

Statement of Common Ground

Local Planning Authority Reference: **23/00572/F**

Local Planning Authority Appeal Reference: 23/00572/F/AP

Appeal Reference: APP/L3625/W/25/3364217

Date of Inquiry: 02/09/2025

Site: **Redhill Railway Station, Princess Way, Redhill,  
Surrey, RH1 1RB**

## **Parties Entering into Statement of Common Ground:**

Solum Regeneration (Redhill) LLP

Reigate and Banstead Borough Council

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## 1 Introduction

- 1.1 This draft Statement of Common Ground (SoCG) has been prepared by Solum Regeneration (Redhill) LLP (herein the Appellant) and Reigate and Banstead Borough Council (herein the Council) to accompany the Appeal with reference APP/L3625/W/25/3364217 against the Council's refusal of planning permission for the redevelopment of Redhill Station Site A and Site B, Princess Way (herein the Site).
- 1.2 The document is agreed as of today's date but will continue to be reviewed and updated as discussions progress during the course of the Appeal. An agreed, signed version will be provided in advance of the Appeal inquiry. A separate SoCG will be submitted in relation to five-year housing land supply.
- 1.3 The Planning Application subject to this appeal was submitted (by Daniel Watney LLP on behalf of the Appellant) to and validated by the Council on 21 April 2023 and was allocated the reference number 23/00572/F (as amended) (the Appeal Scheme).

- 1.4 The agreed description of development is as follows:

*"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 taxidrop 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."*

- 1.5 The purpose of this Statement is to set out the agreed factual information and areas of agreement and disagreement relating to the following matters:

- 1.5.1 Description of the Site and its surroundings;
- 1.5.2 Planning history, including pre-application discussions;
- 1.5.3 Planning Application and Decision (the refusal subject to this Appeal);
- 1.5.4 Appeal Plans and Documents;
- 1.5.5 Planning Policy Framework and material considerations;
- 1.5.6 Areas of Agreement;
- 1.5.7 Planning Obligations and Conditions;
- 1.5.8 Areas of Disagreement;
- 1.5.9 Third Party Representations; and
- 1.5.10 Core Documents

- 1.6 This SoCG has been prepared in accordance with the advice contained in the Planning Inspectorate "Procedural Guidance – Planning Appeals – England" most recently updated in September 2024.

- 1.7 The contents of this document are considered to be 'common ground' between the Appellant and the Council. It may be that following submission, a further Statement of Common Ground is agreed with stakeholders such as Surrey County Council or any identified Rule 6 Parties.

1.8 The below synopsis of the proposed development subject to this planning Appeal is common ground.

## 2 Site Description

- 2.1 The Appeal Site comprises two adjacent land parcels, bisected by the railway, located in the centre of the settlement of Redhill.
- 2.2 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.
- 2.3 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 storage, and other infrastructure that supports the station function. Site B also contains a second, single-storey entrance to the station.
- 2.4 The entirety of Site A is located within the designated Redhill Town Centre with the southern portion, 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.
- 2.5 The site is not located within a Conservation Area and does not contain any statutorily listed buildings, however it is noted that several heritage-related policy designations are adopted in the surrounding area. A Local Listing for the 'Central Platform at Redhill Station (M. 19c. 16 Cast Iron Columns) (m.19c) is acknowledged to be located within the boundary of Site A. The Redhill Town Centre Conservation Area is located to the west of Site A along Station Road. Site B is located outside but adjacent to the Redstone Hill Conservation Area to the south east. This Conservation Area contains the locally listed "Laker's Hotel" (m.19c), occupied by Toby Carvery located adjacent to the Site B boundary on Redstone Hill. A plan containing the agreed heritage designations proximate to the appeal site is attached at Appendix 8.
- 2.6 The character of the two sites differ, with Site A more commercial given its location within the Redhill Town Centre, directly opposite the Redhill Bus Station and sitting amongst a number of recently completed residential led mixed use developments. Site B is more suburban in character with the principal use of the surrounding area being residential, characterised by residential streets, detached and semi-detached properties.
- 2.7 The existing heights in the area surrounding Site B are 1 – 4 storeys owing to the suburban character. However, the existing heights in the area around Site A are between 2 – 13 storeys.
- 2.8 The Site contains Redhill Railway Station which operates national railway services with approximately 15 trains per hour. Redhill Station has direct connections to Reading, Guildford, London Victoria, London Bridge, Tonbridge, Horsham, Portsmouth Harbour, Bognor Regis and Gatwick Airport.
- 2.9 Site A and Site B both contain car parks, which are accessed from Princess Way for 253 car parking spaces and Redstone Hill for 136 car parking spaces respectively. The site is approximately 100m from Redhill High Street and approximately 20m from Redhill Bus Station.
- 2.10 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.

## 3 Planning History

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

- 3.1 Prior to commencement of the project 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”*
- 3.2 The scheme related to proposals for 150 units across 3 to 11 storey blocks on Site A with a new supermarket, whilst Site B was proposed for a five-floor multistorey car park and relocated taxi rank. Officers considered that the proposal accorded with the height and scale aspirations of the draft Redhill Town Centre Area Action Plan (AAP) (2012), locating the tallest part of the development adjacent to the station and drawing attention to the station as a landmark building, introducing a gateway to the town, and was not considered harmful to distant views as confirmed in the Council's Committee Report.
- 3.3 Permission was formally granted on 9 January 2014 following completion of a Section 106 agreement which included contributions towards highway and transport improvements and a contribution towards off-site affordable housing provision based on a claw-back mechanism. The scheme was approved without any contribution to affordable housing because it was demonstrated to be unviable and in light of the significant benefits of the scheme.
- 3.4 Following permission being granted, multiple conditions were discharged however due to a change in priorities for the anchor retail tenant, the permission was never implemented. As such, as of 9 January 2017 the permission is expired.
- 3.5 Since the 2013 permission was consented, a number of permissions have been granted and completed in the surrounding area of a similar height to that consented, such that the character of the area surrounding Site A is different to the site context when the previous scheme was granted over 10 years ago.

## 4 The Planning Application and Decision

### APPLICATION SUBMISSION AND DETERMINATION

4.1 The Application was submitted 16 March 2023 and sought planning permission for the following:

*“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.”*

4.2 The Case Officer assigned to the Application was Mr Michael Parker, the same Officer that alongside his manager and Head of Planning, Mr Andrew Benson took part in pre-application discussions and provided the written advice at **Appendix 2 – 6**.

4.3 Over the course of the Application consultation period, statutory, non-statutory and third-party comments were received. Following review, the Application was amended, bringing the height down to 15 storeys at its tallest point with the following description of development agreed on 12 February 2024:

*“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.”*

### CONSULTATION RESPONSES

#### PUBLIC CONSULTATION RESPONSES

4.4 The public were consulted on the Application twice, once upon submission of the original application and then again following amendments to reduce the maximum height and other design changes in February 2024. As a result, a total of 2,043 third party representations were received by the Council, including 82 in support and 11 neither objecting nor supporting the Application from members of the public and interested parties.

#### TECHNICAL CONSULTATION RESPONSES

4.5 Consultee responses were received from the following parties relating to the Appeal Scheme as amended February 2024:

- 4.5.1 Active Travel England – No Objection
- 4.5.2 Biggin Hill Airport – No Objection
- 4.5.3 East Redhill Residents' Association – Objection
- 4.5.4 East Surrey Transport Committee – Objection
- 4.5.5 Environment Agency – No Objection
- 4.5.6 Gatwick Airport – No Objection
- 4.5.7 Health and Safety Executives – No Objection
- 4.5.8 Heathrow Airport – No Objection
- 4.5.9 Metrobus – Neither Objecting or Supporting
- 4.5.10 National Air Traffic Service Safeguarding – No Objection
- 4.5.11 Natural England – No Objection
- 4.5.12 Network Rail – Support
- 4.5.13 Ramblers Association (Reigate) – No Objection
- 4.5.14 Regulatory Support Services – No Objection
- 4.5.15 Reigate and Banstead Borough Council Environmental Health Air Quality – No Objection
- 4.5.16 Reigate and Banstead Borough Council Environmental Health Contaminated Land – No Objection
- 4.5.17 Reigate and Banstead Borough Council's Conservation Officer – Identifies less than substantial harm being caused to heritage assets but identifies material considerations which lead to a conclusion of raising no objection.
- 4.5.18 Reigate and Banstead Borough Council's Tree Officer – No Objection
- 4.5.19 Reigate Redhill and District Rail Users Association – Objection
- 4.5.20 Salford and Sidlow Parish Council – Objection
- 4.5.21 Surrey County Council Archaeology – No Objection
- 4.5.22 Surrey County Council CIL – No Objection
- 4.5.23 Surrey County Council Highways – No Objection
- 4.5.24 Surrey County Council Local Lead Flood Authority – No Objection
- 4.5.25 Surrey County Council Minerals and Waste – No Objection
- 4.5.26 Surrey Fire and Rescue Authority – No Objection
- 4.5.27 Surrey Hills National Landscape Planning Advisor – No Objection
- 4.5.28 Surrey Police – No Objection
- 4.5.29 Surrey Wildlife Trust – No Objection
- 4.5.30 Thames Water – No Objection
- 4.5.31 The Reigate and Redhill Civic Society – Objection
- 4.5.32 The Reigate Society – No Comments Received
- 4.5.33 UK Power Network – No Comments Received

## DETERMINATION

4.6 The Planning Application was presented at planning committee on the 23 October 2024 with the Officer's Report and supplementary addendum recommending approval subject to completion of a Section 106 Agreement.

4.7 Following the Officer's presentation at planning committee and discussion between members / councillors the below reason for refusal was recommended which Councillors voted 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."*

4.8 The Decision Notice was issued and dated 24 October.

## 5 Appeal Plans and Documents

- 5.1 It is common ground that the plans and documents listed at **Appendix 7** are those which supported the planning Application and are now subject to approval under this Appeal.
- 5.2 It is common ground that where documents were revised and superseded through the course of the Application, the original documents which no longer apply and did not form part of the Council's decision are not referred to in the list of documents for the Inspector's approval.

## 6 Planning Policy Framework

- 6.1 Section 38(6) of the Planning Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.2 It is common ground that the Development Plan for the Council currently comprises:
- 6.2.1 The Core Strategy (adopted 2014 and reviewed 2019 and 2024);
  - 6.2.2 The Development Management Plan (adopted 2019, reviewed 2024);
  - 6.2.3 The Policies Map;
  - 6.2.4 The Surrey Minerals Plan Core Strategy (adopted 2011);
  - 6.2.5 The Primary Aggregates Development Plan Document (adopted 2011);
  - 6.2.6 The Aggregates Recycling Joint Development Plan Document (adopted 2013); and
  - 6.2.7 The Surrey Waste Plan (adopted 2020).
- 6.3 A material consideration in the determination of this Appeal is the National Planning Policy Framework which was published in December 2024.
- 6.4 Other relevant policy and guidance documents include the National Planning Practice Guidance, and various SPDs and SPGs adopted by the Council.
- 6.5 The applicable Development Plan Policies and guidance are set out below and are agreed between both parties and may be referred to in evidence submitted by the Appellant and the Council.

### REIGATE AND BANSTEAD ADOPTED DEVELOPMENT PLAN

#### REIGATE AND BANSTEAD LOCAL PLAN: CORE STRATEGY (ADOPTED 2014, REVIEWED 2019 AND 2024)

- 6.5.1 CS1 'Sustainable Development'
- 6.5.2 CS2 'Value Landscape and the Natural Environment'
- 6.5.3 CS4 'Valued Townscapes and Historic Environment'
- 6.5.4 CS5 'Valued People/Economic Development'
- 6.5.5 CS7 'Town and Local Centres'
- 6.5.6 CS8 'Area 2a: Redhill'
- 6.5.7 CS10 'Sustainable Development'
- 6.5.8 CS11 'Sustainable Construction'
- 6.5.9 CS12 'Infrastructure Delivery'
- 6.5.10 CS13 'Housing Delivery'
- 6.5.11 CS14 'Housing Needs'
- 6.5.12 CS17 'Travel Options and Accessibility'

#### REIGATE AND BANSTEAD DEVELOPMENT MANAGEMENT PLAN (ADOPTED 2019, REVIEWED SEPTEMBER 2024)

- 6.5.13 EMP5 'Local Skills and Training Opportunities'
- 6.5.14 RET1 'Development with Identified Retail Frontages and Local Centres'
- 6.5.15 RET2 'Town Centre Frontages' (Policy no longer considered up to date)
- 6.5.16 DES1 'Design of New Development'
- 6.5.17 DES4 'Housing Mix'
- 6.5.18 DES5 'Delivering High Quality Homes'
- 6.5.19 DES6 'Affordable Housing'
- 6.5.20 DES7 'Specialist Accommodation'
- 6.5.21 DES8 'Construction Management'
- 6.5.22 DES9 'Pollution and Contamination Land'
- 6.5.23 OSR2 'Open Space in New Development'
- 6.5.24 TAP1 'Access, Parking and Servicing'
- 6.5.25 CCF1 'Climate Change Mitigation'
- 6.5.26 CCF2 'Flood Risk'
- 6.5.27 INF1 'Infrastructure'
- 6.5.28 INF3 'Electronic Communication Networks'
- 6.5.29 NHE1 'Landscape Protection'
- 6.5.30 NHE2 'Protecting and Enhancing Biodiversity'
- 6.5.31 NHE3 'Protecting Trees, Woodland Areas and Natural Habitats'
- 6.5.32 NHE9 'Heritage Assets'
- 6.5.33 INF1 'Infrastructure'
- 6.5.34 INF3 'Electronic Communication Networks'

## MATERIAL CONSIDERATIONS

### NATIONAL PLANNING POLICY FRAMEWORK (UPDATED DECEMBER 2024)

### RELEVANT LOCAL SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

- 6.5.35 Local Character and Distinctive Design Guide SPD 2021
- 6.5.36 Climate Change and Sustainable Construction SPD 2021
- 6.5.37 Affordable Housing SPD 2020
- 6.5.38 A23 Great Street Design Code SPD 2024

### OTHER

- 6.5.39 Reigate and Banstead Borough Council Redhill Town Centre Area Action Plan (Drafted 2012)
- 6.5.40 Reigate and Banstead Borough Council Making Space for Waste (Adopted 2024)
- 6.5.41 Reigate and Banstead Local Cycling and Walking Infrastructure Plan (reviewed February 2023)
- 6.5.42 Surrey County Council Vehicle Cycle and Electronic Vehicle Parking Guidance for New Development (Updated 2024)
- 6.5.43 Surrey Local Transport Plan 2022–2032 (reviewed October 2024)
- 6.5.44 Redhill Conservation Area Character Appraisal
- 6.5.45 Redstone Hill Conservation Area Appraisal

## 7 Areas of Agreement

7.1 The following matters are agreed between the Council and the Appellant:

### PRINCIPLE OF MIXED-USE RESIDENTIAL-LED DEVELOPMENT

7.2 The Site is located on sustainable, brownfield land located within an urban area and a settlement boundary and as such there is a presumption in favour of development under Paragraph 125(c) and 125(d) of the NPPF but only if there is an identified housing need and substantial harm would not be caused. The Appeal Scheme also accords with Core Strategy Policies CS6 and CS8.

### HEIGHT AND SCALE

7.3 There is no adopted policy within the Council's Development Plan which stipulates a maximum height for buildings within Redhill. Any assessment is based on available guidance documents or national policy and the context of the site and any relevant planning history.

7.4 The Appeal Site is located within a lower part of Redhill within the river valley and adjacent to the railway embankment. As such the site has some protection from wider views. The verified views, submitted with the Application and which form part of the Appeal, confirms the Appeal Scheme is below the tree line from long distance views of Gatton Hall and as such the Scheme has no harmful impact in relation to Gatton Hall.

7.5 The Draft Redhill Town Centre Area Action Plan (AAP) is a material consideration and includes an assessment of the site, with the northern part of Site A not considered inappropriate for tall buildings but is considered sensitive to them. The AAP goes on to state that the southern part of Site A is appropriate for tall buildings, identified as being 8+ storeys.

7.6 The site is promoted within the AAP as being in an area capable of accommodating a tall building and is an important gateway site with an opportunity to provide a landmark building that highlights the station sites importance within the town centre.

7.7 The Officer's report state that the context of the site when compared to the 2013 application has changed quite significantly in terms of the heights of the surrounding properties due to recently completed developments. The Scheme would not appear at odds with the scale and massing of other recent developments along Marketfield Way. The design and materiality of the Scheme includes elements of local distinctiveness which give the Scheme context with the character of the surrounding area.

7.8 Further, the Officer's report assesses the Appeal Scheme to follow the height and scale aspiration of the AAP by locating the tallest part of the development adjacent to the station and drawing attention to the station itself with a landmark building to introduce it as a gateway to the town.

### HOUSING MIX

7.9 The Appeal Scheme proposes a mix of studios, 1-bed, 2-bed and 3-bed apartments. Given the unique location of the site, it would be an effective use of land to provide for larger family accommodation in this location. The unit mix is appropriate to the site context and the larger 2b4p homes proposed can help to meet the local need for family housing alongside the 3b homes proposed. The Council's 2024 Housing Needs Assessment identifies a particular need in all sectors for 2-bedroom accommodation. It is considered the housing mix is appropriate, according with Policy DES4 and reflects the context of the site and demographic of future occupiers, given its location in close proximity of a railway station.

## HOUSING DENSITY

- 7.10 The density of the Appeal Scheme would equate to 159 units per hectare.

## AFFORDABLE HOUSING

- 7.11 The Appeal Scheme is unable to deliver any affordable housing on-site nor as an off-site contribution.
- 7.12 A detailed viability appraisal prepared by U.L.L Property accompanied the Appeal Scheme, which was considered by the Council's independent assessors, Aspinall Verdi.
- 7.13 Aspinall Verdi's initial independent assessment concluded that the original scheme was unable to deliver affordable housing. The viability of the Appeal Scheme being unable to deliver any affordable housing is reconfirmed in the updated Viability Appraisal prepared by U.L.L Property which accompanies the Application amendments submission in February 2024.
- 7.14 The viability position of the Appellant is that the Scheme is providing public benefits including improvements to the railway station. The viability position is agreed by the Council and is in accordance with local policies DES4, DES6, the Core Strategy and the Affordable Housing SPD.

## NON-RESIDENTIAL FLOORSPACE

- 7.15 The Appeal Scheme will result in an uplift of Class E floorspace from 48 sq/m to 301 sq/m within the town centre boundary. The existing retail floorspace is fully occupied. The proposed Class E space will be a flexible use of high quality floorspace to encourage investors to support Redhill Town Centre in accordance with Policy RET5 and Policy CS8.

## STANDARD OF ACCOMMODATION

- 7.16 All residential units meet Nationally Described Space Standards and are designed to meet M4(2) requirements as a minimum and therefore 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.

## RESIDENTIAL AMENITY

- 7.17 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. Properties without private amenity space can access one of two communal roof gardens (one for each block).

## HERITAGE IMPACT

- 7.18 The Appeal Scheme is supported by a detailed Heritage, Townscape, Visual Impact Assessment.
- 7.19 The Appeal Scheme will not intrude into long distance views from Gatton Park

## DAYLIGHT AND SUNLIGHT

- 7.20 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.

## CAR AND CYCLE PARKING

- 7.21 The Appeal Scheme reduces the total amount of parking spaces on site from 389 commuter spaces to 350 commuter spaces and provides 27 parking spaces for the residential element. The County Highways Officer found that the scheme is acceptable with the proposed agreed mitigation.
- 7.22 The level of commuter parking spaces is in accordance with the rail industry views on likely future rail travel taking into account the change in working patterns. Due to the location of the Appeal Scheme, the site achieves the highest accessibility level under the criteria of Annex 4 of the adopted DMP.
- 7.23 The Appeal Scheme is designed as a low parking development given the sustainable location with only 10% of dwellings being provided a parking space and is aligned to the locally adopted car parking standards at Annex 4 of the local DMP.
- 7.24 The Scheme will deliver 248 cycle parking spaces across the two sites for rail users, increasing existing cycle parking provision on site by 20%. Following early pre-application engagement and continued discussions throughout the application determination period, Active Travel England and Surrey County Council as the Highways Authority raised no objection to the Application subject to conditions and financial obligations being secured which is accepted by the Appellant.
- 7.25 The level of car and cycle parking proposed throughout the Appeal Scheme is in accordance with Local Policies TAP1, NPPF Paragraph 115, and the Surrey Local Transport Plan (2022 – 2032).

## ACCESS AND HIGHWAYS

- 7.26 The proposed access and highways strategy is in accordance with Policy TAP1 and NPPF Paragraph 115 and is agreed by both Active Travel England and the Surrey County Council Highways, who raised no objection to the proposals subject to conditions and financial obligations which the Appellant accepts.

## AIR QUALITY

- 7.27 The Application was 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.

## OVERHEATING

- 7.28 An Overheating Assessment accompanied the Application which confirms that neither residential dwellings, non-domestic areas, nor communal corridors are at risk of overheating.

## ENERGY AND SUSTAINABILITY

- 7.29 The Appeal Scheme is supported by an Energy Statement, Sustainability Statement, BREEAM Pre-Assessment, and Sustainability Measures Report. These reports confirm that the Appeal Scheme will exceed the requirements stipulated within the Development Plan Policy CCF1 and SPD guidance. The Appeal Scheme will achieve BREEAM 'Very Good' standards, with the residential units meeting water efficiency measures and a 62.4% carbon saving.

## LANDSCAPING AND TREES

- 7.30 There are no issues regarding the proposed landscaping of the Site, in line with adopted local policy. The Scheme is able to compensate for any loss of trees on site through provision of 85 trees across the site. The Surrey Wildlife Trust has reviewed the methodology and findings of the report confirming that subject to conditions to secure strategies they have no objection to the proposal. The Council's Tree Officer does not object to the proposal, subject to conditions to finalise species, method of tree planting and updates to the Landscape Management Plan being placed. The proposed landscaping scheme and approach to trees on site is acceptable in accordance with Policies NHE3 and NPPF Paragraph 136.

## AMENITIES OF NEIGHBOURING AND FUTURE RESIDENTS

- 7.31 Within the accompanying Daylight and Sunlight Assessment the proposed development is considered to have no impact on properties to the north nor east of the site. Where the Scheme would result in any daylight or sunlight reductions to surrounding residential properties these reductions are generally within BRE guidelines and unlikely to be noticeable. As such the proposed development will not adversely impact the amenity of surrounding residential properties. It is agreed that given the significant separation distances between the Appeal Site and neighbouring development in addition to context of the development in the town centre surrounded by similar tall flatted development that any impact to daylight or sunlight of units is acceptable on balance. It is agreed that the proposal would not result in an adverse impact in terms of being overbearing or from a loss of a privacy in accordance with Policy DES1.

## SAFETY AND SECURITY

- 7.32 The Appeal Scheme is considered to enhance safety and security and mitigate the potential of crime in accordance with Policy DES1. The Appellant engaged with the Designing Out Crime Officer of the Surrey Police during the Application. It is agreed that there are no safety or security concerns with the Scheme, subject to a recommended condition to ensure the Scheme meets Secured by Design Standards which is accepted by the Appellant.

## FIRE SAFETY

- 7.33 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. This is subject to the point made in Section 6 of the Appellant's Statement of Case regarding BS 9991:2024.

## BIODIVERSITY

- 7.34 The Scheme is not subject to a mandatory 10% biodiversity net gain, due to the Planning Application being submitted March 2023 prior to the national requirement being introduced, however a Biodiversity Net Gain Assessment was submitted with the amended Application which confirms that the Scheme can deliver a net gain of 30.24% for habitats and 82.71% for hedgerows, in line with Policy NHE2, under DEFRA's Statutory Biodiversity Metric methodology.
- 7.35 SWT are satisfied with the information submitted and raised no objection to the Application subject to conditions relating to ecology and biodiversity which is accepted by the Appellant.

## FLOOD RISK AND DRAINAGE

- 7.36 The Scheme is supported by a Flood Risk Assessment, which was assessed by the Environment Agency and the Surrey County Council Sustainable Drainage team as the Local Lead Flood Authority. 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.

## ARCHAEOLOGY

- 7.37 The Scheme is supported by an Archaeological Desk Based Assessment. Surrey County Council Archaeology raised no objection to the Application subject to a condition to secure a Written Scheme of Investigation for the site archaeological matters which is accepted by the Appellant. The Scheme is in accordance with Policy NHE9.

## GROUND CONDITIONS AND CONTAMINATION

- 7.38 The submitted Geo-Environmental Assessment was reviewed by the Council's Contaminated Land Officer who confirmed the Scheme is in accordance with Policy DES9, subject to full a set of ground contamination conditions being adhered to.

## RETAIL PROVISION

- 7.39 The Appeal Scheme would result in a uplift of available Class E floorspace from 48 sq/m to 301 sq/m within the town centre boundary. Therefore, there would no loss of Class E space and no development of town centre uses would take place outside of the defined town centre in accordance with Policies RET1 and RET5.

## 8 Planning Obligations and Conditions

### DRAFT PLANNING OBLIGATIONS

- 8.1 Both Parties agree that a Section 106 Agreement should be entered into. The Appellant and the Council are working together to progress the Section 106 Agreement in advance of the Inquiry with an agreed version to be provided before the Inquiry opens and, subject to any comments the Inspector has, a signed and dated copy will be provided before close to the Inquiry or in accordance with any other direction of the Inspector.
- 8.2 Benefits of the Appeal Scheme relating to bus station improvements, parking monitoring, car club, and travel plans, will be secured via the Section 106 Agreement. In addition, the Section 106 Agreement would also include another obligation to secure a review mechanism in terms of potential affordable housing contributions. The Parties will work together to agree all matters prior to the Inquiry. The following Heads of Terms are agreed:
- 8.2.1 Legal Professional Costs Recovery – Paying the Council’s legal and professional costs of preparing the Agreement and any other enabling arrangements;
  - 8.2.2 Bus Station Improvement Contribution – Contribution of £9,000 toward real time passenger information at the Redhill Bus Station;
  - 8.2.3 Parking Monitoring Contribution – Contribution of £3,000 index linked towards auditing and review of on street parking monitoring report and review of parking restrictions and on street parking;
  - 8.2.4 Travel Plan Auditing Contribution – Contribution of £4,600 index linked towards the auditing and monitoring of the travel plan for a period up to 7 years; and
  - 8.2.5 Affordable Housing Claw-Back Mechanism – Agreement to undergo early and late-stage review of the viability of the Scheme to confirm whether a contribution towards off-site affordable housing provision can be secured following the review finding a favourable uplift in viability.

### DRAFT CONDITIONS

- 8.3 The Council has recommended conditions within the Officer’s Report and Planning Committee Meeting Addendum dated 23 October 2024. The Appellant is willing to utilise the wording of these draft conditions as a starting point of discussions with the wording to be agreed as necessary should be planning permission be granted on appeal. It is agreed that both parties are open to further discussions about conditions during the Inquiry.

## 9 Areas of Disagreement

- 9.1 The matter in dispute of the Appeal relates to the Council's reason for refusal on the Decision Notice issued 24 October 2024 which referred to below:

*"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."*

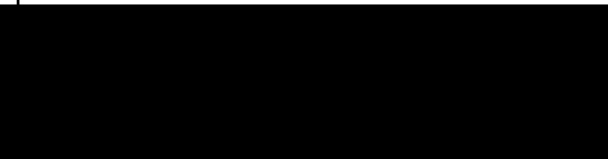

- 9.2 Parties disagree on whether the Scheme makes a positive contribution to the character and appearance of the area, and if it causes less than substantial harm to the Redstone Hill and Redhill Town Centre Conservation Areas. Further, parties disagree that if less than substantial harm is caused to nearby Conservation Areas, that the benefits of the Scheme would outweigh such harm.
- 9.3 The parties disagree on the weight to be attributed to the identified public benefits when balanced against the overall harm caused.
- 9.4 Further, a separate Statement of Common Ground (SoCG) has been prepared by Emery Planning relating to the Council's Five Year Housing Land Supply (5YHLS). Detailed further in the Emery Planning's SoCG, parties disagree on how 5YHLS should be measured and the Council's calculated housing land supply.

## 10 Third Party Representations

- 10.1 There were 2,043 third party representations including 82 in support and 11 neither objecting nor supporting the Application which raised matters associated with the Appeal Scheme. The objections included matters regarding:
- 10.1.1 Crime fears
  - 10.1.2 Drainage and sewage capacity
  - 10.1.3 Flooding
  - 10.1.4 Harm to Conservation Area
  - 10.1.5 Harm to listed building
  - 10.1.6 Harm to wildlife habitat
  - 10.1.7 Hazard to highway safety
  - 10.1.8 Health fears
  - 10.1.9 Impact on/lack of infrastructure and facilities/amenities in local area to support increased population
  - 10.1.10 Inadequate parking
  - 10.1.11 Inconvenience during construction
  - 10.1.12 Increase in traffic and congestion
  - 10.1.13 Loss of buildings
  - 10.1.14 Loss of/harm to trees
  - 10.1.15 Noise & disturbance
  - 10.1.16 Out of character with surrounding area
  - 10.1.17 Overbearing relationship
  - 10.1.18 Overdevelopment
  - 10.1.19 Overlooking and loss of privacy
  - 10.1.20 Overshadowing
  - 10.1.21 Poor design
  - 10.1.22 Poor housing mix and lack of affordable homes
  - 10.1.23 Station improvements will make access worse for station users
- 10.2 Save for the points raised in the reason for refusal of the original application (Section 9), the Council does not take issue with the proposed development on the basis of any of the other points raised by Third Parties.

## 11 Core Documents

11.1 The Core Documents list can be found in **Appendix 7**

<u>Signed on behalf of Council:</u> 	<u>Signed on behalf of the Appellant:</u> 
<u>Date:</u> 11.07.25	<u>Date:</u> 07.07.2025
<u>Name:</u> Colin Smith	<u>Name:</u> Mr Charles Mills MRICS ARTPI
<u>Position</u> Planning consultant (on behalf of Reigate and Banstead Borough Council)	<u>Position:</u> Partner – Daniel Watney LLP

# Daniel Watney

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