

Planning Inquiry: APP/ L3625/W/25/3364217

Redhill Railway Station (Site A and B), Redhill, Surrey, RH1 1RB

August 2025

Proof of Evidence by:

Mr Charles Mills MRICS ARTPI
of Daniel Watney LLP

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- Appendix 1 Solum Response on Deliverability of the Scheme
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1 Introduction

- 1.1 My name is Charles Mills. I hold a BSc (Hons) degree in Planning and Development Surveying. I am a Member of the Royal Institute of Chartered Surveyors (Planning and Development), and I have worked in private practice for over 24 years.
- 1.2 I advise on all town planning matters in respect of my clients' developments and work on sites within and outside of London. I have significant experience of advising on large-scale redevelopment sites for both the private and public sector.
- 1.3 I was first appointed on the Redhill Railway Station project in 2021 by Solum Regeneration (Redhill) LLP. To date I have been involved in liaising with the Council in pre-application discussions, preparing and discussing amendments to the scheme whilst the application was under consideration, and supported the application in the lead up to it being heard at planning committee.
- 1.4 This proof is true and has been prepared in accordance with the Royal Institute of Chartered Surveyors Code of Conduct. The opinions expressed are my true and professional opinions.
- 1.5 This Proof is aimed at addressing the single matter pursued by the Council (as set out in the Decision Notice issued on 24 October 2024) and the likely main issues identified by the Inspector and referred to by the Rule 6 Party, as set out in Section 7 of the Post Case Management Conference Note. This proof assesses the scheme from a planning policy perspective, with a review of the planning balance associated with this Appeal.
- 1.6 As appropriate, I refer to information submitted as part of this Appeal including the Proof of Evidence of the Appellant's other witnesses, Craig Sheach addressing design, David Taylor addressing townscape, heritage and visual matters, Ian Mitchell addressing transport, Andrew Cartmell addressing daylight, sunlight and overshadowing, and Ben Pycroft addressing housing land supply and I rely on their conclusions in forming my planning judgements.
- 1.7 The structure of my Proof is as follows:
 - Section 2 provides background details that I consider are of most importance in the determination of the Appeal Scheme relating to the site context, previous permission, pre-application discussions and the Local Planning Authority's determination.
 - Section 3 addresses the Appeal Scheme's compliance with the adopted development plan policies listed in the reason for refusal as set out on the Decision Notice issued on 24 October 2024.
 - Section 4 details those material considerations relevant to the Appeal Scheme which lend further support in favour of the Appeal being allowed including the National Planning Policy Framework and the numerous substantial and other benefits of the Appeal Scheme.
 - Section 5 addresses the third-party representations received as part of the Appeal.
 - Section 6 provides a summary of previous sections and conclusion of my evidence.
- 1.8 My evidence is supported by appendices, referred to when applicable.

2 Background to Scheme

SITE BACKGROUND

- 2.1 The detailed context of the application and this Appeal are found within Sections 3–7 of the Appellant’s Statement of Case (**CD 8.01**) as such they are not repeated here, however I reiterate those specific elements that I feel are important below.

SITE DESCRIPTION

- 2.2 The Appeal Site comprises two adjacent land parcels, bisected by the railway, located in the centre of the settlement of Redhill.
- 2.3 A Site Location Plan is included at **CD 1.001** which shows the two land parcels, ‘Site A’ and ‘Site B’ (together ‘the Site’).
- 2.4 Site A is located to the north and west of the railway station and contains the main station entrance and surface level station car parking. It is situated across from the Redhill Bus Station and on the station’s roundabout, which extends north along Princess Way. The entirety of Site A’s eastern boundary is bound by the railway line.
- 2.5 Site B is located to the south and east of the railway tracks, onto Redstone Hill, and comprises further station surface level car parking, cycle parking, and other infrastructure that supports the station function. Site B also contains a second, single-storey entrance to the station.
- 2.6 The entirety of Site A is located within the designated Redhill Town Centre with the southern portion as shown on the Council’s policies map, consisting of the main station entrance building located in the Primary Shopping Area and the existing retail provision (associated with the station) being designated as part of the Secondary Shopping Frontage.
- 2.7 The Appeal Site is not allocated, however, this omission is clarified at Paragraph 3.3.6 of the Development Management Plan (DMP) which states “the DMP does not include sites that had planning permission when the DMP was submitted for examination as it was not considered necessary once the principle of development had been established”. The DMP was submitted for examination on 18 May 2018, and the Appeal Site would have still benefitted from the extant consent at this time (ref: 13/00848/F).
- 2.8 The site is not located within a Conservation Area and does not contain any statutory listed buildings; however, it is noted that there are several local, non-statutory heritage designations in the surrounding area. The Central Platform at Redhill Station is locally listed as a building of architectural or historic interest and is located outside of the site boundary. The eastern most edge of Redhill Town Centre Conservation Area is on the other side of the roundabout, at the end of Station Road. Site B is located outside the Redstone Hill Conservation Area to the south east. This Conservation Area contains the locally listed “Laker’s Hotel” occupied by Toby Carvery located adjacent to the Site B boundary on Redstone Hill.
- 2.9 Site A is within the town centre and abuts the main A23/Brighton Road. There are several buildings around this quadrant ranging from 6–13 storeys including the recently developed Marketfield Way Car Park and Picturehouse developments, alongside the established Quadrant House, Sainsbury’s and multi-storey car park. The vernacular of the area nearest the Appeal Site tends towards the contemporary and is markedly fragmented with the oldest buildings generally being built circa 1980. Site B is outside the town centre, facing the suburban residential area of Redstone Hill.

ORIGINAL PERMISSION FOR REDEVELOPMENT OF THE SITE (LPA REF. 13/00848/F)

- 2.10 Prior to evolving a new proposal to redevelop Redhill Station (Site A and Site B) in 2021, the site had previously received planning approval on the 9 January 2014 (LPA ref. 13/00848/F) for the following development:

“Redevelopment of the existing station buildings and car parks to provide a new station concourse, new A1 foodstore; retail parking spaces; 150 residential units arranged in two apartment blocks; residents parking spaces; flexible use class A1, A2 , A3 floorspace; plant space; a combined heat and power plant; green roofs; sustainable transport facilities to include a taxi rank; kiss and ride and new multi-storey car park to provide commuter car parking; delivery and servicing spaces; cycle spaces for commuters and residents; provision of a new station plaza and off site highway works. As amended by letter dated 17 September”

- 2.11 On Site A, the permission allowed buildings up to 8 storeys to provide 150 units (1- and 2-bedroom apartments only). The committee report for the original permission (dated 2 October 2013) (**CD 4.19**) stated that whilst the proposed heights would be a significant change from that what existed, it was considered acceptable in the context of surrounding buildings, citing Quadrant House, the former Liquid and Envy site and Kingsgate House, being the recent developments at the time. Since then, Marketfield Way, the former Liquid and Envy site, and former Redhill Youth Association Hall Sites have been erected nearby.

- 2.12 On Site B where the surrounding context has not seen a significant change in scale, massing and vernacular, the originally approved scheme allowed for a new multi-storey car park with five levels of car parking. This marked a significant change from the surroundings at the time. The committee report (**CD 4.19**) considered at Paragraph 6.20 that whilst there would be a significant increase in height and scale, this was to be expected given the “significant demand for new housing and retail space within the Borough and the important role of Redhill as a key transport hub in helping to deliver this”. It [was] considered that “overall the development would bring regeneration benefits to the town, helping improve its vitality and vibrancy”. The report (page 5) also concluded that:

“the proposed development represents a significant change for the town but one which is considered to help facilitate its regeneration. The development is considered to accord with broad aims for the site as set out in the Draft Redhill Town Centre Area Action Plan. It would provide new housing and an improved retail offer bringing more people into the town as well as providing environmental and transport benefits outlined above, which, overall are considered significant and of positive benefit”.

- 2.13 As detailed in the Appellant’s Statement of Case (**CD 8.01**), the original permission demonstrates that the principle of a higher density development, including a landmark building (page 4) has been established on site. While the 2014 scheme was not implemented, expiring in January 2017, the scheme represents a material consideration in the determination of this Appeal Scheme as demonstrated at Paragraph 6.40 of the latest Officer’s Report (**CD 4.02**). The weight I give to the original permission as a material consideration to the determination of this Appeal is set out in Section 4 of my evidence.

RELEVANT PLANNING HISTORY IN REDHILL TOWN CENTRE

- 2.14 The physical context of the site has changed considerably since the 2014 station permission (the first major ‘regeneration project’ in the area, as detailed above). Several of the surrounding sites in Redhill Town Centre have been redeveloped, changing the character, scale and appearance of Redhill Town Centre.

FORMER MARKETFIELD CARPARK (MARKETFIELD WAY SCHEME) (LPA REF: 16/O1066/F)

- 2.15 The scheme sought the demolition of the former Marketfield Public Car Park and redevelopment to provide a new multi-screen cinema, flexible retail, restaurant and cafe units, as well as over 150 residential units across 5 to 13 storeys. Within the case officer's assessment, the draft Redhill Town Centre Area Action Plan was assessed as a material consideration which I also consider to be the case for the purpose of considering the Appeal Scheme.
- 2.16 The Marketfield Way scheme also provided a comprehensive viability appraisal which concluded that there was not sufficient profit to offer any affordable housing on site.
- 2.17 The housing mix of the proposed 153 units was 4 x studio (3%), 69 x 1-bed (45%) and 80 x 2-bed (52%) which was found to be acceptable.

FORMER LIQUID AND ENVY SITE (LPA REF: 16/O2680/F)

- 2.18 Planning permission was granted for the delivery of 133 apartments including car parking and other associated works across building ranging from 8 to 11 storeys in height.
- 2.19 The Council accepted that increase in scale and built form on site was acceptable given the existing and emerging context of larger scale development along the A23 and was not considered to give rise to material harm to the setting of the nearby Redstone Hill Conservation Area.

FORMER REDHILL YOUTH ASSOCIATION HALL (LPA REF: 17/O2876/F)

- 2.20 The scheme secured permission to provide 50 residential units, a community hall and associated works with a staggered design of 6 to 8 storeys fronting on to Marketfield Way.
- 2.21 A further planning permission was granted on 8 February 2022 (LPA ref. 21/O2420/F) for a roof extension containing an additional three apartments and taking the overall height of the scheme to nine storeys.

PRE-APPLICATION MEETINGS

- 2.22 Following my appointment in 2021, I was involved with the progression of the Appeal Scheme prior to engaging Reigate and Banstead Borough Council's planning pre-application services.
- 2.23 The Appellant entered into a Planning Performance Agreement (PPA) with the Council which included several pre-application meetings with the Appellant's technical team and the Council's planning and design officers over the period of July 2021 to February 2023. The exact timeline and detail of the topics discussed at all pre-application meetings is set out in Section 4 of the Appellant's Statement of Case (**CD 8.01**).
- First pre-application meeting was held on 19 July 2021 with the Council's written advice received on 12 August 2021 (**CD 3.1**). At this point, the station did not form part of the proposals however station improvements were requested and so was incorporated into the design evolution.
 - The Council's Planning Policy Team provided additional comments on 16 August 2021 (**CD 3.2**)
 - Second pre-application meeting (first PPA meeting) held on 1 April 2022 with the Council's written advice received on 30 June 2022 (**CD 3.3**).
 - Third pre-application meeting (second PPA meeting) held on 21 July 2022 with the Council's written response received on 2 September 2022 (**CD 3.4**).
 - Fourth pre-application meeting to discuss viability of the scheme (third PPA meeting) on 2 September 2022. The Council's written response was contained within the 2 September 2022 letter (**CD 3.4**).

- 5th and final pre-application meetings (fourth and final PPA meetings) held on 6 January 2023 and on 9 and 10 February 2023 with the Council's final written response received on 17 February 2023 (**CD 3.5**).

2.24 As set out in the Appellant's Statement of Case (**CD 8.01**), pre-application advice received from the Council over the course of the PPA varied, with advice relating to design of the scheme proving inconsistent, with conflicting opinions provided by officers. This matter was raised with the Council within our "Applicant's Further Amendments to Planning Application Ref. 23/00572/F" (**CD 1.063**) dated 12 February 2024.

CHARACTER AND APPEARANCE

- 2.25 During the pre-application meetings, discussion around design centred upon height and the townscape impact of the scheme.
- 2.26 The Council considered that in general the design approach of the scheme was an improvement to that previously approved in the 2013 scheme in terms of its simplified form, stepping blocks of height down towards Ladbroke Grove and proposed brick finish (**CD 3.1**).
- 2.27 Within RBBC's Planning Policy Pre-Application Response (Page 2, **CD 3.2**) it is plainly stated that the reduction in height of the pre-application scheme from 19 storeys to 16 storeys would be more appropriate in regard to character and building height context, having stated on Page 1 that the context height of the surrounding area is 6-13 storeys.

HERITAGE

- 2.28 The conservation officer who provided the heritage consultation response within the committee report for the Appeal Scheme was engaged on the scheme during pre-application discussions.
- 2.29 In the written feedback of these early discussions, it was generally agreed that the proposal represented an improvement from that of the originally approved scheme on site, most notably due to the removal of the multi-storey car park at Site B and improved elevation appearance (Page 3, **CD 3.1**). The officer wrote that the main issue was the height in terms of acceptability of that scale in the Borough, but failed to provide any advice relating to heritage on this matter.
- 2.30 Discussion around the impact of the proposal on heritage assets was limited in the Council's pre-application written advice. It was the Council's assessment that whilst the Appeal Scheme would have an impact upon views from Conservation Areas, due to the station site's use, was an opportunity for tall buildings (Page 4, **CD 3.5**).
- 2.31 This Council's aspiration for the site is stipulated throughout pre-application advice received, with the importance of the location as a real opportunity site for significant redevelopment in the heart of the town centre emphasised from the beginning of discussions (**CD 3.1**).

HEIGHT AND TOWNSCAPE

- 2.32 Over the course of pre-application discussions with the Council, varying heights were assessed ranging from 19 storeys to 17 storeys.
- 2.33 Within initial written advice received on 12 August 2021 (**CD 3.1**), the Council acknowledged that the site could support tall buildings, based on the context and precedent set by recently approved tall buildings in the Redhill Town Centre, however further justification would be required. The Council's Planning Policy Team confirmed in their advice (Page 2, **CD 3.2**) that "at 16 storeys, the building would be a key distinctive point amongst the skyline" advising that this height would be more appropriate, and noting it would stand taller than the recently approved Marketfield Way development.

- 2.34 Following this advice, the scheme was reduced to 17 storeys in height which was positively received with the Council stating that the scaled down version would be an improvement (Page 2, **CD 3.3**).
- 2.35 However, following further discussion with officers, the scheme reverted back to 19 storeys. The Council's written advice of 2 September 2022 (Page 1, **CD 3.4**) described that there were "no real concerns" about the scheme reverting to 19 storeys in light of the design justification presented over the course of discussions, having taken on board the "design team's comments about the merits of having a taller but more slender standalone tower which enables more space between the taller elements". Several written references are made in this September 2022 written advice to the proposed building being a 'landmark building' as envisioned within the draft Redhill Town Centre Area Action Plan (AAP) (2012) (**CD 6.05**).
- 2.36 Within the same written advice (**CD 3.4**) received on 2 September 2022 (while relating to affordable housing provision and viability challenges), the Council recognised that the 19-storey scheme represented the optimum design and scale of the site.
- 2.37 I refer to the evidence of Mr Taylor at Paragraph 8.14 to 8.20 describing further the visual impact matters discussed during the pre-application process.

AFFORDABLE HOUSING AND STATION IMPROVEMENTS

- 2.38 From the outset of pre-application discussions, the Appellant flagged viability as a significant constraint of the scheme. Throughout the pre-application process it was maintained that the scheme was unable to deliver any affordable housing with the position emphasised during the application's determination given the substantial station improvements that were sought as part of the scheme.
- 2.39 From the outset of pre-application discussions, the Council stated that they see the station as an opportunity site, with few remaining for significant development in the heart of the town centre (Page 2, **CD 3.1**). As such, the Council encouraged significant improvements to the station entrance and facilities similar to those proposed as part of the original planning approval on site.
- 2.40 This advice was emphasised throughout the Council's written pre-application responses with Officers stating, without any policy justification, their expectation to see wider contributions to the town, and significant station improvements "at the very least" (Page 4, **CD 3.1**). The officer's expectation for "substantial improvements to the capacity of the station" is again referenced in later pre-application advice (Page 2, **CD 3.3**) without a site allocation nor vision for the site set out in the development plan.
- 2.41 In response to these aspirations, the scheme was amended several times, with the final submitted amendments to the application taking on board written feedback set out on Page 1 of the final pre-application advice received (**CD 3.5**) to improve Site B further, improving the façade of the existing retained station walls and treatment of the lift shaft exterior.
- 2.42 The increased cost of delivering station improvements sought by the Council entrenched the Appeal Scheme's inability to deliver any affordable housing. The Council stated that this lack of provision would need to be fully explored at the application stage with a full viability appraisal and independent assessment (**CD 3.5**).
- 2.43 The findings of these reports setting out the agreed viability position (including by the Council's third-party advisors) is set out at Section 3 of this evidence, and it was agreed by all parties that due to the substantial station improvements and other public benefits secured by the proposal, the scheme was unable to deliver affordable housing.

HIGHWAYS, PEDESTRIAN SAFETY AND PARKING

- 2.44 Pre-application discussions were held with Surrey County Council (SCC). These are detailed in Mr Mitchell's evidence confirming that SCC Highways were satisfied with the scope of Mr Mitchell's assessments including analysis requirements which informed the content of the Transport Assessment as well as discussion of the parking and highway proposals.

SCHEME REVISIONS

- 2.45 As detailed in the Appellant's Statement of Case (**CD 8.01**), the original planning application was submitted 16th March 2023 and sought planning permission for the following proposal:

"Phased redevelopment of Site A comprising up to 280 residential dwellings (Class C3 use) in two buildings ranging from 10-19 storeys and 7-14 storeys, associated car parking; cycle parking; flexible Class E uses at ground floor, partial demolition, refurbishment and extension to the existing Site A station entrance building with concourse. Demolition of vacant buildings associated with the station on Site B. Replacement surface station car and cycle parking and taxi-drop off on Site B with a second new station building (Sui Generis use), refurbished and extended Site B station entrance. Together with new public realm, hard and soft landscaping improvements, new access and servicing arrangements, plant, substation and associated works across Site A and Site B."

- 2.46 During consultation of the original planning application concerns were raised regarding the height and massing of the scheme, with a specific point raised regarding the visibility of the tallest element of the scheme above the tree line in views from Gatton Park.
- 2.47 The proposed height of the original planning application at 19 storeys had been informed through pre-application discussions with the Council. Following receipt of comments from the Council's consultees and other third parties, the application scheme was reduced to 15 storeys at its tallest point.
- 2.48 This brought the tallest point below the tree line of views from Gatton Park as confirmed in the submitted Heritage, Townscape and Visual Impact Assessment Addendum (February 2024) (**CD 1.041**). This was also beneath the 16 storeys suggested by the Council during pre-application discussions (**CD 3.2**).
- 2.49 On the 12 February 2024 an updated suite of information was submitted to the Council amending the scheme with the following description of development agreed and consulted on:

"Phased redevelopment of Site A comprising up to 255 residential dwellings (Class C3 use) in two buildings ranging from 10-15 storeys and 7-14 storeys, associated car parking; cycle parking; flexible Class E uses at ground floor, partial demolition, refurbishment and extension to the existing Site A station entrance building with concourse. Demolition of vacant buildings associated with station on Site B. Replacement surface station car and cycle parking and taxi-drop off on Site B with a refurbished and extended Site B station entrance. Together with new public realm, hard and soft landscaping improvements, new access and servicing arrangements, plant, substation and associated works across Site A and Site B."

- 2.50 Alongside the delivery of 255 homes consisting of a mix of studio, one bed, two and three bed apartments, the final scheme before the committee also proposed circa 300sqm of flexible Class E floorspace, substantial cycle parking for residents and station users, new tree planting across both sites, increased station gateline capacity, enlarged station entrance area, improved lighting and environmental performance of the station building, redecoration of the station connecting

underpass.

LOCAL DETERMINATION

- 2.51 The amended scheme was presented at planning committee on the 23 October 2024 with the Officer's Report (**CD 4.02**) recommending approval subject to completion of a Section 106 Agreement.
- 2.52 Set out within the Appellant's Statement of Case (**CD 8.01**), the matters raised by various parties is detailed at Paragraph 5.7 – 5.9. The main matters discussed by members comprised the highways impact of the scheme, raising concerns regarding sustainability and traffic flows around the station, the lack of affordable housing, compromised townscape, and delivery of limited benefits of the scheme for existing Redhill residents.
- 2.53 While the focus of discussions during the planning committee centred on highways matters, the below reason for refusal (RfR) was recommended, with Councillors voting 11-2 in favour of refusal (2 abstentions):
- “The proposed development, by virtue of its height, scale, design and layout, would fail to make a positive contribution to the character and appearance of the area and cause less than substantial harm to the Redstone Hill and Redhill Town Centre Conservation Areas, which are designated heritage assets. The public benefits of the scheme, in the absence of affordable housing provision, are not considered to outweigh this harm and therefore the proposal would be contrary to Policies DES1 and NHE9 of the Development Management Plan 2019 (reviewed 2024) and the provisions of the National Planning Policy Framework 2023.”*
- 2.54 The Decision Notice was issued on the 24 October 2024 (**CD 4.01**)
- 2.55 A full video and automated transcript of the planning committee is available via the link at **CD 4.04** on the Core Document List.

BS:9991 AMENDMENTS

- 2.56 Since the application was refused and as set out in Section 6 of the Appellant's Statement of Case, a drawing pack which captures BS 9991:2024 building regulation changes was submitted to the Inspector and the Council in June 2025. The changes mainly affect the internal layouts of each floor. Where there are external changes, these are limited to a small number of window locations at each floor.
- 2.57 As described in Section 4.10 of Mr Sheach's proof, following further technical input from the fire consultants in July 2025, some additional very minor amendments are required internally to ensure BS 9991:2024 compliance. Mr Sheach's evidence encloses a summary of these minor further updates. The latest August 2025 drawing pack has been added to the Core Documents library as a separate folder.
- 2.58 If the Inspector is minded to consider the August 2025 amended drawing pack, this would require amendment to the drawings listed at Condition 1. The Appellant has provided alternative wording for Condition 1 to include the BS 9991:2024 drawings (as amended in August 2025) in the draft conditions list between the Council and the Appellant. Further alternative wording has been provided for Condition 1 to include the previous set of BS 9991:2024 drawings (as amended in June 2025).
- 2.59 As discussed at the CMC, the Appellant requests that the latest August 2025 plans are considered

for the Inspector's approval and where I refer to the Appeal Scheme hereafter, I refer to the scheme as amended by the BS 9991:2024 changes in August 2025.

- 2.60 A summary of the proposed changes is detailed within PRP's submitted design document (**CD 14.01**). I consider the changes are minor both individually and when considered as a whole. I note the Council also does not consider the plans require public consultation as part of the Appeal owing to the degree of change being minor.

FIRE

- 2.61 Enclosed with Mr Sheach's evidence is the updated Gateway 1 Fire Statement and Fire Safety Strategy, demonstrating how the Appeal Scheme complies with the latest BS 9991:2024 standards.

DAYLIGHT AND SUNLIGHT

- 2.62 Paragraph 130(c) of the NPPF states that the decision maker should refuse applications that they consider fail to make efficient use of land and in the context of applications involving housing, the decision maker should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of the site (as long as the resulting scheme would provide acceptable living standards).
- 2.63 I refer to the evidence of Mr Cartmell for the assessment of daylight, sunlight and overshadowing impacts assessed on neighbouring residents. He concludes that the daylight, sunlight and overshadowing impacts as a result of the Appeal Scheme will not adversely impact the amenity of surrounding residential properties.
- 2.64 His evidence also encloses an updated Internal Daylight and Sunlight Report which considered the potential levels of daylight and sunlight that will be enjoyed within the proposed residential units following the proposed internal layout amendments to satisfy BS 9991:2024 requirements.
- 2.65 The report found that circa 93% of the habitable rooms assessed will comply with the recommended daylight standard which is the same level of compliance as the report conclusions for the 2024 amendments to the scheme. Point 2 consider that this is a very good level of compliance against the suggested guidance.
- 2.66 The updated report's sunlight results continue to show that 96% of the proposed living and LKD rooms will meet the suggested sunlight criteria. In addition, almost 97% of the residential flats assessed have at least 1 habitable room that meets the recommended standard which is the same as the report conclusions for the 2024 amendments to the scheme.
- 2.67 Mr Cartmell concludes that the results show that the proposed flats will have access to adequate levels of daylight and sunlight, in accordance with local policy.

VIABILITY

- 2.68 In the light of the BS 9991:2024 amendments and possible changes to the scheme's viability since its refusal in October 2024, the Viability Assessment has been updated and was submitted to the Inspector and other parties in July 2025.
- 2.69 The viability position remains similar to the scheme when considered by officers and the committee in 2024. Solum have issued a statement as to their position on the prospects and delivery of the Appeal Scheme which is enclosed at **Appendix 1**.

3 The Development Plan and Addressing the Reason for Refusal

THE DEVELOPMENT PLAN

- 3.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that *“in dealing with an application for planning permission...the authority shall have regard to the provisions of the development plan, so far as material to the application...and any other material considerations”*.
- 3.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *“if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise”*.
- 3.3 The development plan for the Appeal Site currently comprises the following:
- The Core Strategy (adopted 2014 and reviewed 2019 and 2024) (**CD 5.01, 5.02, & 5.03**)
 - The Development Management Plan (DMP) (adopted 2019, reviewed 2024) (**CD 5.04 & 5.05**)
 - The Policies Map
 - The Surrey Minerals Plan Core Strategy (adopted 2011) (**CD 5.06**)
 - The Primary Aggregates Development Plan Document (adopted 2011) (**CD 5.07**)
 - The Aggregates Recycling Joint Development Plan Document (adopted 2013) (**CD 5.08**)
 - The Surrey Waste Plan (adopted 2020) (**CD 5.10**)
- 3.4 The latest National Planning Policy Framework (NPPF) (**CD 5.09**) came into force on 12 December 2024. I consider the weight to be given to the NPPF in Section 4 below.
- 3.5 Paragraph 12 of the National Planning Policy Framework (NPPF) states that *“the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed”*.
- 3.6 The Decision Notice issued on 24 October 2024 contained one RfR. I will continue to use the term RfR for consistency with the Appellant’s Statement of Case.
- 3.7 In respect of the RfR, the Council contend that by virtue of the scheme’s height, scale, design and layout causing less than substantial harm, the absence of affordable housing specifically as a public benefit means that the perceived harm is not outweighed and therefore the Appeal Scheme would conflict with the following development plan policies: Policies DES1 and NHE9 of the Development Management Plan 2019 (reviewed 2024) as well as the provisions of the National Planning Policy Framework (2023 – the adopted version at the time of determination).
- 3.8 I consider that the proposed development complies with the development plan when read as a whole and that the policy conflicts alleged in RfR are not supported by planning policy or guidance including the latest National Planning Policy Framework. On this basis, I consider the Appeal Scheme should be allowed.
- 3.9 If, contrary to my evidence, the Inspector were to conclude that the Appeal Scheme does not accord

with the development plan when read as a whole, I consider there are a wealth of material considerations, including substantial planning and public benefits, which would nonetheless justify the grant of planning permission, which I deal with in the next station.

3.10 On either of these bases, the Appeal should be allowed.

REASON FOR REFUSAL

3.11 Set out within the Appellant's Statement of Case (**CD 8.01**), the Council's RfR consists of three main parts:

1. The height, scale, design, and layout of the Appeal Scheme would fail to make a positive contribution to the character and appearance of the area;
2. The height, scale, design and layout of the Appeal Scheme would cause less than substantial harm to the Redstone Hill and Redhill Town Centre Conservation Area; and
3. The public benefits of the scheme, in the absence of affordable housing provision are not considered to outweigh the above harm caused by the Appeal Scheme.

3.12 Following the CMC, it is understood that the Inspector considers the likely main issues stemming from the RfR to be:

1. The effect of the proposed development on the character and appearance of the area; and
2. The effect of the proposed development on the significance of the designated heritage assets of Gatton, Linkfield Street, Redstone Hill, Redhill Town Centre, and Warwick Road Conservation Areas, the Grade II listed buildings at the Baptist Chapel, Station Road, and Gatton Hall, the Lower Gatton Park Registered Park and Garden, and non-designated heritage asset of the Central Platform, Redhill Station

3.13 The Council's RfR and the Inspector's likely main issues centre on the architectural design, townscape and heritage impact of the scheme upon the surrounding area and heritage assets. These matters are discussed at length within Mr Sheach's and Mr Taylor's proof. I consider their evidence in each of the relevant matters associated with the reason for refusal below.

1. THE HEIGHT, SCALE, DESIGN, AND LAYOUT OF THE APPEAL SCHEME WOULD FAIL TO MAKE A POSITIVE CONTRIBUTION TO THE CHARACTER AND APPEARANCE OF THE AREA

3.14 The Council's committee report (Paragraph 6.34, **CD 4.02**) states that:

"In terms of density, height and scale of the proposed buildings at Site A there is no policy within the Development Plan which sets the maximum height for buildings within Redhill." As such the Council's assessment is based on available guidance documents or national policy, the context of the site and any relevant planning history.

3.15 The relevant adopted development policies on design of the scheme and its impact upon the character and appearance of an area are Core Strategy Policy CS4 and Development Management Plan Policy DES1.

3.16 Policy CS4 stipulates that *"Development will respect maintain and protect the character of the valued townscapes in the borough, showing consideration for any detailed design guidance that has been produced by the Council for specific built-up areas of the borough."* Further, such proposals would *"be of a high-quality design which takes direction from the existing character of the area and reflect local distinctiveness."*

- 3.17 Development Management Plan Policy DES1 echoes guidance of Core Strategy Policy CS4 states that planning permission will be granted where new development meets the stipulated criteria. Relevant necessary criteria include proposals which *“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”* and *“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.”*
- 3.18 The Council’s Local Character & Distinctiveness Design Guide (LCDDG) (**CD 6.01**) elaborates further on Policies CS4 and DES1. Case Study 7 provides guidance on schemes involving high density urban intensification, referring specifically to Redhill town centre and the *“existing and emerging context of larger scale development along the A23”*.
- 3.19 Within the Council’s assessment, both the A23 Great Street Design Code SPD (2024) (**CD 6.04**) and AAP (**CD 6.05**) are referred to in the officer’s consideration of the scheme. The former was adopted while the application was under consideration but did not allocate or identify this site as a Design Code Enhancement Site. Neither document forms part of the development plan, and neither have the ability to introduce new policies. The design of the Appeal Scheme does, however, embody many of the Code’s ambitions, which generally adopts strong placemaking principles regarding nature, built form, movement, identity and public space.
- 3.20 The AAP was prepared *“in recognition of Redhill’s strategic importance to the borough and to the South East as a whole – identified as an area for significant change – and the clear need for transformational change within the town centre, the Council considered it necessary to produce this Area Action Plan (AAP) to set out specific policies for the area’s development over the next 15 years”* (**Page 8, CD 6.5**).
- 3.21 The AAP is relied upon insofar as to provide guidance in assessing the appropriateness of the Appeal Scheme. It is acknowledged that within this document, which sets out the design aspirations for the town centre, specific mention is made to the Appeal Site in regard to tall buildings, stating at Appendix A, Page VII that:
- “In Redhill Town Centre, the areas around the station that face the town should be seen as important gateways and will be considered appropriate for buildings that are taller than their neighbours.”*
- 3.22 Paragraph 6.39 of the committee report highlights the AAP’s promotion of the site as capable of accommodating a tall building, as an important gateway site with an opportunity to provide a landmark building that highlights its importance within the town centre, locating the tallest part of the development adjacent to the station and drawing attention to the station itself as a gateway to the town.
- 3.23 The Council’s committee report (Paragraph 6.41, **CD 4.02**) acknowledges that a material consideration is the context of the site, which has changed significantly in terms of prevailing height due to recently completed development. The surrounding context of the site has substantially altered from when the AAP was first drafted, with all other identified major opportunity sites identified in the AAP (with the exception of the station site, ‘Site E’) having been completed, and all of which reflects the AAP’s aspirations for the area. The AAP earmarks this site for a landmark building above the station, to highlight it as a key arrival point to the town centre and an important sub-regional transport hub’.
- 3.24 In light of the evidence of Mr Sheach and Mr Taylor and including the Council’s own assessment

which found that the significant change in the relationship between the site and neighbouring buildings would not have an adverse impact (Paragraph 6.69 of committee report), I do not consider the height, scale, design and layout to negatively impact the character and appearance of the area.

- 3.25 I therefore consider that those policies relevant to height, scale, design and layout of the proposal – CS4 and DES1 – are not breached and are accorded with. On the contrary, the relevant guidance forms a material consideration in the determination of this Appeal which envisaged a landmark height adjacent to the station.

2. THE HEIGHT, SCALE, DESIGN, AND LAYOUT OF THE APPEAL SCHEME WOULD CAUSE LESS THAN SUBSTANTIAL HARM TO THE (ABOVE) DESIGNATED HERITAGE ASSETS

- 3.26 Relevant adopted development plan policies in terms of heritage assets are Core Strategy Policy CS4 and Development Management Plan Policy NHE9.
- 3.27 Core Strategy Policy CS4 states that *“development would be designed sensitively to respect, conserve, and enhance the historic environment, including heritage assets and their setting.”*
- 3.28 Policy NHE9 requires development *“to protect, preserve, and wherever possible enhance, the Borough’s designated and non-designated heritage assets and the historic environment including special features, area character or setting of statutory and locally listed buildings.”*
- 3.29 The Council claim in their RfR that the height, scale, design and layout of the Appeal Scheme would cause less than substantial harm to the Redstone Hill and Redhill Town Centre Conservation Area. The Inspector also requested consideration is given to the effect of the scheme on a number of other heritage assets raised by the Rule 6 Party.
- 3.30 Mr Taylor’s proof assesses the Appeal Scheme and concludes no harmful impact in terms of surrounding heritage assets including all those listed above. On this basis, I conclude that there is no conflict with the development plan in relation to heritage matters.
- 3.31 Should the Inspector agree with Council and the Rule 6 Party that the scheme causes less than substantial harm to the two conservation areas and/or agrees that there is ‘wider harm’ (Paragraph 3.02, **CD 13.1**) to the additional heritage assets described by the Rule 6 Party (noting that the Council do not consider there to be harm to any other designated or non-designated heritage assets) then Paragraph 215 of the NPPF is relevant to the determination of this Appeal.

3. THE PUBLIC BENEFITS OF THE SCHEME, IN THE ABSENCE OF AFFORDABLE HOUSING PROVISION ARE NOT CONSIDERED TO OUTWEIGH THE ABOVE HARM CAUSED BY THE APPEAL SCHEME

- 3.32 As stated at Paragraph 3.30 and set out in Mr Taylor’s Proof, it is the Appellant’s case that there is no harm as a result of the Appeal Scheme on the two conservation areas cited in the reason for refusal as well as to any other designated or non-designated heritage assets. However, this section responds to part (3) of the reason for refusal, should the Inspector agree with the Council and Rule 6 Party’s position and find that the scheme causes less than substantial harm.
- 3.33 NPPF Paragraph 215 states that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 3.34 I therefore consider NPPF Paragraph 215, Core Strategy Policy CS15 and Development Management Policy DES6 in addition to the guidance contained within the Council’s Affordable Housing SPD 2020 as those relevant to the assessment of public benefits of the Appeal Scheme, and the specific reference to affordable housing provision in the RfR.

- 3.35 NPPF Paragraph 215 does not set out an explicit list of public benefits that must be provided to comply with this policy test. I consider Paragraph 215 is rightly flexible and open to the context in which development is coming forward to allow the decision maker to make a balanced judgement as referenced in Paragraph 216 of the NPPF.
- 3.36 Page 4 of the committee report (**CD 4.02**) sets out the case officer's conclusion that "on balance it is considered that the scheme would not result in unacceptable harm to the character of the site and wider townscape and the benefits of the station improvements would outweigh this and the heritage harm." The officer assessed that the station improvements alone outweighed the less than substantial harm the Conservation Officer identified and the officer's identified harm to the townscape by virtue of the scale and massing of the proposal (also Page 4)
- 3.37 Turning to the matter of affordable housing referred to in the reason for refusal as determined by the Committee against the officer's recommendation for approval based on the above conclusion, within both Policies CS15 and DES6 it is stated that the Council would negotiate affordable housing provision and contributions taking into account the specifics of the site, including financial viability.
- 3.38 The Council's Affordable Housing SPD was published in 2020, and states that where a proposed development does not accord with policy requirements and the guidance relating to size/ mix/ tenure/ on-site provision etc., the Council will expect a detailed viability appraisal to be submitted.
- 3.39 As set out in the Appellant's Statement of Case (**CD 8.01**), the Appeal Scheme is supported by comprehensive open book viability appraisals prepared by U.L.L Property (**CD 1.057, CD 1.058 & CD 1.059**) which confirm that the scheme is unable to provide any affordable housing on site or through financial contributions.
- 3.40 Whilst the application was under consideration, U.L.L Property's viability appraisals were reviewed by Aspinall Verdi, the Council's independent assessors, whose assessments considered these against the requirements of the NPPF, NPPG, and the Council's Development Management Plan and Affordable Housing SPD.
- 3.41 Paragraph 59 of the NPPF states that the weight to be assigned to viability assessments is a matter for the decision maker, having regard to all circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date. A viability assessment was submitted as part of the original planning application. This was updated to reflect amendments to the scheme submitted in February 2024. The Appeal Scheme accounts for minor changes required in light of the BS 9991:2024 standards recently introduced and is supported by a further updated viability assessment. All iterations of the viability assessment have concluded that the scheme is unviable and therefore unable to provide affordable housing.
- 3.42 The first two iterations of the application's viability assessment were reviewed by the Council's independent assessors, Aspinall Verdi, who concluded that the scheme could not support affordable housing, recommending that an early and late-stage review mechanism were secured within the Section 106 Agreement to allow the Council to benefit from any improvement to viability at a later stage.
- 3.43 The inability for the scheme to support affordable housing was cited at the outset of pre-application discussions. The Appeal Scheme is unable to provide any affordable housing on site or through financial contribution, *inter alia* largely due to the extensive station and public realm improvements proposed which I consider represent a substantial public benefit as set out in Section 4 below. The substantial station improvements are not required by policy but follow an expectation of planning officers of this site coming forward given the opportunity available and the fact the site contains the railway station. In addition, Paragraph 4.29 of Aspinall Verdi's February 2024 report found the "cost

of upgrading the station in this instance is c. £4.5m of the total costs. However, the development of railway stations to provide residential units is usually more expensive and we can see that the residential construction cost, comparatively, is 77% of the residential GDV which is high even without the consideration of the station development. It is therefore likely that the scheme would be showing a significant deficit even if these costs were omitted.”

- 3.44 This approach was acknowledged by the Council within their committee report (Paragraph 6.31, **CD 4.02**). The viability of the Appeal Scheme is described as a unique situation with the improvements to the railway station adding significantly to the construction costs. It is only through development of the Appeal Scheme that the station improvements are deliverable.
- 3.45 Within the Council’s committee report (Page 4), the officer considers that the acute need for affordable housing within the Borough weighs against the proposal in the planning balance, however that the station improvements comprise a substantial benefit and on this basis the proposals were acceptable. The Committee demonstrably concluded otherwise.
- 3.46 Based on the evidence of Mr Taylor, the scheme will cause no harm to heritage assets in the area. Notwithstanding, if the Inspector considers there would be less than substantial harm to heritage assets as argued by the Rule 6 Party and the Council, this harm should be weighed against the public benefits but there is no requirement for affordable housing to form part of the said benefits as plainly implied in the Council’s RfR. I consider the public benefits of the scheme are substantial and far outweigh any harm identified.

SUMMARY OF THE RFR

- 3.47 The evidence of the Appellant’s witnesses concludes that the height, scale and massing of the Appeal Scheme will make a positive contribution to the character and appearance of the area. It is the Appellant’s case that the scheme causes no harm to local and designated heritage assets.
- 3.48 I conclude that the Appeal Scheme provides a high-quality and sustainable development, representing the optimal form of development on this one-of-a-kind site in the town centre of Redhill. I consider that none of the breaches of policy alleged in the RfR are substantiated, and my opinion is that the development complies with each of the policies mentioned in the RfR and with the development plan as a whole. In my view, it is clear that there are no material considerations which would warrant an alternative determination of this Appeal.
- 3.49 If, contrary to the Appellant’s case, the Inspector considers there is less than substantial harm, I consider the public benefits presented by the scheme in the next section of evidence outweigh this harm. In this scenario, I still consider the scheme is in conformity with the relevant development plan policies including those referred to in the RfR and the NPPF regarding heritage assets and the assessment of harm.
- 3.50 If, contrary to my evidence, the Inspector was to conclude that the Appeal Scheme did not accord with the development plan when read as a whole, I consider that there is a wealth of material considerations, including substantial planning and public benefits, which would nonetheless justify the grant of planning permission, which I deal with in the next section.
- 3.51 On this basis, the Appeal should be allowed.

OTHER MAIN ISSUES

- 3.52 The Rule 6 Party raise a number of other matters which the Inspector has included as part of the Inquiry procedure including:

1. the effect of the proposed development on highway and pedestrian safety, including parking;
2. the effect of the proposed development on the living conditions of neighbouring occupiers and the future occupiers of the proposed development, with particular regard to daylight and sunlight; and

HIGHWAY AND PEDESTRIAN SAFETY

- 3.53 As explained by Mr Mitchell in his evidence, neither Surrey County Council nor the LPA have objected to the appeal proposals on highways grounds. Indeed, both parties identified and considered there were transport and highways benefits brought forward by the Appeal Scheme.
- 3.54 The site is in a highly sustainable location within the town centre, near the railway station, the bus station and the town centre of Redhill, which I agree with Mr Mitchell, accords with policies and supports the objectives of the NPPF.
- 3.55 I rely on the evidence of Mr Mitchell in assessing the effect of the proposed development on highway and pedestrian safety, including the effect of the station and resident car parking proposals. On this basis, I conclude that there is no conflict with the development plan regarding transport and highways matters.

LIVING CONDITIONS

- 3.56 On the matters I consider relevant to the consideration of living conditions for future occupiers, my conclusions are below and reflect the agreed Statement of Common Ground between the Appellant and the Council.
- 3.57 All residential units meet Nationally Described Space Standards (NDSS) and are designed to meet M4(2) requirements as a minimum and therefore significantly exceed the 20% required by Policy DES7. 15 units of the Scheme would meet M4(3) requirements which is 6% of properties. This exceeds the 4% requirement under Policy DES7.
- 3.58 The Appeal Scheme will provide satisfactory levels of amenity space for future residents in accordance with Policy DES5, with 93% of units having access to their own private balcony. The 7% that do not are studio apartments. As a result of the BS 9991:2024 changes, of the 32 studios proposed of which the majority exceed NDSS standards by a wide margin, 14 will have balconies. In addition, the proposed residential element of the scheme will provide a roof garden for each residential block for all occupiers.
- 3.59 The Application was supported by an Internal Daylight Sunlight Assessment which confirms that 93.3% of proposed habitable rooms will meet daylight standards. In terms of sunlight, submitted assessments demonstrate that 96% of the proposed living and LKD rooms will meet the suggested sunlight criteria. Almost 97% of the residential flats assessed have at least 1 habitable room that meets the recommended standard. The updated Internal Daylight and Sunlight Report considers that the results show compliance and that the Scheme is considered acceptable in accordance with Policy DES5 and SPD guidance. This remains the case as a result of the BS9991 amendments.
- 3.60 The Application was also accompanied by an Air Quality Report which concluded there will be no significant impacts to the occupants and users of the site from air pollution in accordance with Policy DES9. The Council's Air Quality Officer raised no objection with these finding subject to conditions to secure effective water suppression and management during demolition and construction works.
- 3.61 An Overheating Assessment accompanied the Application which confirms that neither residential dwellings, non-domestic areas, nor communal corridors are at risk of overheating.

- 3.62 In addition, the Appeal Scheme is in a highly sustainably location which provides a prime location for future residents of Redhill to access local amenities, local transport options and access to local greenspaces alongside the transformative public realm created by the Appeal Scheme which includes space for socialising and seating, which is also publicly accessible.
- 3.63 In assessing the effect of the proposed development on the living conditions of future occupiers of the proposed development, with particular regard to daylight and sunlight, I conclude that there is no conflict with the development plan and the scheme accords with the policies and objectives of the NPPF.
- 3.64 With regard to the effects of the Appeal Scheme on daylight and sunlight levels to neighbours, I refer to the assessment of Point 2 in responding to specific third party objections relating to this matter and the conclusions of their earlier report (**CD 1.028**) which states that overall, the daylight/sunlight and overshadowing impacts on neighbouring properties as a result of the Appeal Scheme will not adversely impact the amenity of surrounding residential properties.
- 3.65 In assessing the effect of the proposed development on the daylight and sunlight conditions of neighbours of the proposed development, I conclude that there is no conflict with the development plan and accords with the policies and objectives of the NPPF.

4 Material Considerations

- 4.1 I have already explained my view that the Appeal Scheme accords with the development plan when taken as a whole. If the Inspector agrees, then the material considerations which I discuss in this section add more weight to the case for allowing the Appeal.
- 4.2 If the Inspector concludes that the Appeal Scheme does not accord with the development plan when read as a whole, I conclude that the Appeal Scheme should be decided with reference to the tilted balance (Paragraph 11d of the NPPF) which applies in this case, and that any adverse impacts of the Appeal Scheme would not significantly or demonstrably outweigh its many benefits.
- 4.3 In attributing weight to each material consideration and benefit, I have used the following gradations of weight which is my judgement based upon the merits of the Appeal Scheme as well as the site and planning policy context:
- Substantial
 - Significant
 - Moderate
 - Limited
 - No weight

DRAFT REDHILL TOWN CENTRE AREA ACTION PLAN (AAP)

- 4.4 Core Strategy objection SO20 sets a clear vision over the development plan period for Redhill town centre, reflected in the Development Management Plan adopted later, “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, cultural and leisure destination with a high-quality environment”. Numerous references throughout the Core Strategy describe Redhill Town Centre as the priority location for growth/regeneration including Policy CS6 and CS8 (2a) where the draft Redhill AAP is listed as an evidence base document.
- 4.5 The DMP took forward the vision of the draft AAP by including a number of the opportunity sites within it as site allocations. However, the detail of those site allocations and policies remain within the AAP and the draft Redhill Town Centre Area Action Plan is listed as a material consideration in the officer’s report to committee at page 21. The AAP has been a material consideration for sites coming forward since it was published including relevant surrounding developments identified in Section 2. To date, all other identified major opportunity sites, excluding Redhill Station (Site E), have been developed and aligned to the guidance set out in the AAP.
- 4.6 For the reasons above and to the extent that the draft AAP is a material consideration in the determination of the Appeal I afford it moderate weight.

PREVIOUS CONSENT

- 4.7 As outlined in Section 2 of this evidence, the previous consent granted in 2014 is relevant to the Appeal because the permission granted consent for buildings in the same location as the Appeal Scheme which would have been the tallest in Redhill at the time, in order to create a landmark building to distinguish the station within the town centre as envisaged by the draft AAP (which is referred to as a material consideration in both the original permission and the Appeal Scheme officer reports).
- 4.8 Whilst not a fallback scheme, for the reasons above I give limited weight to the previous consent in

assessing the acceptability of the principle of the land use and landmark heights and massing of the Appeal Scheme.

A23 GREAT STREET DESIGN CODE

- 4.9 The A23 Design Code was published in June 2024, a year after the scheme was submitted (February 2023) and four months after the amendments were submitted (February 2024). Therefore, at the point the application was submitted and also amended, the A23 Design Code Supplementary Planning Document was unadopted.
- 4.10 The Council's Statement of Community Involvement states RBBC's interpretation of a SPD at Page 7, that these are "intended to build on the Local Plan by providing additional guidance and advice on specific topics and/or the implementation of particular policies. SPDs cannot set new policy".
- 4.11 The NPPF's definition of a SPD is:
- "Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan."*
- 4.12 In light of the above, the NPPF's definition of a design code is:
- "a set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. The graphic and written components of the code should build upon a design vision, such as a masterplan or other design and development framework for a site or area."*
- 4.13 We underline elements of the above to emphasise that the national definition is clear that the SPD should provide further details on specific sites and policies referred to in the development plan.
- 4.14 A SPD should be supplementary and not attempt to create new policy. There is no evidence base to support the contents of this document, and the station site is not allocated or referred to in the development plan nor this supplementary document.
- 4.15 For the reasons above and to the extent that the SPD is a material consideration (where it does not create new policy) in the determination of this Appeal, I afford it moderate weight.

NATIONAL PLANNING POLICY FRAMEWORK (DECEMBER 2024)

ACCORDANCE WITH THE DEVELOPMENT PLAN AND 'TILTED BALANCE'

- 4.16 Paragraph 11 of the NPPF requires decision-makers to apply a presumption in favour of sustainable development. The implications for decision taking are discussed in parts (c) and (d) of Paragraph 11 as follows:

"c) approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless: a. the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing

affordable homes, individually or in combination⁹

- 4.17 The development plan consists of the Core Strategy and Development Management Policies. In line with part (c) of Paragraph 11, as I have explained, it is my opinion that the Appeal Scheme accords with the development plan when read as a whole. In the event the Inspector does not agree with me then one would move to consider part (d) of Paragraph 11.
- 4.18 Having regard to footnote 8, the Framework identifies that policies are to be considered out-of-date when assessing residential proposals, in situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites or where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous three years.
- 4.19 I have reviewed the Council’s position regarding 5YHLS, having regard to evidence published by the Council, and I rely on Mr Pycroft’s evidence which concludes that the Council can only demonstrate 0.99 years supply, and therefore cannot demonstrate a 5YHLS by a significant margin. The reasons for this are set out in Mr Pycroft’s evidence. Even by the Council’s own admission, as published in the Council’s Housing Monitor 2025 (Table 24, **CD 6.07**), by April 2026 the Council anticipates a shortage of land (for what the Council considers to be its identified housing need) with only 4.51 years supply.
- 4.20 The latest Overview and Scrutiny Committee Report Pack (July 2025) (Page 8, **CD 6.31**) discussed that the Committees Key Performance Indicator (KPI6) for net housing completions was significantly below the target (208 homes completed across 2024/25 compared to the annual target of 460 homes). The Committee Report Pack for the month earlier (June 2025) (Page 28, **CD 6.10**) also referred to these findings and included a number of graphs to explain the housing completion data the Council had gathered.
- 4.21 A reproduction of the graph contained in the report showing the cumulative results against the housing target is below:

	Target	Actual	Status
Q1	115	32	Red
Q2	230	75	Red
Q3	345	147	Red
Q4	460	208	Red

- 4.22 The June 2025 Overview and Scrutiny Committee Report recognises at page 178 Paragraph 5 (**CD 6.10**) that the NPPF implements a new standard method for calculating housing need and recognises that across a 15-year plan period this represents a need for nearly 20,000 new homes. In addition, the report recognises that from July 2026, for the purposes of decision making, a 20% buffer would be applied to existing local plan housing targets, where they are less than 80% of the standard method housing number (which would give a housing number using the adopted local plan figures of 552 (460 plus 20%).
- 4.23 Paragraph 130 of the NPPF states that in this case, it is especially important that decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site.
- 4.24 Paragraph 2.332 of the Core Strategy Review 2024 states that “the housing requirement included in Core Strategy Policy CS13 does not have an upper limit and is expressed as “at least”; it therefore allows the number to be exceeded (as has clearly been the case already over the plan period) should sustainable opportunities for housing development arise”.

- 4.25 I rely on the evidence of Mr Pycroft in forming my conclusion that, as the Council cannot demonstrate a 5YHLS, the presumption in favour of sustainable development applies and the most important development plan policies for determining the Appeal are out-of-date. On this basis, the presumption set out in Paragraph 11(d) is engaged and therefore planning permission should be granted unless either (d)(i) or (d)(ii) (set out above) apply.
- 4.26 Regarding (d)(i), the Framework includes a footnote (7) to clarify which policies this refers to, noting that this includes those relating to habitats sites, Sites of Special Scientific Interest, land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or Heritage Coast, irreplaceable habitats, designated heritage assets (and other heritage assets of archaeological interest), and areas at risk of flooding or coastal change.
- 4.27 In respect of footnote 7, Site A is located in Flood Zone 2/3 and Site B is in Flood Zone 1, as outlined in the Flood Risk Assessment and confirmed in the officer's report (**CD 4.02**). Therefore, the Appeal Scheme complies with the relevant flood risk policies of the development plan and does not provide a strong reason for refusing the Appeal Scheme.
- 4.28 Having further regard to footnote 7 (designated heritage assets), I refer to the evidence of Mr Taylor, which concludes that there is no harm to designated heritage assets such that any applicable policies on heritage would provide a strong reason for refusing the application.
- 4.29 Should the Inspector agree that the scheme causes less than substantial harm to the designated heritage assets referred to in the RfR or those assets set out in the post-CMC note (**CD 11.2**), paragraph 215 explains that this harm should be weighed against the public benefits of the proposal.
- 4.30 The public benefits of the Appeal Scheme are numerous, these being explained and assessed later in this section. I consider the substantial public benefits arising from the Appeal Scheme far outweigh any less than substantial harm identified and would comply with the relevant policies relating to heritage assets and do not provide a strong reason for refusing the Appeal Scheme.
- 4.31 Having considered all the relevant footnotes to Paragraph 11(d), I consider that Paragraph 11(d)(ii), and the tilted balance, is engaged. The tilted balance is engaged owing to the Council's lack of 5YHLS, by Mr Pycroft's evidence being a shortcoming for some time, and by the Council's own evidence, from April 2026, eight months from writing this evidence.
- 4.32 Paragraph 11(d)(ii) sets out that permission should be granted unless:
- “Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.”*
- 4.33 In drawing my conclusion on Paragraph 11(d)(ii), I consider the scheme against the those “key policies” listed at footnote 9 in turn below.
- 4.34 Paragraph 66 relates to the mix of affordable housing. Owing to the station improvements and other enhancements proposed as part of this station site development, affordable housing is not proposed however, review mechanisms are secured as part of the Section 106 Agreement. If affordable housing becomes a viable option at a later date as part of the viability review, the resulting offer will consider the requirements of Paragraph 66.
- 4.35 Paragraph 84 relates to homes in the countryside which is not relevant to this Appeal.

- 4.36 Paragraph 91 relates to locating main town centre uses in the town centre. The main town centre uses proposed as part of the Appeal Scheme (the flexible Class E floorspace on Site A) are within the Redhill Town Centre boundary and so supports this key policy.
- 4.37 Paragraph 110 seeks to focus significant development to locations which are or can be made sustainable by limiting the need to travel and by offering a genuine choice of transport modes, helping to reduce congestion and emissions. The Appeal Scheme is a major development, contributing significantly to local housing need and in one of the most sustainable locations in the town centre and so supports this key policy.
- 4.38 Paragraph 115 states that where considering development proposals, a number of criteria are considered. Firstly, that sustainable transport modes should be prioritised to take account of the vision for the site, the type of development and its location alongside providing safe and suitable access to the site for all users. The scheme prioritises the enhancement of the station and its accessibility. The wider public realm and pedestrian/cycle connections is fully aligned to the vision of the site as set out in the draft AAP. With regard to the design of the parking areas and other transport elements as well as impact on the transport network, these matters have all been discussed and agreed with the relevant statutory consultees at application stage.
- 4.39 Paragraph 129 states that planning decisions should support development that makes efficient use of land, taking into account a number of criteria. In accordance with criteria (a–e), the Appeal Scheme includes measures for the enhancement and promotion for sustainable travel modes to limit future car use and will secure a well-designed and attractive place which promotes town centre regeneration and longevity.
- 4.40 Paragraph 135 relates to achieving well-designed places. The Appeal Scheme will deliver benefits to the public spaces within the site boundary, for commuters and visitors to Redhill as well as future residents, over the lifetime of the development. The scheme has been designed to be sympathetic to and respond to, the changing the surrounding context including by building at an increased density.
- 4.41 Paragraph 139 states that development that is not well designed should be refused and that significant weight should be given to development which reflects local design guidance and government guidance. Designs should also promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings. The Appeal Scheme assists with the long-term promotion of sustainable transport modes, a benefit not captured by other recent development in the area. The scheme will also respond to the overall form and layout of the area and surroundings.
- 4.42 Having particular regard to the key policies listed at footnote 9 of Paragraph 11(d)(ii) of the NPPF, both individually or in combination, and when considering the NPPF when taken as a whole, I do not consider there are any adverse impacts that could be perceived as significantly and demonstrably outweighing the many benefits I list in the following section.

BENEFITS OF THE APPEAL SCHEME

- 4.43 The following section sets out the material considerations in the determination of this Appeal including the package of public and other benefits which I consider outweighs any conflict with the development plan and any less than substantial, identified to designated and local heritage assets.
- 4.44 Where relevant, I refer to the NPPF and its objectives and directions in my assessment of how much weight to give as a material consideration to the determination of the Appeal Scheme.

- 4.45 Throughout the pre-application discussions and in the determination of the application that led to this Appeal, the Council have made clear that there is an expectation that this scheme delivers station and wider improvements. In the interest of good place-making and ensuring this development is as sustainable and inclusive as possible for the town centre, a substantial number of benefits have been incorporated into the scheme.
- 4.46 The Council confirmed within their committee report (Paragraph 6.51, **CD 4.02**) that the proposed station improvements will be both a significant improvement and a substantial benefit of the scheme. I agree that the nature of the public benefits proposed is substantial in that they will serve the wider community and not just future residents of the scheme, for years to come.
- 4.47 Conversely, the Council's Statement of Case (Paragraph 5.17) contradicts this assessment, concluding that the proposed public benefits, with one exception (biodiversity net gain), hold limited or no weight in the planning balance.
- 4.48 Turning to part (ii) of Paragraph 11(d) of the NPPF and in the light of the policies of the NPPF taken as a whole, I give substantial weight to the following benefits of the Appeal Scheme, and which I expand on individually below:
- Contribution to housing delivery
 - Making effective use of brownfield, under-utilised land in a sustainable location
 - Easing pressure on Green Belt in the borough
 - Ensuring the vitality of the town centre
 - Station and public transport user improvements and encouraging a modal shift
 - Landscaping and tree planting
 - Increased permeability and public realm enhancements
 - Biodiversity net gain
 - Improvements to surface water drainage and mitigating against flood risk
 - Socio-economic opportunities
 - Provision of accessible and adaptable housing
 - Energy savings

CONTRIBUTION TO HOUSING DELIVERY

- 4.49 As I have explained above under the NPPF sub-section of Section 4, and based on the evidence of Mr Pycroft, the Council cannot demonstrate a 5YHLS and has not yet found a solution to resolve its clearly critical local housing need, and even by its own evidence, acknowledge an undersupply from April 2026.
- 4.50 The provision of 255 homes as proposed by the Appeal Scheme is a major benefit, which will contribute to meeting the Council's current (Mr Pycroft's evidence) and future (Mr Pycroft and the Council's published evidence) housing supply shortfall as of April 2026.
- 4.51 I give substantial weight to this.

MAKING EFFECTIVE USE OF BROWNFIELD, UNDERUTILISED LAND IN A SUSTAINABLE LOCATION

- 4.52 The previous version of the NPPF (December 2023) was relied upon during the determination of the Appeal Scheme in October 2024. A new NPPF was published in December 2024 which gives substantially more weight to the delivery of homes, especially on brownfield land.
- 4.53 The 2023 NPPF stated at Paragraph 123 that:

"Planning policies and decisions should promote an effective use of land in meeting the

need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. 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"

My emphasis underlined

4.54 Paragraph 124 (part c) of the 2023 NPPF also explained that planning policies and decisions should:

"give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land"

My emphasis underlined

4.55 Whilst the 2024 NPPF did not change the wording of Paragraph 123 (now 124) above, the 2024 NPPF updated national policies related to brownfield land, introducing explicit wording at Paragraph 125(c) (previously 124(c)) which now reads as a presumption in favour of the development which didn't previously exist as follows:

give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land"

My emphasis underlined

APPLICATION OF PARAGRAPH 125

4.56 I place substantial weight on the NPPF's direction at Paragraph 125(c) which is applicable to the Appeal Scheme.

4.57 Paragraph 125(d) goes on to "promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lockups and railway infrastructure)"

4.58 The site is by definition under the NPPF, previously developed land (otherwise known as brownfield land), specifically utilising rail infrastructure, as cited in Paragraph 125 (d).

4.59 In light of the paragraphs above, and for the reasons explained below and detailed within Mr Pycroft's evidence regarding a significant and profoundly unrecognised housing need, I afford substantial weight to this being a mixed-use predominantly residential development, which optimises the density of development in a town centre and well served by public transport, making effective use of underutilised, brownfield land, one of the most sustainable locations in the town centre being the site of the existing station and opposite the bus station, in accordance with the key policies of the NPPF, including Paragraph 11d(ii) and Paragraph 125.

EASING PRESSURE ON GREEN BELT IN THE BOROUGH

4.60 The Council has argued consistently through its Core Strategy and Development Management Plan reviews in 2019 and 2024 that the Core Strategy Inspector supported the 'urban areas first' approach

before releasing sustainable urban extensions to maintain a five-year supply. This position was supported by the DMP Inspector, who concluded that the policy approach was consistent with national policy. The CS Review recognises that the previous NPPF (upon which the Review was based rather than the latest NPPF) applies a stronger focus on making as much use as possible on previously developed land (paragraph 2.323 and 2.324 of the CS Review 2024 (**CD 5.03**)).

- 4.61 The 2024 NPPF explains that exceptional circumstances to changing Green Belt boundaries include where an authority cannot meet its identified need for homes (Paragraph 146). Paragraph 147 stipulates that the authority firstly examine all other reasonable options to meet said need including (a) making as much use as possible of suitable brownfield sites and underutilised land.
- 4.62 For the reasons evidenced in Mr Pycroft's evidence and which I have concluded on above, the Council cannot meet the identified need for homes in the borough. In regards to Policy CS13 of the Core Strategy, the Inspector for the Council's Core Strategy examination recognised that the Green Belt constraints in the Borough which was restated in the Core Strategy Review indeed finding that "these constraints continue to influence potential future housing capacity in the Borough in the same way, if not more, than they did in the Core Strategy examination" (Paragraph 2.304-2.305, **CD 5.03**). As highlighted in Mr Pycroft's evidence, Core Strategy Policy CS13 was found to be up to date as part of the 2024 Review but the Council has yet to assess whether the policy is up to date in light of the new Paragraph 146 of the NPPF (December 2024) and the new standard method.
- 4.63 Page 32 of the Council's July 2025 Overview and Scrutiny Committee Report Pack (**CD 6.31**) recognised the new standard methodology for calculating housing need and also the 'major change' which includes a "new specific requirement to undertake a green belt review if sufficient sites cannot be found within the urban area" (Paragraph 6). Paragraph 7 explains that it "seems clear that the urban area will not yield 20,000 new homes required over the next 15 years and for this reason a new Green Belt Review has been instructed" and that the Council will follow a "no stone unturned" approach to identifying housing in the urban area (Paragraph 8).
- 4.64 For the reasons above, I consider that the Appeal Scheme, being in a sustainable, urban area is fully aligned to the NPPF and will help to ease future pressure on the Council having to find alternative sites in the Green Belt, from April 2026. I attach significant weight to this.

ENSURING THE VITALITY OF THE TOWN CENTRE

- 4.65 Paragraph 90 (NPPF 2024) reads that planning 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. Part (d) states that planning policies should allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Part (f) goes on to state that planning policies should recognise that residential development often plays an important role in ensuring the vitality of town centres and encourage residential development on appropriate sites.
- 4.66 The Core Strategy Review and Development Management Plan Review recognised (Page 6 of both) that one of the key changes to the NPPF for plan making and review is a "greater focus on optimising use of land, particularly of previously developed land, and for making efficient use of land by maximising densities, and applying minimum density standards where appropriate in town centres and other locations well served by public transport".
- 4.67 The local plan reviews does not introduce nor amend any policies relating to the town centre and does not identify any sites looking at least ten years ahead since its last review of the both the Core Strategy and Development Management Plan in 2024. By the Council's own evidence, by April 2026, they will not have a five-year housing land supply and the Appeal Scheme will bring in new residents

to the town centre. I give significant weight to the role the Appeal Scheme will play in the vitality of the town centre and that the public and other benefits will have on the community.

STATION AND PUBLIC TRANSPORT USER IMPROVEMENTS AND ENCOURAGING A MODAL SHIFT

4.68 The Appeal Scheme is in a unique position unlike any other scheme that has come forward in the area to bring forward improvements to Redhill Railway Station as part of a wider development of the under-utilised site. The station improvements alongside the public transport enhancements are set out below and detailed further in the evidence of Mr Sheach and Mr Mitchell.

- I. Removal of vehicular traffic within the Site A station site to create an unobstructed active travel route to the bus station which will be under 60m away (step-free).
- II. Provide additional capacity for the bus station on Princess Way with a new bus shelter and expanded bus stop provision. This additional capacity is critical in allowing both short term route development and in supporting future opportunities for SCC and RBBC to address the redevelopment of the bus station whilst maintaining services.
- III. The Appeal Scheme will increase cycle storage at the station by 23% (by providing 248 cycle parking spaces, separate from the 298 cycle parking spaces provided to new residents), providing clear qualitative improvements to security and storage options at the station to further incentivising modal shift. The cycle parking spaces include capacity for unusual size cycles.
- IV. Reduction in overall station car parking by only 10% (without a multi storey car park on Site B) whilst also being able to deliver 255 new homes and public realm enhancements where the new station car park at Site B will include EV provision.
- V. The development will deliver improvements to real time information availability between the bus and rail terminus, improved wayfinding, substantially assisting passengers and encouraging use of the bus as their mode of onward travel. This will be provided outside the station alongside wayfinding signage which will also be provided outside the station and within the bus station.
- VI. A proposed car club which also allows the rail / bus facilities to attain “mobility hub” status in line with SCC policy. These moves form part of the wider enabling of the scheme to increase future usage and deliver a future proof an integrated and inclusive transport hub and gateway to the town.
- VII. There is an existing ramped access to the station on Site A however this is not as direct a route as the stepped access and creates a longer, doubling back route and is also restricted should two users require the ramp. The proposals will provide an improved mobility impaired route on the Site A side for the station itself and between the station, the town centre and bus station.
- VIII. For Site B, mobility impaired users will have an improved experience of the station. Information windows will be fully accessible, and flooring will be designed in accordance with the inclusive design principles, together with the provision of wide aisle ticket gates and ticket machines with low level payment pads.
- IX. Provide an improved access at the Site B side of the station, in particular with taxi, private car and blue badge parking directly located next to the station entrance with a pedestrian approach which is predominantly flat or with a very shallow gradient.
- X. The station will become fully compliant with the DfT’s Design Standards for accessible stations, as well as the relevant building control requirements.
- XI. A 50% increase in the station concourse over the existing footprint with provision of dedicated seating, a separate ticket purchasing area and covered colonnade. This will greatly benefit customer experience of the station and efficiency particularly at peak hours. It will also serve to make the station more accessible for disabled users or those travelling with children or luggage, particularly given Redhill’s proximity to airports.
- XII. Presents an opportunity to promote significant modal shift and growth in active travel modes. This will be supported with a focused package of promotional financial measures

for passengers sent to 10,000 households (detailed further within Section 3 of Mr Mitchell's evidence).

- XIII. A reduced vehicular width for the entrance and exit at Redstone Hill and improved cycling and walking routes linking to the new station forecourt.
- XIV. At Site B, the new layout will improve the visibility and connectivity between passengers in the external drop off zone and the platforms, as well as increasing the circulation space in the drop off zone.

- 4.69 Aside from supporting station user modal shift, the development will also limit parking provision for residents consistent with the site's sustainable location and promotion of sustainable travel.
- 4.70 I agree with the officers at Paragraph 6.51 of the committee report that the station improvements represent a substantial benefit of the Appeal Scheme.
- 4.71 When taken as a whole, I give the station and public transport user improvements including the various plans to encourage a modal shift substantial weight.

LANDSCAPING AND TREE PLANTING

- 4.72 The proposed landscape design for Redhill Station will see the removal of 12 existing individual trees and 10 existing tree groups due to their condition and/or to enable development. Two existing individual trees and one existing tree group are to be retained. To compensate for the loss of existing trees, 61 extra heavy standard and semi-mature trees are being proposed at ground level. Additionally, native shrub planting and trees are being proposed to improve the ecological value of the Network Rail embankment. 24 multistem trees will be planted at roof level.
- 4.73 A mix of herbaceous and evergreen perennials, grasses and shrubs will be planted at both ground and roof level to ensure seasonal interest all year round. With the addition of this significant planting, the Appeal Site and the journey to the station and to the town centre will be much improved and will be for the enjoyment of the public as it is largely a publicly accessible site at ground level. The landscaping and planting strategy was found acceptable and justified by the Council's Tree Officer.
- 4.74 I give this moderate weight.

INCREASED PERMEABILITY AND PUBLIC REALM ENHANCEMENTS

- 4.75 The broader picture of Site A and Site B benefitting from the new landscaping and tree planting described above is that these support the proposals across Site A and B to increase permeability and create a safe and inclusive public realm, where there is currently none.
- 4.76 On Site A, a new public realm will be created along the whole frontage facing the bus station and town centre with the inclusion of new street furniture. This will create a safer and more inviting experience between the town centre and the station. The Site B station entrance will also benefit from a new public realm. The accessibility improvements are described in greater detail in the evidence of Mr Sheach and Mr Mitchell.
- 4.77 I consider the following provisions included as part of the package of public realm enhancements are also material considerations:
 - I. Deep clean of A25 underpass
 - II. Deep clean of the Redstone Hill retaining wall brickwork
 - III. Redecoration of the station connecting underpass and establishment of a Redhill civic zone to animate this space, including lockable display cases for exhibition of local history and art

groups work. The aspiration is the content of these cases would be curated with local schools, civic and history groups

- IV. The recladding of the side return wall to the Site A station, in matching brickwork beside the A25 underpass to tie in the new station elements and existing

4.78 As a whole, I give significant weight to the landscaping, improved permeability (improved pedestrian and cyclist experience) and public realm enhancements created by the proposed development.

BIODIVERSITY NET GAIN

4.79 The national requirement for a 10% biodiversity net gain only applies for new applications submitted after 12 February 2024. The application now subject to this Appeal was submitted prior to this date, however the scheme achieves over 7% biodiversity net gain, which supports the aim of development management policy NHE2.

4.80 I agree with the Council (Table at Paragraph 5.17 of the Statement of Case, **CD 8.01**) and give this moderate weight.

IMPROVEMENTS TO SURFACE WATER DRAINAGE AND MITIGATING AGAINST FLOOD RISK

4.81 As outlined by Elliot Wood in the Flood Risk Assessment (**CD 1.035**), the surface water discharge rates from the development (Site A and Site B) are proposed to be significantly reduced compared to the existing site. Through the inclusion of blue roofs and permeable paving, the surface water drainage proposals for the site will significantly reduce the surface water run off rates into the existing sewers than existing.

4.82 The proposed interventions to the main station ticket hall through the proposed flood protection strategy will be enhanced to 1:100-year annual exceedance probability, providing future resilience to climate change for a key strategic piece of infrastructure that is presently vulnerable to flooding.

4.83 I give this limited weight.

SOCIO- ECONOMIC OPPORTUNITIES

CONSTRUCTION JOBS AND APPRENTICESHIPS

4.84 The Appeal Scheme is expected to provide 300 construction jobs and 15 apprenticeships per annum.

4.85 The Appeal Scheme is expected to provide a £73 million investment to the construction sector over 3-4 years and is expected to bring in £0.3-£0.5 million of local spend from workers per annum during construction.

4.86 Once the development is operational, the scheme is expected to deliver 10 net additional FTW jobs on site.

4.87 I attribute moderate weight to the job creation associated with both the construction and operational stages of the development.

ECONOMICALLY-ACTIVE RESIDENTS

4.88 Once constructed and operational, the scheme is likely to bring in 434 new residents of which 300 would be of a core working age with 220 assumed to be economically active (against a projected drop in 16-64 year olds in the borough from 61% to 57% by 2043, it is likely that areas that can attract

and retain people in this age group should be more resilient to the pressure of an ageing population (Page 13 of the submitted Socio Economic Report)). The scheme will have the added benefit of expecting over £5.5 million in household spend per annum, £0.54 million in council tax.

GVA CONTRIBUTIONS

- 4.89 The scheme will also provide approximately £25 million in annual GVA over the construction period, and £0.5 million in annual GVA contributions from the additional flexible commercial space provision on Site A.

NEW HOMES BONUS

- 4.90 The Council will benefit from payment of a New Homes Bonus, estimated to be £2 million over four years. The grant is paid by central government to local councils to reflect and incentivise housing ground in these areas, based on the amount of extra council tax revenue raised for new build homes.

COUNCIL TAX CONTRIBUTIONS

- 4.91 It is anticipated that the Appeal Scheme will provide £0.54 million in council tax and circa £19,000 net additional business rates generated for the borough.
- 4.92 The above socio-economic benefits do not include the substantial investment into the two new gateway entrances and station improvements outlined earlier in this section.
- 4.93 In conclusion regarding the socio-economic benefits I consider are a material consideration and having regard to Paragraph 85 of the NPPF which places significant weight on the need to support economic growth and productivity, when read as a whole, I attribute significant weight to the socio-economic benefits of the Appeal Scheme when considered as a whole.

PROVISION OF ACCESSIBLE AND ADAPTABLE HOUSING

- 4.94 Policy DES7 (Specialist Accommodation) states that the Council will support proposals that are easily accessible to shops, public transport, community facilities and services appropriate to the needs of the intended occupiers. The development is in a highly sustainable town centre location and also includes the provision private and public amenity spaces.
- 4.95 Beyond this, part 3 of Policy DES7 requires at least 4% of homes on sites of 25 homes or more to be designed to be adaptable for wheelchair users in accordance with Building Regulation requirements.
- 4.96 All dwellings within the Appeal Scheme (100%) have been designed to meet M4(2) and 5% have been designed to meet M4(3) of the Building Regulations. The Appeal Scheme provides specialist accommodation in the form of accessible and adaptable housing as well as wheelchair user dwellings (as described in Policy DES7), the provision of which goes beyond the requirements of Policy DES7. This was also the conclusion of the committee report (**CD 4.02**) at Paragraph 6.110.
- 4.97 I give this moderate weight.

ENERGY SAVINGS

- 4.98 As set out at Paragraph 6.83 of the committee report (**CD 4.02**), the Appeal Scheme is required to meet policy CS11 of the Core Strategy and Policy CCF1 of the DMP. This requires the non-residential part of the development to meet natural water efficiency standard of 110 litres/person/day and 19% improvement in the Dwellings Emission Rate over Target Emission Rate, and for the non-residential part of the development to include renewable or low-carbon energy generation to provide 10% of the expected energy usage of the development.

- 4.99 Through analysis of the proposed development's design and following the energy hierarchy, the proposed design exceeds Reigate and Banstead's policy CCF1 (Climate Change Mitigation) carbon reduction target of 19% for residential spaces against Part L 2013, and renewable generation target of 10% of expected energy usage for commercial spaces (noting the policy is out of date with Building Regulations Part L Vol 1 (2021) being the latest version for compliance to which the scheme has been tested against as part of the application by the Appellant's energy consultants HDR).
- 4.100 HDR predicts that the Appeal Scheme achieves energy savings that go well beyond the requirements of Policy CCF1. The non-residential element of the proposal will achieve 45.3% carbon dioxide savings and 62.38% for the residential element, totalling 61.8% sitewide, against Part L (2021).
- 4.101 I give this moderate weight.

CONCLUSION OF MATERIAL CONSIDERATIONS

- 4.102 Overall, the Appeal Scheme proposes to regenerate and enhance an under-utilised, available, brownfield site in an area accepted in principle at all levels of housing policy for housing redevelopment and identified as suitable for tall buildings by the Council's development management and planning policy officers, and further supported by the draft AAP for the town centre which set the original vision for which the area for which recent developments have been considered against.
- 4.103 It is my assessment that there is no policy conflict nor actual harm weighing against the Appeal Scheme. As such, I deem the planning balance weighs in favour of the development and permission should therefore be granted.
- 4.104 Having regard to the 'tilted balance', I am clear in the view that the Appeal should be allowed as there are no adverse impacts. If any were identified, they would not significantly and demonstrably outweigh the benefits of the Appeal Scheme, which I consider are substantial when taken as a whole.

5 Third Party Representations

- 5.1 There have been 31 third-party representations to the Appeal which are summarised as follows:
- Two in support (including Network Rail)
 - Two providing no objection (statutory consultees)
 - 27 objecting including from two local councillors and RRAG (now a Rule 6 Party)
- 5.2 Those in objection raise several matters associated with the Appeal Scheme which I have responded to, enclosed at **Appendix 2** of this evidence. I also attach a response from Point 2 in relation to daylight and sunlight matters.
- 5.3 The Statement of Common Ground with the Council confirms that many of the perceived concerns raised by third party representers are not matters of dispute between the Appellant and the Council.
- 5.4 A Statement of Common Ground between the Appellant and the Rule 6 Party (Redhill Residents Action Group) has been submitted which confirms the areas of agreement and disagreement between each party.

6 Summary and Conclusion

- 6.1 Section 38(6) of the 2004 Act provides that the Appeal must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.2 As set out in Section 3 of my Proof, in my opinion the Appeal Scheme accords with policies referred to within the RfR and with the development plan as a whole, as demonstrated by evidence from the Appellant's expert witnesses and my own assessment where applicable.
- 6.3 In respect of paragraph 11(d)(i) of the NPPF, with regards to the designated heritage assets, I refer to the evidence of Mr Taylor which outlines that the development will result in no harm to the designated heritage assets identified by the Council and the Rule 6 Party.
- 6.4 If the Inspector does not agree with Mr Taylor's evidence that there is no harm and instead concludes that there will be less than substantial harm caused by the development, I consider the public benefits of the scheme are numerous and comfortably outweigh any less than substantial heritage harm nor will any heritage harm constitute "a strong reason for refusing the development proposed" under paragraph 11d(i) of the NPPF.
- 6.5 If, contrary to my evidence, the Inspector is to conclude that the Appeal Scheme does not accord with the development plan as a whole, the Appellant's case is that Paragraph 11(d)(ii) of the NPPF is triggered and the 'tilted balance' is engaged owing to the Council's lack of 5YHLS demonstrating that the policies which are most important for determining the application are out-of-date.
- 6.6 Since the application was refused, the NPPF was updated in December 2024 with amendments made in February 2025. Alongside the December 2024 NPPF, the national standard method was also updated. Using this new method, the Council's housing target is considered to increase from 460 in the 2014 Core Strategy, to 1,306, a 184% increase. As set out in Mr Pycroft's Proof, this represents a significant change which renders the development plan out of date, contrary to the view taken by the Council through their internal review process, undertaken without formal examination or public consultation, and prior to the December 2024 NPPF. Even by the Council's own evidence, from April 2026, the borough will not be able to demonstrate a five-year supply.
- 6.7 In my opinion, there are no adverse impacts of granting permission that would significantly and demonstrably outweigh the clear and substantial benefits of the Appeal Scheme. Indeed, I consider the opposite is the case for the Appeal Scheme and that there is a wealth of material considerations, including substantial public and other benefits, which lend further justification in favour of the grant of planning permission.
- 6.8 The Appeal should be allowed.

Daniel Watney

FOR MORE INFORMATION PLEASE CONTACT US

T: +44 (0)20 3077 3400

E: info@danielwatney.co.uk

Daniel Watney LLP

165 Fleet Street, London EC4A 2DW, United Kingdom

www.danielwatney.co.uk

Appendix 1 – Solum Response on Deliverability of the Scheme



Redhill Station – Viability and delivery note

1st August 2025

1. This note has been prepared by Andrew Atkins. I hold the position of Development Director within Kier Property, and work within the businesses Solum joint venture with Network Rail, having full day to day responsibility for the Redhill Station Development project. I am a Chartered Planning and Development Surveyor (MRICS) and have over 30 years experience working in development and regeneration projects.
2. The updated viability report, undertaken by ULL in July 2025, covers the changes in scheme cost and value, subsequent to the scheme's refusal in October 2024 and also the impact of required design changes associated with achieving BS 9991:2024 compliance. The updated report shows a deficit against benchmark land value of £16.97m, which shows a small improvement against the benchmark land value deficit reported in the scheme refused by RBBC of £19.06m.
3. Notably, the BS 9991 impacts have reduced the efficiency of the scheme, generating a higher proportion of non-revenue generating, back of house and plant space. While this has been offset by improved revenue in both residential and commercial elements, as well as grant funding from Network Rail.
4. Solum is a joint venture between Network Rail and Kier, which looks to undertake development and regeneration projects on and around Network Rails land holdings. The JV has been operational since 2008 and has by way of example completed projects in locations including Walthamstow, Twickenham, and Epsom, with ongoing projects in Guildford, Surbiton, Greenwich, and Bishops Stortford.
5. For Solum, the viability report presents an extremely challenging commercial position, where on balance it could be questionable as to the motives for bringing forward the scheme if and where it has the potential to generate only limited profit or indeed losses. It's therefore important to look at the commercial context for both parties and indeed the wider opportunities which sit outside of the viability analysis to the extent the viability needs to follow the prescribed RICS format.

6. For Network Rail, beyond its core operational duties of running an efficient and safe transport network, as a major landholding HM Government body, it has supporting obligations toward assisting with economic growth and the delivery of housing, jobs and regeneration. For these reasons, Network Rail does not simply look at the delivery of the scheme through the narrow lens of development profit and will also draw value from the wider socio-economic outputs from the scheme. Whilst the delivery of station improvements at Redhill, was not part of its own rationale for the inception of the project, it is evident that the proposed scheme will deliver substantial station benefits, and one which NR can form an economic case for supporting further through grant funding.
7. For Kier as a major construction and infrastructure business, aside from the developer's profit considered in the viability analysis, as part of the normal viability analysis, contractor's profit is included too. There is an opportunity for Kier to deliver the construction works.
8. The requirements for a viability assessment, established through RICS guidance, mean that the focus of the study has been around development for sale as an exit strategy for the scheme. The new home apartment sale market has been suppressed over recent years with a combination of issues including, high cost and varying availability of mortgage products, withdrawal of HM Government first time buyer market support mechanisms, and reputational issues associated with building safety, increasing service charges and leasehold structuring. We are seeing an increasing choice of new mortgage products and lower pricing and believe that over time, the above-mentioned reputational concerns will start to dissipate. This means we can have greater confidence in potential market recovery and betterment in the viability position.
9. At the same time, it's also possible to consider an exit strategy for the project reflecting a residential rent and investment disposal route, into the Build to Rent (BTR) market, akin to the tenure operating at the Council's Marketfield Way development. Rental growth within Reigate and Banstead, across all forms of residential homes in the year to June 2025, was 5.9% based on HM Government ONS data, with growth for smaller 1 and 2 bed apartments which are found in our scheme being higher than this.
10. Looking forward this growth, which as a long-term trend has been running in excess of build cost inflation, again means we can have confidence in there being the option to deliver this scheme as a BTR proposition.

11. Solum has the capability to develop out and hold the scheme on a BTR basis, to achieve a “stabilised” asset condition which provides the most attractive investment case for prospective buyers, and one which drives further value through investment yield pricing.
12. At the time of drafting, Solum has not determined whether a build for sale or rent option is preferable to the extent that both routes remain available, suitable and deliverable and a final selection will be dependent on relative conditions in those submarkets.
13. The Redhill Station residential development entails a high-quality scheme, located next to excellent transport and town centre amenities, and for these reasons we are confident as to future prospects for delivery.

Appendix 2 – Response to Third Party Comments

Response to Third Party Representations

- 1.1 There have been a number of third-party representations to the Appeal which raise several matters associated with the Appeal Scheme. These representations include matters regarding height, scale, massing and highways. These are responded to in the evidence of Mr Sheach, Mr Taylor, and Mr Mitchell.
- 1.2 I set out an assessment of representations below, a number of which mirror the concerns raised at application stage, a response to which was provided in Appendix 12 of the Appellant’s Statement of Case.

Table 1: Response to Third Party Representations

Comment	Response to Third Party Representations
<p>Site Conditions – Boggy ground unsuitable for high rise</p>	<p>The Appeal Scheme has been informed by a Flood Risk Assessment and Geo-technical and Geo-environmental Investigations which have assessed the suitability of the site for development.</p> <p>Set out within the Geo-technical Desk Study Report factors around the site conditions and geology have been factored into the design of the scheme which are considered to be addressed through mitigation measures.</p> <p>The Appeal Scheme was assessed by the Environment Agency and the Surrey County Council Sustainable Drainage team as the Local Lead Flood Authority (LLFA). At Application stage, the Appellant responded to queries raised by the Environment Agency, and they raised no objection to the Application. The LLFA are satisfied that the proposed drainage scheme meets the requirements set out in the NPPF and PPG and are content with the development proposed, subject to conditions being attached to confirm the finalised detailed drainage scheme and a verification report which is accepted by the Appellant.</p>
<p>Environmental damage</p>	<p>The site and surrounding sites are not subject to any ecology designation or statutory or non-statutory protections for ecology, biodiversity or nature conservation.</p> <p>Nevertheless, the application is supported by a Preliminary Ecological Assessment, Bat Emergence Survey, Preliminary Roost Appraisal, Reptile Survey, and an Ecological Site Walkover by Greengage.</p> <p>Surrey Wildlife Trust (SWT) has considered the submitted information and is satisfied with the methodology and findings of these reports. The scheme although not required would achieve a biodiversity net gain on site.</p> <p>There is no objection to the proposed trees works to facilitate the</p>

	development as confirmed by the Council's Tree Officer.
Lack of affordable housing/unsuitable unit mix	<p>Due to the location, flats are the most appropriate option. Further, it is understood that the market for larger 3-bedroom flats in the location is limited. As such, in conjunction with viability issues, the mix of the Appeal Scheme is considered acceptable in accordance with Policy DES4.</p> <p>In terms of affordable housing the application was supported by a viability assessment which confirmed it was not capable of delivering any affordable housing.</p> <p>As part of the changes to the scheme required to accord with BS:9991 fire safety standards and updated viability appraisal addendum has been prepared and shared with the Council and Rule 6 party.</p>
Lack of gardens	<p>The Appeal Scheme will provide satisfactory levels of amenity space in accordance with Policy DES5 for future residents with 93% of units having access to their own private balcony. Properties without private amenity space can access one of two communal roof gardens (one for each block).</p>
Daylight sunlight overshadowing	<p>Mr Cartmell from Point2 has prepared a proof of evidence which addresses comments made in relation to Daylight, Sunlight and Overshadowing which are summarised below.</p> <p>63 Ladbrooke Road was specifically identified suggesting that the proposed development will lead to a significant loss of natural light and overshadowing of the property.</p> <p>Whilst 63 Ladbrooke Road is possibly located within 100m of the Application Boundary Line, the property is located approximately 150m from the nearest proposed Building (Block B) and approximately 175m from the central and tallest part of Block B.</p> <p>BRE guidelines state (paragraph 2.2.4) that "Loss of light to existing windows need not be analysed if the distance of each part of the new development from the existing windows is three or more times its height above the centre of the existing window. In these cases, the loss of light will be small."</p> <p>The total height of Block B that is within 150m of 63 Ladbrooke Road is understood to be 24.990m high which when multiplied by 3 is approximately 75m. The central part of Block B is understood to be 53.085m high which when multiplied by 3 is approximately 160m. Both elements are therefore more than 3 times their height away from 63 Ladbrooke Road and, as such, it can be concluded that any loss of light will be small.</p> <p>The above conclusion reached using the initial height/distance assessment is supported by the more detailed calculations set out in Point2's submitted report.</p>

	<p>With regards to overshadowing, we note the objector's use of suncalc.org for shadow predictions. The assessed overshadowing of the development shown in the objection is representative of shadows on the 21st December which is the winter solstice. As such it is the day of the year when the longest shadows are typically cast throughout the day.</p> <p>Assessing overshadowing on the 21st March which is the spring equinox and BRE's recommended day to assess overshadowing, the proposed development will not cast any shadows over 63 Ladbroke Road. It is therefore concluded that there will be no significant levels of overshadowing to this property throughout the year.</p> <p>With regards to potential additional overshadowing onto the Redhill Memorial Park, whilst this space may receive some additional overshadowing at some specific times during the winter months, the space will not be overshadowed on 21 March and therefore meets the BRE guidelines recommendations.</p>
Loss of privacy/amenity	<p>The scheme is acknowledged to be located within the defined town centre amongst a number of buildings of a similar character, as such the proposal is considered to be acceptable in terms of character of the area in addition to having sufficient separation distances from other flatted schemes. The scheme is considered to be located such that there are sufficient separation distances from the scheme to other residential neighbourhoods so as not to have any significant impact in terms of overlooking or result in a loss of privacy.</p>
Reason for refusal / height of development	<p>Set out further in the above Proof, assessed by the Council's Case Officer and Conservation Officer, the Appeal Scheme would not appear substantially at odds with the scale and massing of the recent developments along Marketfield Way.</p> <p>It is also considered that the design and materiality of the scheme does include elements of local distinctiveness which help give the scheme context and fit in with the character of the surrounding area. The station improvements at Site A and B are also considered to be a significant improvement to the character and appearance of the station entrances and surrounding public realm which is a substantial benefit of the scheme. Therefore, on balance I consider that the scheme would not result in unacceptable harm to the character of the site and wider townscape and the benefits of the station improvements would outweigh any heritage harm should the Inspector disagree with this assessment.</p>
Loss of station parking	<p>Set out in detail in Mr Mitchell's evidence, the Appeal Scheme has been prepared with significant consideration to its potential highways impact including in terms of parking provision for both the station and residential flats.</p> <p>The 350 parking spaces allocated to the TOC and Network Rail to be</p>

	<p>used by passengers and staff is in accordance with the Rail Industry views on likely future rail travel taking in to account the changes in working patterns.</p> <p>The impacts of relocating car parking and vehicle and taxi pick up and drop off to Site B of the Appeal Scheme has been assessed within the submitted Transport Statement, addendums, and submitted proofs. Surrey County Council Highways have assessed the proposal and confirmed that whilst the application has relied upon 2013 traffic data plus growth, other data from the applicant shows 2023 had lower traffic flows than was forecasted for 2016 under the previous application. This is therefore considered a more robust approach.</p>
Lack of residential / visitor parking	<p>Set out in detail in Mr Mitchell's evidence, the Appeal Scheme has been prepared with significant consideration to its potential highways impact including in terms of parking provision for both the station and residential flats.</p> <p>27 spaces will be provided for residents of the Appeal scheme. Assessed in the submitted Transport Assessment results show that the car ownership levels in the area are lower than other areas of the borough.</p> <p>The parking surveys found that parking is heavily constrained in the surrounding area due to parking restrictions and therefore would be very unattractive for residents at the proposed development.</p>
Increase in traffic / deliveries	<p>Set out in detail in Mr Mitchell's evidence, the Appeal Scheme has been prepared with significant consideration to its potential highways impact.</p> <p>During determination the Scheme was assessed by Surrey County Council as the County Highway Authority (CHA) in terms of the change in the access arrangements and parking provision.</p> <p>The CHA has advised that the proposals: "will increase demand to use the Redstone Hill junction with Marketfield Way and Princess Way but this increase in demand will be less than what the CHA accepted with the previous application due to the smaller development now proposed and the low number of parking spaces included as part of the development on the site at a time there is now less traffic on the road network now compared to before the pandemic.</p> <p>Further, as confirmed in Mr Mitchell's proofs parking restrictions exist along Princess Way and set down would be contrary to these.</p>
Infrastructure	<p>The Appeal Scheme will be subject to a S106 legal agreement as well as the Appellant making CIL contribution which will go towards securing a number of obligations to address concerns of infrastructure.</p>

<p>Noise & Disturbance</p>	<p>The application is supported by noise/vibration assessments which the Council's Environmental Health Consultant's Regulatory Support Service (RSS) have considered and raised no objection subject to conditions being implemented to secure finalised details and implementation. Therefore, subject to conditions the impact on future residents and users of the station site and residents in the surrounding area from these factors would not be negatively impacted by the Appeal Scheme.</p>
<p>Density of Development</p>	<p>The Appeal Scheme seeks the redevelopment of the Redhill Station site which is located within the designated Redhill town centre boundary.</p> <p>Detailed within the NPPF, development which optimises, under-utilised land, specifically above railway infrastructure, should be promoted and supported. As agreed with the Council the site is highly accessible and is one of the most sustainable locations in the borough in terms of public transport accessibility and access to local amenities. The NPPF supports development which makes efficient use of land within such locations, particularly where the increase in density of development would help alleviate pressure on release of Green Belt land.</p>
<p>Relocation of Taxi Rank</p>	<p>Addressed further within Mr Mitchell's evidence, the relocation of the taxi rank was raised in discussions during determination of the application.</p> <p>The pick up point for taxis will be signed within the station for those arriving and the pick up position has been designed to be immediately in front of the Site B station entrance.</p> <p>Taxis dropping off at the station will be immediately aware. The effect of the relocation of the taxis to Site B was assessed in detail for the consent using the Surrey County Council PARAMICS model and the consent for the site, for which this application replicates that concept did not show any material implications.</p> <p>One of the main objectives of the Interchange Proposals is to create a level access to the station on Site A between the Station and the Town Centre and Bus Station. In accordance with the previous consent for the site this does require the vehicle movements outside of long stay parking to be displaced to a new interchange on Site B.</p> <p>The Site B Interchange proposals will include for mobility spaces, close to the station entrance and represent an improvement from the existing.</p>
<p>Relocation of Bike Parking</p>	<p>The proposals include for cycle parking on both sides of the Station which will provide a 23% increase for rail users whilst also providing a clear qualitative improvement to security and storage options as stated in the Council's Committee Report.</p>

	<p>The improvements to accessibility and storage of those travelling to the train station by bike incentivises a modal shift which will have a beneficial impact in terms of addressing traffic congestion and reduction in CO₂ emissions.</p> <p>The route between Site A and Site B currently includes for a shared surface, but the proposals provide for a continuous shared surface route between Site B and Ladbroke Road which represents a positive change and ease of access for those wishing to park at either station entrance.</p>
Creation of Wind Tunnel	<p>The Appeal Scheme has been informed by a Wind Microclimate Assessment which confirmed that the in-situ wind conditions at ground level at and around the development would be suitable for the intended uses with no occurrences of strong wind exceedances.</p>
Inclusion of Retail Units	<p>As part of the proposed station improvements the Appeal Scheme seeks to re-provide and improve the existing retail floorspace within the Site A station entrance.</p> <p>The Council confirms in their Committee Report that the Site is located within the Redhill town centre boundary and mostly within the Redhill primary shopping area boundary.</p> <p>Stipulated in adopted Policy RET1 the replacement of the existing units with Class E units would be acceptable subject to these uses maintaining an active frontage.</p> <p>The Council appear supportive of their re-provision with Officer's recommending conditions to ensure that these units are retained.</p>
Impact on Surrounding Views	<p>Elaborated further in Mr Taylor's evidence, the Appeal Scheme has been informed by a comprehensive Heritage, Townscape and Visual Impact Assessment which has taken into consideration surrounding views of the site which for the most part the site is not visible from and concludes that the Appeal Scheme will cause no harm.</p> <p>Where the site is the site has been assessed by the Council's Case Officer and Conservation Officer which confirmed the proposal would not appear substantially at odds with the scale and massing of the recent developments along Marketfield Way.</p> <p>Further, the Council's Conservation Officer has reviewed the application and concludes that whilst the Appeal scheme by virtue of its scale and mass cannot be said that there is no material harm such harm would be at the lower end of "less than substantial harm" which is outweighed by the station improvement works which are considered to be a significant improvement and a substantial benefit of the scheme.</p>
Lack of Viability	<p>As such, in conjunction with viability issues, the mix of the Appeal scheme is considered acceptable in accordance with Policy DES4</p> <p>In terms of affordable housing the application was supported by a</p>

	<p>viability assessment which confirmed it was not capable of delivering any affordable housing.</p> <p>As part of the changes to the scheme required to accord with BS:9991 fire safety standards and updated viability appraisal addendum has been prepared and shared with the Council and Rule 6 party.</p>
<p>Arrangement for Railway Replacement Buses</p>	<p>Detailed in the Council's Committee Report the requirement for railway replacement bus services has been considered by the Appeal Scheme. Standard mini and midi-bus services would be accommodated in Site B and drop off and pick up areas. Where there was a need for larger buses serving as replacement services this would require the cessation of parking in some of the parking areas on Site B for these days. This is currently the same as the existing arrangement.</p>
<p>Visual Impact on Character and Appearance</p>	<p>Assessed by the Council's Case Officer and Conservation Officer the scheme would not appear substantially at odds with the scale and massing of the recent developments along Marketfield Way.</p> <p>It is also considered that the design and materiality of the scheme does include elements of local distinctiveness which help give the scheme context and fit in with the character of the surrounding area. The station improvements at Site A and B are also considered to be a significant improvement to the character and appearance of the station entrances and surrounding public realm which is a substantial benefit of the scheme.</p> <p>Therefore, on balance I consider that the scheme would not result in unacceptable harm to the character of the site and wider townscape, and the benefits of the station improvements would outweigh any perceived heritage harm should the Inspector disagree with this conclusion.</p>
<p>Impact on Heritage Assets including light impact</p>	<p>Expanded upon in Mr Taylor's evidence, the Appeal scheme was supported by a Heritage, Townscape and Visual Impact Assessment which assesses the proposal to have no harm on surrounding heritage assets.</p> <p>The Council's Conservation Officer has reviewed the application and concludes that whilst the Appeal scheme by virtue of its scale and mass cannot be said that there is no material harm such harm would be at the lower end of "less than substantial harm" which is outweighed by the station improvement works which are considered to be a significant improvement and a substantial benefit of the scheme.</p> <p>External lighting of the Appeal Scheme as demonstrated by the accompanying Lighting Assessment Report has been designed in accordance with the Environmental Protection Act 1990 to ensure that lighting will not be prejudicial to health or cause nuisance to surrounding residents. This is reiterated within the NPPF and PPG</p>

	with the Council's Environmental Health Officers raising no concern on the matter.
Crime / Anti-social behaviour	Surrey Police have confirmed that the Appellant has engaged with Designing Out Crime Officer and appropriate measures are set out in the Design and Access Statement
Fire	<p>A Fire Safety Strategy and Gateway 1 Fire Statement were submitted with the Application. HSE and Surrey Fire and Rescue Authority raised no objection. There are no issues regarding fire safety for the planning stage and further assessment will be undertaken as required at the building control stage.</p> <p>Since the Application was refused in October 2024, new Building Standard BS 9991 were published in November 2024. BS 9991:2024 covers fire safety in the design, management and use of residential buildings. It is therefore relevant to the Appeal Scheme.</p> <p>In preparation of the Inquiry necessary drawings have been prepared to address changes required by BS 9991:2024 informed by project fire consultant's Socotec these have been shared with the Inspector, Council and Rule 6 party.</p>
Impact on town centre	<p>Assessed by the Council's Case Officer and Conservation Officer the scheme would not appear substantially at odds with the scale and massing of the recent developments along Marketfield Way. It is also considered that the design and materiality of the scheme does include elements of local distinctiveness which help give the scheme context and fit in with the character of the surrounding area.</p> <p>The Appeal Scheme is considered to have a positive impact upon the Redhill Town Centre with the development estimated to increase householder spending by £5.5 million a year in Redhill. In addition, the scheme will support the success and sustainability of the town centre and the wider urgent effort to revitalise and diversify the town centre in which retail vacancy rates are estimated at around 17%.</p>
Height would set precedent for other schemes	Each scheme must be assessed on its own planning merits.
Health Impacts	<p>The Council's Environmental Health Consultant's Regulatory Support Service (RSS) has considered the noise and vibration, wind and lighting assessments and has raised no objection subject to conditions to secure finalised details and implementation. Therefore, subject to conditions the impact on future residents and users of the station site and residents in the surrounding area from these factors would be acceptable.</p> <p>The Council's Air Quality Officer has considered the submitted information and has raised no concern in terms of the proposed</p>

	development for future or existing residents subject to conditions to secure effective water suppression and management during demolition to prevent excessive levels of dust.
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