

Application Number and Registration Date	MO/2017/1658 (Outline Major) 28-Sep-2017
Applicant	M J Randalls Ltd
Case Officer	Sherelle Munnis
Amendments /amplifications	
Committee Date	4 April 2018
Ward(s)	/HDWKHHDGRWK
Proposal	Outline planning application with some matters reserved, for consideration of access in respect of erection of 239 No. new residential dwellings (including affordable housing) located in eight buildings ranging from three to six storeys high and including 245 car parking spaces and landscaped area.
Site Description	British Food Manu Research Assoc, Randalls Way, Leatherhead, Surrey, KT22 7RY

RECOMMENDATION:

Subject to receipt of a satisfactory Section 106 Agreement by Friday 8th June 2018 to secure the provision of:

- (1) 55 affordable dwellings
- (2) £85,000 contribution towards the off-site provision of play space and on-going maintenance of amenity areas across the site,

The Corporate Head of Planning be authorized to GRANT planning permission subject to the conditions set out below OR, in the event that a satisfactory Section 106 Agreement is not received by Friday 8th June 2018 or any other date as agreed in writing with the Corporate Head of Service, permission be REFUSED for the appropriate reason(s).

Summary

The application site is located in the built up area of Leatherhead, within a short walk of Leatherhead railway station. The site forms part of the Leatherhead Research Area which is safeguarded in the Development Plan as existing industrial and commercial land. There are commercial units immediately north and north west of the site and to the east, adjacent to Leatherhead railway station. To the west and south of the site are residential properties. The existing building on the site has permission for B1(a) and B1(b) use. The application is in outline and seeks to replace the existing building with 8 flatted residential blocks containing a total of 239 flats made up of 27 x studio, 88 x 1 bed, 115 x 2 bed and 9 x 3 bed flats. Only the matter of access is to be considered as part of this application with all other matters reserved for future consideration. The buildings would range in height from 3 storeys to 6 storeys. A total of 245 parking spaces would be provided and vehicular access would be achieved from Randalls Road via Randalls Way. Policy CS12 of the Core Strategy seeks to safeguard and recycle accessible and well located industrial and commercial sites; to encourage mixed use development where appropriate and support development that maintains and enhances Leatherhead's role as a desirable location for knowledge based companies. Policy E2 of the Local Plan seeks to avoid the loss of existing suitably located industrial and commercial land unless its retention for those uses has been fully explored without success. Whilst officers consider the site to be suitably located employment land in relation to surrounding infrastructure and adjoining employment uses, the applicants have demonstrated that their marketing of the site, which took place over a period of 24 months, was robust and that there is no reasonable prospect of the site being required for employment purposes. In addition to their marketing evidence, the following issues must also be taken into consideration when assessing the principle of a change of use to residential (1) The Council's Issues and Options Paper, published in July 2017 which advises that there will be a significant surplus of both commercial and industrial floorspace by the end of the Plan period. This is reinforced by the findings of the applicant's marketing report (2) take-up rates for Grade A office accommodation have been very slow with long term vacancy rates in buildings immediately adjacent to the application site (3) there is unmet residual demand for 3000 new homes in the District and insufficient space to meet forecast demand for housing over the Plan period (4) there is a need to bring forward brownfield sites for housing in order to limit pressure on the Green Belt (5) there is a significant shortage of affordable housing in the District and, (6) paragraph 22 of the NPPF states that planning policies should avoid the long term protection of employment sites where there is no reasonable prospect of the site being used for that purpose and advises that applications for alternative use of such land and buildings should be treated on their merits taking in account market signals and the relative need for different land uses. Taking the above matters into consideration, officers conclude that, on balance, the principle of a residential redevelopment of the site is acceptable. Officers have some concerns around the proximity and relative height of the proposed buildings as shown on the indicative drawings, and the resultant living environment for the future occupants. However those details would be dealt with at reserved matters stage.

1. Development Plan

1.1. Built up area, industrial and commercial land.

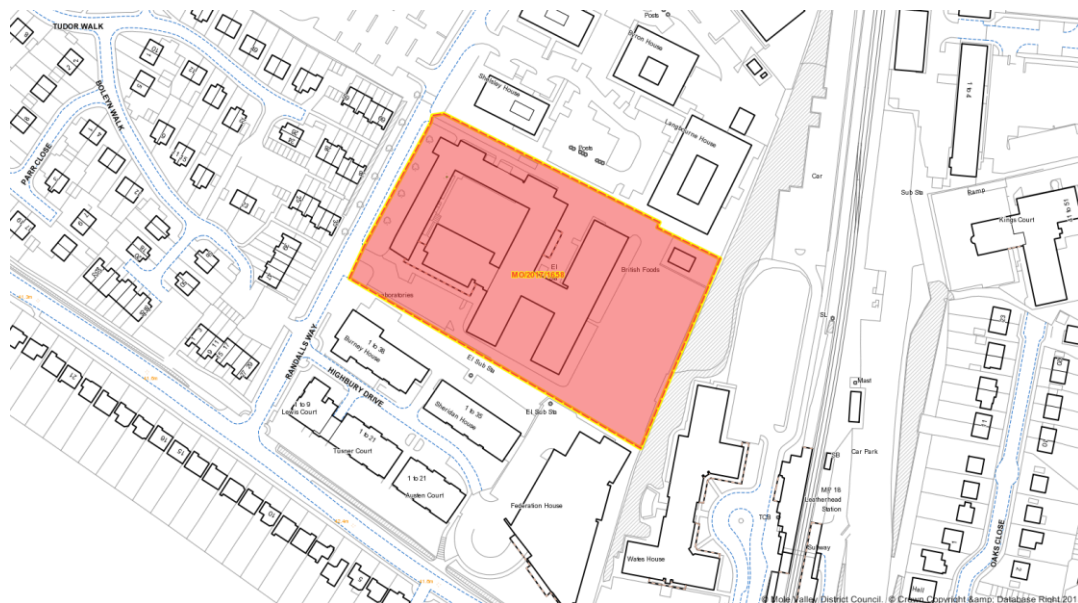
2. Relevant Planning History

There is an extensive planning history for this site going back to 1949 which relates to various extensions and employment uses, access and parking arrangements, telecommunications equipment and advertisements. The relevant latest planning history is listed below -

MO/17/1847	Prior notification for the conversion of offices (Use Class B1) to 83 no. flats (Use Class C3)	Refused 12/12/17
MO/17/0827	Prior notification for change of use of existing offices to 43 residential units. This relates to part of the building at the rear	Granted 13/07/17
MO/04/1322	Construction of HQ building for the Police Federation and 127 residential units (Former PIRA site adjacent to southern boundary of application site)	Permitted 10/12/04

3. Description of Development

3.1. The application site is rectangular in shape and measures 1.54ha. It lies on the east side of Randalls Way immediately north of residential properties in Highbury Drive, to the south of Shelsbury House and Langbourne House (modern employment floorspace with car parking) and to the east of Boleyn Walk (established 2 storey housing). To the east of the site is Wates House, an office building, and the railway line leading to Leatherhead station, both on land significantly lower than the application site. The site slopes downwards from north to south enabling an additional floor in the existing buildings on the southern side of the site. The existing buildings are vacant (since December 2016) and comprise approximately 10,800square metres of employment floorspace which was previously used within the B Use Class. The buildings were originally built around the 1940s and have been extended many times. They range between partly 2 and partly 4 storeys and the current footprint appears as a quadrangle with a T shape addition to the rear. Site access is via two points off Randalls Road leading to a large car parking area to the eastern side of the site.



3.2. The application seeks outline planning permission for 239 residential units shown indicatively in 8 buildings across the site ranging between 3 and 6 stories in height together with 245 car parking spaces. Only access is to be determined at this stage. Details of appearance, layout, landscaping and scale are reserved for submission later

- 3.3. Access to the site would be from the existing access point at the southern end of the frontage from Randalls Way. It would lead to a shared surface for pedestrians and vehicles. The road would run around the perimeter of the site serving the undercroft parking areas to the rear and would be wide enough to accommodate two-way traffic.
- 3.4. The application is supported by indicative layout and elevation drawings showing the buildings arranged in 8 blocks across the site and covering an area of 26357sqm. They would step down in height from the north-eastern corner to the western site boundary. The car parking is indicatively shown mostly in undercroft areas (utilising the changes in levels) and surface parking to the rear (east) of the site. There would be 239 car parking spaces and 6 visitor spaces.
- 3.5. Trees currently growing around the site perimeter are shown on the drawings to be retained including a veteran oak tree adjacent to the southern access point onto Randalls Way.

4. Consultations

- 4.1. SCC Highways – No objections. Conditions recommended.
- 4.2. Strategic Housing Manager – This site falls within the Council's adopted Core Strategy 2009 Policy CS4 'The Provision of Affordable Housing', which states ' that on all housing developments of 15 gross dwellings or more, 40% of the total number of dwellings are affordable'. Further detail can be found in the approved Affordable Housing Supplementary Planning Document (SPD) 2010.

The proposed development comprises of 239 residential units and in keeping with policy CS4, 40% of these dwellings should be provided as affordable housing on site. However, as the buildings on this site are currently unoccupied, 'Vacant Building Credit' (VBC) is applicable. Credit has been applied to reflect the floor space of the existing building and this reduces the total affordable housing to 23%, which equates to 55 units rather than the original 96 units. The applicant has agreed this figure and has stated that they intend to meet this affordable housing requirement. See below under the heading of 'Affordable Housing' for further details.

- 4.3. Economic Development – (verbal comments) – concern regarding loss of this area of designated employment land in central Leatherhead.
- 4.4. Surrey Wildlife Trust - The development should progress in line with the recommendations of the submitted Ecological Appraisal report, paragraph 5.4 and incorporate the following; (1) Providing bird and bat boxes erected on or integral within the new building as detailed above (2) Using native species when planting new trees and shrubs to compensate for loss of existing trees and shrubs to facilitate development. Planting should favour plants of local provenance from seed collected, raised and grown only in the UK, suitable for site conditions and complimentary to surrounding natural habitat. Planting should focus on nectar-rich flowers and/or berries as these can also be of considerable value to wildlife and (3) Provision of green roofs where feasible
- 4.5. SCC Archaeology – I agree with the assessment that evidence generally suggests there is a low to moderate potential for archaeological remains to be present on site, however, the site has never been investigated in archaeological terms and as such its potential would be more accurately described as an unknown. Given the scale of the proposed development, its high degree of impact on any Heritage Assets of archaeological significance that may be present and its unknown potential, I also agree that there is a need for further archaeological work here. This further archaeological work should take the form of a trial trench evaluation across the footprint of all proposed new buildings in order to determine the archaeological potential of the site.

The evaluation should preferably be conducted prior to the demolition of the existing buildings, although it would be acceptable for it to be undertaken once the buildings have been reduced to slab/tarmac level but before any groundworks to remove the slab. Given that a proportion of the site may have been subject to some impact already, I do not recommend that it is necessary for the evaluation to be undertaken in advance of any planning permission but would recommend that securing the archaeological work as a condition of any planning permission that may be granted is an acceptable and proportionate response. To ensure the required archaeological work is secured satisfactorily, a condition is appropriate and should be attached to any planning permission.

- 4.6. Environment Agency – Recommend conditions regarding contamination, remediation, sustainable drainage and piling/foundation methods.
- 4.7. SCC Local Lead Flood Authority – Satisfied that the proposed drainage scheme set out in the applicant's Drainage Statement reference 500.005/A (RevB) by Nola Design dated November 2017 meets with requirements. We can therefore recommend that should permission be granted suitably worded conditions be applied to ensure that a Suds Scheme is properly implemented and maintained throughout the lifetime of the development.
- 4.8. Sustainability Consultant – the sustainability strategy comprises a summary of the applicants intention. If permission is granted more information and supporting evidence would be required.
- 4.9. Waste and Recycling Manager – the layby areas along the service road are now acceptable. The applicant has confirmed there will be no level changes between the refuse stores and the bin collection points and that a management company would be responsible for moving the bins into position on collection day. No objections are raised.
- 4.10. Tree Officer – There are no statutory tree constraints on or about the site. The site is essentially entirely situated on hard standing right up to the boundaries other than the verge along the frontage which includes two vehicular access points. Mature trees located on adjoining land for the most part abound all four boundaries. The most notable trees on the site include two large mature Oak trees around the southern corner of the frontage (one Oak being in the adjoining land). Additional trees include: A row of 11 low Crab Apple trees along the front verge, a mix of medium mature Oak, Birch and Cypresses in the adjoining site the north, Oak trees within a site to the east and, a row of Cypress screening trees with the site to the south. The only other trees actually on the site include 1 Oak and 1 Sycamore in the rear north-east corner. The apple trees are indicated to be removed leaving the two Oaks. The proposed buildings are otherwise sympathetic to the remaining trees in maintaining the structures within the existing building footprints. Tree protection measures can be included as approved documents. More space will be afforded to the large Oak at the front of the site and there is an indication that the apple trees will be replaced.
- 4.11. Environmental Health – I have now reviewed the submission from the applicant and in particular the additional 5 minute noise survey. I can confirm that we would accept the applicants' assertion that the area is not particularly noisy and that no significant adverse impacts would be expected to accrue from the development.
- 4.12. Network Rail – No comments received.
- 4.13. Thames Water Utilities – With regard to surface water, it is recommended that the applicant ensures that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. Where the developer proposes to discharge to

a public sewer, prior approval from Thames Water will be required. No objections are raised with regard to sewerage infrastructure capacity.

4.14. SES Water – No comments received.

4.15. Crime Prevention Design Officer - Whilst I appreciate that this is an outline proposal and that there is not yet any Design and Access statement to review, it would be desirable if the developer could be encouraged to go for the Full Secured by Design accreditation. This would mean that the whole designed environment would have to be assessed in terms of reducing the risk of crime or attracting anti-social behaviour.

4.16. MVDC Parks Department – In 2008 MVDC had in place a Play Strategy (Making Play Matter) which looked at improving access to play opportunities for children across the district in light of the findings from the PPG17. The findings for North Leatherhead showed that there was a significant deficit in play spaces and whilst the areas available for play have not increased over the intervening years, the population of children certainly has. This was highlighted when we updated our Play Strategy in 2014 and I believe it is important that we look to resolve this issue when looking at new developments. It is also worth saying that the distance from the centre of the Highbury Drive site to the playground within the Redhouse Grounds is less than 340m (actual walking distance) which would put it within the guidelines specified by the Fields In Trust for a Locally Equipped Area for Play (LEAP).

In the face of rising childhood obesity levels and increased findings about the benefits of having green space available locally both mentally and physically, there is a need to not only protect what we have already and improve this whenever possible. One of the recommendations from the recent Parks Enquiry which looked at the state of the country's parks and green spaces was that *'local authorities should take a whole-place approach which recognises the importance of parks and green spaces both to existing and to new communities, in accordance with paragraphs 73 and 76 of the National Planning Policy Framework.'* (Recommendation 11) Paragraph 73 of the National Planning Policy Framework states that assessments of deficits in terms of open space should be used to determine the local needs. Whilst the PPG17 was archived in 2012, the needs are still present and should be looked at within the context of what is being proposed on this site.

The proposals shown in the Design and Access Statement don't, I believe, provide enough in terms of suitable play spaces for children. In 2008 the then Department for Children, Schools and Families published 'Design for Play' which included 10 principles for designing play areas which are –

1. Designed to enhance its setting – inspired by the background, whether that's a park, open space or urban landscape.
2. Located in the best possible place – where children naturally play, away from dangerous roads, noise and pollution, but near through routes and well-used public footpaths.
3. Close to nature – many studies have shown that children benefit from access to natural environments. In densely populated urban areas, the use of grassy mounds, planting, logs and boulders can help to make a more attractive and playable setting for equipment.
4. Designed so that children can play in different ways – by children of different ages and interests.
5. Designed so that disabled and non-disabled children play together
6. Loved by the community
7. A space where children of all ages play together

8. A space where children can stretch and challenge themselves in every way
9. Maintained for play value and environmental sustainability
10. A space that evolves as children grow

I don't think that looking at the Design and Access Statement, these are being met. Whilst there may be 100 square metres of local areas for play (LAP), they are identical in design and separated by each block of flats. There are two proposed areas on what look like grass verges by the access road around the site. I don't think this will encourage children to want to play there, it doesn't look like an area that a child would think this is somewhere they can play and there is certainly no opportunity for children of different ages to play together, evolve as the children grow and there is very little challenge for children beyond toddlers. It would be interesting to see if the designers have children and whether they think their children would want to spend time in a setting with a few boulders and tree trunks in? If this was timed, I think it would be very short. If there is not enough suitable play space, the concern is that children won't want to stay there or will play in ways in which cause disruption to local residents, which goes against the developers own reasoning for the play spaces in the first place.

Including play and green space is something we have insisted within recent developments and have used the FIT guidelines before such as at Parsons Mead in Ashted and the Farthings in Leatherhead. I agree that the guidelines don't separate between rural and urban but we as the local authority can distinguish and take this into account with what we ask for in terms of this provision within new developments. I agree there is a need for higher density developments but Leatherhead is not a highly built up town and one of the reasons people choose to live here is to be closer to the natural environment especially green space. Quite apart from the lack I believe of local infrastructure such as school places and doctors surgeries in place to cope with the increased development in North Leatherhead, it cannot be reasonable to expect the local green space we have to absorb the extra numbers of people who would be living locally. This is why I think any large development needs to have a cohesive and suitable sized area for not only play but green space for people to socialise and relax. The FIT guidelines should be more apt in the situations of flats in such a density as this proposal as the need for residents for decent areas of green space will be higher.

I am not asking for the developer to install a huge facility but I do feel that the green space should be gathered together more as having a larger space will enable them to provide suitable play provision (I am perfectly happy with mounds, boulders and logs but there needs to be some challenge for older children) as well as providing a central space for the community to congregate in. How do they expect this development to feel like a community when there are 3 very separate areas, none of which are any great size? There is a great opportunity to design something special here and there are examples of developers doing this across the country with exciting shared spaces as the focus of the development rather than being an afterthought.

If officers are minded to consider a financial contribution towards off-site play provision, the Redhouse Grounds would be the nearest area of public amenity space to the site. Recent costings for new playgrounds in the District are in the order of £85,000.

- 4.17. Investment and Regeneration Manager (Transform Leatherhead) – no comments in relation to the Transform Leatherhead Project.
- 4.18. Surrey Downs Clinical Commissioning Group – Comments awaited.

5. Representations

- 5.1. Leatherhead Residents Association – Accept the principle of change of use of the land to high density residential due to current office vacancy rates but consider that the proposed density of 155 dwellings per hectare is excessive and out of keeping with the most developed areas of Leatherhead. Consider that a development of this nature would be more suited to larger towns such as Croydon and Woking. The development would create an area dominated by flats where up to 1,000 people would live. The building height would be greater than surrounding buildings. Block H would be six storeys and the tallest building in Leatherhead. It would be highly visible from the railway station. It is not clear how visible the blocks would be from other parts of the town and the surrounding countryside. Would they be visible from the Green Belt, the River Mole and from Fetcham? Tall buildings on this site could change the small market town character of Leatherhead. The neighbouring flatted buildings in Highbury Drive are three and four storeys high and sit comfortably in the street scene. However, if the proposed new flatted blocks would be seen rising up behind them, the area would become a sea of high rise blocks that would be too high to be effectively screened by trees. The result would be that the buildings would dominate the street scene and be out of keeping with the character of the area. The proposed building height should comply with pre-application advice given to the applicants by officers which stated that buildings should not exceed three, perhaps four storeys. The section drawings only feature the three storey buildings and do not indicate the height of the six storey blocks. No impressions of how the development would look when viewed from Randalls Road, the station or Tudor Road are included. One parking space per flat is inadequate. The 2 and 3 bedroom flats should have two parking spaces each. Such a parking ratio could be achieved if the buildings were only three and four storeys tall. It is important that this large development does not exacerbate the existing parking problems in the area. The provision of only six visitor parking spaces is ridiculous. Improvements will be necessary to the junction of Randalls Way and Randalls Road to avoid traffic backing up as a result of vehicles waiting on Randalls Road and waiting to turn right into Randalls Way. This development could make a significant contribution to affordable housing for the local population. Concerned that the developers wish to reduce the amount of affordable housing provision from 40% to only 20%.
- 5.2. 9 further letters of representation including 1 letter representing the residents of Highbury Drive and two letters from Ashtead Medical Practice – the first objecting on the grounds of additional pressure on the GP surgery and the second outlining their support for the proposed development on the basis that they will be making a case to receive CIL funding for additional primary health care provision. The letters raise the following summarised points;
- Clarification needed over the ownership of Randalls Way
 - Highbury Drive is a private Road with no public right of way
 - Support the proposal in principle but the scheme is an overdevelopment
 - of the site in terms of scale, density and height of buildings
 - 5 & 6 stories will dominate all building around and may be obtrusive in
 - the wider context of the town
 - Buildings not in keeping with the town
 - proposed development is beyond excessive for the space and access
 - mix of commercial and residential development is suggested
 - a mixed use with a gym, indoor amenity space, small business units , a
 - convenience store, a hotel and serviced apartments might be more
 - acceptable
 - the mix of residential units needs adjusting to include more 2 & 3
 - bedroom accommodation

- boulders and grass strips do not amount to compliance with playspace
- policy
- an equipped well planned play area should be provided on site and no off
- site financial contribution accepted
- confusion about adopted highway
- cycle and refuse storage bins essential
- potential for a new pedestrian entrance onto the shared use path from
- Leatherhead Station to Kingston Road near to the station car park
- Substantial shortfall of car parking given some of the units are 2 and 3
- bedroom
- Residents will be forced to park off site
- Will put pressure on inadequate street parking
- At peak times this development will cause considerable further
- congestion at the junction of Randalls Way and Randalls Road and
- Highbury Drive with knock on effects for the whole network in this part of
- the town.
- Need for affordable housing in Leatherhead
- Poor sight lines and inadequate lighting
- Existing road parking narrows road
- Development would result in more trespassing on Highbury Drive
- Noise and disturbance from children playing
- Development will de-value neighbouring properties
- There is a lack of provision for Primary Health Care in the locality
- Further strain on the existing doctors surgery at Linden House
- The proposed development should include Primary Health Care provision
- Pressure on infrastructure
- The applicants should provide new premises for an extension to the GP surgery together with a new base for the Police
- In the event that outline permission is granted, Ashlea Medical Practice would like to make a case CIL funding towards additional primary health care provision

6. Main Planning Policies

6.1. Government Guidance

Section 1 – Building a Strong Competitive Economy

Section 6 – Delivering a Wide Choice of High Quality Homes

Section 7 – Requiring Good Design

Section 8 – Promoting Healthy Communities

Section 10 – Meeting the Challenge of Climate Change, Flooding and Coastal Change

Section 11 – Conserving and Enhancing the Natural Environment

6.2. Mole Valley Core Strategy

CS14 – Townscape, Urban Design and the Historic Environment

CS1 – Where Development Will Be Directed

CS2 – Housing Provision and Location

CS3 – Balancing Housing Provision

CS4 – The Provision of Affordable Housing

CS12 – Sustainable Economic Development

CS14 – Townscape, Urban Design and the Historic Environment

CS15 – Biodiversity and Geological Conservation

CS16 – Open Space, sports and Recreation Facilities

CS17 – Infrastructure, Services and Community Facilities
CS18 – Transport Options and Accessibility
CS19 – Sustainable Construction, Renewable Energy and Energy Conservation
CS20 – Flood Risk Management.

6.3. Mole Valley Local Plan

ENV15 – Species Protection
ENV22 – General Development Control Criteria
ENV 23 – Respect for Setting
ENV24 – Density of Development and Space About Buildings
ENV25 - Landscape Design of New Developments
ENV29 – Planning and Crime Prevention
ENV53 – Trees in Built up Areas
ENV65 – Drainage
ENV69 – Contaminated Land
E1 – Existing Industrial and Commercial Land
E2 – Safeguarding Existing Industrial and Commercial Land
REC6 – Children’s Playspace
MOV2 – The Movement Implications of Development
MOV5 – Parking Standards

6.4. Other Documents.

Affordable Housing SPD
Leatherhead Built Up Area Character Appraisal
Fields in Trust Guidance for Outdoor Sport and Play ‘Beyond the Six Acre Standard’

7. Main Planning Issues

7.1. The main planning issues for consideration are...

- The principle of the development
- Would the development be in keeping with the character and appearance of the area
- The impact on trees
- The impact on the neighbouring properties
- Highway and safety issues
- The provision of affordable housing
- Refuse and recycling provision
- The ecology of the site
- The provision of renewable energy technology
- The provision of sustainable drainage system
- CIL

7.2. This outline planning application is supported by the following documents –

- Planning Statement
- Design & Access Statement
- Preliminary Sustainable Drainage System Strategy
- Sustainability Strategy
- Noise Assessment & Acoustic Data
- Employment Land Report and Marketing Report
- Transport Statement
- Travel Plan
- Air Quality Assessment
- Daylight & Sunlight Report

- Ecological Appraisal
- Arboricultural Report
- Geo-Environmental Assessment
- CIL Form

The Principle of the development

- 7.3. This 1.54ha site is part of a substantial area on the north west side of Leatherhead, which is safeguarded in the Development Plan as existing industrial and commercial land. The safeguarded land includes the application site and several adjacent business parks and employment buildings which extend to the north collectively known as the Leatherhead Research Area.
- 7.4. Within the safeguarded area, the loss of existing employment land is resisted under saved policy E2, Safeguarding Existing Industrial and Commercial Land in the Mole Valley Local Plan 2000 and policy CS12, Sustainable Economic Development in the Core Strategy 2009.
- 7.5. Core Strategy policy CS12 includes three objectives which are (1) safeguarding and recycling accessible and well located industrial and commercial sites (2) encouraging mixed use development where appropriate and (3) supporting development which maintains and enhances Leatherhead's role as a desirable location for knowledge based companies.
- 7.6. Local Plan policy E2 states that the loss of existing suitably located industrial and commercial land in built up areas to other uses will not be permitted unless its retention for industrial and/or commercial use has been fully explored without success.
- 7.7. In addition, paragraph 22 of the NPPF advises that '*Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.*'
- 7.8. In December 2017, the Council's Interim Policy Statement (IPS) on Employment Land was agreed by Full Council. Evidence in the Economic Development Needs Assessment (March 2017) suggests that there is likely to be a small surplus of employment land over the next plan period. Recognising that there may be an opportunity to reallocate a limited amount of employment land for other purposes, the Council is nevertheless concerned to ensure that sufficient employment land, in the right locations, is retained and safeguarded to ensure a healthy and growing local economy. To that end, it has adopted core principles as set out in the Interim Policy Statement to guide decisions on the release of safeguarded industrial and commercial land, ahead of the adoption of a new Local Plan.
- 7.9. The core principles state that the Council will prioritise the retention of employment land benefitting from good public transport accessibility as well as proximity to local shops and services, particularly where land is located on a business park or research park and forms part of a cluster of employment uses. It will consider applying a greater flexibility for alternative land uses where existing employment land is occupied by a single user and sited in an isolated or poorly accessible location by public transport. Mixed use redevelopment of such sites will be considered more favourably than those schemes which result in the loss of employment floorspace.
- 7.10. The IPS is a material planning consideration in the determination of applications involving the loss of business floorspace.

7.11. The application site is covered by an Article Four Direction which came into force on 16 December 2017 and has the effect of removing permitted development rights that would enable the change of use of office floorspace to residential.

Accessible and well located sites -

7.12. Access to the application site is from Randalls Way, approximately 100m north of its junction with Randalls Road. The site is 0.5km from Leatherhead town centre and within a short walk of Leatherhead railway station, where bus services are also available. As well as being accessible, the site can also be considered well located in terms of being situated within a well-established cluster of employment uses, where compatible uses are co-located and firms are able to operate within a business-like environment.

7.13. The majority of floorspace on site, is presently restricted to that falling within Use Class B1 (b), research and development. It was vacated in September 2016. An extension to the premises permitted in 1979 and lying to the rear of the site accommodates 1,250m² of office rental space known as 'The Enterprise Centre'. This comprises some 38 serviced offices alongside laboratories and store rooms, which were let on numerous licence agreements. Permission to remove a condition restricting use of this floorspace as ancillary to Class B1 (b) to enable Class B1 (a) office use was granted in 2009 (MO/79/0389).

7.14. In accordance with the requirements of saved policy E2 of the Local Plan, the applicants submitted evidence of marketing of the site. That evidence was the subject of consultation with independent advisors acting on behalf of MVDC who prepared a report in March 2018 setting out their conclusions as follows:

- That the site has been continuously marketed since January 2016
- There was a low level of interest shown in the site for employment use
- The site could not remain profitable in its current state regardless of rental values
- There is insufficient demand to occupy the smaller units in the Enterprise Centre
- The larger area (formerly occupied by Food Research) is unlikely to be occupied in its current state
- Any redevelopment for office accommodation would be in strong competition with the existing Grade A units in the wider area of which there has been a very slow uptake in recent years, including the adjacent premises at The Square which remain 50% unoccupied
- A speculative redevelopment of the site would not be attractive to developers at present

7.15. On the basis of the conclusions of this independent report, it is considered that the applicants have undertaken a thorough marketing exercise of the site and the existing premises and accordingly there is no reasonable prospect of either the site or the existing building being used for employment purposes. On that basis, the application is considered to meet with the requirements of saved Local Plan policy E2 and to outweigh the policy position set out in the Council IPS on Employment Land.

7.16. In terms of the current supply of available commercial floorspace within the District, MVDC's Economic Development Needs Assessment (March 2017) advises there is likely to be a surplus of commercial and industrial/warehousing floorspace by the end of the Plan period. Indeed, the marketing evidence submitted by the applicant and scrutinised by the Council's independent advisors states that there is currently over 26,200 square metres of better grade office accommodation in Leatherhead alone

(excluding the application site). Take-up rates for Grade A office accommodation have been very slow in recent years. Whilst that may be due in part to the rental levels being sought, it also indicates that demand is less than supply.

- 7.17. It is considered that the applicants have adequately demonstrated that there is no reasonable prospect of the site being used for employment purposes and therefore, in line with the advice set out in paragraph 22 of the NPPF, it would be unreasonable to continue to seek the retention of this site for employment use.
- 7.18. When assessing the issue of the principle of a change of use to residential, significant weight should also be given to the following relevant factors:
- That there is currently an unmet residual demand for 3000 new homes in in the District up to the year 2033. This development would provide 239 new homes which is equivalent to 8% of the homes required during the Plan period
 - The development would make use of a large and easily accessible brownfield site within the built up area of Leatherhead that is well located in relation to the surrounding road network, public transport services and the town centre.
 - The development would reduce pressure for new housing in the Green Belt
 - The development would include 55 affordable homes which is equivalent to 24% of the total number of units taking into account Vacant Building Credit.
- 7.19. Taking into account the findings of the applicant's marketing report which have been verified by the Council's independent advisors; the relatively low level of demand for commercial accommodation against an existing over-supply together with the other relevant factors to weigh in the balance around the need for more market and affordable housing in the District; the brownfield nature of the site and its easily accessible location in the built up area, it is concluded that the principle of redeveloping this site for residential purposes is, on balance, acceptable in planning terms and does not conflict with the aims of Local Plan policy E2, Core Strategy policy CS12 of the advice set out in paragraph 22 of the NPPF.

Would the development be in keeping with the character and appearance of the area

- 7.20. The application is outline with only the matter of access for consideration. Nevertheless, indicative layout plans, floorplans, elevation and massing drawings have been supplied to give an indication of the amount of development that would be necessary in order to achieve the quantum of 239 residential units on the site.
- 7.21. The indicative layout shows a total of 8 flatted buildings arranged in 4 rows across the site and ranging in height from 3 storeys fronting Randalls Way to 4 and 5 storeys in the centre of the site and finally 6 storeys at the eastern end of the site, nearest the railway station. Due to the fall in ground levels across the site in a southerly direction, the buildings nearest Highbury Drive (to the south) would be set down in comparison to those at the northern end of the site. The applicants have provided a series of photo montages showing existing and proposed views towards the development from various points in the surrounding area including from Tudor Walk to the west, Randalls Road to the south, Randalls Way (North and South) and from the railway station to the east of the site.
- 7.22. The site is bordered by the Highbury Drive development to the south which consists of 4 and 5 storey flatted blocks with undercroft parking. The Police Federation building is also of substantial size and borders the south eastern corner of the site. The intervening area is planted with trees which act as a soft edge and an effective screen

between the two parcels of land. The eastern boundary is also planted with trees beyond which ground levels fall away in an easterly direction towards Wates offices and the railway station and car park. To the north is the commercial development of The Square which consists of a series of detached office blocks with associated parking and to the north west are further large commercial buildings of two and three commercial floors in height. To the west is an established residential estate of two storey semi-detached and terraced houses.

- 7.23. The site lies within the Built Up Area Character Appraisal Railway Corridor and Leatherhead Common Character Areas where there are several business parks. It states the business parks are typical of their type, with buildings of variable architectural period and quality. Many of their buildings are located behind other development, or alongside the railway line, so that their full extent is not readily apparent to passing road users.
- 7.24. The key characteristics identified are the importance to the economy which is part of Leatherhead's strength as an employment town; beneficial that they are generally in backland locations - therefore have benefit to the employment sector, without forming a dominant part of the street scene. Generally uninspiring architecture and some beginning to date. Traffic generation at peak hours causes congestion which adversely affects the character of the town. The site is at the south east of the business park area.
- 7.25. The NPPF advises in paragraph 58 that planning decisions should ensure that developments function well and add to the overall quality of an area; use streetscapes and buildings to create attractive and comfortable places to live, work and visit; create and sustain an appropriate mix of uses including incorporation of green and other public space as part of developments; respond to local character and history and reflect the identity of local surroundings and materials and be visually attractive as a result of good architecture and appropriate landscaping. Paragraph 64 of the NPPF advises that permission should be refused for development of poor quality design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 7.26. Core Strategy policy CS14 advises that all new development must respect and enhance the character of the area in which it is proposed. Development of poor quality design will be resisted and development proposals must incorporate appropriate landscaping.
- 7.27. Local Plan policies ENV22, ENV23 and ENV24 are concerned with the design of new development and the extent to which it takes account of the character of the surrounding area. They cover issues of scale, form and appearance, retention of trees, provision of adequate landscaping, the need to avoid overdevelopment and to provide sufficient space between and around buildings to avoid them appearing cramped in relation to one another and surrounding properties.
- 7.28. The most visible buildings would be the three storey blocks fronting Randalls Way. Here, the indicative building line and the massing of the residential blocks would be similar to that of the existing building on the site. As such it is considered that their relationship to the street scene of Randalls Way and to the two storey houses to the west in Tudor Walk would be acceptable. The building footprint has been positioned to avoid any interference with the root protection zone of a veteran Oak tree on the south western corner of the site which makes an important contribution to the character of the area. The central part of the development and the tallest buildings at the eastern end of the site would be set behind the frontage blocks and would be partially screened from Randalls Way by the Highbury Drive buildings and those at The Square to the north of the site. Similarly they would be largely screened in views from the railway station by the intervening belt of trees on the eastern boundary.

- 7.29. The footprint of the proposed buildings would be 5,188 sqm in comparison to that of the existing building which is 5,178 sqm. In terms of the density of habitable rooms per hectare, the proposed development would have 379 habitable rooms per hectare and would be relatively more dense than the neighbouring Highbury Drive development which has 343 habitable rooms per hectare. However, the indicative layout shows that separation distances between the principal elevations of each block would be in the order of 20m which is not dissimilar to Highbury Drive. Similarly separation distances to surrounding buildings would be acceptable and would avoid the development appearing cramped. Whilst spacing between the blocks within the site would meet with the minimum standards normally sought in new developments, it is accepted that this spacing together with the building height would result in a relatively intensive use of the site. In addition, it is likely that significant areas of hard surfaces would be required in the areas between the buildings to accommodate the slope of the land, for pedestrian movement. However, some soft landscaping could be introduced around the footways.
- 7.30. Similarly separation distances to surrounding buildings would be acceptable and would avoid the development appearing cramped in its wider context. This is borne out by the photo montages which show, albeit indicatively, the size and massing of the buildings across the site and how they would be likely to appear when seen from a range of viewpoints.
- 7.31. However, bearing in mind the advice of the NPPF and encourages the best use of land within the built up areas, it is considered that a development of this scale, whilst relatively more dense than the neighbouring Highbury Drive would not, on balance, cause any significant harm to the character and appearance of the area.
- 7.32. In summary, whilst the proposed residential development would be relatively more dense in terms of habitable rooms per hectare than the neighbouring flatted development in Highbury Drive, the indicative plans submitted with the application demonstrate that it would be possible to provide acceptable separation distances between the buildings within the site and to the surrounding buildings. Bearing in mind the advice of the NPPF which encourages sustainable development and emphasises the need to make the best use of land, particularly brownfield land, within the built up areas, it is considered that a development of this scale, whilst relatively more dense than the neighbouring Highbury Drive would not, on balance, cause any significant harm to the character and appearance of the area. As such, it is considered that there would be no policy conflict with the guidance in the NPPF, Core Strategy policy CS14 and Local Plan policies ENV22, ENV23 and ENV24.

Impact on Trees

- 7.33. Core Strategy policy CS14 seeks to ensure that new development respects and enhances the character of the area in which it is proposed and encourages the inclusion of trees and other soft landscaping within new developments. Saved Local Plan policy ENV53 emphasises the importance of retaining trees cover in the built up areas.
- 7.34. All trees on this site are located around the perimeter of the land or are growing from adjacent land or straddle the site boundary. The only tree of note is a large mature oak at the south-western corner of the site abutting Randalls Way. The indicative layout drawings show the buildings at the south western corner set away from the root protection zone of this tree to ensure its safety and retention as part of the over development.
- 7.35. There is a row of crab apple trees in front of the existing building on Randalls Way, all of which are proposed to be removed. However, there is an intention to provide a new

line of tree planting alongside Randalls Way between the buildings and the roadside. This would be encouraged.

- 7.36. In addition, 12 of the 14 trees within the site would also be removed. Whilst it is regrettable that most of the trees will be removed, none are outstanding specimens and are not significantly prominent in the street scene apart from the mature oak which will be retained. New planting across the site including within the courtyards between the buildings could be secured by way of an appropriate condition. In summary, given that the development would secure the retention of the veteran oak on the south western corner of the site and would include scope of new planting to take place in the spaces between the new buildings, it is considered that there is no conflict with policy CS14 of the Core Strategy or saved policy ENV53 of the Local Plan.

Impact on amenities of neighbours and future occupants (including open space provision)

- 7.37. Paragraph 123 of the NPPF advises that planning decisions should avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.
- 7.38. Local Plan policy ENV22 sub paragraph 2 seeks to ensure that new development does not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, overpowering effect, noise, traffic or other adverse environmental impact. Sub paragraph 7 advises that new development should provide a satisfactory environment for the new occupiers.
- 7.39. The proposed development would introduce residential units adjacent to existing commercial units, all of which generate traffic that uses Randalls Way on the western side of the site. However those residential units would be no nearer to the access road than the neighbouring properties at Highbury Drive and Tudor Walk. The applicants responded to a request from the Council's Environmental Health officer for the submission of additional acoustic data. Following consideration of that data, the Council's Environmental Health officer has confirmed that there would be no noise nuisance arising from the proposed development for either the future occupiers or the neighbouring residents.
- 7.40. The nearest neighbouring residential properties are houses in the 'Tudor estate' to the west of Randalls Way, and Highbury Drive to the south.
- 7.41. The 'Tudor Estate' - The houses on this estate comprise modest 2 storey semi detached and terraced properties. The nearest houses are arranged so that their side elevations face the application site. The distance to the proposed development is approximately 29 metres. A terrace of 6 houses is arranged so that their rear gardens face Randalls Way. The nearest house in this terrace will be some 44 metres from the proposal. Given the distances involved and the orientation of the houses, it is not considered that the proposals will unduly impact on the neighbouring houses to the west.
- 7.42. Highbury Drive – This comprises 4 blocks of residential properties and a commercial building – Federation House, which are set at a lower level than the southern end of the application site, and is separated by a mature landscaped belt. The nearest residential blocks to the site are Burney House and Sheridan House. These will sit about 30 metres from the flanks of proposed Blocks A, B and C. Notwithstanding the proposed height of these blocks and their south facing windows towards properties on Highbury Drive, the level changes due to the slope of the land, the separation distances involved and the intermediate planting, it is considered that the proposals will not have an undue effect on the amenities currently enjoyed by residential properties in Highbury Drive.

- 7.43. Federation House – This large building, occupied by the Police Federation, sits close to the application site's southern boundary. At its nearest point, it is 4 metres away. However, at this point, it is proposed to lay out a surface car park adjacent to the eastern site boundary. At its nearest point, Block G will be over 20 metres away to the north. Given the orientation of the proposal, the levels changes, the nature of the use of the building at Federation House and landscaping proposals, it is considered that the proposal scheme will not have any undue impact on the neighbouring property.
- 7.44. The neighbouring property to the east is an office building adjacent to Leatherhead railway station. This is set at a considerably lower level than the application site. It is considered that the separation distance of a minimum of 36 metres, the significant levels difference and the existing planting to be retained along the common boundary will ensure that this commercial building will not be unduly affected by Block G.
- 7.45. The neighbouring properties to the north of the application site comprise a modern group of office buildings with car parking. Separation distances will be a minimum of 15 metres across existing boundary trees to be retained. In these circumstances, it is considered that the proposal will not have an unduly harmful impact on the neighbouring commercial buildings to the north.
- 7.46. The indicative layout drawing shows distances of 20m between the principal elevations of the main buildings. 20m separation distances are normally considered to be acceptable between two storey buildings in the built up area. The indicative drawings submitted with the application demonstrate that in order to achieve 239 residential units on this site, there would be a need to construct up to 8 buildings of between three and six storeys in height. The reserved matters detail would need to demonstrate that the internal layout of the buildings and the position of balconies would avoid significant intervisibility between facing residential properties.
- 7.47. Core Strategy policy CS16 is concerned with open space, sports and recreation facilities and states that *'the provision of appropriate facilities will be required on site as part of any development scheme of around 50 dwellings or more.'*
- 7.48. The Parks Department has commented that the indicative layout does not include a meaningful area of communal open space or playspace provision and fails to comply with the guidance set out in the Fields in Trust document 'Beyond the Six Acre Standard'. Whilst there are some smaller pockets of amenity space and play space for 3-5 year olds located between the proposed blocks, the preference would be for a larger area that would be more accessible to a greater proportion of the future occupants. The applicants have advised that each of the new residential units would have access to an outdoor balcony and they have also confirmed their willingness to make a financial contribution of £85,000 towards the off-site provision of playspace. This is likely to be located at the Red house Grounds as that is the nearest area of public open space to the application site. The £85,000 contribution would be in addition to the applicant's CIL contribution and would cover the cost of providing a play area for children of all ages. The financial contribution towards play provision will be included within the Section 106 Agreement which is currently being prepared.
- 7.49. Whilst it would be desirable to have a larger area of communal open space and playspace within the site, it is considered that the applicant's offer of making a financial contribution of £85,000 towards off site provision is acceptable and that it would not be reasonable to refuse the application on the grounds of policy CS16.

Highway and safety issues

- 7.50. Core Strategy policy CS18 requires development proposals to be sited in sustainable locations near to a range of travel options and to have satisfactory access. Larger

development may require the submission of a Travel Plan that would be implemented via an appropriate legal agreement.

7.51. Local Plan policy MOV2 new developments should make appropriate provision for (para 1) off-street parking, (para 3) vehicular access, egress and movement within the site (para 4) capacity on the transport network in the vicinity of the development and (para 7) pedestrians and cyclists. The policy further states that the cumulative effects of existing and committed development on the operational capacity and environmental character of congested areas will be taken into account in the determination of development proposals.

7.52. Policy MOV5 of the Local Plan states that the County Council's Parking Standards will be applied as a maxima. The County's car parking standards on sites within or adjacent to a town centre state that one parking space per unit is acceptable for 1, 2 and 3 bed properties and that cycle parking provision should be made at a rate of one space per 1 and 2 bedroom unit and two spaces per 3 bedroom unit. IN terms of overall cycle space requirements, the County standards would require a minimum of 248 cycle spaces.

7.53. The applicants have submitted a Transport Statement and Travel Plan in support of the development proposals.

7.54. The main points set out in their Transport Statement are summarised below:

- The site is easily accessible to pedestrians, cyclists and is located close to public transport services
- The internal access road would be two way along its length and would enable cars and refuse/service vehicle to pass one another
- The development would make provision for 239 parking spaces the majority of which would be located in a basement
- Six visitor parking spaces would be provided at ground level within the site
- 24 of the parking spaces would be designed for disabled users
- The car park would be privately enforced and controlled with parking spaces allocated to particular units
- 1 in 5 parking spaces would be provided with electric vehicle trickle charging points (this would be equivalent to a total of 48 charging spaces)
- Based on car ownership levels in the 2011 Census, the applicants estimate that there may only be a total demand for 211 vehicle spaces. They also advise, based on Census data, that up to 71 of the proposed new units could be car free
- The development would include 248 secure and sheltered cycle spaces within the basement level
- The indicative layout is designed to accommodate swept path movements of large service vehicles
- There would be 114 fewer vehicle movements during the weekday morning peak hour and 237 fewer vehicle movements during the weekday evening

peak hour in comparison to the previous employment use. It is concluded that the proposed development would not result in an increase in traffic onto the highway network

- The Travel Plan includes a series of measures aimed at encouraging and promoting walking, cycling, public transport usage and reducing the need to travel. These include the appointment of a Travel Plan Coordinator, the provision of Residents' Travel Packs, the provision of a community notice board, a potential car share database and cycle parking provision in accordance with SCC standards.

7.55. The County Highway Authority has considered the content of the applicant's Transport Statement and the Travel Plan and is satisfied that the traffic levels associated with the proposed development would be compatible with the surrounding highway network. In addition, whilst some third parties including the Leatherhead Residents Association, have expressed concern regarding the number of proposed car parking spaces, considerable weight must be given to the fact that this is a highly accessible site located within a short walk of the railway station and the town centre; that the number of parking spaces meets with SCC maximum parking standards for town centre and edge of centre locations and that Government advice in paragraph 34 of the NPPF is for new development to be located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. SCC Highways raise no objections subject to a number of highway conditions being attached to any planning permission. These include conditions to secure that level of parking provision on site; the submission of a Construction Transport Management Plan; vehicle charging points and the submission of a Travel Plan all of which are set out below. It is considered that the proposed development accords with the advice set out in the NPPF and with saved Local Plan policies MOV2 and MOV5 and Core Strategy policy CS18.

Affordable Housing

- 7.56. Core Strategy policy CS4 requires that in developments of 15 or more gross dwellings, 40% of the total number of dwellings should be affordable.
- 7.57. Policy CS4 therefore requires that 40% of the 239 new dwellings should be provided as affordable on site with a 50:50 tenure split between affordable rent and shared ownership. The affordable units should be integrated throughout the development or provided in small clusters. The affordable housing should include a mix of tenures, types and sizes.
- 7.58. The applicants have calculated the provision of affordable units taking into account Vacant Building Credit. Vacant building credit can be used to offset affordable housing contributions where a vacant building is brought back into use, or is demolished to be replaced by a new building. The result is that 23% of the total number of units (55 units) would be affordable.
- 7.59. The applicant has agreed that 10 of the affordable units will be located in Block A; 39 units will be located in block H and 6 units in Block F (upper ground floor) which is acceptable given that this development is solely blocks of flats.
- 7.60. Meanwhile, the affordable housing units would have a 50:50 tenure split between affordable rent and shared ownership units. The applicant has confirmed that they have had positive preliminary discussions on the provision of the affordable homes with RPs already operating in Mole Valley. Those RPs are likely to require that the units comply with the Technical Housing Standards – the nationally described space standards and the proposed units appear to comply in this respect.

- 7.61. Finally, the overall housing mix provides 27 x studio flats; 88 x 1 beds; 115 x 2 beds and 9 x 3 bed flats. This is broadly compliant with the Council's policy CS3 'Balancing Housing Markets' of the Core Strategy, which identifies that the Council will particularly seek the provision of two and three bedroom dwellings suitable for occupation for all sectors of the community, including newly forming households, young couples and expanding families. The affordable unit mix has been agreed at 4 x studios flats; 23 x 1bed 2person flats; 5 x 2bed 3person flats; 19 x 2bed 4person flats and 4 x 3bed 6person flats.
- 7.62. The detail of the affordable units and their size and tenure is being incorporated within a Section 106 Agreement which is being prepared at the time of writing this report.
- 7.63. In summary, it is considered that the proposed development is compliant with current policy requirements regarding the provision of affordable housing, taking into account the deductions that are allowed via Vacant Building Credit.

Refuse and Recycling

- 7.64. Policy MOV2 of the Local Plan is concerned with the movement implications of development. Sub paragraph 2 of that policy advises that new development should to incorporate suitable servicing arrangements. Sub paragraph 3 requires access, egress and movement within the site to be acceptable.
- 7.65. Local Plan policy ENV22 sub paragraph 7 states that the design and layout of new development should provide a satisfactory environment for the new occupants.
- 7.66. During the course of the application, the applicants have demonstrated to the satisfaction that refuse storage arrangements, which are albeit indicative at present, could be satisfactorily accommodated on the site with laybys provided for refuse trucks and a road system that would enable them to enter and leave the site in forward gear. The refuse stores could be located near to the access road with acceptable drag distances for refuse crew between the bin collection area and the refuse vehicle.
- 7.67. The applicants advise that a management company would be responsible for moving the bins from the refuse stores to the collection points on bin collection day.
- 7.68. The Council's Environmental Contracts Manager is satisfied with the capacity and location of the refuse stores and the accessibility of the site for refuse collection vehicles. As such, the refuse storage arrangements are considered to satisfy the requirements of saved Local Plan policies MOV2 and ENV22.

Ecology

- 7.69. Paragraph 109 of the NPPF advises that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph 118 of the NPPF states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity.
- 7.70. Core Strategy policy CS15 seeks to ensure that biodiversity is protected and enhanced. The policy also states that all mature hedges and trees within development sites should, as far as practicable, be retained. Biodiversity enhancements will be sought as part of new developments.
- 7.71. Local Plan policy ENV15 states that development that would materially harm a protected species or its habitat will not be permitted.
- 7.72. The application is supported by a Sustainability Appraisal which sets out the following summarised findings:

- That no designated sites of nature conservation would be affected by the proposals
- The most significant habitats on the site include the mature trees around the site boundaries and these are intended to be retained
- No bat roosts have been recorded on the site
- It is recommended that bird and bat boxes be designed into any new development on the site

7.73. The report has been scrutinised by Surrey Wildlife Trust who do not raise any objections and agree with the mitigation measures set out in the applicant's report. Accordingly it is considered that the ecological implications of the proposed development are acceptable and there is no conflict with the NPPF and with Core Strategy policy CS15 and Local Plan policy ENV15.

Renewable Energy

7.74. Core Strategy policy CS19 sub paragraph 1c seeks to ensure that the total carbon emissions of new development is reduced by at least 10% as a result of the installation of renewable energy technology. Applicants are required to submit evidence to demonstrate how these requirements have been met unless it can be demonstrated that compliance is not technically or financially achievable.

7.75. The application is supported by a Sustainability Report which advises that the development could incorporate a Combined Heat and Power (CHP) system. This would be a system that would allow for the integration of the production of heat and power in a single efficient process. A CHP system could provide up to 90% of the energy requirements for hot water and contribute towards the heating of the new residential units and would involve the provision of a centralised plant room linked to heat interface units in each building.

7.76. One of the benefits of a CHP system would be to avoid the need for solar or thermal panels on the roofs of the buildings which may be visible in views towards the development.

7.77. It is also intended that the development would incorporate low energy design in the built fabric and services.

7.78. The Council's Sustainability Adviser does not raise any objection and recommends a condition.

7.79. In summary, it is considered that the sustainability measures suggested by the applicant would be sufficient to meet with the requirements of Core Strategy policy CS19. A suitable condition is recommended below.

Sustainable Drainage

7.80. Core Strategy policy CS20 advises that appropriate sustainable drainage systems should be incorporated within new development proposals.

7.81. The site is located within Flood Zone 1 and therefore has a low risk of flooding.

7.82. The application is supported by a Flood Risk Assessment (FRA) which advises that the development would incorporate a sustainable urban drainage system to ensure that surface water run off would be no greater for the new developed site than the pre-developed site. The development would be capable of providing safe access and

egress during an extreme flood event. The FRA recommends that finished ground levels should be set a minimum of 300mm above existing levels. This could be managed via an appropriate ground levels condition.

- 7.83. The applicants provided additional information to the SCC SUDs team during the course of the application and produced an updated Drainage Statement ref 500.005/A RevB in November 2017. Following a review of the updated information, SCC SUDs have confirmed their satisfaction with the proposed drainage arrangements and recommend appropriate drainage conditions in the event that planning permission is granted.
- 7.84. In summary, the applicants have demonstrated that the drainage scheme for the proposed development could be capable of meeting the requirements of the NPPF and with Core Strategy policy CS20.

Community Infrastructure Levy (CIL)

- 7.85. The amount of CIL payable (the chargeable amount) will be calculated in accordance with the Community Infrastructure Levy Regulation 2010 (as amended).
- 7.86. In the event that outline permission is granted, the Ashlea Medical Practice of Upper Fairfield Road, Leatherhead intend to make a case to secure a proportion of the CIL funding in order to improve the quality of primary health care provision for the people of Leatherhead.
- 7.87. Ultimately, the priority and timing of the CIL funding would be determined by MVDC's corporate governance arrangements and will be directed towards some of the developments included in the Council's CIL Infrastructure Funding List under Regulation 123 of the Community Infrastructure Levy Regulations.

8.0 Conclusion

- 8.1 The site is currently designed in the Development Plan as employment land that is to be safeguarded for employment purposes under policy E2 of the Local Plan and policy CS12 of the Core Strategy. This outline application seeks to establish the principle of a residential redevelopment of the site for 239 units with vehicular access for consideration at this stage and all other matters reserved.
- 8.2 The Council's Interim Policy Statement on Employment Land contains core principles intended to guide decisions on the release of safeguarded industrial and commercial land, ahead of the adoption of a new Local Plan.
- 8.3 The core principles state that the Council will prioritise the retention of employment land benefitting from good public transport accessibility as well as proximity to local shops and services, particularly where land is located on a business park or research park and forms part of a cluster of employment uses.
- 8.4 The application is supported with marketing information over a two year period which has been scrutinised by independent consultants and found to be robust. This means that the applicants have successfully demonstrated that there is 'no reasonable prospect' of the site being used for its allocated employment purposes as required by policy E2 and paragraph 22 of the NPPF. It has also been established that there is a relatively low level of demand for commercial accommodation against an existing over-supply. Taking this into account, together with the other relevant factors to weigh in the balance around the need for more market and affordable housing in the District; the brownfield nature of the site and its easily accessible location in the built up area, it is considered that the principle of redeveloping this site for residential purposes is, on balance, acceptable in planning terms and does not conflict with the aims of Local Plan

policy E2, Core Strategy policy CS12 of the advice set out in paragraph 22 of the NPPF.

- 8.5 The indicative layout, floorplan and elevation drawings submitted in support of the application give an indication of the amount of development necessary to achieve 239 residential units on the site. Whilst a layout of 8 buildings ranging in height from 3 storeys to 6 storeys would be a relatively intensive use of the site, it would be located in the context of existing 4 storey buildings at Highbury Drive and substantial commercial buildings to the north and north west of the site. Tree screening on the southern and eastern boundaries would be retained. Whilst the proposed development would be relatively more dense than that at the neighbouring Highbury Drive it is considered that it would not, on balance, cause any significant harm to the character and appearance of the area. As such, it is considered that there would be no policy conflict with the guidance in the NPPF, Core Strategy policy CS14 and Local Plan policies ENV22, ENV23 and ENV24.
- 8.6 There is adequate separation to surrounding buildings to avoid any significant harm to the amenity of neighbours. In terms of the amenity of the future occupants, whilst separation distances between the buildings are on the margins of acceptability, it is considered that issues of intervisibility could be adequately dealt with at reserved matters stage. As such, there is no conflict with policy ENV22 of the Local Plan.
- 8.7 Policy CS16 of the Core Strategy seeks the on-site provision of open space and recreation space for new residential development in excess of 50 units. The Council's Parks Officer has commented that the indicative layout lacks a large and meaningful area of communal open space and playspace for the use of the future occupants. The applicants have included a number of small play spaces within the indicative layout for the benefit for children under the age of 5 years. They also state that their layout would incorporate relatively more amenity space than the adjacent Highbury Drive development to the south. The applicants have confirmed their willingness to make a financial contribution of £85,000 towards the off-site provision of a play area and this would be included in the Section 106 Agreement. It is considered that the contribution would be sufficient to overcome concerns of lack of on-site play provision in the indicative layout drawings.
- 8.8 The anticipated traffic movements associated with the development would be significantly lower during peak times in comparison to former employment use of the site. In addition, the indicative drawings show the provision of 239 parking spaces with 6 visitor spaces and 248 cycle spaces. Trickle charging points would serve 48 of the parking spaces. Given the highly sustainable location of the site and the lack of objection from the County Highway Authority, it is considered that the proposed development would not conflict with policy MOV2 or policy MOV5 of the Local Plan and policy CS18 of the Core Strategy.
- 8.9 The development would provide 55 affordable units spread across three blocks. The affordable unit mix has been agreed at 4 x studios flats; 23 x 1bed 2person flats; 5 x 2bed 3person flats; 19 x 2bed 4person flats and 4 x 3bed 6person flats. The detail of the affordable units and their size and tenure is being incorporated within a Section 106 Agreement which is being prepared at the time of writing this report. The number, size and tenure of the units is acceptable to the Councils Strategic Housing Manager. As such, the proposed development is considered to comply with policy CS4 of the Core Strategy.
- 8.10 The indicative layout plans demonstrate that adequate provision could be made for refuse storage and collection. In addition, the applicants have demonstrated that the proposed development would not cause any significant harm to ecology; that it would incorporate appropriate renewable energy measures and that surface water drainage could be designed to meet with current policy requirements.

- 8.11 The development will be CIL liable, however, the precise sum required can only be calculated at reserved matters stage when floorplan drawings are finalised.

Recommendation

Subject to receipt of a satisfactory Section 106 Agreement by Friday 8th June 2018 to secure the provision of:

- (1) 55 affordable dwellings
- (2) £85,000 contribution towards the off-site provision of play space and on-going maintenance of amenity areas across the site,

The Corporate Head of Planning be authorized to GRANT planning permission subject to the conditions set out below OR, in the event that a satisfactory Section 106 Agreement is not received by Friday 8th June 2018 or any other date as agreed in writing with the Corporate Head of Service, permission be REFUSED for the appropriate reason(s).

Conditions

1. Approval of details of the scale, layout, height, external appearance of the buildings, and the landscaping of the site (hereinafter called the 'reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced and carried out as approved. Plans and particulars of the reserved matters referred to above, shall be submitted in writing to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall commence before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51(2) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the Schedule to this outline planning permission received 22 March 2018

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to commencement of above ground works (excluding demolition), detailed scheme and samples of the materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development harmonises with its surroundings in accordance with Mole Valley Local Plan policy ENV22 and policy CS14 of the Mole Valley Core Strategy.

4. Prior to commencement of above ground works (excluding demolition), detailed landscaping and external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority.

The detailed plan shall include (where relevant) the following details:

- a) The overall layout, including extent and type of hard and soft landscaping;

- b) The location, species and sizes of proposed trees, as well as details of any trees to be retained along with necessary protection measures;
- c) Details of soft plantings, including any grassed/turfed areas, shrubs and herbaceous areas;
- d) Hard landscaping, including details of ground sample materials, kerbs, edges, unit paving, steps and if applicable any synthetic surfaces;
- e) Details of on-site children's play space equipment and structures, including amenity spaces and if applicable any green/brown roofs;
- f) A statement setting out how the landscape and public realm strategy provides for disabled access, ensuring equal access for all, including children, seniors, wheelchair users and people with visual impairment or limited mobility.

The development shall be carried out in accordance with the details so approved and shall be maintained as such thereafter.

Reason: In the interest of biodiversity, sustainability, and to ensure that the landscaping is of high design quality and provides satisfactory standards of visual amenity in accordance with Mole Valley Local Plan policy ENV22, and policies CS14, CS15 [and CS16] of the Mole Valley Core Strategy.

5. Prior to commencement of work a lighting scheme must be submitted for the approval of the Local Planning Authority in accordance with the Institute of Lighting Professional's Guidance notes for the reduction of obstructive light GN01-2011.

Before commencement of operation of the approved lighting scheme the applicant shall appoint a suitably qualified member of the institute of lighting professionals (ILP) to validate that the lighting scheme as installed conforms to the recommendations for environmental zone E3 in the ILP document "Guidance Notes for the Reduction of Obtrusive Light GN01:2011

Reason: To safeguard the amenity of the adjacent residents and the area generally in accordance with Mole Valley Local Plan policy ENV22 and policy CS14 of the Mole Valley Core Strategy.

6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected/retained. The boundary treatment shall be completed before the occupation of the development hereby permitted and shall be carried out in accordance with the approved details and thereafter permanently retained as such.

Reason To preserve the visual amenity of the area and protect neighbouring residential amenities in accordance with Mole Valley Local Plan policy ENV22 and policy CS14 of the Mole Valley Core Strategy.

7. No building hereby permitted shall be occupied until arrangements for the provision and maintenance of incidental open space and amenity areas within the development as indicated on the approved plans have been submitted to and approved in writing by the Local Planning Authority, and once approved shall be maintained for a period of not less than 10 years.

Reason: To ensure maintenance arrangements for all incidental open space and amenity areas comprised in the application are made in the interests of promoting biodiversity and social wellbeing, in accordance with Mole Valley Local Plan policy ENV22, and policies CS14, CS15 [and CS16] of the Mole Valley Core Strategy.

8. A scheme detailing measures to reduce exposure to external noise for the residential units hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works (excluding demolition) for the new building(s). The development shall be carried out in accordance with the approved scheme and thereafter retained.

Reason: To ensure that future occupiers of the development have acceptable living conditions, in accordance with the Mole Valley Local Plan policy ENV56.

9. The development (other than demolition to ground level) shall not take place until a remediation strategy providing details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing:
 - a) Any necessary remedial land contamination works arising from the land contamination investigation.

The development shall not be occupied until:

- b) Any remediation works approved by the Local Planning Authority as part of the remediation strategy approved under condition 25(a) have been carried out. If during the remediation or development, new areas of contamination are encountered which have not been previously identified, then prior to occupation the additional contamination shall be fully assessed and a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority and fully implemented thereafter.
- c) A verification report, produced on completion of the remediation works to demonstrate effective implementation of the remediation strategy, has been submitted to and approved in writing by the Local Planning Authority. The content of the report shall comply with best practice guidance and shall include details of the remediation works carried out, results of verification sampling, testing and monitoring and all waste management documentation showing the classification of waste, its treatment, movement and/or disposal in order to demonstrate compliance with the approved remediation strategy.

Reason: To ensure that contaminated land is proposed treated and made safe before development, to protect public health and to meet the requirements of the NPPF.

10. Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

Reason: Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

11. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.

12. No development shall take place until the Applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority.

Reason: The site lies within an Area of High Archaeological Potential where it is considered necessary to preserve as a record any archaeological information before it is destroyed by the development in accordance with Mole Valley Local Plan policy ENV49 and policy CS14 of the Mole Valley Core Strategy.

13. Prior to commencement of development, details to reduce the carbon emissions of the predicted energy use of the development hereby permitted by at least 10% through the on-site installation and implementation of decentralised and renewable or low-carbon energy sources shall be submitted and approved by the Local Planning Authority and be implemented prior to the first occupation of the dwelling(s).

Reason: To optimise renewable energy and its conservation, in accordance with policy CS19 of the Mole Valley Core Strategy.

14. The development hereby permitted shall include petrol / oil interceptors fitted out in the proposed car park(s) in order to avoid oil-polluted discharges entering local water courses.

Reason: To protect the local watercourses from any detrimental discharges.

15. A detailed drainage scheme shall be submitted to the satisfaction of the Local Planning Authority before development commences. The detailed drainage scheme should include SUDS measures no less than: i. use of conveyance swales where reasonably practicable, permeable paving and shallow modular attenuation tanks; ii. Greenfield run off rates discharge rates restricted to 13.8l/s for all events up to and including 1 in 100 year plus climate change event; iii. Inclusion of gravity drainage connection to the final discharge point into Thames Water public surface water sewer (MH Ref 8060) The scheme shall include details for the adoption and maintenance of the drainage measures perpetuity.

Reason: To ensure a satisfactory surface water drainage scheme including SUDS measures to reduce the risk of flooding.

16. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for 245 vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / turning areas shall be retained and maintained for their designated purposes.

Reason: To ensure the approved development does not prejudice highway safety or cause inconvenience to other highway users.

No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking and turning for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) measures to prevent the deposit of materials on the public highway has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: To ensure the approved development does not prejudice highway safety or cause inconvenience to other highway users.

17. The development hereby approved shall not be first occupied unless and until 20% of the available parking spaces within the site (49 spaces) have been fitted with electric vehicle fast charging points (7kw Mode 3 with Type 2 Connector) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter the electric vehicle parking spaces shall be retained and maintained for their designated purposes.

Reason: To recognise section 4 “promoting sustainable transport” in the National Planning Policy Framework 2012.

18. The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with the approved plans for:
- (a) Residential Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council’s “Travel Plans Good Practice Guide”, and in general accordance with the draft Residential Travel Plan produced by Crosby Transport Planning issued on 18 December 2017. And then the approved Travel Plan shall be implemented upon first occupation of any dwelling in the development, and thereafter shall be maintained and developed to the satisfaction of the Local Planning Authority.
 - (b) Detailed space layout plan within the site for cars and cycles to be parked and for the loading and unloading of vehicles, and for vehicles to turn so that they may enter and leave the site in forward gear, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The parking/turning area shall be used and retained exclusively for its designated purpose and the approved details shall thereafter be maintained.

Reason: To recognise section 4 “promoting sustainable transport” in the National Planning Policy Framework 2012 and to ensure that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with the policies within the NPPF and Saved Mole Valley Local Plan policies MOV2 and MOV5.

Informative:

- 1. Prior approval from Thames Water will be required if the Developer seeks to propose discharge to a public sewer.
- 2. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Permit enquiries should be directed to Thames Water’s

Risk Management Team on 02035779483 or
wwqriskmanagement@thameswater.co.uk.

3. The site falls within the area of Sutton & East Surrey Water Company. Thames Water will not accept surface water flow to the public foul sewer until all other options had been investigated fully. Thames Water would only accept the residual flow or discrete areas from the site equal to that residual flow. Discharge shall be attenuated to reduce the likelihood of flooding downstream of the point of connection. As a guide a discharge rate of 5 litres/second/hectare will be used in most instances, however more onerous constraints may be imposed to fit local circumstances. The system shall not show signs of flooding above ground for the worst 1 in 20 year storm, and shall be tested for exceedance in a 1 in 100 year storm to demonstrate any flooding that may occur will not flood properties.
4. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
5. The applicant is advised that this application has been considered by the Council's Crime Prevention Adviser. The development is encouraged to apply for the Full Secured by Design accreditation. It is recommended that you contact the following person for further information/advice: Neil Clarke, Crime Reduction Advisor & Designing Out Crime Officer. Tel: 101 ext. 30803; Mobile: 07467337783; email: neil.clarke@surrey.pnn.police.uk.