

REQUEST TO ADOPT A NEW ROAD**PROPOSED SECTION 38 AGREEMENT (HIGHWAYS ACT 1980)****TEALBY A217 LOWER KINGSWOOD REIGATE & BANSTEAD**

Planning Application Reference:	RE/08/01031/F
Developer	SAFRON HOMES LTD
Site Address:	TEALBY & HILLERTON BRIGHTON ROAD LOWER KINGSWOOD KT20 6SZ
Brief Description of Works (including the number of units which are to be served):	Erection of 10 dwellings and associated access.
Total Length of Road to be adopted:	140 METRES
List of Attached Documents:	- Decision Notice - Proposed Layout

Other Comments: This is to be considered under the old SCC adoption policy. Developer has approached us for an adoption on the basis the original scheme came forward before the new policy came into force.

Based on the information provided, as Cabinet Member, I *give consent/ I do not give* consent for the highway layout to be adopted in line with Surrey County Council's current Road Adoption Policy. Transportation Development Control *may/ may not* instruct Legal Services to prepare a Section 38 Agreement on behalf of Surrey County Council and the Developer.

Signed :

Date:



W S Planning
Reigate Place,
43 London Road,
Reigate,
Surrey
RH2 9PW



Ref: P/08/01031/F (REVISED)

**TOWN AND COUNTRY PLANNING ACT, 1990 AND LOCAL GOVERNMENT ACT, 1972
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2010**

The Council of the Borough of Reigate and Banstead, as District Planning Authority under the provisions of Part III of the Town and Country Planning Act, 1990, and Part IX of the Local Government Act, 1972 **DO HEREBY GRANT** permission for the development specified in the First Schedule hereto subject to the conditions (if any) specified in the Second Schedule for the reason specified in the Third Schedule hereto.

FIRST SCHEDULE

The development specified in the application for planning permission dated 9th June 2008

Tealby & Hillerton Brighton Road Lower Kingswood Surrey KT20 6SZ

Erection of 9 x three bedroom dwellings with associated access road and parking. (Drwg No. TEALBY2 P1, P2, P3, P4, P2 Rev B, P1 Rev A)

*Amended plans rec'd 29.09.08 (Drwg no. TEALBY2 P5(E), P6)

SECOND SCHEDULE

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason:
To comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
2. No development shall take place until samples of materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing with the Local Planning Authority. The development shall be carried out in accordance with these details.
Reason:
To ensure the development hereby permitted is only constructed using the appropriate external facing materials or suitable alternatives in the interest of the visual amenities of the area in accordance with policy Ho9 of the Reigate and Banstead Borough Local Plan 2005.



3. Details of any construction activity (including demolition) or construction-related deliveries outside the hours of 0800-1800 Mondays to Fridays inclusive; 0800-1300 hours on Saturdays; and at any time on Sundays or Public Holidays shall be submitted to and approved in writing by the Local Planning Authority in advance of such activity taking place. In the absence of such approval, no construction activity (including demolition) or construction-related deliveries shall take place outside the above stated hours.
Reason:
To ensure that the construction of the development hereby permitted does not unreasonably affect the amenities enjoyed by the residential properties in the vicinity, with regard to the Surrey Structure Plan 2004 policy SE1. For the avoidance of doubt 'Public Holidays' includes New Year's Day, Good Friday, Easter Monday, May Day, all Bank Holidays, Christmas Day, and Boxing Day.
Note: All normal construction activity will be expected to take place between the hours specified above. In exceptional circumstances where technical constraints may result in work extending beyond these hours, developers should first seek the approval of the Local Planning Authority, and if obtained make arrangements to advise residents accordingly taking all reasonable steps to limit disturbance to amenity as far as possible.
4. Before the development is occupied the proposed vehicular access to Brighton Road shall be constructed and provided with a visibility zone of 2.4m x 90m in the leading traffic direction in accordance with the approved plans, all to be permanently maintained to a specification to be agreed in writing with the Local Planning Authority and the visibility zones shall be kept clear of any obstruction.
Reason:
In order that the development should not prejudice highway safety nor cause inconvenience to other highway users with regard to Reigate and Banstead Borough Local Plan 2005 policy Mo6 and Surrey Structure Plan 2004 policies DN2 and DN3.
5. The existing access from Tealby to Brighton Road shall be permanently closed and any kerbs, verge, footway, fully reinstated by the applicant, prior to the development being occupied, in a manner to be agreed in writing with the Local Planning Authority.
Reason:
In order that the development should not prejudice highway safety nor cause inconvenience to other highway users with regard to Reigate and Banstead Borough Local Plan 2005 policy Mo6 and Surrey Structure Plan 2004 policies DN2 and DN3.
6. No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking/turning area shall be retained exclusively for its designated purpose.
Reason:
In order that the development should not prejudice highway safety nor cause inconvenience to other highway users with regard to Reigate and Banstead Borough Local Plan 2005 policy Mo6 and Surrey Structure Plan 2004 policies DN2 and DN3.
7. No development shall start until a Method of Construction Statement, to include details of:
 - (a) Parking for vehicles of site personnel, operatives and visitors;
 - (b) Loading and unloading of plant and materials
 - (c) Storage of plant and materials;
 - (d) A programme of works (including measures for traffic management); and
 - (e) Provision of boundary hoarding behind any visibility zoneshas been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users with regard to Reigate and Banstead Borough Local Plan 2005 policy Mo6 and Surrey Structure Plan 2004 policies DN2 and DN3.

8. No development shall take place until full details of both hard and soft landscape works including changes in ground level have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. Any trees shrubs or plants planted in accordance with this condition which are removed, die or become damaged or become diseased within five years of planting shall be replaced within the next planting season by trees, shrubs of the same size and species.

Reason:

To preserve and enhance visual amenity and to maintain the character of the Residential Area of Special Character with regard to Reigate and Banstead Borough Local Plan 2005 policies Pc4, Pc13 and Ho9 and policy SE4 of the Surrey Structure Plan 2004.

9. All hard and soft landscaping work shall be completed in full accordance with the approved scheme, within the first planting season following completion of the development hereby approved or in accordance with a programme agreed with the Local Planning Authority. Any trees shrubs or plants planted in accordance with this condition which are removed, die or become damaged or become diseased within five years of planting shall be replaced within the next planting season by trees, shrubs of the same size and species.

Reason:

To preserve and enhance visual amenity and to maintain the character of Residential Area of Special Character with regard to Reigate and Banstead Borough Local Plan 2005 policies Pc4, Pc13 and Ho9 and policy SE4 of the Surrey Structure Plan 2004.

10. No pruning, removal or other works to the retained trees and hedges, located both within and overhanging the site, shall take place during construction, or for one year after completion except with the prior written approval of the Local Planning Authority. Any tree work already approved as part of this consent and any other work undertaken should be done in accordance with British Standard 3998 'Recommendations for Tree Work'. If any of the retained trees or hedges, within the site, controlled by this condition, are removed, dies, or become significantly damaged or diseased within one year of completion, it shall be replaced before the expiry of one calendar year by tree/s or hedge/s, to a planting specification agreed in writing by the Local Planning Authority.

Reason:

To ensure good arboricultural and landscape practice in the interests of the maintenance of the character and appearance of the Walton-on-the-Hill Conservation Area and the Hurst Drive Residential Area of Special Character and to comply with policies Pc4, Ho9 and Ho13 of the Reigate and Banstead Borough Local Plan 2005 and policies SE4 and SE9 of the Surrey Structure Plan 2004.

11. Prior to the commencement of any development works, including ground preparation or demolition, details of levels, siting and materials of any drives (including roads to be utilised during construction phases), turning or parking areas footpaths, and boundary treatments within the Root Protective Areas of retained trees and hedges (RPA); to be approved in the required tree protection plan (TPP); shall be submitted to and approved in writing by the Local Planning Authority. These works shall be implemented strictly in accordance with these details when approved and the related tree protection plan and arboricultural method statement (AMS).

Reason:

To ensure good arboricultural and landscape practice in the interests of the maintenance of the character and appearance of the Residential Area of Special Character and to comply with policies Pc4, Ho9 and Ho13 of the Reigate and Banstead Borough Local Plan

2005 and policies SE4 and SE9 of the Surrey Structure Plan 2004 and British Standard 5837:2005 "Trees in Relation to Construction".

12. Prior to the commencement of any development works, including ground preparation or demolition, a detailed, scaled tree protection plan (TPP) and the related arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. These shall include details of the specification and location of tree protection (barriers and/or ground protection) and any construction activity that may take place within the protected root areas of trees (RPA), which shall also be shown to scale on the tree protection plan. All level changes, services, construction and excavations within or immediately adjacent to the RPAs of retained trees and hedges and those of significant overhanging trees shall be shown. All works shall be carried out in strict accordance with these details when approved or as otherwise agreed in writing by the Local Planning Authority. These submissions shall be in accordance with British Standard 5837:2005 "Trees in Relation to Construction".

Reason:

To ensure good arboricultural and landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies Pc4, Ho9 and Ho13 of the Reigate and Banstead Borough Local Plan 2005 and policies SE4 and SE9 of the Surrey Structure Plan 2004 and British Standard 5837:2005 "Trees in Relation to Construction".

13. No development approved by this permission shall be commenced until a landfill gas risk assessment has been submitted to and approved in writing by the Local Planning Authority. Where a risk from migrating gas is identified, appropriate works to mitigate the effects of gas shall be incorporated in detailed plans to be approved by the Local Planning Authority. The scheme is to be implemented as approved by the Local Planning Authority and documentary evidence submitted to demonstrate this.

Reason:

To ensure that the proposed development and any site investigations and remediation will not cause harm to human health or pollution of controlled waters with regard to Reigate and Banstead Borough Council Local Plan 2005 policy Ho9 and PPS23.

14. No development shall take place until a scheme showing how the use of plant or equipment generating renewable energy will provide a minimum of 10% of the energy needs of the development has been submitted to and approved in writing by the Local Planning Authority. The plant or equipment so approved shall be installed before the development is first occupied.

Reason:

In the interests of reducing the non-renewable energy demand of the development, in accordance with Surrey Structure Plan policy SE2.

15. No development shall take place until the developer obtains the Local Planning Authority's written approval of details of both existing and proposed ground levels and the proposed finished ground floor levels of the buildings, and the development shall be carried out in accordance with the approved levels.

Reason:

To ensure the Local Planning Authority are satisfied with the details of the proposal and its relationship with adjoining development and to safeguard the visual amenities of the locality with regard to Reigate and Banstead Borough Local Plan 2005 policy Ho9.

THIRD SCHEDULE

The development hereby permitted has been assessed against development plan policies LO4, SE4, DN1, DN2, Ho9, Ho9A, Ho13, Ho14, Ho16 and material considerations, including third party representations. It has been concluded that the development is in accordance with the development plan and there are no material considerations that justify refusal in the public interest.

INFORMATIVES

1. Your attention is drawn to the safety benefits of installing sprinkler systems as an integral part of new development. Further information is available at www.firesprinklers.info.
2. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, a 140 litre wheeled bin conforming to British Standard BSEN840 and a 60 litre recycling box should be provided for the exclusive use of the occupants of that dwelling. Prior to the initial occupation of any communal dwellings or flats, wheeled refuse bins conforming to British Standard BSEN840, separate recycling bins for paper/card and mixed cans, and storage facilities for the bins should be installed by the developer prior to the initial occupation of any dwelling hereby permitted. Further details on the required number and specification of wheeled bins and recycling boxes is available from the Council's Neighbourhood Services on 01737 276501 or 01737 276097, or on the Council's website at www.reigate-banstead.gov.uk. Bins and boxes meeting the specification may be purchased from any appropriate source, including the Council's Neighbourhood Services Unit on 01737 276775.
3. You are advised that a charge relating to the following infrastructure contributions has been secured through a planning obligation associated with the permission:

Benefit	Charge Per Standard Occupant	Total Payments
Education (Primary)*	£1,285	£22,127.70
Education (Secondary)*	£1,414	£24,349.08
Libraries	£92	£1,584.24
Children's and Young Peoples Play*	£326	£5,613.72
Green Space, Parks, Gardens Varies		£720.00
Sports & Leisure*	£558	£9,608.76
Community Facilities	£385	£6,629.70
Recycling	£38	£654.36
Environmental Improvement	£6	£103.32
Primary Health Care	£128	£2,204.16
Transport (Outside Town Centre)	£1,333	£22,954.26
	TOTAL	£96,549.30
	SUB-TOTAL:	£96,549.30
	MONITORING CHARGE @ 5%:	£4,827.47
	LEGAL FEE @ £500	£500.00
	TOTAL PAYABLE:	£101,376.77

On commencement of development, notice should be sent to the Planning Authority in writing or email to planning.applications@reigate-banstead.gov.uk advising that works have started. The sum described above is payable within a period of 28 days from

commencement of development. Failure to pay the infrastructure contribution may result in legal action being taken against the developer and/or owner of the land.

4. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
5. When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Transportation Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.
6. The unilateral undertaking shall be in accordance with the Reigate and Banstead and Surrey County Council standard format.
7. EDF Energy has no objection to the proposal, provided their rights regarding access and maintenance of their cables located in the area are not restricted by the development.
8. The applicant is reminded that a Demolition Notice maybe required to be served on the Council in accordance with current Building Regulations and it is recommended that the applicant obtain advice from the Building Control Section of the Policy and Environment Department.

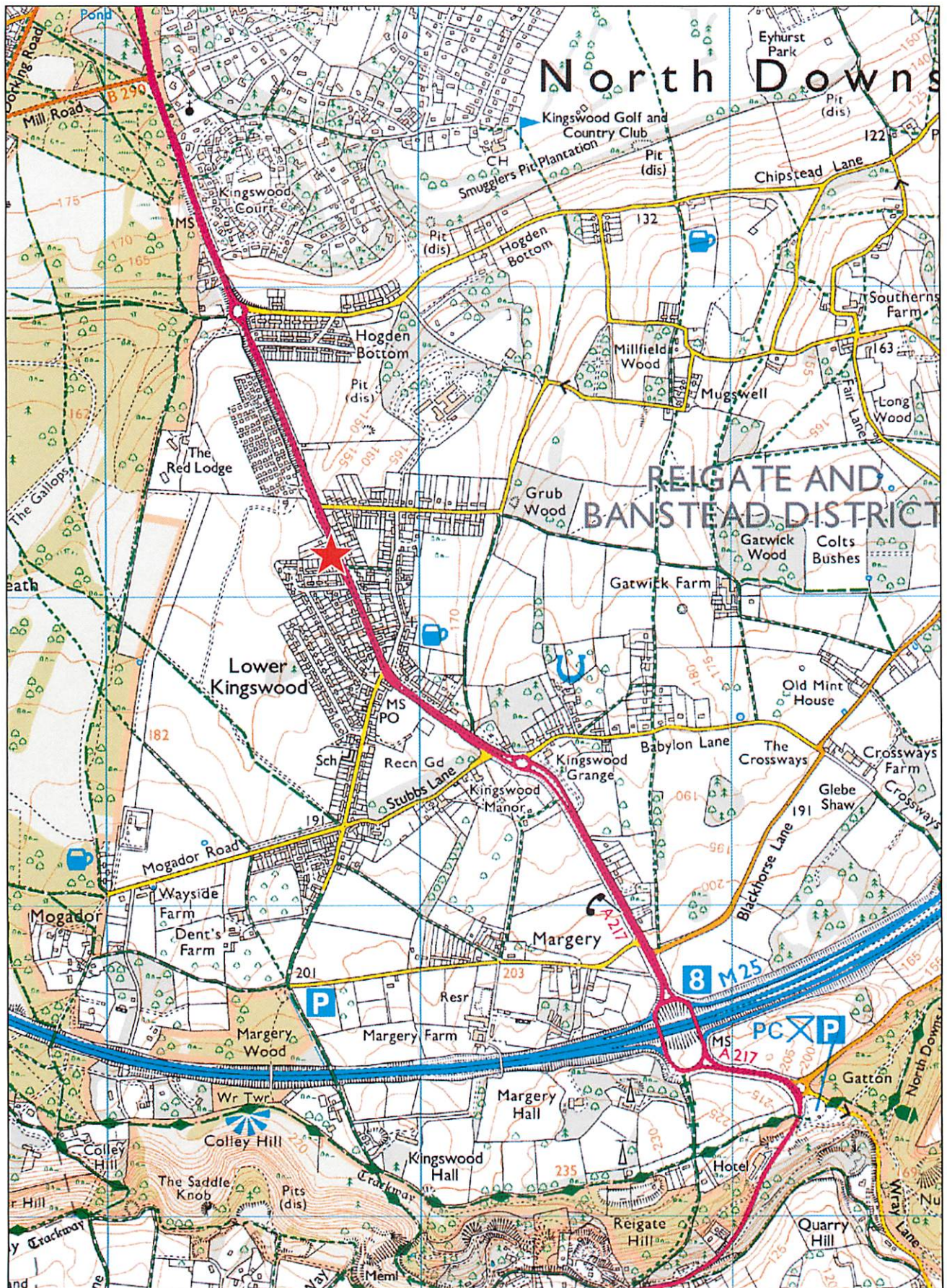
Please remove any site notice that was displayed on the site pursuant to the application.



Dated this 27th January 2009

Mark Harbottle

Head of Building and Development Services (duly authorised in this behalf)

Any approval given herein relates only to development under the Town and Country Planning Act, 1990. Consent under the Building Regulations may also be necessary



 GRID NORTH	Tealby, Brighton Road - Proposed S38 Location Plan		 SURREY COUNTY COUNCIL
	Date Printed: 20/08/2012	Scale (approx): 1:17630	
Printed By:	Drawing Number:		
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