that reflect subsequent changes in the economic environment and anticipated development potential.”*

3.51 Following a robust assessment of sites, through evidence including the draft Redhill Town Centre Area Action Plan and the Strategic Housing Land Availability Assessments, development sites were allocated. The Site was allocated as a potential town centre development site within the Regulation 18 consultation version in Allocation RTC1 (page 119) which identified the site for mixed use, including retail, leisure and residential as follows:

- Retail: Approximately 3,500sqm focussed on predominantly comparison operators; and
- Food and drink: Approximately 1,200sqm; and
- Leisure: Six screen cinema; and
- Residential: Approximately 150 residential units

3.52 Measures required to support development of the Site are then set out as follows:

- Measures to manage and attenuate flood water in order to reduce overall flood risk and design to ensure safe access and egress in the event of flooding

- Active ground floor frontages (retail/leisure) onto High Street and, where possible, onto Marketfield Way
- A range of retail unit sizes, including large units to attract national comparison retailers
- High quality public realm and improved connectivity between High Street and Marketfield Way

All of the above are considered to be fully met by the consented development.

The Reigate and Banstead Development Management Plan Regulation 19 Publication and Submission – January 2018

(Development Plan document)

- 3.53 The Regulation 19 publication version of the DMP (CD40) was published in January 2018, taking on board all comments received on the Regulation 18 Consultation version and having been updated to reflect these and various changes to evidence and circumstances. It was submitted for examination in May 2018 (extracts of which can be seen at CD55) with examination in public scheduled to start in October 2018 and therefore carries some weight. As the planning application for the Site had been determined and planning permission granted prior to the publication of the Regulation 19 version, the Site no longer featured as an express site allocation within the document. Paragraph 4.4.6 on page 83 of the Submission version explains *“The DMP does not include, as site allocations or opportunity sites, sites that already have planning permission prior to adoption of the DMP, as it is not considered necessary once the principle of development has been established. These, however, will continue to be identified in the HELAA, the Brownfield register where relevant and are included in the housing trajectory.”*
- 3.54 As previously mentioned, the DMP seeks to deliver the strategic objectives, priorities and policies of the Core Strategy, including detailed policies and site

allocations to enable this. Included within the DMP are a number of objectives, including:

- Objective PE4: Protect the vitality and viability of our town centre shopping areas;
- Objective PE6: Ensure that both town and local centres are resilient and able to respond to future changes (Page 18);
- Objective SC1: To ensure that new development makes the best use of land whilst also being well designed and protecting and enhancing local character and distinctiveness;
- Objective SC2: To ensure an appropriate mix of housing types and sizes, offering a good standard of living to future occupants (Page 28)

3.55 Relevant to development of the site are Policy RET1 page 19, which requires:

Within town centre primary and secondary frontages, and in local centres (and subject to adherence with other policies):

1) Development proposals must:

- a) Retain an active ground floor frontage which is accessible to the public from the street*
 - b) Be of a character and scale appropriate to the nature and function of the shopping area in which it is located*
 - c) Not harm residential, public or visual amenity through impacts such as noise, odour, fumes, litter, general disturbance or late night activity*
 - d) Not have an unacceptable impact on traffic, movement and parking, and not compromise highway or pedestrian safety in the locality; and*
 - e) Protect and where possible enhance the public realm through environmental improvements including provision of high quality surfacing and careful planting.*
- 2) On upper floors, proposals for A1/2/3; B1a; D1/2 and C3 uses that make effective and efficient use of space will, subject to the above criteria, be considered favourably*

3.56 Policy DES1, page 29, sets the design requirements for all development, stating:

All new types of development will be expected to be of a high quality design that makes a positive contribution to the character and appearance of its surroundings. Planning permission will be granted for new development where it meets the following criteria (subject to adherence with other policies):

1) Promotes and reinforces local distinctiveness and respects the character of the surrounding area, including positive physical characteristics of local neighbourhoods and the visual appearance of the immediate street scene.

2) Uses high quality materials, landscaping and building detailing.

3) Has due regard to the layout, density, plot sizes, building siting, scale, massing, height, and roofscapes of the surrounding area, the relationship to neighbouring buildings, and important views into and out of the site.

4) Provides street furniture/trees and public art where it would enhance the public realm and/or reinforce a sense of place.

5) Provides an appropriate environment for future occupants whilst not adversely impacting on the amenity of occupants of existing nearby buildings, including by way of overbearing, obtrusiveness, overshadowing, overlooking and loss of privacy.

3.57 Development of the Site is considered to be fully compliant with the Development Management Plan, as submitted. It would have been included as an allocation were it not already consented but the scheme would satisfy the policies and objectives of the DMP. The scheme would assist in the regeneration of Redhill, making the town centre more resilient with a mixture of uses providing consumer choice. It is of a high quality design with scale and character appropriate to the area and reinforce a sense of place. It was concluded to not to affect the amenities of any neighbouring properties and is considered fully compliant with its policies and objectives.

The National Planning Policy Framework (2018) (CD56)

(National Planning policy guidance)

3.58 The new Framework (CD56) adds further policy support to the mixed-use redevelopment of the Site. It states at paragraph 85:

“policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation”.

At paras 117 and 122 it refers to the need to make efficient use of land:

“117. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses...Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land.

122. Planning policies and decisions should support development that makes efficient use of land, including (amongst other matters):

the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; and

the desirability of...promoting regeneration and change;”

It also increases the emphasis on needing to build at higher densities, particularly in town centres at paragraph 123:

Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;

b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and

c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

3.59 The new Framework also has the effect of requiring higher housing numbers for this Borough than currently required in the Core Strategy through the new standardised methodology (paragraph 60) which as currently calculated would result in a need of 1,035 homes per year compared to the 460 as set out in the Core Strategy, so increasing the need to make the most efficient use of town centres for this purpose. It continues to include retail and leisure uses within its definition of main town centre uses as well as continuing its over-arching objective for sustainable development which would be delivered by development of the Site.

3.60 Development of the Site is therefore in accordance with the continued objectives for sustainable development set out in the Framework and helps to support the role of Redhill town centre and makes more efficient use of the site deliver the additional housing required as well as promoting regeneration and change in this sustainable location.

Conclusion on Policy position

3.61 The above policy documents demonstrate how and why development should be directed to Redhill town centre as the Borough's main centre, a centre for significant change and regional hub. When taken cumulatively they provide a

compelling policy base directing significant new development to Redhill to help enable its regeneration and fulfil its potential.

- 3.62 The Core Strategy includes strategic policies that seek to enhance Redhill Town centre as a retail and leisure destination and identify it as a priority area for regeneration and main centre for change in accordance with the objectives of the NPPF. The Core Strategy builds upon the strategic vision set out formerly by the Regional Spatial Strategy (The South East Plan) and as detailed within the draft Redhill Town Centre Area Action Plan which directs and guides growth to the town.
- 3.63 Mixed-use redevelopment of the Site has long been an objective as set out within the 2005 Borough Local Plan, Corporate Plan and Draft Redhill Town Centre Area Action Plan. Such redevelopment would accord with the policy direction of the Core Strategy and the 2012 and 2018 NPPF in terms of delivering sustainable development and providing competitive town centres as well as its requirements for the delivery of significant new housing whilst promoting regeneration and change.

4.0 REGENERATION OBJECTIVES

- 4.1 The Council's long-held aspirations for redevelopment of the Site result from its potential to deliver social, environmental and economic improvements to Redhill as set out within the relevant Redhill Town Centre Area Action Plan documents. I therefore consider the Site's development would achieve all three of the objects for the purposes of Section 226 (1)(a) of the Town and Country Planning Act 1990.
- 4.2 The social benefits that would derive from the Site's development include the provision of a leisure anchor, in the form of a multi-screen cinema, which would in my professional view significantly improve the leisure offer of the town and wider area with similar multiplex cinemas otherwise lacking in the Borough, as evidenced in both the 2011 and 2016 Retail and Leisure Needs Assessment (CD12 and CD18) which conclude in both qualitative and gap analysis that there

is a need for a cinema and that it would assist in improving the quality of the food and drink offer as well as the evening economy. It is for this reason that the 2012 version of the RTCAAP switched focus from a retail anchor on the Site as proposed in 2009, to a leisure anchor, as agreed at the Council Executive meeting on 8 December 2011 (CD11) and delivered by the consented development. This would also be likely to bring wider social benefits in attracting complimentary food and drink offers to help boost the town's evening economy which performs poorly given its size and catchment, as evidenced in the 2016 retail needs study where it is reported that a strong leisure offer can increase footfall particularly outside retail hours (para 3.25).

- 4.3 An improved evening economy and leisure offer would help draw a wide range of people and families into the town outside shop opening hours which would itself reduce anti-social behaviour issues that have been associated with Redhill due to the lack of an evening offer (other than pubs) currently. This is evident from para 4.33 of the 2016 Retail Needs Assessment (CD18) where it is reported that the number of crimes within the centre rose 14.3% between 2011 and 2016 with 33% being related to anti-social behaviour. The new shops would increase consumer choice and have potential to attract multiple retailers otherwise missing in the Borough. Finally, the residential provision would significantly help meet the Borough's housing need, and, together with other developments, help bring down the overall high costs of housing within the Borough. The Core Strategy identifies a requirement for 6,900 homes (460 per year) across the plan period to 2027 but this does not reflect the objectively assessed need and, calculating need using the 2018 NPPF standard methodology, the housing requirement is increased further to 1,035 new homes per year, outlining the compelling need for new housing and the need to maximise sustainable town centre sites for this purpose.
- 4.4 The environmental benefits resulting from the proposed development include an improved public realm. The Site is prominently located within the centre of the town and its open, car dominated character currently contributes little to the environment of the town. The regeneration of the Site provides an opportunity to provide a landmark feature, helping give identity to the centre and its active

ground floor frontages would bring life and vitality into what is currently a largely dead space, particularly outside of retail opening hours. The provision of a significant number of new residential dwellings in a sustainable location, close to main bus and rail links as well as other local amenities would also provide an environmental benefit from the scheme. Redhill's excellent transport links are a key reason for its identification within the development plan and previous South East Plan and local strategies as a centre for growth with up to 750 new housing units identified in the town centre to 2022 and additional 580 units over the Plan period to 2027. The desirability and benefits of locating housing within sustainable locations has long been established and is only emphasised further within the new 2018 NPPF para 103 *"Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes."*

- 4.5 Economic benefits would certainly be realised by the development of the Site in the form of the significant number of new jobs offered by the new retail and leisure units as well as the knock-on positive impacts this would have for the rest of the town as a greater number of people are drawn to it during both day and evening hours. This is likely to result in an increase in visitor numbers to other premises within the town and give rise to potentially further evening economy uses opening. The consolidation of parking would help visitor numbers to other town centre car parks within the town, where there is currently an oversupply meaning the current use essentially offers no economic benefit other than moderate convenience for some town centre visitors. The original vision for the Site included a retail anchor which I consider would have also had a beneficial impact economically for the town and would have attracted further visitor numbers and retail units to the centre during shop opening hours. However, I consider the provision of a leisure anchor and attractiveness of this to complimentary uses would be even more transformative in helping the evening economy of the town which is currently lacking, for the reasons set out in the 2016 Retail Needs Study, given the changing roles of town centres, the reduced need for additional comparison retail floorspace compared to the 2011 Study and

the evidence of the significant additional footfall that they can generate outside of retail opening hours, as set out earlier.

- 4.6 I consider the benefits to social, economic and environmental well-being to be delivered by development of the Site would be significant and would positively transform Redhill and address many of the negative issues affecting it and perceptions of it.

5.0 THE CONSENTED DEVELOPMENT

- 5.1 Planning application 16/01066/F was validated on 3rd May 2016 to bring forward development of the Marketfield Way site with the following description *“Demolition of existing buildings and redevelopment to provide new multi-screen cinema and flexible retail, restaurant and café 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.”* The application was supported by a suite of technical assessments and planning reports, including Daylight / Sunlight report (CD26), Flood Risk Assessment (CD24), Transport Assessment (CD23), Noise Assessment (CD30), and Townscape and Visual Impact Studies (CD33). All of these reports were subject to consultation with relevant Council officers, and statutory consultees. These reports all concluded the scheme to be acceptable in planning terms.
- 5.2 The application was considered at the 18th January 2017 Planning Committee meeting where it was resolved to grant planning permission subject to conditions. The application was supported by a suite of technical assessments and planning reports, including Daylight / Sunlight reports, Flood Risk Assessments, Highways, Noise Assessments, and Townscape and Visual Impact Studies. All of these reports were subject to consultation with relevant Council officers, and statutory consultees. These reports all concluded the scheme to be acceptable in planning terms. The matters which they raise are explored within the planning

officer's report to Planning Committee, a copy of which can be seen at CD34 which sets out in full the consideration of issues, assessment against policy and consultation responses received. The planning permission was issued on the 20th January 2017. A copy of the Planning Permission and its approved plans can be seen at CD35.

- 5.3 The consented development comprised 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. The quantum of residential development within the application differed significantly from that set out in the RTCAAP, largely in response to the housing needs identified within the 2014 Core Strategy, and the role of Redhill town centre sites such as this helping to achieve these. It was also informed by the changing nature of the Redhill townscape with tall developments already granted at the station site and former Liquid and Envy, opposite, but in accordance with the tall buildings commentary of the RTCAAP.
- 5.4 Neighbour notification, publicity and consultation was carried out in accordance with statutory requirements, with letters sent to neighbouring properties on 18th May 2016, a site notice posted on 9th June 2016 and advert placed in the local press on 26 May 2016. In response to this, 9 responses were received, 2 of which were supportive.
- 5.5 The Committee Report identified significant benefits associated with the scheme, at paragraphs 6.3 to 6.8 including helping improve consumer choice in the retail offer as well as the leisure/cinema and food and drink offers within the Borough; helping improve Redhill as both a shopping destination with potential for the new, larger and modern retail units attracting national multipliers to the town; helping improve the evening economy and reducing anti-social behaviour and helping to meet some of the identified housing need for the town. It was acknowledged that there would be a small loss of office floorspace on the upper floors of Surrey House, to be demolished. However, when balancing this against the wider

strategy for development of the Site as set out in the development plan as well as the significant economic and social benefits that would result from the proposed development, including a likely overall increase in employment, this was considered to be more than outweighed by the benefits and fully justified in accordance with other policies in the plan.

5.6 The mix of uses was broadly consistent with that envisaged by policy in the 2012 RTCAAP Consultation Draft although the quantum of residential was significantly higher than that anticipated in that document. The planning application proposed 153 apartments, rather than the 21 envisaged previously. This was primarily due to a realisation that the site could afford a taller development than previously envisaged at the southern end of the site (consistent with the RTCAAP identification of the site being appropriate for tall buildings – appendix A v) and followed planning and pre-planning principles established for taller buildings on other sites in the vicinity, such as Redhill Station and Former Liquid and Envy (both opposite) where the principles of taller buildings had become established. Pre-application discussions shaped the design and quantum of development on this Site, as evidenced by the submitted design and access statement (CD22) which describes in detail the site context, opportunities and constraints and development of the scheme from conception. A greater amount of residential development than previously anticipated was also consistent with the Core Strategy requirement for 750 new homes in Redhill town centre to 2022.

5.7 This height was also considered acceptable not just from a townscape perspective but also in terms of daylighting and sunlighting assessment, as detailed within the daylighting and sunlighting report (CD26) accompanying the application. I agree with the conclusions of this report (page 24) which state *“The results of our examination show that for the neighbouring habitable windows / rooms analysed, provision of reasonable daylight / sunlight is still maintained in the proposed scenario / these generally satisfy on balance, the target requirements of the BRE Guide for an urban context, in terms of daylight and sunlight in the proposed situation / there is no significant adverse material effect. Equally in terms of shadowing / sun on the ground, the proposal does not result in any significant adverse effect / generally follows the BRE Guide target criteria.”*

The consented development was therefore considered acceptable in this regard and found to have no significant adverse neighbour amenity impacts in this or any other regards.

- 5.8 The planning application was accompanied by a site specific flood risk assessment (CD24) which outlined that the site was within flood zone 2 for fluvial flood risk and flood zone 3 for surface water flood risk (Para 4.1). The site specific FRA explains at para 6.4 that although the site will remain impermeable green and brown roofs would reduce the flow of water and a new underground storage system would be provided to reduce the outfall rate during flood events. This would reduce the risk of surface water flooding both on and off-site through the combined capture and storage measures such that there were no objections from the Lead Local Flood Authority (Surrey County Council) subject to conditions imposed. Para 6.2 explains how residential development would be located high above any potential flood levels so protecting any residents from inundation. The FRA details the flood risk mitigation measures at Section 7, including, due to the lower level of the basement car park: self-raising flood barriers on all entrances to the buildings and the basement car park. It then details requirements for a management plan to restrict access in times of inundation and for all businesses and residents to be registered for flood warnings with the Environment Agency and triggers for an evacuation plan in the event of severe flooding in order to pass the exception test and ensure that there is no increased risk to life posed by the development. This was fully considered by the Environment Agency at the pre-planning and planning application stage who had no objections to the proposed development.
- 5.9 The loss of the public parking spaces was fully considered against the availability and accessibility of other town centre car parks. It was concluded that nearby public parking, provided as a result of the Sainsburys redevelopment in close proximity to the site, fully accessible and well maintained would more than outweigh the loss of parking resulting from the application and in accordance with the findings of the parking needs study which found an oversupply of parking within the town and recommended measures to manage demand which have been undertaken.

5.10 The development incorporates a number of elements that would help to eliminate discrimination, advance equality of opportunity and foster good relations between persons sharing a protected characteristic under the Public Sector Equality Act 2010 and persons who do not. I set these out below:

- it will introduce new evening economy leisure facilities that will broaden the offer in Redhill for sectors of the population who do are not attracted to a “pub” culture;
- by creating new active frontages, it will make the site and environs less intimidating at night for sectors of the population who are visibly impaired – including older people and/ or people with disabilities - or who have lower thresholds of fear of crime or who are more prone to be victims of crime because of their identity by reason of sexuality or race or gender; and
- ensuring that the loss of parking would not adversely affect disabled parking access in the town with suitable, accessible alternatives provided in close proximity.

I am satisfied that, in approving this planning application, the Council has discharged its public sector equality duty under section 149 of the Equality Act 2010.

5.11 The Council also had due regard to the Human Rights implications (particularly Article 8 and Article 1 of the First Protocol) both when permission was granted and when it resolved to use its compulsory purchase powers. Ultimately the Council was fully satisfied that the loss of parking at the Site and the delivery of the scheme were in the public interest and justified any interference in human rights and any minor reduction in accessibility.

5.12 The Committee Report summarised the overall conclusions on the consented development as follows:

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.

6.0 SUMMARY AND CONCLUSIONS

(See also Benson Summary Proof)

- 6.1 The development of the Site for a mixed use retail/leisure/residential development would bring significant regeneration benefits to Redhill and would significantly improve the social, economic and environmental well-being of the area. The Site's redevelopment is a long held aspiration of the Council in order to realise its vision for, and the potential of, the town.
- 6.2 The statutory development plan for the Site and emerging DMP contains policies supporting its development for a mix of uses, and it has previously been allocated in emerging documents for such purposes (indeed the Site would have been included as an express allocation allocated in the DMP if its redevelopment had not already been granted planning permission). The proposed development would also accord with the objectives of the National Planning Policy Framework.
- 6.3 A detailed planning application 16/01066/F has been progressed and approved by the local planning authority which was robustly assessed against relevant policy and considered to be acceptable in planning terms. This consent remains extant, and there are no planning impediments to the scheme proceeding subject to land assembly.

APPENDICES

- 1 Extracts of the Regional Spatial Strategy for the South East (South East Plan) 2009
- 2 Corporate Plan 2011-2015
- 3 Flood risk technical note from Richard Jackson