

## Minutes of the Meeting of the PLANNING COMMITTEE held on 8 November 2018

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### PRESENT -

Councillor Humphrey Reynolds (Chairman); Councillor David Reeve (Vice-Chairman); Councillors Michael Arthur MBE, John Beckett, Jan Mason, Tina Mountain, Peter O'Donovan, Martin Olney, Vince Romagnuolo, Mike Teasdale, Clive Smitheram and Jean Steer MBE (as nominated substitute for Councillor Tella Wormington)

Absent: Councillor Lucie Dallen and Councillor Tella Wormington

Officers present: Ruth Ormella (Head of Planning), Tom Bagshaw (Planner), Claire Beesly (Assistant Solicitor), Virginia Johnson (Planner), John Robinson (Planning Officer), Jeremy Young (Tree Officer Place Development) and Sandra Dessent (Democratic Services Officer)

### 21 DECLARATIONS OF INTEREST

In the interest of openness and transparency, the following declaration was made:

Planning Application 18/00645/FUL - The RAC Club, Old Barn Road, Epsom KT18 5ND

Councillor Tina Mountain, Other Interest: Resides in a property adjacent to the application site. Did not take part in the debate or vote.

### 22 MINUTES OF THE PREVIOUS MEETING

The Minutes of the Meeting of the Planning Committee held on 4 October 2018 were agreed as a true record and agreed by the Chairman.

### 23 ORDER OF MEETING

With the agreement of the Committee the order of meeting was changed to agenda item 7, followed by 3, 4, 5, 6 8 and 9.

### 24 TREE PRESERVATION ORDER 461 - 70 BRACKEN PATH, EPSOM KT18 7SZ

#### ***Description***

Objection to the implementation of a Tree Preservation Order on a Norway Spruce at 70 Bracken Path, Epsom – Tree Preservation Order No. 461.

**Decision**

Tree Preservation Order 461 is **CONFIRMED** without modification.

- 25 PLANNING APPLICATION 18/00481/REM - DEVELOPMENT SITE AT COURT LODGE, COURT LANE, EPSOM KT19 8JP

**Description**

Variation of Condition 13 (Approved Drawings) of planning permission 15/00492/FUL. Amendments to the extant scheme (at an advanced stage of construction) comprising internal layout amendments to Flat 9 and 10 and the addition of a bedroom to flat 1, on the ground floor.,

**Decision**

Planning permission is **PERMITTED** subject to the following conditions:

**Conditions:**

- (1) The development hereby permitted shall be commenced within 3 years from the 9 June 2016 the date of the originally approved application 15/00492/FUL that is subject to this application to variation

**Reason:** In order to comply with Section 91 of the Town and Country Planning Act, 1990. (As amended)

- (2) The development hereby permitted shall be carried out in accordance with the following plans:

**1627\_44; 1627\_45A; 1627\_50C; 1627\_51A; 1627\_52A; 1627\_54; 1627\_60A; 1627\_61B; 1627\_62B; 1627\_63; 1627\_75; 1627\_45: (Tree Protection Plan)**

**Reason:** For the avoidance of doubt and in the interests of proper planning as required by Policy CS5 of the Core Strategy 2007.

- (3) The development shall only be carried out in accordance with the external materials approved under application 16/00799/COND dated 07.11.2016.

**Reason:** To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

- (4) The development shall only be carried out in accordance with the hard and soft landscaping approved under application 16/01193/COND dated 05.07.2017.

**Reason:** To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

- (5) Prior to the commencement of any development works, including ground preparation and demolition, the tree protection measures as set out in the Tree Protection Plan (1627\_45 p1) dated June 2015 produced by David Archer Associates shall be implemented/erected and shall remain in place for the duration of the construction works. The protection barriers shall only be removed on the completion of all construction activity and with the written agreement of the local planning authority. All works shall be carried out in strict accordance with the approved details.

**Reason:** To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

- (6) No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for a maximum of 13 cars and a minimum of 13 bicycles to be parked. The parking area shall be used and retained exclusively for its designated use.

**Reason:** To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.

- (7) The development shall only be carried out in accordance with the Construction Transport Management Plan approved under application 16/00928/COND dated 20.01.2017.

**Reason:** To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.

- (8) The development shall only be carried out in accordance with the Sustainability Measures approved under application 16/00928/COND dated 20.01.2017.

**Reason:** To ensure that the development is sustainable and makes efficient use of water to comply with Policy DM12 of the Development Management Policies 2015.

- (9) Prior to occupation of the new building, bat and bird boxes shall be installed in accordance with details submitted to and approved by the local planning authority. The boxes shall be retained thereafter.

**Reason:** To enhance biodiversity and nature habitats in accordance with Policy CS3 of the Core Strategy (2007) and Policy DM4 of the Development Management Policies 2015.

- (10) No construction work shall be carried out in such a manner as to be audible at the site boundary before 07.30 hours on Monday to Friday or after 18.30 hours on Monday to Friday; no construction work shall be audible at the site boundary before 08.00 and after 13.00 hours on Saturdays and no construction work of any nature shall be carried out on Sundays or Bank Holidays or Public Holidays.

**Reason:** In the interests of residential amenity in accordance with Policy CS5 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies 2015.

- (11) The windows in the south western flank elevation of the development hereby permitted shall be glazed with obscure glass of no less than obscurity level 3, and shall thereafter be permanently retained as such.

**Reason:** To safeguard the privacy of the occupants of adjoining properties in accordance with Policy DM10 of the Development Management Policies 2015.

- (12) Any trees proposed to be felled as a result of the development hereby permitted shall be replaced by other trees in accordance with a scheme to be submitted to and approved by the local planning authority, and all tree planting in accordance with the approved scheme shall be completed within a period of twelve months from the date on which the development of the site is commenced or shall be carried out in the first planting season following completion of the development.

**Reason:** To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

- (13) The development shall only be carried out in accordance with the 1:20 scale details (Vertical section, window details) rainwater goods approved under application 16/00928/COND dated 20.01.2017.

**Reason:** To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

**Informatives:**

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 38 of the National Planning Policy Framework 2018
- (2) EEBC has identified that the property is adjacent to an area of potentially contaminated land (03/00096 – Former infilled ground).

The area has a low potential to present risk in the form of ground gassing, but as a precautionary measure, it would be advisable to incorporate into the build very basic gas protection measures such as a gas membrane impermeable to methane and carbon dioxide, solid slab foundations and a granular blanket beneath the solid slab foundations to avoid the creation of a gas pathway for any potential ingress.

- (3) No burning of materials obtained by site clearance shall be carried out on the application site.
- (4) This form of development is considered liable for the Community Infrastructure Levy (CIL). CIL is a non-negotiable charge on new developments which involve the creation of 100 square metres or more of gross internal floorspace or involve the creation of a new dwelling, even when this is below 100 square metres. The levy is a standardised, non-negotiable charge expressed as pounds per square metre, and are charged on the net additional floorspace generated by a development. You will receive more information regarding the CIL in due course. More information and the charging schedule are available online:

<https://www.epsom-ewell.gov.uk/residents/planning/planning-advice/community-infrastructure-levy-cil-guidance>

- 26 PLANNING APPLICATION 18/00722/LBA - THE CLOCK TOWER, 165-167 HIGH STREET, EPSOM KT19 8EW

***Description***

Epsom Clock tower brickwork restoration work to include securing loose brick, taking off any loose work and re-bedding incorporating stainless steel reinforcing bars as bed reinforcement where necessary. In addition the works will include the treatment of the asphalt roofing and minor repairs in several locations. Two number of dome windows in total will be replaced, one in each unit.

***Decision***

Restoration works are **PERMITTED**, subject to the following conditions:

**Conditions:**

- (1) The development hereby permitted shall be commenced within 3 years from the date of this decision.

**Reason:** In order to comply with Section 91 of the Town and Country Planning Act, 1990. (As amended)

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans:

**ECTBR – 001 Rev.A Epsom Clock Tower Front Elevation**

**ECTBR – 002 Rev.A Epsom Clock Tower Right Elevation**

**ECTBR – 003 Rev.A Epsom Clock Tower Back Elevation**

**ECTBR – 004 Rev.A Epsom Clock Tower Left Elevation**

**Site Plan**

**Design and Access Statement**

**Epsom Clock Tower Brickwork & Roof Defect Detailing Report**

**Reason:** For avoidance of doubt and in the interests of proper planning, as required by Policy CS5 of the Core Strategy 2007.

- (3) Sample bricks shall be submitted for approval by the local planning authority which shall closely match those used on the original parts of the building.

**Reason:** To safeguard the special architectural and historic interest of the listed building in the interest of the character and appearance of the conservation area in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM8, DM9 and DM10 of the Development Management Policies 2015.

**Reason for pre commencement:** In the interests of the avoidance that works would result in any harm to the Grade II listed building.

- (4) Prior to commencement of works a sample panel of brickwork must be prepared on site with bricks and pointing to match the original parts of the building to be approved by the local planning authority. The sample panel must be retained accessible until the completion of the works. Work must be carried out in accordance with that approved sample.

**Reason:** To safeguard the special architectural and historic interest of the listed building in the interest of the character and appearance of the conservation area in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM8, DM9 and DM10 of the Development Management Policies 2015.

**Reason for pre commencement: In the interests of the avoidance that works would result in any harm to the Grade II listed building.**

- (5) Prior to commencement of roof works, detailed specifications with section drawings illustrating junctions with brickwork around the run off and flashing details shown in section shall be submitted for approval to the local planning authority before works commence.**

**Reason: To safeguard the special architectural and historic interest of the listed building In the interest of the character and appearance of the conservation area in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM8, DM9 and DM10 of the Development Management Policies 2015.**

**Reason for pre commencement: In the interests of the avoidance that works would result in any harm to the Grade II listed building.**

- (6) Prior to commencement of works a method statement for the repair and refurbishment of all iron windows shall be submitted to and approved by the local planning authority. No work shall be carried out other those in accordance with those approved specifications.**

**Reason: To safeguard the special architectural and historic interest of the listed building In the interest of the character and appearance of the conservation area in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM8, DM9 and DM10 of the Development Management Policies 2015.**

**Reason for pre commencement: In the interests of the avoidance that works would result in any harm to the Grade II listed building.**

- (7) Existing bricks, when removed must be set aside in a secure location and must be selected in agreement with the local planning authority to identify those suited for reuse or disposal.**

**Reason: To safeguard the special architectural and historic interest of the listed building In the interest of the character and appearance of the conservation area in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM8, DM9 and DM10 of the Development Management Policies 2015.**

**Informatives:**

- (1) In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has**

been given every opportunity to submit an application which is likely to be considered favourably.

- (2) Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced.

27 PLANNING APPLICATION 18/00832/REM - 101-111 HOLLYMOOR LANE, EPSOM KT19 9JZ

*Description*

Variation of Condition 2 (Approved drawings and documents) and removal of Condition 21 (Affordable Housing) of planning permission 15/01497/FUL.

*Decision*

Planning permission is **PERMITTED** subject to the following conditions:

Conditions:

- (1) The development hereby permitted shall be commenced within 3 years from the 17 March 2016, the date of the originally approved application 15/01497/FUL that is subject to this application to variation.

Reason: In order to comply with Section 91 of the Town and Country Planning Act, 1990. (As amended).

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans:

12472-SPR-XX-AR-05-03-3\_2, 12472-SPR-XX-AR-15-01-3\_6, 12472-SPR-XX-AR-15-02-3\_6, 12472-SPR-XX-AR-15-03-3\_6, 12472-SPR-XXAR-15-04-3\_6, 12472-SPR-ZA-AR-20-01-3\_4, 12472-SPR-XX-AR-20-02-3\_4, 12472-SPR-XX-AR-20-03-3\_4, 12472-SPR-ZA-AR-30-01-3\_8, 12472-SPR-ZB-AR-30-02-3\_8, 12472-SPR-ZC-AR-30-03-3\_7, 12472-SPR-ZA-AR-40-05-3\_3, 12472-SPR-ZA-AR-48-07-3\_1, 12472-SPR-ZAAR-48-12-3\_2, 12472-SPR-L-90-01-3-2, 12472-SPR-L-90-02-3-2, 12472-SPR-L-90-03-3-2, 12472-SPR-L-90-04-3-2, 12472-SPR-L-90-05-3-2, 12472-SPR-L-90-06-3-2, 12472-SPR-L-90-07-3-2, 12472-SPR-L-90-08-3-2, 12472-SPR-L-90-09-3-2, 12472-SPR-L-90-11-3-2, 12472-SPR-L-90-12-3-2, 12472-SPR-L-95-03-3-2, 12472-SPR-L-90-01-5\_3, 12472-SPR-L-90-03-4-5, 2015\_06\_04 - Daylight and Sunlight

report,12472\_DASstatement\_20150717\_low.pdf, 12472\_PS\_00-1\_1 PlanningStatement\_20150528.pdf, 22205-col\_Services Survey.pdf, DS-MER00977-15-120 Rev B, FRA-MER00977-15-39 Rev B, GEA-MER00977-15-100 Part1, GEA-MER00977-15-100Part2, GEA-MER00977-15-100 Part3, Hollymoor Lane Energy Report R02-Afi.pdf, Hollymoor Lane Waste Minimisation statement,MER00977-002-001\_topo survey, MER00977-003-01\_Drainage\_Water, MER00977-301-001 Rev A Drainage Strategy,Daytime Bat Survey, RT-MME-118791-01 prelim ecological assessment, Bat Emergence survey RT-MME-119363, RT-MME-118791-03, TS-19265 - Full, UHL-EMS-POL-0004 Waste Management Policy Iss05.pdf.

**Reason:** For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans to comply with Policy CS5 of the Core Strategy (2007).

- (3) The residential units hereby approved shall not be occupied until they have achieved a water efficiency standard using not more than 110 litres per person per day maximum indoor water consumption.

**Reason:** To ensure that the development is suitable and makes efficient use of water to comply with Policy DM12 of the Development Management Policies 2015.

- (4) Works related to the construction of the development hereby permitted, including works of demolition or preparation prior to building operations shall not take place other than between the hours of 08.00 to 18.00 hours Mondays to Fridays; 08.00 to 13.00 hours Saturdays; with no work on Saturday afternoons (after 13.00 hours), Sundays, Bank Holidays or Public Holidays.

**Reason:** In order to safeguard the amenities of the occupiers of neighbouring properties in accordance with Policy DM10 of the Development Management Policies 2015.

- (5) The development shall only be carried out in accordance with the external materials approved under application 16/01642/COND dated 5/04/2017.

**Reason:** To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

- (6) Prior to the planting of trees, as part of the approved landscaping scheme, details of the tree guards shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details on implementation of the approved landscaping and shall thereafter be retained.

**Reason: To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.**

- (7) **All planting, seeding or turfing hereby approved shall be carried out in the first planting and seeding season following the occupation of the development or the completion of the development, whichever is the sooner. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or diseased in the opinion of the local planning authority, shall be replaced in the next available planting season with others of similar size, species and number, unless otherwise agreed in writing by the local planning authority.**

**Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.**

- (8) **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), planning permission shall be required in respect of development falling within Schedule 2, Part 1, Classes A, B, C, E, F, of that Order.**

**Reason: To ensure that development within the permitted Classes in question is not carried out in such a way as to prejudice the appearance of the proposed development or the amenities of future occupants of the development or the occupiers of adjoining property in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM10 and DM12 of the Development Management Policies 2015.**

- (9) **The retail premises hereby approved as part of the development shall be used for Class A1 and for no other purpose (including any other purpose in Class A of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).**

**Reason: In order to ensure the provision of convenience retailing to meet the needs of local residents and also to safeguard the amenities of the occupiers of neighbouring properties, visual amenity and highway safety in accordance with Policies CS5 and CS16 of the Core Strategy (2007) and Policies DM9, DM10 and DM31 of the Development Management Policies 2015.**

- (10) **The development hereby approved shall not be first occupied until the proposed vehicular/pedestrian/cycle accesses to Hollymoor**

Lane and Sefton Road have been constructed and provided with visibility zones in accordance with the approved plans. The access shall be constructed in accordance with the approved details and shall be permanently maintained and the visibility zones shall be kept permanently clear of any obstruction measured from 0.6m above the road surface.

**Reason:** To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.

- (11) The development hereby approved shall not be occupied until space has been laid out within the site in accordance with the approved plans for vehicles and cycles to park. The parking areas shall be permanently retained for their designated purpose.

**Reason:** To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policies DM35 and DM37 of the Development Management Policies 2015.

- (12) The development shall only be carried out in accordance with the Construction Transport Management Plan approved under application 16/01282/COND dated 17/01/2017.

**Reason:** To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.

- (13) The development shall only be carried out in accordance with the scheme for the bulk movement of earthworks and/or materials to and from the development site approved under application 16/01282/COND dated 17/01/2017.

**Reason:** To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.

- (14) Prior to the occupation of the dwelling or the use of the retail unit of the development hereby permitted, electric charging points shall be installed in accordance with Drawing No. 12472\_90\_11\_3-1 and thereafter retained permanently for the use of vehicles of occupiers and visitors to the premises and not used for any other purpose.

**Reason: To encourage the use of electric cars in order to reduce carbon emissions in accordance with Policy CS6 of the Core Strategy (2007).**

- (15) The development shall only be carried out in accordance with the ground contamination investigation and risk assessment approved under application 16/01224/COND dated 13/06/2018.**

**Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM17 of the Development Management Policies 2015 and the National Planning Policy Framework.**

- (16) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared by suitably qualified and accredited persons, and shall be submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that, after remediation, as a minimum, the site should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be prepared by suitably qualified and accredited persons and submitted to the local planning authority for written approval.**

**Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, Policy DM17 of Development Management Policies 2015.**

- (17) In the event that unexpected contamination is found at any time when carrying out the approved development it must be reported in writing to the local planning authority immediately. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared and approved in**

writing by the local planning authority. Development must accord with the approved details. Following completion of the remediation works, a verification report must be prepared by suitably qualified and accredited persons and submitted to the local planning authority for written approval.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, Policy DM17 of the Development Management Policies 2015.

- (18) The development shall only be carried out in accordance with the site survey (filled ground or gas) approved under application 16/01224/COND dated 13/06/2018.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM17 of the Development Management Policies 2015.

- (19) The development shall only be carried out in accordance with the approved schemes prepared under condition 18 and approved under application 16/01224/COND dated 13/06/2018.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM17 of the Development Management Policies 2015.

- (20) The development shall only be carried out in accordance with the monitoring and maintenance scheme approved under application 16/01224/COND dated 13/06/2018.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM17 of the Development Management Policies 2015.

- (21) The approved areas of hard surfacing will be porous or permeable, or shall direct surface water to a porous or permeable surface within the site and shall thereafter be maintained as such.

**Reason:** To reduce surface water run-off from the site in line with Policy CS6 of the Core Strategy (July 2007) and Policy DM10 of the Development Management Policies 2015.

- (22) The development shall only be carried out in accordance with the details regarding the delivery vehicle layby, relocation of the existing bus stop including shelter, the relocation/provision of street lighting and the provision of new footway works approved under application 16/01364/COND dated 22/07/2017.

**Reason:** To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.

- (23) The development hereby approved shall not be first occupied unless and until existing accesses from the site to Hollymoor Lane and Sefton Road have been permanently closed and any kerbs, verge, footway, fully reinstated.

**Reason:** To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.

- (24) The development shall only be carried out in accordance with the SuDS details approved under application 16/01364/COND dated 22/07/2017 of the Core Strategy (2007)

**Reason:** To ensure the drainage systems fully meets the requirements of the national SuDS technical standards in accordance with Policy CS5

- (25) Prior to occupation, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Drainage System has been constructed in accordance with the agreed scheme.

**Reason:** To ensure the Sustainable Drainage System has been constructed as agreed and complies with the requirements of the national SuDS technical standards, in accordance with Policy CS5 of the Core Strategy (2007)

- (26) The development hereby approved shall not be first occupied until a Car Parking Management Plan is submitted to and approved in

writing by the local planning authority. It shall include: details of the allocation of car parking spaces and on- site parking controls. The Car Parking Management Plan shall be implemented and maintained thereafter in accordance with the approved details.

**Reason:** To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.

- (27) The Travel Plan shall be implemented at the first occupation of the development in accordance with the details approved under application 16/01339/COND dated 30/01/2017.

**Reason:** To encourage travel by means other than private motor vehicles in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM36 of the Development Management Policies 2015.

**Informatives:**

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 38 of the National Planning Policy Framework 2018
- (2) This form of development is considered liable for the Community Infrastructure Levy (CIL). CIL is a non-negotiable charge on new developments which involve the creation of 100 square metres or more of gross internal floorspace or involve the creation of a new dwelling, even when this is below 100 square metres. The levy is a standardised, non-negotiable charge expressed as pounds per square metre, and are charged on the net additional floorspace generated by a development. You will receive more information regarding the CIL in due course. More information and the charging schedule are available online <http://www.epsomewell.gov.uk/NR/exeres/74864EB7-F2ED-4928-AF5A-72188CBA0E14,frameless.htm?NRMODE=Published>
- (3) The water efficiency standard required under condition 3 has been adopted by the local planning authority through the Development Management Policies 2015. This standard is the 'optional requirement' detailed in Building Regulations 2010, Part G Approved Document (AD) Buildings Regulations (2015), at Appendix A paragraph A1. The applicant is advised that this standard can be achieved through either:
- using the 'fittings approach' where water fittings are installed as per the table at 2.1 in the AD or

- using the water efficiency calculation methodology detailed in the AD Part G Appendix A.

- (4) For the avoidance of doubt, the term 'affordable housing' means subsidised housing at below market prices or rents intended for those households who cannot afford housing at market rates. It is usually managed by a registered social landlord.
- (5) The applicant is advised to contact Epsom and Ewell Borough Council at an early stage to discuss naming and numbering of the development on 01372 732000. For further information see <http://www.epsom-ewell.gov.uk/NR/exeres/C41A118E-B550-4CEF-9FA4-5C2BE9869E.frameless.htm?NRMODE=Published>
- (6) The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and potentially a section 278 agreement 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. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to three months in advance of the intended start date depending on the scale of the works proposed and the classification of the road. Please see:

[www.surreycc.gov.uk/roads-andtransport/road-permits-andlicences/the-traffic-management-permit-scheme](http://www.surreycc.gov.uk/roads-andtransport/road-permits-andlicences/the-traffic-management-permit-scheme)

The applicant is also advised that consent may be required under Section 23 of the Land Drainage Act 1991. Please see:

[www.surreycc.gov.uk/people-andcommunity/emergency-planningandcommunity-safety/flooding-advice](http://www.surreycc.gov.uk/people-andcommunity/emergency-planningandcommunity-safety/flooding-advice)

- (7) The developer is advised that as part of the detailed design of the highway works required by the above planning condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment. The Highway Authority will also require that any redundant dropped kerbs will be raised and any verge or footway crossing reinstated to conform with the existing adjoining surfaces at the developers expense.
- (8) The applicant is advised to contact the Post Office Ltd with regard to any re-location of the existing box on Hollymoor Lane
- (9) Attention is drawn to Section 20 of the Surrey Act 1985 which requires that when a building is erected or extended, proper

**provision shall be made for the fire brigade to have means of access to the buildings and any neighbouring building.**

- 28 PLANNING APPLICATION 18/00645/FUL - THE RAC CLUB, OLD BARN ROAD, EPSOM KT18 5ND

***Description***

Construction of a lined reservoir for golf course irrigation with landscaping and associated works, apparatus and engineering operations.

***Decision***

Planning permission is **PERMITTED** subject to the following conditions:

**Conditions:**

- (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 of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.**

- (2) **The development hereby permitted shall be carried out in strict accordance with the approved drawings:**

**Site Location Plan: RAC\_SLP\_09\_05.18**

**Site Sections: RAC\_SS\_08\_06.18**

**Irrigation Reservoir 6million gallons: RAC\_IRP\_10\_06.18 rev D**

**Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans to comply with Policy CS5 of the Core Strategy (2007).**

- (3) **Prior to the commencement of development (other than ground works and access construction), details, including siting, floor plans, elevations and external materials of the associated pump house shall be submitted to and approved in writing by the Borough Council. The development shall be carried out in accordance within the approved details.**

**Reason: To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.**

- (4) **No fence(s) shall be installed until the details of the design, external appearance and decorative finish of all fences and any other means**

of enclosure shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details prior to the development first being brought into use and shall thereafter be retained.

**Reason:** To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

- (5) The reservoir land forming and development, shall be carried out in strict accordance with the agreed recommendations for Tree Work and Tree Protection as detailed in the Arboricultural Assessment produced by SJA dated July 2018 reference SJA air 18095-01C

**Reason:** To protect the trees on site which are to be retained in the interests of the visual amenities of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

- (6) No development shall take place until an Arboricultural Method Statement and a Tree Protection Plan in accordance with British Standard 5837:2012 (or later revision) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed details and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the Tree Protection Plan. Within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit, without the prior written consent of the local planning authority. The fencing shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

**Reason:** To ensure that the tree(s) receive the appropriate treatment and that the tree work is of a satisfactory standard to protect amenity in accordance with Policies CS1 and CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

- (7) No development shall commence until a Construction Transport Management Plan, 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) HGV deliveries and hours of operation

**(e) vehicle routing**

**(f) measures to prevent the deposit of materials on the highway**

**(g) on-site turning for construction vehicles 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 that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.**

- (8) 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. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works only shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.**

**Reason: The site has archaeological potential and it is important that the archaeological information should be preserved as a record before it is destroyed by the development in accordance with Policy CS5 of the Core Strategy (2007).**

- (9) The development shall be implemented strictly in accordance with the mitigation and enhancement measures outlined in the Ecological Appraisal dated August 2018 (Report Reference - EDP1297\_r020b) and the recommendations and conclusions drawn in the 2012 Ecological Appraisal (Report Reference - EDP1297\_01g) dated September 2012.**

**Reason: To preserve and enhance biodiversity and habitats in accordance with Policy CS3 of the Core Strategy (2007) and Policy DM4 of the Development Management Policies 2015.**

- (10) The development permitted by this planning permission shall only be carried out in accordance with the approved FRA produced by WSP dated June 2018 reference no. 7004190/MZ/EI.**

**Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.**

- (11) No construction work shall be carried out in such a manner as to be audible at the site boundary before 08.00 hours or after 18:00 hours**

**Monday to Friday; no construction work shall be audible at the site boundary before 08:00 or after 13:00 hours on Saturdays and no construction work of any nature shall be carried out on Sundays or Bank/Public Holidays.**

**Reason: In order to safeguard the amenities of the occupiers of neighbouring properties in accordance with Policy DM10 of the Development Management Policies 2015.**

- (12) Details of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, shall be submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and thereafter retained.**

**Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.**

- (13) The plant and machinery hereby approved shall not be used until it has been enclosed with sound insulation materials in accordance with a scheme to be first submitted to and approved in writing by the local planning authority. The plant/machinery shall thereafter be maintained within the enclosure.**

**Reason: To protect the occupants of nearby residential properties from noise disturbance in accordance with Policy DM10 of the Development Management Policies 2015.**

**Informative:**

- (1) In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.**

The Committee noted a verbal representation from the applicant. Letters of representation had been published on the Council's website and were available to the public and Members of the Committee in advance of the meeting.

- 29 PLANNING APPLICATION 18/00961/S106A - RYEBROOK STUDIOS, WOODCOTE SIDE, EPSOM KT18 7HD**

**Description**

Amendment to the S106 agreement that accompanies planning permission 15/00992/FUL so as to enable the affordable housing units to be shared ownership units.

**Decision**

Subject to a Deed of Variation being completed and signed by all parties, amending the affordable housing requirement from 2 no. affordable rented units to 2 no. shared ownership units is **PERMITTED**.

Informative:

- (1) In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

**30** MONTHLY REPORT ON PLANNING APPEAL DECISIONS: 21 SEPTEMBER TO 25 OCTOBER 2018

The appeal decisions from 21 September to 25 October were noted.

The meeting began at 7.30 pm and ended at 9.05 pm

COUNCILLOR HUMPHREY REYNOLDS (CHAIRMAN)