

# Officer Recommendation: Approved with Conditions

**DATE VALID - 2nd March 2023**  
**TARGET DATE - 14th July 2023**

## **APPLICATION NUMBER – 22/02771/F**

### **LOCATION:**

The Haven 57 Reigate Road Hookwood Surrey RH6 0HL

### **APPLICANT:**

Daman Haven Ltd  
The Haven  
57 Reigate Road  
Hookwood  
Surrey  
RH6 0HL

### **AGENT:**

A.D.S  
Brook House  
Nash Street  
Golden Cross  
Hailsham  
BN27 4AB

### **PROPOSAL:**

Demolition of existing dwelling. Construction of new dwelling. As amended on 02/05/2023 and on 19/06/2023

### **SITE VISIT DATE:**

### **CONSULTATIONS**

Highway Authority - No objection, subject to conditions  
Environment Agency - No objections  
Salfords And Sidlow Parish Council - No objections

### **REPRESENTATIONS**

Neighbours - There were no objections from neighbouring properties.  
Councillors: no request for referral to committee.

### **POLICY CONTEXT**

Urban area

Reigate & Banstead Development Management Plan 2019 policies - DES1 (design of new development), DES4 (housing mix), DES5 (delivering high quality homes), NHE3 (Protecting trees, woodland areas and natural habitats), NHE5 (Green Belt), TAP1 (access, parking and servicing), CCF1 (climate change mitigation), INF3 (electronic communication network)

Reigate and Banstead Core Strategy 2014 - CS1, CS4, CS8, CS10, CS11.

Other Relevant Considerations - National Planning Policy Framework, supplementary planning guidance 'Householder Extensions and Alterations' (Householder SPG), supplementary planning guidance 'Local Character and Distinctiveness Design Guide' (LCDDG SPD), Human Rights Act 1998.

### **SITE AND CHARACTER APPRAISAL**

The site sits to the rear of the properties fronting Reigate Road and sits at the end of the access driveway. It is occupied by a very modest detached bungalow with a shallow pitched roof. The plot size is large and relatively flat, and there are various additions and several outbuildings to the rear. There is good tree cover to far rear of the site, but these

are well set away from the dwelling. The site sits within a designated rural area and is set within the metropolitan green belt. The site also includes a 1 in 30-year chance of surface water flooding.

#### ADDED VALUE

Improvements secured at the pre-application stage:

The opportunity did not arise because the applicant did not approach the Local Planning Authority before submitting the application.

Improvements secured during the course of the application:

Amended plans were received during the course of the application in relation to landscaping, internal layout and additional detailing.

Further improvements to be secured through conditions or legal agreement:

Materials as specified, landscaping condition, removal of permitted development rights, broadband condition, energy efficiency condition, Electric charging point condition, obscure glazing and side facing window condition, drainage condition

#### PLANNING AND ENFORCEMENT HISTORY

DHR/69/130 - single storey side extension

22/00182/HHOLD Single storey front extension, raise in ridge height and hip to gable roof alteration - Approved

22/01262/PDE Single storey rear extension. Maximum height 4.00m, height at eaves 2.50m and extending 8.00m beyond the rear wall - CEGPD - No Objections Received

22/01845/CLP - Single storey side extensions. - Permitted Development

#### PRINCIPAL ISSUES

Planning permission is sought for demolition of existing dwelling and construction of a new dwelling. The previous permissions approved in 2022 are all relevant planning considerations in this application.

The main issues are:

- o Impact on the Metropolitan Green Belt.
- o Design and impact on the character of the area
- o Impact on neighbour amenity
- o Amenity of future occupants
- o Highway matters
- o Affordable housing and Community Infrastructure Levy
- o Flood Risk
- o Other considerations
- o Very Special Circumstances

#### IMPACT ON THE METROPOLITAN GREEN BELT

The application site is located within the Metropolitan Green Belt. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence, para 137, NPPF.

The NPPF states local planning authorities should regard the construction of new buildings as inappropriate in the green belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 149 of the NPPF does identify some exceptions to this which includes the replacement of a building, provided that the new building is in the same use and not materially larger than the one it replaces. In addition, local policy NHE5 reflects the provisions of the NPPF. The floor area of the existing bungalow is approximately 138sqm and the proposed floor-space would be 207qm, an increase of 69sqm or around 50%. In addition, the proposed replacement bungalow would have a taller ridge height and additional dormers and gables which would create a greater bulk and presence. It is clear that the property would be materially larger than the property it replaces. It is therefore considered that in this regard the proposal would fall outside the exceptions in the Framework and would thereby constitute inappropriate development which is, by definition, harmful to the Metropolitan Green Belt. Therefore, in accordance with Policy CS3 of the Councils Core Strategy and policy NHE5 of the Development Management Plan (DMP) planning permission should be refused unless it is demonstrated that very special circumstances exist, to the extent that other considerations clearly outweigh any potential harm to the Green Belt by reason of inappropriateness and any other harm.

Very Special Circumstances will be discussed further down this report.

### DESIGN AND CHARACTER

Policy DES1 of the Development Management Plan requires new development to be of a high-quality design that makes a positive contribution to the character and appearance of its surroundings. It must, amongst other things, reinforce local distinctiveness, respect the characteristics of the local neighbourhood and visual appearance of the immediate streetscene, have 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 views into and out of the site.

The design of the dwelling would be of a chalet bungalow style in keeping with the majority of surrounding properties., most of which are detached bungalows with some form of room within the roof, including within dormers, gables and rooflights. The proposed property would utilise both gable and dormer features together with a rooflight in order to create the rooms within the roof whilst also retaining the bungalow style that is prevalent in this area. Low rise properties such as this are considered appropriate design given the Green Belt designation helping to ensure that properties would not appear overly dominant in this location. The proposal is considered to adhere with this. The increased height would not be so significant as to look out of place here. As evidenced by the supplied street scene plan, the existing dwelling is currently an anomaly, a shorter property than its neighbouring properties. The change would bring the dwelling up to a height reflective of these neighbours.

Furthermore, the dwelling would be placed in a new location, a little further back within the plot than the existing. This would result in an improved character here, as the dwelling would be set within the building line that exists between nearby properties instead of set in front of it. Good spacing would also be retained to boundaries helping to ensure the spacious nature of plots here is retained. Given the dwelling is set behind those on the main road it would hold no real visibility within the street scene and would no therefore be harmful to it as a result.

The dwelling would be constructed with rendered walls and a slate roof. Whilst this varies from the current dwelling, there are several examples of similar finishes in this vicinity. The most notable examples being found along the main road and therefore carrying more visibility within the surrounding area. The dormer design would reflect that found within the Councils Supplementary Planning Guidance on Householder Extensions and Alterations and the scale of the gables is considered to result in a well-balanced dwelling of proportions similar to surrounding properties.

The proposal would include some changes to the landscaping within the site given the altered position of the dwelling and the new parking proposed. Whilst the plan provided shows what would appear to be an acceptable landscaping scheme it lacks full details. Such details can be secured by condition. It is considered that subject to such information, the proposal would not appear overly hard landscaped to the front of the property thereby helping to retain the openness that the Greenbelt designation demands in such an area. The tree coverage on site is well away from the dwelling and would not therefore be readily impacted by the proposal.

In summary, the proposed development would be acceptable in terms of its design and impact upon the character of the wider area, and subject to conditions, complies with policy DES1.

#### NEIGHBOUR AMENITY

Any development should ensure that it would not give rise to a harmful impact on neighbouring properties in terms of overbearing, overshadowing, loss of sunlight/daylight or loss of privacy through overlooking. The application site is a spacious plot, and the dwelling would retain spacing to neighbouring properties of minimally approx. 11.5m. This would be the neighbour No. 55 to the north of the property. The dwelling proposed would be built to the side of this neighbour positioning, moving from its existing slightly forward position. The only impact would therefore be to side facing windows to this neighbour. The only side opening is a set of patio doors which appear to be a secondary opening to a living room. Given this it is not considered that any undue harm would arise by way of loss of light or outlook nor by an overbearing presence. Equally the separations distances to all other properties is considered sufficient to ensure such harm would not arise to these properties. Some side facing windows are proposed at first floor level within the dwelling. These are all either secondary or to non-habitable rooms. As such, it is considered that subject to an obscure glazing condition these would not give rise to any unacceptable level of overlooking. A further condition restricting further windows would also be added to a grant of permission.

The proposed scheme is therefore considered to comply with the provisions of Policy DES1 of the Development Management Plan with respect to neighbour amenity considerations.

#### AMENITY FOR FUTURE OCCUPANTS

Policy DES5 has several requirements to ensure all new residential developments provide high quality, adaptable accommodation, and provide good living conditions for future occupants. One of the requirements of policy DES5 is that new accommodation must meet the nationally described internal space standard (NDSS).

The proposed residential unit would be a 4-bed, 6-person dwelling and have a gross internal floor area (GIA) of 207 square metres. This would meet the minimum NDSS requirement of 106sqm for such a dwelling. The bedrooms would equally be of sufficient size to meet the requirements of the NDSS and there would be adequate built-in storage. A sectional drawing through the building has not been provided, but based on the elevations, a 2.3m ceiling height for 75% of the floor area looks easily achievable. Each bedroom and the main living rooms would have sufficient window size to allow for acceptable levels of light and outlook.

The outdoor amenity space would be similar to that currently found on site, which is that of a good-sized rear garden.

In summary, the proposed scheme is considered to provide adequate amenity for future occupants and complies with policy DES5.

#### HIGHWAY MATTERS

Policy TAP1 states that, all types of development across the borough is required to provide safe and convenient access for all road users, taking account of cumulative impacts, in a way which would not unnecessarily impede the free flow of traffic on the public highway, or compromise pedestrians or any other transport mode, including public transport and cycling.

Surrey County Highways, as the County Highway Authority has been consulted in respect of the scheme, and raised no objection in regard to the impact on highway safety. This would however be subject to a condition to ensure that fast-charge sockets are instated prior to first occupation.

Annex 4 of the Council's Development Management Plan sets out the minimum parking standard for residential developments. According to the standards, 2.5 spaces would be required for this new dwelling proposal, which constitutes a four-bedroom house within a low-accessibility area. Three parking spaces are shown on the submitted plans and therefore the proposal would meet this requirement. The proposal thereby would comply with policy TAP1.

#### AFFORDABLE HOUSING AND COMMUNITY INFRASTRUCTURE LEVY

Development Management Plan DES6 states that on developments providing 11 or more homes, 30% of the homes on site should provide affordable housing. This supersedes the Core Strategy policy CS15 in its entirety.

In view of this, the Council is not presently requiring financial contributions from applications such as this resulting in a net gain of 10 units or less.

The Community Infrastructure Levy (CIL) is a fixed charge which the Council has been collecting from some new developments since 1 April 2016. It will raise money to help pay for a wide range of infrastructure including schools, roads, public transport and community facilities which are needed to support new development. This development would be CIL liable although the exact amount would be determined and collected after the grant of planning permission.

#### FLOOD RISK

The very rear of the site is within flood zone 2 but this is a significant distance from the siting of the replacement house. The site also falls within an area which is shown to have a 1-in-30 year chance of surface water flooding. Given the proposal is a replacement dwelling in the same location there is no objection to the siting of the dwelling but in order to ensure that the proposal would be built to ensure acceptable drainage and not contribute to this flood risk a condition requiring further details is suggested in accordance with policy CCF2 of the DMP.

#### OTHER CONSIDERATIONS

Policy CCF1 of the Council's Development Management Plan 2019 seeks to ensure that all new development contributes to reducing carbon emissions and improving water efficiency. Following the recent changes to building regulations energy efficiency measures are now in excess of the 19% requirement. Therefore, it is not considered reasonable or necessary to include a condition requiring the 19% improvement. The water efficiency measures are still however required.

Therefore, in the event that planning permission were to be granted, a condition requiring demonstration that it will meet the national water efficiency standard of 110litres/person/day would be attached.

A condition would also be recommended to ensure that each dwelling is fitted with access to fast broadband services in accordance with policy INF3 of the DMP should permission have been granted.

#### **VERY SPECIAL CIRCUMSTANCES**

The applicant makes the following case for 'very special circumstances': 'It benefits from previous submissions in the form of a planning permission, prior notification and a certificate of lawful development. These three proposals allow for an increase in footprint, floor area and height of the dwelling.

The fabric of the building has been found to be in a poorer state than had originally been anticipated. It is now considered that whilst it could be extended, it is a more viable proposition to rebuild the dwelling having regard to the condition and the improvements that could be achieved through a new build in respect of thermal upgrades and the integrity / longevity of the resultant building as a whole.'

Permission has been granted for the existing building to be extended and that permission remains extant. In granting permission for those additions, it has been established that they are acceptable, appropriate in Green Belt terms and/or permissible under Permitted Development legislation. Whilst this application seeks a building of greater height than the permissible extensions (considered together), the footprint would be smaller and the floorspace approx. 54sqm smaller than that which could be built out under the extant permissions. The extant permissions represent a fall-back position and is considered to represent a very special circumstance that justifies this rebuild in the Green belt. It is considered that as the previous applications remains extant and the property could be constructed to a larger footprint and worse design, albeit on a marginally different position within the plot, and marginally taller, that these very special circumstances represent a realistic fall-back position which clearly outweighs the harm to the MGB. In addition, in order that the scale of the property is controlled, permitted development rights will be removed for extensions and loft conversions.

#### **CONCLUSION**

For the reasons set out above I consider that planning permission should be **APPROVED**

In reaching this conclusion I have taken account of all other matters raised by this application but have found nothing that outweighs the main planning issues upon which I have based my recommendation. In reaching this conclusion I have had due regard to the articles and conventions of the Human Rights Act.

#### **Permission be Approved with Conditions**

#### **CONDITIONS**

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

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

Note: Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non-material alterations or Section 73 of the Act for minor

material alterations. An application must be made using the standard application forms and you should consult with us, to establish the correct type of application to be made.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Block Plan	RR/BP/01	B	19.06.2023
Roof Plan	RR/BP/01		17.02.2023
Street Scene	RR/SS/01		16.12.2022
Elevation Plan	RR/E/02		16.12.2022
Existing Plans	RR/P/01		16.12.2022
Elevation Plan	RR/E/01		16.12.2022
Location Plan	RR/LP/01	A	16.12.2022
Floor Plan	RR/P/01	A	02.05.2023

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

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

3. The materials to be used in the construction of the external surfaces of the development shall be constructed in accordance with the materials as specified within the application and there shall be no variation without prior approval and agreement in writing with the Local Planning Authority.

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

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

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

All new tree planting shall be positioned in accordance with guidelines and advice contained in the current British Standard 5837. Trees in relation to construction.

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

Reason: To ensure good arboricultural and landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with

Reigate and Banstead Borough Development Management Plan 2019 policies NHE3, DES1 and NHE5, and the recommendations within British Standards including BS8545:2014 and British Standard 5837:2012.

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

Reason: In recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2021. The development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2021 and Reigate and Banstead Core Strategy 2014 Policy CS17 (Travel Options and Accessibility) and Policy TAP1 Parking, access.

6. No development shall commence until a strategy for the disposal of surface and foul water (surface water drainage scheme) is submitted to and approved in writing by the Local Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDs, NPPF and Ministerial Statement on SuDs. Details of drainage management responsibilities and maintenance regimes for the drainage system must also be included. The works shall be carried out in accordance with the approved details.

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

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

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

8. The development hereby approved shall not be first occupied unless and until a Water Efficiency Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall detail how the development will:
  - a) Ensure that the potential water consumption by occupants of each new dwelling does not exceed 110 litres per person per day,

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

Reason: To ensure that the development supports the efficient use of resources and minimises carbon emissions with regard to Policy CS10 of the Reigate &



Banstead Core Strategy 2014 and Policy CCF1 of the Reigate & Banstead Development Management Plan 2019.

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

Reason: To control any subsequent enlargements in the interests of preserving the openness of the Green Belt and the visual and residential amenities of the locality with regard to Reigate and Banstead Development Management Plan 2019 policies DES1 and NHE5.

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

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

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

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

**Statement of reason for grant of planning permission (Article 31 of The Town And Country Planning (Development Management Procedure) (England) Order 2010):**

The development hereby permitted has been assessed against development plan policies DES1, DES4, DES5, NHE3, NHE5, CCF1, CCF2, TAP1 and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

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

**INFORMATIVES**

1. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance, obstruction or inconvenience to other highway

- users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, ([www.ccscheme.org.uk](http://www.ccscheme.org.uk)) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.
2. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
  3. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
  4. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
  5. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.
  6. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at <https://firesprinklers.org.uk/>
  7. Building works involving work on an existing wall shared with another property; or new building on the boundary with a neighbouring property; or excavating near a neighbouring building, may fall within the scope of the Party Wall, etc. Act 1996 and may require that you serve a Statutory Notice on all affected owners. Further guidance is available from <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>