



Appeal Decision

Site visit made on 1 February 2024

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 March 2024

Appeal Ref: APP/L3625/W/23/3319316

Roebuck House, Bancroft Road, Reigate RH2 7RP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Rinay Chawda (Roebuck Close Ltd) against the decision of Reigate and Banstead Borough Council.
 - The application Ref 22/02391/F, dated 27 October 2022, was refused by notice dated 10 March 2023.
 - The development proposed is for the partial infill of the existing undercroft car park to form five new apartments (2 x 2 Bed, 4 Person and 3 x 1 Bed, 2 Person) together with waste and cycle storage, the addition of 8 new balconies at first floor level, the addition of a new front entrance from Roebuck Close to the existing ground floor office unit and the retention of 25 car parking spaces.
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Decision

1. The appeal is allowed and planning permission is granted for the partial infill of the existing undercroft car park to form five new apartments (2 x 2 Bed, 4 Person and 3 x 1 Bed, 2 Person) together with waste and cycle storage, the addition of 8 new balconies at first floor level, the addition of a new front entrance from Roebuck Close to the existing ground floor office unit and the retention of 25 car parking spaces at Roebuck House, Bancroft Road, Reigate RH2 7RP in accordance with the terms of the application, Ref 22/02391/F, dated 27 October 2022, subject to the conditions in the attached schedule.

Applications for costs

2. An application for an award of costs was made by Mr Rinay Chawda (Roebuck Close Ltd) against Reigate and Banstead Borough Council. This application will be the subject of a separate decision.

Main Issue

3. The main issue is whether the proposed parking arrangements would be sufficient.

Reasons

4. The proposed development would involve the partial infilling of the existing undercroft parking area to form five new apartments. This would be in addition to an existing permission to convert the first and second floors of the building to form 22 apartments. A total of 25 car parking spaces are proposed to serve the residential dwellings and the remaining office space.
5. Annex 4 of the Reigate & Banstead Local Plan Development Management Plan, September 2019 (DMP) sets out the Council's parking standards.

6. The fact that the proposed provision would represent a shortfall of eight spaces when considered against those parking standards does not appear to be a matter in dispute. It is therefore not necessary for me to consider the nature of this shortfall in any detail. However, Annex 4 does state that the standards are only a guide, and that they may be varied to take account of specific local circumstances. Furthermore, it also specifically mentions that a lower amount of parking may be appropriate in areas within, or adjacent to, town centres. DMP Policy TAP1 states that evidence to justify lower parking provision could include on street parking surveys, evidence of parking demand, and/or further information on accessibility.
7. In this instance, the appellant has prepared a Transport Statement (Pulsar Transport Planning, October 2022) which provides information relating to the accessibility of the site. The document clearly articulates that the site is in close proximity to various services and facilities, including a supermarket, bus stops, a library, a bank and various other shops. The railway station and local schools are also nearby. As such, it has been adequately demonstrated that the facilities required for everyday living are located within easy walking distance of the site. In addition, there are parking restrictions on nearby roads which mean that it is very unlikely that the shortfall in parking provision would negatively impact upon the surrounding area as a result of overspill. I also note that the Highways Authority has not objected to the proposal.
8. Taking all of this into consideration, I am therefore satisfied that the reduced parking provision has been justified in this instance, and that such an approach is consistent with the guidelines set out within Annex 4 of the DMP. As a result, I conclude that there would be no conflict with DMP Policies TAP1 and DES1 or Policies CS1 and CS10 of the Reigate & Banstead Local Plan Core Strategy, 2014. Taken together, the relevant aspects of these policies seek to ensure that new development is sustainable and that it includes sufficient parking provision.

Other Matters

9. The site is located within the Reigate Town Centre Conservation Area. The significance of the area is derived from the evolution and layout of this historic town centre and the appearance and design of many of the buildings within it. The existing building on the appeal site is relatively modern and does little to contribute to the Conservation Area's significance. I am satisfied that the proposed development would not result in a substantial change in the external appearance of the building and would not impact upon the significance of the Conservation Area. For the same reasons, the proposal would not harm the setting of the Grade II listed buildings on Bell Street (No's 37, 39, 41, 49 and 51), whose significance is derived from their age, use and general appearance.
10. A third party has commented that the development, including the proposed balconies, would result in a loss of privacy for the residents of Churchfield Court which is opposite the appeal site. However, given the width of Roebuck Close, and the fact that Churchfield Court is set back slightly from the road, there is sufficient distance between the two buildings to ensure that there would not be a loss of privacy. While it is inevitable that there would be some inconvenience for residents during the construction phase, this is something that can be managed by the Council as part of the wider development of the building.

Conditions

11. I have imposed conditions to identify the relevant timescales and plans in the interests of certainty. Further conditions have been imposed relating to materials, window positions, the position of solar panels, the colour of the external staircase and landscaping in the interests of character and appearance. Conditions are also necessary to secure adequate parking provision for motor vehicles and bicycles, as well as refuse facilities. Finally, further conditions seek to ensure that the development will adequately address any drainage issues while also minimising carbon emissions.

Conclusion

12. The proposed development is in accordance with the development plan when considered as a whole. Having had regard to all matters raised, I conclude that the appeal should be allowed.

C Butcher

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: P113 (elevation plan), P112 (section plan), P111 (elevation plan), P110 (elevation plan), P104 (roof plan), P103 (floor plan), P102 (floorplan), P101_A (floorplan), P021 (elevation plan), P020 (elevation plan), P010 (existing plans) and P001 (location plan).
3. No development shall take place above slab level until written details of the materials to be used in the construction of the external surfaces, including fenestration and roof, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. All windows shall have equal sightlines with a casement in each opening.
5. All infill and glazing to arches shall be set back 2 bricks depth and all other windows and doors shall be set back 1 brick depth.
6. All photovoltaics or solar panels shall be sited within the crown roof and lower than the lowest ridge of the crown roof.
7. The external staircase shall be painted black and thereafter retained as such.
8. 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. 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.
9. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plan numbered AP253 P101 Rev A for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking /turning areas shall be retained and maintained for their designated purposes.

10. The development hereby approved shall not be first occupied unless and until space has been laid out within the site, in accordance with the approved plan numbered AP253 P101 Rev A and named ground floor plan for cycles to be parked in a covered, secure and lit location. Thereafter the cycle parking area shall be retained and maintained for its designated purpose.
11. The development hereby approved shall not be occupied unless and until the available parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with approved plan numbered AP253 P101 Rev A.
12. The development shall not be occupied until the refuse collection point has been provided in accordance with the approved plan numbered AP253 P101 Rev A and for refuse material taken to the edge of Roebuck Close on collection day in accordance with paragraph 3.16 of the transport statement dated October 2022.
13. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the 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. The required drainage details shall include:
 - a) The results of infiltration testing completed in accordance with BRE Digest:365 and confirmation of groundwater levels.
 - b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate equivalent to the pre-development Greenfield run-off.
 - c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.
 - d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
 - e) Details of drainage management responsibilities and maintenance regime for the drainage system.
 - f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.
14. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by

the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

15. The development hereby approved shall not be first occupied unless and until an Energy and Water Efficiency Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall detail how the development will 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.