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Legal and Democratic Services



PLANNING COMMITTEE

Thursday 5 September 2019 at 7.00 pm

Council Chamber - Epsom Town Hall

The members listed below are summoned to attend the Planning Committee meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Councillor Clive Woodbridge (Chair)
Councillor Monica Coleman (Vice-Chair)
Councillor Nigel Collin
Councillor Lucie Dallen
Councillor Neil Dallen
Councillor Previn Jagutpal
Councillor Colin Keane

Councillor Jan Mason
Councillor Steven McCormick
Councillor Debbie Monksfield
Councillor Peter O'Donovan
Councillor David Reeve
Councillor Humphrey Reynolds

Yours sincerely

A handwritten signature in black ink that reads 'J.C. Beldan'.

Chief Executive

For further information, please contact Democratic Services, tel: 01372 732121 or email: democraticservices@epsom-ewell.gov.uk

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- Do not re-enter the building until told that it is safe to do so.

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Public speaking in support or objection to planning applications is permitted at meetings of our Planning Committee. If you wish to speak at a Planning Committee meeting, you should come to the reception area of the town hall in person between 5.30pm and 6.30pm on the night of the meeting to register. It is not possible to pre-register prior to this. If a number of people wish to speak on a particular application you will normally be asked to nominate a single representative from amongst you. Further information is available from our [website](#) or by contacting Democratic Services, tel: 01372 732121 or email: democraticservices@epsom-ewell.gov.uk.

Guidance on Predetermination /Predisposition

The Council often has to make controversial decisions that affect people adversely and this can place individual members in a difficult position. They are expected to represent the interests of their constituents and political party and have strong views but it is also a well established legal principle that members who make these decisions must not be biased nor must they have pre-determined the outcome of the decision. This is especially in planning and licensing committees. This Note seeks to provide guidance on what is legally permissible and when members may participate in decisions. It should be read alongside the Code of Conduct.

Predisposition

Predisposition is lawful. Members may have strong views on a proposed decision, and may have expressed those views in public, and still participate in a decision. This will include political views and manifesto commitments. The key issue is that the member ensures that their predisposition does not prevent them from consideration of all the other factors that are relevant to a decision, such as committee reports, supporting documents and the views of objectors. In other words, the member retains an “open mind”.

Section 25 of the Localism Act 2011 confirms this position by providing that a decision will not be unlawful because of an allegation of bias or pre-determination “just because” a member has done anything that would indicate what view they may take in relation to a matter relevant to a decision. However, if a member has done something more than indicate a view on a decision, this may be unlawful bias or predetermination so it is important that advice is sought where this may be the case.

Pre-determination / Bias

Pre-determination and bias are unlawful and can make a decision unlawful. Predetermination means having a “closed mind”. In other words, a member has made his/her mind up on a decision before considering or hearing all the relevant evidence. Bias can also arise from a member’s relationships or interests, as well as their state of mind. The Code of Conduct’s requirement to declare interests and withdraw from meetings prevents most obvious forms of bias, e.g. not deciding your own planning application. However, members may also consider that a “non-pecuniary interest” under the Code also gives rise to a risk of what is called apparent bias. The legal test is: “whether the fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the Committee was biased”. A fair minded observer takes an objective and balanced view of the situation but Members who think that they have a relationship or interest that may raise a possibility of bias, should seek advice.

This is a complex area and this note should be read as general guidance only. Members who need advice on individual decisions, should contact the Monitoring Officer.

AGENDA

1. DECLARATIONS OF INTEREST

Members are asked to declare the existence and nature of any Disclosable Pecuniary Interests in respect of any item of business to be considered at the meeting.

2. MINUTES OF THE PREVIOUS MEETING (Pages 5 - 32)

The Committee is asked to confirm as a true record the Minutes of the Meeting of the Planning Committee held on the 25 July 2019 (attached) and authorise the Chairman to sign them.

3. LAND AT EPSOM AND EWELL HIGH SCHOOL, RUXLEY LANE, WEST EWELL, SURREY (Pages 33 - 120)

Demolition of existing classroom buildings, MUGA and sports hall; and construction of a two storey classroom block, 3G Full Size AGP Pitch, compact athletics facility, Hockey Plus AGP, sports pavilion, sports hall, grass surface pitches, grounds maintenance compound, footbridge, fencing, floodlights and associated ground works, construction of new car park and access for school sports facilities; and erection of 161 dwellings including associated parking, landscaping, open space and infrastructure works.

4. 7 CEDAR HILL, EPSOM, SURREY, KT18 7BP (Pages 121 - 128)

Two storey side extension and single storey rear extension

5. 12 MILLAIS WAY, WEST EWELL, SURREY, KT19 9PF (Pages 129 - 138)

Part single storey rear extension

6. PARKDALE CRESCENT, WORCESTER PARK, SURREY (Pages 139 - 146)

Installation of gates to the entrances of the rear access service lane to the residences 2-50 (even numbers only) Retrospective

7. MONTHLY REPORT PLANNING APPEAL DECISIONS/NUMBER OF APPROVED DWELLINGS (Pages 147 - 150)

The Committee is asked to note five appeal decisions from 13 July to 19 August 2019 and the number of approved dwellings against target for April, May, July and July 2019.

Minutes of the Meeting of the PLANNING COMMITTEE held on 25 July 2019

PRESENT -

Councillor Clive Woodbridge (Chair); ; Councillors Nigel Collin, Lucie Dallen, Neil Dallen, Hannah Dalton (as nominated substitute for Councillor Peter O'Donovan), Previn Jagutpal, Colin Keane, Jan Mason, Steven McCormick, Debbie Monksfield, David Reeve, Humphrey Reynolds and Clive Smitheram (as nominated substitute for Councillor Monica Coleman)

Absent: Councillor Monica Coleman and Councillor Peter O'Donovan

Officers present: Amardip Healy (Chief Legal Officer), Ruth Ormella (Head of Planning), Tom Bagshaw (Planner), Martin Holley (Planning Development Manager), Virginia Johnson (Planner), Steven Lewis (Planning Development Manager) and Sandra Dessent (Committee Administrator)

19 APPOINTMENT OF VICE-CHAIR

In the absence of the Vice-Chair Councillor Monica Coleman, with the agreement of the Committee, Councillor Humphrey Reynolds was elected as Vice-Chair.

20 DECLARATIONS OF INTEREST

No declarations of interest were made regarding items on this agenda.

21 MINUTES OF THE PREVIOUS MEETING

The Minutes of the meeting of the Planning Committee held on 27 June 2019 were agreed as a true record and signed by the Chairman.

Regarding the Minutes of the meeting of the Planning Committee held on 30 May 2019, it was agreed to amend condition 7 of Minute 9 to read as follows:

*'The site shall not be permitted to be open between the hours of **02.00 and 08.00** Monday to Sunday and Bank Holidays'.*

It was noted that the decision notice had been issued correctly as above.

22 LANGLEY VALE MEMORIAL WOODLAND SITE, HEADLEY ROAD, LANGLEY VALE - 17/01450/FUL

Description

Joint application for the creation of a permanent car park, overflow car park, cycle parking, new access to Headley Road, gates, height restrictor, ticket machine, CCTV, hard surfaced paths, multi-user paths and memorial area, including sculptures and associated infrastructure in relation to Langley Vale Wood - Centenary Woodland for England.

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 accordance with the following approved plans:

Langley_001A – Layout Plan – dated 24.06.2019

Langley_002A – Layout Plan and LPA Boundaries- dated 25.06.2019

Langley_004A – Parameter Plan - dated 24.06.2019

Langley_013B – Indicative Master Plan - dated 24.06.2019

EIA-001A – Site Layout Overall Proposed – dated 08.07.2019

EIA-003A – Indicative Planting Layout – dated 08.07.2019

EIA-013A – Indicative Locations of Temporary Spoil/Compound Areas – dated 08.07.2019

SJA TPP 15163-03.0 Rev E – Tree Protection Plan – dated Mar 2017

SJA TPP 15163-03.1 Rev E – Tree Protection Plan – dated Mar 2017

SJA TPP 15163-03.2 Rev E – Tree Protection Plan – dated Mar 2017

SJA TPP 15163-03.3 Rev E – Tree Protection Plan – dated Mar 2017

SJA TPP 15163-03.4 Rev E – Tree Protection Plan – dated Mar 2017

EIA-002 – Proposed Car Park Barrier & Site Signage Layout- dated 24.03.2015

EIA-004 – Proposed Car Park Cross-Sections – dated 18.06.2015

EIA-005 – Typical Construction Details – dated 18.06.2015

EIA-006 – Off Site Signage Routes – dated 18.06.2014

EIA-007 – Proposed Materials and Surfacing Layout – dated 23.06.2017

SK15 - Proposed site access and visibility splays – dated 07.12.2018

EIA-009 – Typical Fencing and Gate Details – dated 16.03.2017

EIA-010 – Typical Woodland Paths Cross-Sections – dated 16.03.2017

EIA-011 – Traffic Routing Development Forecast Traffic Flows Sunday Peak Hour – dated 28.03.2017

EIA-012 – Construction Vehicle Routes To and From Site – dated 12.04.2017

Langley_005 – Topographical Survey and paths - dated 21.02.2017

Langley_008 – Fencing and hedging on multi-user paths - dated 08.05.2017

Langley_009 – Paths spec map - dated 17.08.2017

Langley_010 – Ancient Woodland – dated 01.03.2017

Langley_012 – Location Plan – dated 03.03.2017

Langley_014 Rev 002 – Langley Vale Commemorative Feature - dated 14.08.2018

Langley_015 Rev 002 – Langley Vale Commemorative Feature – dated 14.08.2017

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 development hereby permitted shall be constructed entirely of the materials as detailed on the schedule of materials on the planning application form and the details shown on Drawings:**

EIA-007 – Proposed Materials and Surfacing Layout – dated 23.06.2017

Langley_014 Rev 002 – Langley Vale Commemorative Feature - dated 14.08.2018

Langley_015 Rev 002 – Langley Vale Commemorative Feature – dated 14.08.2017

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

- (4) 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) programme of works (including measures for traffic management)**
 - (e) provision of boundary hoarding behind any visibility zones**
 - (f) HGV deliveries and hours of operation**
 - (g) vehicle routing, avoiding Farm Lane, Park Lane and Headley Road to the south**
 - (h) measures to prevent the deposit of materials on the highway**
 - (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused by construction vehicles accessing the site**
 - (j) no construction movements (including HGVs) to or from the site shall take place between the hours of 8.00 and 9.00 am and 3.00 and 4.00 pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Headley Road, Downs Road, Langley Vale Road, Farm Lane and Park Lane during these times**
 - (k) 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.

- (5) Prior to the commencement of development, a Construction Method Statement for the hard surface paths construction must be**

submitted to and approved by the Local Planning Authority, to avoid any adverse impact on arable plants. The development shall be undertaken in accordance with the Construction Method Statement as approved.

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.

- (6) The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. Those details shall include:

a) A design that satisfies the SuDS Hierarchy and that is compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS.

b) The results of infiltration testing completed in accordance with BRE:365.

c) Detailed drawings to include: a finalised drainage layout detailing the location of SuDS elements, pipe diameters, levels, details of how SuDS elements will be protected from root damage and long and cross sections of each SuDS element including details of any flow restrictions and how they will be protected from blockage.

d) Details of Management and Maintenance regimes and responsibilities

The development shall be undertaken in accordance with the surface water drainage scheme as approved.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site, in accordance with with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

- (7) Prior to the commencement of development, a survey of the Site by an appropriately qualified ecologist shall be undertaken to check for any new signs of badger sett construction on Site in the vicinity of the proposed paths and memorial area, the scope of which shall be agreed with the Local Planning Authority in advance. If any changes in badger activity is detected, such as a new sett construction, a suitable course of action shall be submitted to and approved by the Local Planning Authority.

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.

- (8) **A 20m buffer zone shall be maintained between any construction activity (including building materials, vehicles and workers) and the badger sett entrances. The applicant shall ensure that commuting routes and access to other badger setts and foraging grounds are not obstructed. Any deep excavation left overnight shall be provided with a ramped means of escape and stockpiles of soft materials shall be covered overnight to prevent badgers excavating new setts.**

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.

- (9) **The development hereby permitted shall not commence until details of the nature conservation, mitigation strategy, compensation and enhancement actions specific to the development within the Borough of Epsom and Ewell Borough Council has been submitted to and approved in writing by the Local Planning Authority. This shall include a post-construction monitoring schedule for the identified badger setts. The development shall be undertaken in accordance with the nature conservation strategy as approved.**

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) **Notwithstanding the detail of the approved plans, full details of the number, size, design and position of signage, interpretation boards and grove posts to be erected within the site, shall be submitted to and approved in writing by the local planning authority prior to installation.**

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

- (11) **The development shall be carried out in accordance with the agreed details of the Tree Protection Plans and Methods 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 Plans. 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 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.

- (12) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, to be conducted in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.**

Reason: To ensure that any archaeological remains are not damaged in accordance with Policy CS5 of the Core Strategy (2007).

- (13) Prior to the commencement of development approved by this planning permission, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:**

1) A preliminary risk assessment which has identified:

- all previous uses**
- potential contaminants associated with those uses**
- a conceptual model of the site indicating sources, pathways and receptors**
- potentially unacceptable risks arising from contamination at the site.**

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

5) The site shall be remediated in accordance with the approved measures and a verification report shall be submitted to and approved by the Local Planning Authority;

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.

- (14) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

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.

- (15) Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

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) 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: 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.

- (17) 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: 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.

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.**
- (2) 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 Saturdays; with no work on Saturday afternoons (after 13.00), 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.

Note: Councillors Hannah Dalton, Debbie Monksfield and Lucie Dallen joined the meeting after the determination of this application had commenced and therefore did not take part in the debate or vote on this item.

The Committee noted verbal presentations from a representative of the Woodland Trust and the agent for the application. 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.

23 LAND AT MILL ROAD, EPSOM - 19/00500/REM

Description

Variation of Application Number: 18/00271/FUL To undertake minor internal and external design revisions to the consented drawings Condition 2 (Plans) and amend condition 4 (Obscure Glazing) to specify the opaque glazing as now shown on the updated GA plans and elevations.

Decision

Variation of conditions 2 and 4 **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 the original permission (23.04.2019).**

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 2005.

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

PL04 Proposed Block Plan

PL05 Proposed Site Plan

PL30 Unit A Proposed GA Plans Sheet 1 of 2 rev G

PL31 Unit A Proposed GA Plans Sheet 2 of 2 rev H

PL32 Unit A Proposed GA Elevations Sheet 1 of 2 rev G

PL33 Unit A Proposed GA Elevations Sheet 2 of 2 rev G

PL40 Unit B & B1 Proposed GA Plans rev F

PL41 Unit B & B1 Proposed GA Elevations rev G

PL60 Unit C Proposed GA Plans rev E

PL61 Unit C Proposed GA Elevations Sheet 1 of 2 rev G

PL62 Unit C Proposed GA Elevations Sheet 2 of 2 rev F

PL70 Unit D Proposed GA Plans rev D

PL71 Unit D Proposed GA Elevations rev E

PL80 Unit E Proposed GA Plans and Elevations rev F

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

- (3) Prior to the commencement of development, details and samples of the materials to be used for the external surfaces of the development, including windows and doors, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.**

Reason: In the interest of safeguarding visual amenity in accordance with Policy CS5 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies Document (2015).

- (4) Before any occupation of the development hereby permitted, the windows on the North East elevations of Block B shall be constructed so that no part of the framework less than 1.7m above finished floor level shall be openable. Any part below that level shall be fitted with, and retained in, obscure glazing of a patterned type only which shall thereafter be retained as such. Obscure glazed windows should be obscured to minimum of level 3 of the Pilkington Scale. The use of any type of film or material affixed to clear glass is not acceptable for the purposes of this Condition.**

Reason: To protect the amenities and privacy of the adjoining residential properties in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Development Management Policies Document Adopted October 2015.

- (5) No site clearance or building operations shall commence on site until the protective fencing and other protection measures as shown on the ARBORICULTURAL IMPACT ASSESSMENT & METHOD STATEMENT dated April 2015 have been installed. At all times until the completion of the development, such fencing and protection measures shall be retained as approved. Within all fenced areas, soil**

levels shall remain unaltered and the land kept free of vehicles, plant, materials and debris.

Reason: To ensure the provisions and maintenance of soft landscaping, in the interest of visual amenity as required by Policy DM5 of the Development Management Policies Document (2015) and in the interest of environmental sustainability as required by Policies CS1 and CS4 of the Local Development Framework Core Strategy (2007).

- (6) Prior to occupation of the development hereby approved, a soft landscaping scheme shall be submitted to and approved in writing by the local planning authority, to include the planting of trees, hedges, shrubs and areas to be grassed. The landscaping scheme shall include: tree planting specification drawings which show species, sizes, planting pit size, soil, staking, protection, strimmer guards; A schedule of aftercare should outline maintenance such as pruning, gapping up, responsibility for plant watering and duration of maintenance. The landscaping shall take place in the first planting season after completion of development and shall be maintained for a period of 5 years, such maintenance to include the replacement of any plants that die. All works shall be carried out in strict accordance with the approved details.

Reason: To ensure the provisions and maintenance of soft landscaping, in the interest of visual amenity as required by Policy DM5 of the Development Management Policies Document (2015) and in the interest of environmental sustainability as required by Policies CS1 and CS4 of the Local Development Framework Core Strategy (2007).

- (7) Prior to the first occupation of the first unit hereby permitted, details of the means of enclosure to the retained wildlife area and a timetable for their erection shall be submitted to and approved in writing by the local planning authority. The fencing shall allow for the movement of badgers (by way of 'badger gates' or other suitable openings). The enclosures shall be erected in accordance with the approved details and the badger gates/openings shall be retained, free of obstruction, thereafter.

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

- (8) The development hereby approved shall be carried out in strict accordance with the Wildlife Area Management (NKH16970 Wildlife Area Management Plan).

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

- (9) Notwithstanding the submitted plans no part of the development shall be first occupied until each of the proposed vehicular accesses to Mill Road have been constructed as belmouth accesses with tactile paving and dropped kerbs at the pedestrian crossing points and provided with visibility of 43 metres to a point no more than one metre into the carriageway from the near side kerb line from a point 2.4 metres back along each of the proposed accesses in accordance with a revised scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6 metres high above the ground.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2018 and Policy DM 35 Transport and New Development, of the Epsom and Ewell Borough Council Development Management Policies Document September 2015

- (10) The development hereby approved shall not be first occupied unless and until redundant sections of any existing accesses from the site to Mill Road have been closed and any verges and or footways have been reinstated.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2018 and DM 35 Transport and New Development, of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (11) 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 plan numbered PL04 Rev A for vehicles to be parked. Thereafter the parking areas shall be retained and maintained for their designated purpose.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2018 and Policy DM 37 Parking Standards, of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (12) The development hereby approved shall not be first occupied unless and until a minimum of 20% of the available parking spaces for each of the units lettered A, B, B1 and C and each of the units letter D and E are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be

submitted to and approved in writing by the Local Planning Authority.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2018 and Policy DM 36 Sustainable Transport for New Development, of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (13) Notwithstanding the submitted plans the development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with a revised scheme to include the storage of a minimum of 28 bicycles in a secure, covered, and accessible location. Thereafter the bike storage areas shall be retained and maintained for their designated purpose.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2018 and Policy DM 36 Sustainable Transport for New Development, of the Epsom and Ewell Borough Council Development Management Policies Document September 2015

- (14) Prior to the occupation of the development a Travel Statement 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, and Surrey County Council's "Travel Plans Good Practice Guide", And then the approved Travel Statement shall be implemented upon first occupation and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2018 and Policy DM 36 Sustainable Transport for New Development, of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (15) No development shall take place until a Construction Transport Management Plan has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

a) the parking of vehicles of site personal, operatives and visitors;

- b) loading and unloading of plant and materials;**
- c) storage of plant and materials used in constructing the development;**
- d) a programme of works (including measures for traffic management);**
- e) provision of boundary hoarding behind any visibility zones;**
- f) HGV deliveries and hours of operation**
- g) vehicle routing**
- h) measures to prevent the deposit of materials on the highway**
- i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused**
- k) On site turning for construction vehicles**

Only the approved details shall be implemented during the construction of the development.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007).

- (16) Prior to the first occupation of the development hereby approved, the applicant shall submit to the local planning authority and obtain written approval of a Management Strategy, addressing the on-site supervisory arrangements and tenure terms so as to minimise noise and to manage anti-social behaviour issues. The applicant shall implement the approved Management Strategy on first occupation of the site and thereafter maintain its operation to the satisfaction of the local planning authority.**

Reason: To ensure that the neighbouring residential amenity is protected in accordance with Policy DM10 of the Development Management Policies Document (2015).

- (17) Prior to the first occupation of the development hereby approved, a plan for the management of the designated on-site parking spaces shall be submitted and approved in writing by the local planning authority. Details shall be included of general management throughout the year.**

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007).

- (18) The development hereby approved shall be constructed in accordance with the sustainable construction techniques outlined in**

the Design and Access Statement, unless otherwise agreed in writing with the local planning authority.

Reason: In order to promote sustainable construction in accordance with Policy CS6 of the Epsom and Ewell Core Strategy (2007)

- (19) Prior to the commencement of the development hereby approved, details of noise attenuation and mitigation measures to protect future occupiers against railway noise shall be submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details.**

Reason: To safeguard future occupiers of the development from railway noise in accordance with Policy DM10 of the Development Management Policies Document (2015).

- (20) The development hereby permitted shall be constructed entirely in accordance with the approved Drainage Layout Plan (Drg MR-DL-100 Rev F - Drainage Layout Plan). Then prior to the first occupation of the development hereby approved, 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 as per the agreed scheme. The Sustainable Drainage System shall be managed and maintained in accordance with the agreed details supplied within the Maintenance Document and Maintenance Schedule**

Reason: To ensure suitable drainage of the development to reduce risk of flooding in accordance with Policy CS6 of the Core Strategy (2007).

- (21) Prior to occupation of the development hereby permitted the applicant shall supply details of locations of bird and bat boxes and feed stations to be located within the proposed development. The approved details will then be retained in perpetuity or the lifetime of the development hereby approved or until the grant of planning permission explicitly states otherwise.**

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

- (22) Prior to occupation of the development hereby permitted, detailed elevations, locations and plans of the proposed secure cycle storage shall be submitted to and approved by the council. The approved details will then be retained in perpetuity or the lifetime of the development hereby approved or until the grant of planning permission explicitly states otherwise.**

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007).

- (23) Prior to occupation of the development hereby permitted, detailed elevations, locations and plans of the proposed Refuse and recycling storage shall be submitted to and approved by the council. The approved details will then be retained in perpetuity or the lifetime of the development hereby approved or until the grant of planning permission explicitly states otherwise.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007).

- (24) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason: There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters.

- (25) 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.

- (26) 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 ground waters. 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.

- (27) A site investigation and risk assessment to determine the existence, extent and concentrations of any made ground/fill, ground gas (including volatile hydrocarbons) and contaminants with the potential to impact sensitive receptors on and off site. The scope and detail of these are subject to the approval in writing by the local planning authority. The results of the investigation and risk assessment shall be submitted to and approved by the Local Planning Authority. If ground/groundwater contamination, filled ground and/or ground gas is found to present unacceptable risks, a detailed scheme of risk management measures shall be designed and submitted to the Local Planning Authority for approval. The site shall be remediated in accordance with the approved measures and a verification report shall be submitted to and approved by the Local Planning Authority. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site and verification report shall incorporate the approved additional measures.

Reason: To control significant harm from land contamination to human beings, controlled waters, buildings and or/ecosystems as required by Policy DM10 of the Development Management Policies Document (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 preapplication 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.

- (3) Your attention is drawn to the fact that planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.
- (4) Your attention is drawn to the fact that this planning permission is liable for Community Infrastructure Levy payments (CIL).
- (5) The travel statement shall include details of how to travel between the site and public transport including bus and rail services and details of a range of employment, education, retail and leisure land uses with 2 km walking distance of the site and 5 km cycling distance from the site.
- (6) Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
- (7) The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
- (8) 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 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/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/peopleand-community/emergency-planning-and-communitysafety/floodingadvice.

- (9) 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).
- (10) You have been granted planning permission to build the proposed development of 31 residential units with associated landscaping, parking and external works. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work before 8am or after 6pm Monday to Friday, before 8am or after 1pm on a Saturday or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Health Department Pollution Section.

24 LANGLEY BOTTOM FARM, LANGLEY VALE ROAD, EPSOM KT18 6AP - 19/00377/S106A

Description

Application to discharge a S106 Agreement, relating to properties at Langley Bottom Farm (ref: EPS/94/0732)

Decision

Application to discharge S106 Agreement is **REFUSED** for the following reason:

- (1) The formal request to discharge the Section 106 Agreement, relating to Application ref: EPS/94/0732, is not accepted in the absence of a clear understanding as to why the agricultural occupancy Obligation is proposed to be discharged and in the absence of robust and reasonable information to demonstrate why this should be removed.

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.

25 DEVELOPMENT SITE AT GARAGES, ORMONDE AVENUE, EPSOM, SURREY - 19/00355/FUL

Description

Erection of three no. two-bedroom dwellings

Decision

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

Part A

Subject to a S106 agreement being completed and signed by 25 October 2019, to secure affordable rent for three dwellings as set out in the report, the Committee authorise the Head of Planning to grant planning permission, subject to conditions below.

Part B

In the event that the section 106 Agreement referred to in Part A is not completed by 25 October 2019, the Head of Planning be authorised to refer the application back to the Planning Committee for determination.

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 accordance with the following approved plans:**

EX01 – Existing Location Plan and Block Plan for Planning Submission – dated Mar 2019

EX02 – Existing Site Survey Plan for Planning Submission – dated Mar 2019

EX03 – Existing Site Sections & Elevations for Planning Submission – dated Mar 2019

PL01 – Proposed Location Plan and Block Plan for Planning Submission – dated Mar 2019

PL02 – Proposed Site Plan With Vehicle Tracking, Previous Planning Scheme & Dimensions for Planning Submission – dated Mar 2019

PL03 – Proposed Site Plan, Ground Floor Plan, First Floor Plan & Roof Plan for Planning Submission – dated Mar 2019

PL04 – Proposed Elevations for Planning Submission – dated Mar 2019

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 development hereby permitted shall be constructed entirely of the materials as detailed on the schedule of materials on the planning application form and the following drawings:**

PL01 – Proposed Location Plan and Block Plan for Planning Submission – dated Mar 2019

PL02 – Proposed Site Plan With Vehicle Tracking, Previous Planning Scheme & Dimensions for Planning Submission – dated Mar 2019

PL03 – Proposed Site Plan, Ground Floor Plan, First Floor Plan & Roof Plan for Planning Submission – dated Mar 2019

PL04 – Proposed Elevations for Planning Submission – dated Mar 2019

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) 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) Full 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.

- (6) The development hereby approved shall not be first occupied unless and until details of demarcation, allocation, signage and hardstanding for the new parking spaces have been submitted to and approved by the local planning authority. The parking spaces shall thereafter be laid out within the site in accordance with the approved plans for a minimum of 6 vehicles to be parked and thereafter retained and maintained for their designated parking purpose. The parking spaces are to be used by residents of the development hereby approved only.

Reason: The above condition is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2018 and DM 37 Parking Standards of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (7) 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 cycles to be securely stored. Thereafter the storage areas shall be retained and maintained for their designated purposes.

Reason: The above condition is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2018 and DM 37 Parking Standards of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (8) The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: The above condition is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2018 and DM 36 Sustainable Transport for New Development of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (9) Bat, swift and bird boxes are to be installed on the dwellings, to enhance the biodiversity interest of the site. The boxes shall be installed prior to the occupation of the development hereby approved and thereafter maintained.

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) The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.

b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate agreed with the LLFA and LPA.

c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).

d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.

e) Details of drainage management responsibilities and maintenance regimes for the drainage system.

f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site and to comply with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

- (11) Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the

details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS and to comply with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

- (12) Following any necessary demolition and prior to the commencement of any further development, the following shall be undertaken in accordance with current best practice guidance:

(i) a desk study, site investigation and risk assessment to determine the existence, extent and concentrations of any made ground/fill, ground gas (including hydrocarbons) and contaminants (including asbestos) with the potential to impact sensitive receptors on and off-site. The results of the investigation and risk assessment shall be submitted to and approved by the Local Planning Authority; and

(ii) if ground/groundwater contamination, filled ground and/or ground gas is found to present unacceptable risks, a detailed scheme of risk management measures shall be designed and submitted to the Local Planning Authority for 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.

- (13) Prior to any occupation of the site, the approved remediation scheme prepared under Condition 12 must be carried out in accordance with its terms. Following completion, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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.

- (14) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. In that event, an investigation and risk assessment must be undertaken and where remediation is deemed necessary a remediation scheme must be prepared which is subject to the

approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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.

- (15) No development including any works of demolition or preparation works prior to building operations shall take place on site until a Construction Transport Management Plan has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period and shall include:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials used in constructing the development
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary security hoarding behind any visibility zones
- (f) wheel washing facilities
- (g) measures to control the emissions of dust and dirt during construction
- (h) a scheme for the recycling/disposing of waste resulting from demolition and construction works
- (i) hours of operation.

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.

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.
- (3) 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).
- (4) Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
- (5) Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

The Committee noted verbal representations from an objector and the agent for 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.

26 MONTHLY REPORT ON PLANNING APPEAL DECISIONS

Two appeal decisions from the period 29 April to 12 July were noted.

The meeting began at 7.00 pm and ended at 9.05 pm

COUNCILLOR CLIVE WOODBRIDGE (CHAIR)

Land At Epsom And Ewell High School, Ruxley Lane, West Ewell, Surrey

Demolition of existing classroom buildings, MUGA and sports hall; and construction of a two storey classroom block, 3G Full Size AGP Pitch, compact athletics facility, Hockey Plus AGP, sports pavilion, sports hall, grass surface pitches, grounds maintenance compound, footbridge, fencing, floodlights and associated ground works, construction of new car park and access for school sports facilities; and erection of 161 dwellings including associated parking, landscaping, open space and infrastructure works.

Ward:	Ruxley Ward;
Contact Officer:	Tom Bagshaw, Steven Lewis

1 Plans and Representations

- 1.1 The Council now holds this information electronically. Please click on the following link to access the plans and representations relating to this application via the Council's website, which is provided by way of background information to the report. Please note that the link is current at the time of publication, and will not be updated.

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PJZ504GYLQ700>

2 Summary

- 2.1 This application is being referred to the planning committee, as the proposal is a Major Development, in accordance with the Epsom and Ewell Borough Council Scheme of delegation.

- 2.2 The proposal seeks full planning permission for two distinct phases of development:

- 1) The School Development consisting of the redevelopment of school buildings
 - Demolition of existing temporary classroom buildings, MUGA and sports hall
 - Construction of two storey classroom building providing 14 replacement classrooms;
 - 4-court sports hall in accordance with Sport England recommendations for community use;
 - New AGP with "hockey plus" surface (replacing existing multi-use games area) which will be floodlit;
 - Retained grass playing field area marked out for 7v7 football pitch
 - New car park and cycle parking adjacent to sports hall enabling access to the sports hall and other sports facilities for community use.

- New 3G AGP with football pitch, which will be floodlit;
 - Compact athletics facility (100m straight and fitness/throws/jumps area) adjacent to 3G pitch;
 - Construction of new sports pavilion including changing facilities for four teams to serve both the AGP/athletics and grass pitches with foyer/community room, kitchen and outside shelter;
 - Improved grass playing field area and markings
 - Grounds maintenance compound
- 2) The residential development consisting of 161 dwellings with associated parking, landscaping, open space and associated infrastructure
- 2.3 In 2015 the Bourne Trust received preliminary consent from the Education Funding Agency (now known as the Education and Skills Funding Agency (ESFA)) to dispose of the lower field on the basis that the capital receipts from the disposal is used to fund new and improved educational and sports facilities on the remainder of the site. In 2018 the ESFA gave consent to the Trust to sell the lower field to Bellway. This was on the condition that as a minimum the new sports facilities include a new sports hall and two floodlit Artificial Grass Pitches (AGP). It is understood that the Bourne Trust are therefore obliged under contract with the ESFA to deliver the new facilities upon disposal of the lower field.
- 2.4 At present the Council cannot demonstrate a five year housing land supply, as such para 11d of the National Planning Policy Framework is engaged. Paragraph 11 specifies that planning policies which are most important to determining the application should be considered as out of date and that in this circumstance the presumption in favour of sustainable development should apply.
- 2.5 The site lies within the built up area boundary and is surrounded by development on most sides. Aside from the loss of playing field there is no designation of particular importance which provides a clear reason for refusing the proposed development.
- 2.6 Sport England have assessed the loss of playing field and whilst opposed to the loss of the field in principle, they do not have a standing objection or wish the Borough Council to refer the matter to the Secretary of State on the basis that condition no 13, 14, 15 and 17 are imposed. The proposal will increase sporting and recreation facilities at the site, which will be a significant benefit to both the School and Local Community and weigh in favour of the development.
- 2.7 The application is accompanied by a host of detailed consultant reports which demonstrate that the proposal would have an acceptable impact upon the environment and infrastructure. There is no technical planning constraint to the site which has not been overcome by the applicant or which cannot be adequately mitigated.

- 2.8 The development will provide 161 dwellings, including policy compliant levels of affordable housing, both of which are significant benefits which will be derived from the development. It should be noted that there will be other benefits to the proposal including biodiversity gain, travel plans, electric charging points, SuDS measures, landscaping amongst others which all are afforded appropriate weight.
- 2.9 The proposal has been accompanied by a Transport Assessment which has been robustly tested during the course of public consultation, including highway surveys and consultant reports submitted by consultant engineers on behalf of members of the public. The County Highway Authority having analysed the proposals and all information made available during the application consider that the development should not be prevented or refused as there would not be an unacceptable impact on highway safety and do not consider that the residual cumulative impacts on the road network would be severe. Mitigation is necessary and will be secured by s106 agreement and planning conditions.
- 2.10 The design and layout of the development is considered satisfactory, subject to conditions to secure enhanced materials and landscaping, the development would not have an adverse impact upon the character and appearance of the area or result in undue landscape, visual or amenity harm.
- 2.11 In considering the economic, social and environmental objectives of the NPPF the proposal is considered to accord with the principles of Sustainable Development. There is considered to be no adverse impacts that are so significant that they demonstrably outweigh the benefits when assessed against the Development Plan or policies in the NPPF when taken as a whole. When applying the presumption in favour of sustainable development and weighing identified all benefits and impacts the proposal is considered acceptable.

3 Site description

- 3.1 The application site relates to a portion of Epsom & Ewell High School, which is part of the Bourne Education Trust, which a Surrey based multi-academy Trust made up of 12 schools in the area
- 3.2 The site is 10.85 hectares in size with the lower field proposed for the residential development 3.21 hectares in size.
- 3.3 The site is located within the urban area of Epsom & Ewell and is surrounded on all sides by residential housing with only the main school frontage, on the north western side of the site, fronting onto a large stretch of public highway, Ruxley Lane, with the remaining portion of the site bordering with the rear gardens of the properties on Ruxley Lane.

- 3.4 The north eastern corner of the area proposed for residential development fronts the corner of Scotts Farm Road.
- 3.5 On its eastern side, from north to south, the site borders the rear gardens and amenity areas of Silvergate, Scotts Farm Road and the rear gardens of the houses along Gadesden Road.
- 3.6 Along the western side of the site, from south to north, the site borders the rear gardens of Vernon Close, Poplar Farm Close, Poplar Crescent and Godwin Close. The character of the surrounding residential area consists of various forms of post war suburban housing types.
- 3.7 The proposed entrance to the residential development is located approximately 1.3 miles from Ewell West station, 1.4 miles from Stoneleigh station and 1.4 miles from Chessington North station.
- 3.8 The northern element of the site comprises of the main body of the school through a series of large single and two storey buildings. The upper large field is currently used at break times for the pupils and for P.E. lessons with a small all-weather pitch and a sports hall located to the northern side of the field. The lower, or south, field is located across the stream is vacant and has been unused for approximately 16 years due to poor drainage and ground conditions. A pedestrian link cuts through the site north to south linking Ruxley Lane and Scotts Farm Road.
- 3.9 The site does not contain any listed buildings and is not located in or near to a conservation area.
- 3.10 A tributary to the Hogsmill River splits the upper and lower sites. The stream and the immediate surrounding banks are within Flood Risk Zones 2 and 3 that is 28 metres in diameter either side of the river with the land immediately next the stream being functional flood plain. The middle of the upper field is within a critical drainage area along with a small portion of the south western boundary of the lower field. The entire site is located within the designated Built up Area.

4 Proposal

- 4.1 The planning application proposes the demolition of a single storey classroom block and a two storey classroom block, 3 sports centre buildings classroom buildings and an existing Multi Use Games Area (MUGA) for the construction of a replacement two storey classroom block, a replacement sports hall, a 3G Full Size Artificial Grass Pitch (AGP) with fencing, floodlights and a sports pavilion, a compact athletics facility, a Hockey Plus AGP with fencing and floodlights, grass surface pitches, a grounds maintenance compound, a footbridge connecting the site over the public footpath, associated ground works, the construction of replacement car park and access for the school sports facilities, the provision of an improved pedestrian and cycle route through the north-south of the site and the erection of 161 dwellings including associated parking, landscaping, open space and infrastructure works.
- 4.2 The Local Planning Authority issued a screening opinion for the proposal on 04.12.2018 under Schedule 2 of the Environmental Impact Assessment Regulations (2017).
- 4.3 The proposed development falls within Schedule 2 (10.B Urban Development project) of the EIA Regulations.
- 4.4 The proposed scheme exceeds the thresholds identified in Schedule 2 part 10(b) urban development projects, as it comprises more than 150 dwellings, is more than 1 hectare of non-residential development and the overall site area exceeds 5 hectares
- 4.5 It is therefore necessary for the local planning authority to consider whether the proposed development is likely to have significant effects on the environment.
- 4.6 The local planning authority considered the 'selection criteria' in Schedule 3 of the Regulations and has concluded that the proposal would not be likely to have a significant effect on the environment.
- 4.7 As such, an Environmental Impact Assessment was not a scheme requirement.
- 4.8 The development would be split into two separate phases that can run concurrently:

Phase 1: The school development

Phase 2: The residential development

Phase 1:

- 4.9 The proposed two storey classroom block would be 34.9 metres in width, 20.9 metres in depth, 7.3 metres in height to the top of the lower flat roof and 9 metres in height to the top of the main flat roof.
- 4.10 The proposed sports hall would be 36 metres in width for the main structure and an additional 10 metres in depth at the lower flat roofed element, 35.4 metres in depth for the main structure and 14.7 metres in depth for the lower element of the proposal, 5.7 metres in height to the top of the lower flat roof, 8.5 metres in height to the top of the middle flat roof and 9.5 metres in height to the top of the main flat roof.
- 4.11 The proposed sports pavilion would be 37.8 metres in width, 16.8 metres in depth, 4 metres in height to the lower flat roof and 5.8 metres in height to the top of the roof.
- 4.12 The proposed grounds maintenance compound would be 10 metres in width, 10 metres in depth, 3 metres in height and, would include a fenced off storage area with a 1.8 metre high chain link fence.
- 4.13 The proposed floodlights for the 3G full size pitch would be 14.8 metres in height, with the fencing for the pitch 4.6 metres in height.
- 4.14 The proposed floodlights for the small AGP would be 11 metres in height, with the fencing for the pitch 4.6 metres in height.
- 4.15 The proposed footbridge pavilion would be 11.9 metres in width, 1.8 metres in depth, 2.8 metres in height under the bridge and 5.7 metres in height to the top of the bridge.

Phase 2:

Apartment Blocks

- 4.16 The proposed Blocks 1 and 2 would be 40 metres in width, 12.65 metres in depth, 12.2 metres in height to the top of the flat roof and 13 metres in height to the top of the flat roof of the protruding middle element. Block 1 would have 16 one bed, 2 person units and 7 two bed, 4 person units. Block 2 would have 3 one bed, 2 person units and 15 two bed, 4 person units.

- 4.17 The proposed Block 3 would be 39 metres in width along northern elevation, 9 metres along the eastern (Front Elevation) 44.5 metres in width along the southern elevation and 32 metres in width along the western elevation. The apartment block would be 911.2 metres in height to the top of the 3 storey flat roof, 12.5 metres in height to the top of the lower 4 storey flat roof and 13 metres in height to the top of the higher 4 storey flat roof element. The 'front' of the block is comprised of a two storey element of the proposal that would be 5.3 metres in height to the eaves and 8.4 metres to the roof ridge. The block would have 2 one bed, 2 person units and 22 two bed, 4 person units.

House Types

- 4.18 The proposed House Type '*H324+*' would have 5 elevation variations and would have a width of 5.6 metres, a depth of 10.8 metres, and eaves height of 5 metres and a ridge height of 9 metres. These are 2 storey, 3 bedroom, 5 person houses.
- 4.19 The proposed House Type '*The Thesbian*' would have 3 elevation variations and would have a width of 8.9 metres, a depth of 6.5 metres, and eaves height of 5.1 metres and a ridge height of 8.3 metres. These are 2 storey, 3 bedroom, 5 person houses.
- 4.20 The proposed House Type '*The Tillman*' would have 2 elevation variations and would have a width of 5.3 metres, a depth of 10.4 metres, and eaves height of 5.1 metres and a ridge height of 9.1 metres. These are 2 storey, 3 bedroom, 4 person houses.
- 4.21 The proposed House Type '*The Potter*' would have 2 elevation variations and would have a width of 4.6 metres, a depth of 9.5 metres, and eaves height of 5.1 metres and a ridge height of 8.7 metres. These are 2 storey, 2 bedroom, 4 person houses.
- 4.22 The proposed House Type '*The Mason*' would have 2 elevation variations and would have a width of 6.3 metres, a depth of 8.8 metres at second storey level and a depth of 10.6 metres at ground floor level, and eaves height of 5.1 metres and a ridge height of 8.5 metres. These are 2 storey, 3 bedroom, 5 person houses.
- 4.23 The proposed House Type '*The Baker*' would have a width of 4.7 metres, a depth of 10.6 metres, and eaves height of 5.1 metres and a ridge height of 9 metres. These are 2 storey, 2 bedroom, 4 person houses.
- 4.24 The proposed House Type '*The Quilter*' would have a width of 9.1 metres, a depth of 6.1 metres, and eaves height of 5.1 metres and a ridge height of 8.4 metres. These are 2 storey, 3 bedroom, 5 person houses.

- 4.25 The proposed House Type *'The Shipwright'* would have a width of 4.6 metres and 9.2 metres in width as a pair of dwellings, metres, a depth of 9.4 metres, and eaves height of 7.7 metres and a ridge height of 12 metres. These are 3 storey, 3 bedroom, 6 person houses.

Garages, Cycle Sheds and Sub Station

- 4.26 The proposed Garage Type 01 would be 3.2 metres in width, 6.4 metres in depth, 2.5 metres in height to the eaves and 5 metres in height to the top of the ridge.
- 4.27 The proposed Garage Type 02 would be 3.2 metres in width, 6.4 metres in depth, 2.6 metres in height to the eaves and 3.8 metres in height to the top of the ridge.
- 4.28 The proposed Garage Type 03 would be 6.3 metres in width, 6.4 metres in depth, 2.5 metres in height to the eaves and 5 metres in height to the top of the ridge.
- 4.29 The proposed Garage Type 04 would be 6.3 metres in width, 6.4 metres in depth, 2.5 metres in height to the eaves and 5 metres in height to the top of the ridge.
- 4.30 The proposed Garage Type 05 would be 6.3 metres in width, 6.4 metres in depth, 2.5 metres in height to the eaves and 2 metres in height to the top of the ridge.
- 4.31 The proposed Garage Type 06 would be 6.3 metres in width, 12.2 metres in depth, 2.5 metres in height to the eaves and 4.9 metres in height to the top of the ridge.
- 4.32 The proposed Cycle Shed Type 01 would be 1.25 metres in width, 2 metres in depth, 2.1 metres in height to the eaves and 2.8 metres in height to the top of the ridge.
- 4.33 The proposed Cycle Shed Type 02 would be 2.1 metres in width, 2.1 metres in depth, 2.1 metres in height to the eaves and 2.738 metres in height to the top of the ridge.
- 4.34 The proposed Sub Station would be 4 metres in width, 4 metres in depth, 2.25 metres to the eaves and 4.3 metres to the top of the ridge

5 Comments from third parties

- 5.1 The application was advertised by local newspaper advertisement on 28.12.2018 and again on 10.05.2019 after receiving revisions on the application.
- 5.2 The application was advertised by the placing of 6 site notices around the site on 04.01.2019 and again on 10.05.2019 after receiving revisions on the application.

- 5.3 The application was advertised by means of letters of notification to and extensive number of neighbouring properties on 28.12.2018 and then again on 10.05.2019 after receiving amendments to the scheme.
- 5.4 A proportion of objector/commentators submitted their own consultation responses which included the following reports.
- Sarnlea Consulting Engineers – July 2019, provided objections in regards to the highways assessment.
 - WS PLANNING & ARCHITECTURE (J003194/BW/EH/DKB/T) – January 2019, provided planning objections to the proposal.
 - WS PLANNING & ARCHITECTURE (J003194/BW/EH/DKB/T) – March 2019, provided transport objections to the proposal.
- 5.5 To date (29.07.2019) 1009 contributors have contributed to the consultation process by means of writing into the council with comments. The breakdown of the consultation responses is as follows:

Objectors – 936. Reasons for objections:

- Impact upon traffic at Scott's Farm Road
- Impact upon traffic at Ruxley Lane
- Impact upon traffic at Poole Road
- Impacts upon Traffic at Gadeston Road Junction
- Impacts upon Traffic at Oakhurst Road
- Impacts upon Traffic at Danetree Road
- Increased risk of traffic incident
- Parking at drop off times for nearby schools
- Too few entrances to the site
- Impact to sewer capacity
- Pollution form additional traffic
- Loss of green space
- Flooding from Hogsmill River
- Impact upon wildlife – Hedgehogs, nesting birds
- Lack of community facilities

- Doctors
- School Places
- Height of the proposal incongruous and contrary to Local Policy
- Disruption during construction
- Overdevelopment of the site
- Reduction of outlook and loss of visual amenity
- Noise disturbance
- Light pollution from flood lights on the schools AGP
- Loss of greenbelt
- Flats do not match the character of the surrounding area
- Communal areas are too small within the development
- Loss of land that could be used for sport

Supporters – 63

- Provide new school facilities
- Provision sports pitches
- Provision of affordable housing
- Housing need

6 Consultations

Epsom & Ewell Borough Council (EEBC) Contamination Officer: No objection, subject to conditions.

EEBC Environmental Health Officer: No objections subject to conditions

EEBC Ecology Officer: Conditions including bird and bat boxes. + bat activity survey

EEBC Tree Officer: No objections. States this impacts are relatively low. Recommended conditions regarding a landscaping plan and tree protection.

Surrey County Council (SCC) Archaeology: No objection, subject to a condition.

SCC Highways: No objection subject to developer contributions to mitigate traffic issues through, conditions, S106 agreements and S278 Agreements.

SCC Lead Local Flood Authority: No objection, subject to conditions and informatives.

Environment Agency: No objection, subject to conditions and informatives.

Natural England: Stated no comment.

Sports England: Objects, subject to the imposition of suggested conditions they do not request that the application is referred to the secretary of state.

Surrey Fire and Rescue: No objection, but has requested informatives relating to building regulations.

Thames Water: No objection, but has requested informatives.

7 Relevant planning history

Application number	Decision date	Application detail	Decision
18/01221/SCR	04.12.2018	EIA Request for Screening Opinion under regulation 6 of the Town and Country Planning (Environment Impact Assessment)	Does not require an EIA

8 Planning Policy

National Policy Planning Framework (NPPF) 2019

Chapter 2 achieving sustainable development

Chapter 4 Decision Making

Chapter 5 delivering a sufficient supply of homes

Chapter 8 Promoting a strong and competitive economy

Chapter 9 promoting sustainable transport

Chapter 11 making effective use of land

Chapter 12 achieving well-designed places

Chapter 14 meeting the challenge of climate change, flooding and coastal change

Chapter 15 conserving and enhancing the natural environment

Core Strategy 2007

Policy CS1 – General Policy

Policy CS3 - Biodiversity

Policy CS4 - Open Spaces

Policy CS5 - The Built Environment

Policy CS6 - Sustainability in New Developments

Policy CS7 - Housing Need
Policy CS8 - Housing Delivery
Policy CS9 - Affordable Housing
Policy CS12 - Infrastructure
Policy CS13 - Community Facilities
Policy CS16 - Managing Transport and Travel

Development Management Policies 2015

Policy DM4 - Biodiversity and New Development
Policy DM5 - Trees and Landscape
Policy DM6 - Open Space Provision
Policy DM7 - Footpath, Cycle and Bridleway Network
Policy DM8 - Heritage Assets
Policy DM9 - Townscape Character and Local Distinctiveness
Policy DM10 - Design Requirements for New Developments
Policy DM11 - Housing Density
Policy DM12 - Housing Standards
Policy DM13 - Building Heights
Policy DM19 - Development & Flood Risk
Policy DM21 - Meeting Local Housing Needs
Policy DM22 - Housing Mix
Policy DM34 - New Social Infrastructure
Policy DM35 - Transport and New Development
Policy DM36 - Sustainable Transport for New Development
Policy DM37 - Parking Standards

9 Planning considerations

The main considerations material to the determination of this application are:

- Principle of Proposed Development
 - Loss of school Play fields
 - Presumption in favour of sustainable development
 - Housing
- Impact on Character of Area
- Quality of Accommodation
- Private and Communal Amenity Space
- Housing
- Impact on Neighbour's Residential Amenity
- Highways and Parking
- Landscaping
- Legal Agreements
- Community Infrastructure Levy
- Sustainability
- Other Material Considerations
 - Community Facility
 - Accessibility and Inclusion
 - Archaeology

- Biodiversity
- Contamination
- Flooding and Surface Water Drainage
- Refuse and Recycling
- Fire Safety

Principle of Proposed Development

- 9.1 The proposal seeks to redevelop existing school facilities to provide a new classroom, gym and sports facilities. The proposal also seeks to redevelop a disused former school playfield for 161 residential units.
- 9.2 The site is located within the built up area, and does not affect any assets of particular importance such as AONB, Listed Buildings, Conservation Areas, European or National ecological designations, Green Belt or any other given additional weight by the NPPF. An exception could be the loss of the school playing field, therefore its disposal to housing is a key consideration in deciding the principle of development.
- 9.3 The Council does not have an up to date playing pitch strategy as advised by the NPPF. Policy CS13 of the Core Strategy prevents the loss of built sports facilities unless there is no longer a need for it or appropriate equivalent facilities are provided. As such the Council does not have a specific playing field policy or local means to retain the field. In the absence of local policy Para 97 of the NPPF states that existing open space, sports and recreational buildings on land, including playing fields should not be built upon unless:
- an assessment is undertaken and it can be shown there is a surplus,
 - or that the loss would be replaced by equivalent or better provision in terms of quality in a suitable location or
 - the development is for alternative sports and recreational provision and the benefits clearly outweigh the loss of the current or former use

Need for School and Sports Facilities

- 9.4 Paragraph 94 of the NPPF states that local planning authorities should give weight to the need to create, expand and alter schools through the preparation of plans and decisions on applications; and work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.
- 9.5 Policy CS13 of the Core Strategy, whilst not safeguarding existing sports fields, does encourage the provision of new built sports facilities and the upgrading of existing facilities, particularly where they meet the identified needs of communities both within the Borough and beyond.

- 9.6 Policy DM6 (Open Space Provision) states that development proposals should not result in the whole or partial loss of open space, outdoor recreation facilities or allotments unless:
- Accompanied by assessment that clearly demonstrates that the provision is surplus; or
 - The proposal delivers replacement provision of equal or better quality within the locality; or
 - The proposal is for new sports and or recreation provision, the needs for which clearly outweigh the loss.
- 9.7 Policy DM34 (New Social Infrastructure) states that planning permission will be given for new or extensions to existing social infrastructure on the basis that:
- a) it meets an identified need;
 - b) it is delivered, where practicable, in multi-use, flexible and adaptable buildings or co-located with other social infrastructure uses which encourage dual use and increase public access;
 - c) it is in a location that is accessible by public transport, walking and cycling;
 - d) it is of high quality design providing inclusive access for all;
 - e) it does not have a significant adverse impact on residential character and amenity; and
 - f) it makes an appropriate provision for on-site car parking, access to public transport, cycling and walking, and the effect on traffic movement and highway safety is in accordance with Policy CS16.
- 9.8 The planning application proposes the demolition of the existing single storey classroom block, a two storey classroom block, 3 sports centre buildings classroom buildings and the removal of the existing MUGA.
- 9.9 The replacement structures are a replacement two storey classroom block, a replacement sports hall, a 3G Full Size Artificial Grass Pitch (AGP) with fencing, floodlights and a sports pavilion, a compact athletics facility, a Hockey Plus AGP with fencing and floodlights, grass surface pitches, a grounds maintenance compound, a footbridge connecting the site over the public footpath, associated ground works, the construction of replacement car park and access for the school sports facilities.

- 9.10 The new classroom block will replace dated ROSLA buildings which were originally erected in 1972 and are not fit for purpose under current standards. The new building would improve the teaching environment by providing 14 larger classrooms with better ventilation and heat retention in the winter, sound proofing between rooms and by being constructed to modern day standards. The proposed new classroom block is principally to meet current needs of the school as there is no planned expansion of student numbers at the School.
- 9.11 The School sports facilities on site are substandard when measured against the Department for Education Area guidelines for mainstream schools, Building Bulletin 103 – June 2014.
- 9.12 To determine the local need, the applicant has submitted a Sports Policy and Assessment of Need for Sports Facilities document, prepared by Nortoft Planning. The assessment considers the local and national policy relating to sport and uses information and evidence available from a number of sources to assess the requirement for the proposed sports facilities.
- 9.13 The assessment concludes that:
- There are high levels of community demand for football in the Chessington area and no new full size 3G pitches planned in either Epsom and Ewell Borough or the adjacent Royal Borough of Kingston upon Thames. The proposed 3G pitch would help meet the community football demand in the area.
 - The proposed Hockey Surface pitch will provide an opportunity for community hockey training. The pitch could also be used for tennis and football.
 - The proposed sports hall will be an important element of the community's facility network, serving the population in the north west part of the borough.
 - There are two synthetic athletics tracks within close proximity of the school, the Harrier Centre and Kingston Athletics. UK Athletics and England Athletics would not wish to see track facilities at the School to avoid competing with existing facilities. However they were supportive of a Compact Athletics Facilities to meet the need of the School, feeder primaries and also as a potential satellite training site for existing community clubs.
 - The new provision will be better in terms of quality and result in improved grass playing field quality, including new drainage and improved levels.
 - New changing facilities and car parking will provide appropriate ancillary facilities.

- 9.14 On the basis of the above, the sports facilities would enable and support healthy lifestyles and address identified need of the school (meeting the school's curriculum needs) and enable the School to act as a sports hub for its feeder primaries and meet identified needs of the community.
- 9.15 The proposed new sports facilities would provide significant benefits to both the school users and the wider community through community use agreements. These benefits are considered significant and weight in favour of the proposal.

Loss of Playing Fields

- 9.16 The application is supported by a Sports Policy and Assessment of Need for Sports Facilities document which considers the local and national policy relating to sport and uses information and evidence available from a number of sources to assess the requirement for the proposed sports facilities
- 9.17 Paragraph 92 of the NPPF states "To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments".
- 9.18 Paragraph 96 of the NPPF states, "Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate".
- 9.19 Paragraph 94 states that local planning authorities should take a proactive, positive and collaborative approach to development that widen choice in education. They should give weight to the need to create, expand and alter schools through the preparation of plans and decisions on applications; and work with school promotes, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.
- 9.20 Paragraph 97 of the NPPF states, "Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”

9.21 Policy DM6 (Open Space Provision) states that development proposals should not result in the whole or partial loss of open space, outdoor recreation facilities or allotments unless:

- Accompanied by assessment that clearly demonstrates that the provision is surplus; or
- The proposal delivers replacement provision of equal or better quality within the locality; or
- The proposal is for new sports and or recreation provision, the needs for which clearly outweigh the loss.

9.22 Sport England's Playing Fields Policy and Guidance March 2018 sets out Sport England policy position on Playing Fields including a number of exceptions where the loss of playing fields is acceptable in their judgement. The document also includes reference to the use of Community Use Agreements of sports facilities.

9.23 The applicants state that the relevant policy tests of para 97 of the NPPF are (b) and (c) and in this regard they submit that

- *There is no overall loss of playing field space or other sports facilities on the Upper Field and very minor loss on the Main School Site.*
- *The provision will be better in terms of quantity (more capacity), including bringing back into use over 3ha of playing field space on the Upper Field which has been disused since 2006.*
- *The new provision will be better in terms of quality with new facilities and new and improved pitches.*
- *The new facilities will be better located and physically and functionally linked together, facilitating both school and community use.*
- *Lower Field has not been in use as a playing field by either school or community for a period greater than 5 years (with legal affidavits to confirm this).*
- *The disposal of the Lower Field enables the significant financial investment by the school and developer into the proposed sports facilities*

- 9.24 The applicants submit that *the upper and lower fields are disused, and have not been used as playing fields by either the school or community for a significant period of time (i.e. at least for 5 years, and 16 years respectively, as confirmed by the Trust). This is because the fields are waterlogged for much of the year and during the summer months the surface cracks and this creates a significant risk of injury to users. The land is also undulated which makes it difficult to use for team sport.*
- 9.25 Whilst Sport England have an objection to the proposal, this is in part due to technical reason as their policies do not allow for enabling development on playing fields. Sport England do consider that the proposal has merit and do not require the decision is referred to the Secretary of State, subject to planning conditions being imposed.
- 9.26 The scheme would result in a loss of open land which, whilst presently considered to be playing field as part of the wider school ground, has not been used for formal sport in many years. The proposed new recreation facilities comprising of a 3g pitch, compact athletic facility, Hockey Pitch, Pavilion, sports hall and surface grass pitches represent a significant enhancement and public benefit over and above to present offer at the site.
- 9.27 Sport England originally requested a FIFA quality standard pitch. This position differs from the requirements requested by the Football Association, who requested a reduced standard. The reduced standard is considered the most acceptable solution for this case on the basis that governing body for football consider the it the most appropriate standard and that the higher standard requested by Sport England would require higher intensity lighting which when modelled would cause significant light pollution to neighbouring properties
- 9.28 Sport England strongly advise that through conditions details of the surface of the Artificial Grass pitch, agreed standards of the pitch being met other requirements being that the floodlighting, a community use agreement being achieved with a management and maintenance scheme being formally agreed.
- 9.29 Should the committee be minded to vary the terms of these conditions then further consultation with Sport England would be necessary or the recommendation would require amendment to include provision for a referral to the Secretary of State.

Conclusion

- 9.30 The residential development is needed by the school to fund the proposed new educational and sports facilities on their existing campus. In order to fund these works the school has agreed to sell the surplus lower field to Bellway Homes and use the capital receipt to deliver the new facilities. The disposal of the surplus land is considered the only viable way to fund the provision of new school facilities. Therefore, the residential development will enable the delivery of the new school facilities.
- 9.31 The Education and Skills Funding Agency (ESFA), formerly the EFA, has agreed to the disposal of the field on the condition that the School Trust deliver the new facilities at the School.
- 9.32 Given the robust evidence submitted to support the loss of the playing field and the significant housing need in the borough, and benefit of increased sport offer at the site, it is considered that the proposed redevelopment of this site which is in a sustainable location for a residential scheme is appropriate in principle and would enable the redevelopment of school classroom and sports facilities, subject to the detailed consideration of the other planning considerations below.

Presumption in favour of sustainable development, housing land supply

- 9.33 When considering the principle of development, the presumption in favour of sustainable development is fundamental in this case.
- 9.34 The NPPF was republished in February 2019. It is a key consideration in relation to this application and is a material consideration. The National Planning Policy Framework 2019 (the Framework) states that the purpose of the planning system is to contribute to the achievement of sustainable development. That is a very positive aim
- 9.35 NPPF Paragraphs 7 and 8 states there are three dimensions to sustainable development: economic, social and environmental. The social role of the planning system should support strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being.
- 9.36 The Economic objective helping to build a strong, responsive economy and ensuring that the right types of sufficient land are available in the right places, and the environmental making efficient and effective use of land to improve the environment.

- 9.37 Development proposals that accord with an up-to-date Development Plan should be approved and where a planning application conflicts with an up-to-date Development Plan, permission should not usually be granted (Paragraph 12).
- 9.38 Development policies that are the most important for determining a specific planning application are regarded as being out of date where the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites or where the Housing Delivery Test indicates that the delivery of housing was substantially below the housing requirement over the previous three years (Paragraph 11d and footnote 7).
- 9.39 Existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework 2018. Due weight should be given to them according to their degree of consistency with the policies of the Framework (Paragraph 213). The Framework is therefore an important material consideration that may over-ride Development Plan policies which were adopted prior to the publication of the Framework and are not consistent with it.
- 9.40 Section 5 of the Framework sets out policies aimed at delivering a sufficient supply of houses and maintaining the supply to a minimum of five years' worth (Paragraph 73).
- 9.41 Policy CS7 of the Core Strategy is considered out of date under the terms of the NPPF. The housing target of 188 dwelling per annum was taken from the South East Plan. The South East Plan was revoked in 2012, with housing requirements now determined by local need.
- 9.42 The Core Strategy pre-dates the NPPF and in accordance with para 213 of the Framework, the policies of the core strategy should be given due weight according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). In the case of old housing targets within CS7 no weight should be given.
- 9.43 The Governmental standard method for calculating the objectively assessed housing need identifies a housing requirement for the Borough of 579 new homes each year. In the absence of a five year housing land supply this has been increased to 667 under the housing delivery test as published on 20th February 2019. The Council is presently falling significantly short of this requirement and cannot presently demonstrate five years Housing Land Supply.

- 9.44 As stated earlier in this report, paragraph 11d of the National Planning Policy framework is engaged via footnote 7 in circumstances where Local Planning Authorities cannot demonstrate a 5 year supply. The practical application and consequence of this is that unless the site is located in an area or involves an assets of particular importance that provides a clear reason for refusal, then permission must be granted unless it can be demonstrated that any adverse impacts demonstrable outweigh the benefits when assessed against the NPPF as a whole.

Affordable Housing

- 9.45 Paragraph 62 of the NPPF states that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless:
- a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and
 - b) the agreed approach contributes to the objective of creating mixed and balanced communities.
- 9.46 Policy CS 9 states that residential development of 15 or more dwellings gross (or on sites of 0.5ha or above) should include at least 40% of dwellings as affordable.
- 9.47 The Council will seek to ensure that the affordable housing remains affordable to successive as well as initial occupiers through the use of planning conditions or a planning obligation.
- 9.48 The new housing developments should include a mix of dwelling types, sizes and tenures which help meet identified local housing needs and contribute to the development of mixed and sustainable communities.
- 9.49 The Council will seek that 70% of the affordable housing is Social or Affordable Rented and 30% a form of intermediate housing.
- 9.50 The application will be providing a policy compliant level of 40% affordable units equating to 65 units, split between 70% (45 units) Affordable Rented and 30% (20) intermediate.
- 9.51 The proposed scheme would provide a policy compliant level of affordable housing and is therefore considered to be acceptable in this terms and comply with Policy CS9 of the Core Strategy, subject to the securing of the housing through a S106 legal agreement.

Conclusion

- 9.52 The provision of 161 units of accommodation, a policy compliant level and tenure mix of affordable housing is a significant benefit which weighs in favour of the proposal in the planning balance

Housing density and mix

- 9.53 The NPPF paragraph 59 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 9.54 Meeting any increase in the annual housing building target will be challenging. With the Borough being mostly comprised of existing built up areas, strategic open spaces or Green Belt, the supply of available development sites is now extremely limited. It is therefore important that available sites are optimised for housing delivery.
- 9.55 Paragraph 123 of the NPPF highlights that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.
- 9.56 Policy DM11 (Housing Density) states that in principle, proposals for new housing that make the most efficient use of sites within the boroughs urban area will be supported in principle.

Housing Mix

- 9.57 Paragraph 122 of the NPPF states that planning policies and decisions should support development that makes efficient use of land, taking into account the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it.
- 9.58 Policy DM22 Housing Mix states that the council considers that schemes must provide a minimum of 25% 3 bedroom units however, exceptions will be accepted dependent on location and viability. A scheme of 161 units would be expected to provide 40 x 3 bedroom units.
- 9.59 The scheme proposes 13% one bedroom units (21 one bed flats), 36% two bedroom units (44 two-bed flats (27%) and 16 two bed houses (9%) for a total of 70 units) and 49% three-bed houses (80 three bed houses). The mix of units is policy compliant and appropriate for a scheme in this location.

Impact on Character of Area

- 9.60 Chapter 12 of the NPPF refers to design. Paragraph 127 sets out that planning decisions should ensure that developments (inter alia) function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting. Development should also create places that are safe, inclusive and accessible.
- 9.61 Paragraph 130 of the NPPF sets out that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.
- 9.62 Paragraph 131 of the NPPF stipulates that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 9.63 Paragraph 3.7.5 of the Core Strategy states that new development should enhance and complement local character, and be capable of integrating well into existing neighbourhoods. Paragraph 3.7.6 goes on to state that the Council will expect developments to be of a high quality, creating a safe environment which enhances the public realm and which positively contributes to the townscape.
- 9.64 Policies DM9 and DM10 encourage high quality development and planning permission will be granted for proposals, which make a positive contribution to the borough's visual character and appearance.

Residential Design

- 9.65 The building heights throughout the residential development are designed to incline towards the rear of the site as the height difference between the two storey houses is broken up by the three storey town houses. This creates a more fluid change in scale across the site and softens the visual impact create by the change from a two storey dwellings to four storey flats.

- 9.66 The materials used throughout the development would change periodically throughout the dwellinghouses in order to ensure that the development does not appear too repetitive. As such, a mixture of different finishes will be employed on the site that vary between red brick and a yellow brick finish. Changes to the facades will include hanging tiles and a variety of other variations to the facades which include different door and window finishes. The roof tiles will differ between the red and yellow brick buildings to create a contrast between the different building types.
- 9.67 The access to the residential site is marked by the location of four Thespian style houses. These in addition with green space and the green pedestrian walkway create a gateway into the site.
- 9.68 At the rear of the site there is a large communal green area. This greenspace has been set out for the use of the occupants. The communal area results in the apartment blocks being away from the boundary of the school and mitigated the visual impact the residential development would have from the playing fields at Epsom and Ewell High School.
- 9.69 The proposed residential layout is set out so that there are views across the site to the green space to the rear of the site. These views make the site seem more permeable with views out of the site reducing the enclosed nature of the proposal.
- 9.70 Adjacent to Apartment Block 3 a green pedestrian walkway links the rear of the site to the main entrance. The walkway improves the landscaping arrangement within the site and creates an alternative route towards the communal green that largely avoids vehicular traffic for pedestrians.

Apartment Blocks

- 9.71 The proposed apartment blocks would be four storey flat roofed structures. The apartment block would be contemporary in their nature. The flats would benefit from cantilevered balconies and large floor to ceiling windows with shallow reveals. The block would be constructed from yellow and grey brick.
- 9.72 Blocks 1 and 2 would be duplicates of each other and are separated by a small parking and bin area. The two blocks are located to the rear of the site and are located immediately adjacent to the communal greenspace at the rear of the site. Each block has a main central forward projection that contributes towards creating an entrance to the site, either side of the middle projection are two slightly lower wings to the building that result in a symmetrical front elevation to the structures.

- 9.73 Block 3 is set away from Blocks 1 and 2 and drops from four storeys at the rear to 2 storeys at the front. The front of the block is in the style of the Thespian house type that the applicant has provided and forms one of the four gateway houses at the entrance to the site. The block then increase in height to three storey and then to four which contributes to the increase in building heights from the front of the site to the rear.
- 9.74 The parking for the apartment blocks is a mixture between on marked on street parking and undercroft parking integrated into blocks 1 and 2. The on street parking creates large areas of hardstanding on the street. The proposal aims to soften this impact by implementing landscaping.

House Types

- 9.75 The proposed houses would all be provided with car parking. The majority of properties are provided with parking spaces at the front or sides of the properties. However some properties have been allocated with garage buildings. The garage buildings are modest in size and scale, have pitched roofs and are built to reflect the design and appearance of the other properties in the area.
- 9.76 There are two main variations within the site which are feature brick and contemporary. The contemporary house type design would have yellow and grey brickwork with dark roof tiling. The feature brick would be a red brick house type with dark roof tiling. Both have micro variations in which the fenestrations may include hanging tile and a change in window design. The type and style of the variations are indicated in the proposed site plans and design and access statement.
- 9.77 All house types would include garden space to the rear and most include front garden space as well. Cycle storage would also be provided as part of the proposals
- 9.78 'House Type 'H324+' this house type has three bedrooms and has a thin front elevation. This house type has five different variations: Town feature brick; Town tile (feature brick + tile hanging); Town feature brick (window variation 2); Town feature brick (window variation 3); Town contemporary.
- 9.79 'The Thesbian' would be a three bedroom house type and features a wide front elevation with central projecting entrance which features a front gable end. The proposal includes a side bay window as this house type is intended to be employed at the entrance to the site as the for gateway buildings into the residential area of the site. There are three variations to this house type which are contemporary, feature brick (including hanging tile) and contemporary brick (Alternative window arrangements).

- 9.80 'The Tillman' would be a three Bedroom house type. It would have a tall thin front and rear elevation and would have significant depth. This house type is intended to be a semi-detached property. The Tillman has two variations the feature brick and contemporary.
- 9.81 'The Potter' would be a two Bedroom house type. It would have a tall thin front and rear elevation and would have significant depth. This house type is intended to be a semi-detached or terraced property. The Potter has two variations the feature brick and contemporary.
- 9.82 'The Mason' has a relatively wide front elevation in context of this side and is one of the larger house types within the proposed residential scheme. The property has three bedrooms and features a single storey rear projection that appears as though it were an extension. Mason property type would have two variations, contemporary and feature brick.
- 9.83 'The Baker' would be a two Bedroom house type. It would have a tall thin front and rear elevation and would have significant depth. This house type is intended to be a semi-detached or terraced property. The Baker has one variation which is contemporary.
- 9.84 'The Quilter' is similar to the thespian in its size, scale and design. The main difference between the quilter and the thespian is the lack of a side bay window. This house type would be 3 bedrooms in size and would feature a central gable ended forward projection. This house type has one finish type which is feature brick.
- 9.85 'The Shipwright' is a three bedroom townhouse property type and would be three storeys in height. This property type is intended to be employed in the middle of the site and would be a middle height building between the conventional two storey house and the four storey flats. There is one standard house type which would be feature brick.

School Layout

- 9.86 The proposed new classroom block and sports hall would be located adjacent to a central courtyard within the existing school. The structures would help contribute to the creation of a courtyard in the centre of the school. These structures are located amongst existing buildings and therefore would not unacceptably increase the bulk or massing of the proposal.
- 9.87 The proposed large AGP would be located on an existing playing field. This would reduce the open nature of the field as the proposed AGP includes a 4.8 metre height fence and floodlights. This impact is not considered to be significant however as the AGP and the fencing are relatively lightweight in terms of their design and the fences are visually permeable reducing their visual presence.

- 9.88 The proposed sports pavilion is located within the field and is immediately adjacent to the large AGP, however it is located to the eastern boundary of the playing fields and not in the centre which reduces its visual presence. The pavilion would be modest in its height and would not exceed the height of the fencing for the AGP. The building is not of a significant bulk and massing and would be integrated into the large AGP and therefore, would not be considered to have any significant impacts to the detriment of the open space as
- 9.89 The small AGP would be located behind the existing school buildings. It is in close proximity to the school and given that there is only 4.8 metre high visually permeable fencing and floodlighting the proposal would not result in any unacceptable increase in bulk or massing to the school site and would therefore be an appropriate location for the AGP.

School Design

Classroom Block

- 9.90 The proposed classroom block would be a two storey building with a ground floor brick plinth and upper floor metal cladding separated with deep standing seams. The elevation treatment would complement that of the adjacent element of the proposed sports hall. The building would feature generous windows set within deep reveals to provide a high quality modern building that would be an improvement on the existing school buildings.
- 9.91 In addition, the building would feature a wide and tall distinctive entrance framed with timber that would reach above the parapet providing the building with additional interest, quality and way finding.
- 9.92 Although the building would not match the character of the existing school site, it is considered that this would be an improvement on the existing buildings and that the modern design would enhance the school setting. The proposed classroom building is considered to be of a high quality design and therefore considered to be acceptable.

Sports Hall

- 9.93 The proposed sports hall would be a two storey building with a large parapet and a two and a half storey high sports hall element. It would feature a ground floor brick plinth, tying the two elements of the building together with the adjacent classroom block. The reception and changing area of the sports hall would match the style of the classroom block with upper floor metal cladding separated with deep standing seams, generous windows set within deep reveals and a wide, tall, distinctive entrance framed with timber to provide a high quality modern building that would be an improvement on the existing school buildings.

- 9.94 The sports hall element of the building would feature a series of different shades of grey panels which would ensure it matches the character of the rest of the building and the classroom block whilst providing a interesting but subtle approach to a large façade.
- 9.95 Although the building would not match the character of the existing school site, it is considered that this would be an improvement on the existing buildings and that the modern design would enhance the school setting. The proposed sports hall building is considered to be of a high quality design and therefore considered to be acceptable.

Bridge

- 9.96 The proposed pedestrian bridge would be 2.8 metres in height under the bridge and 5.7 metres in height to the top of the bridge. The bridge would be constructed from high quality materials mixed between metal and wood and would have an overhanging roof to protect from the elements. It is considered to be of a thoughtful design and would provide a convenient and safe crossing from students of Epsom and Ewell High school to cross over to the sports facilities.
- 9.97 Disabled access across the walkway would be achievable by opening the existing gates and traveling across the public footpath.

Sports Facilities

- 9.98 The main entrance of the proposed sport pavilion would be a one storey building double height building which would project forward and backwards of the lower element of the building. The main entrance would be timber clad and would have a flat roof. The changing area would drop down to a single storey with a flat roof this element of the proposal would not feature timber cladding and would be a grey modern cladding that would not stand out within its setting. To the rear of the structure and on the Large AGP the structure includes a cover for spectators to view the sports area. This structure would be a relatively lightweight structure with a timber material roof and a metal frame.
- 9.99 In addition, the building would feature a wide and tall distinctive timber framed glass entrance providing the building with additional interest and a gateway into the building. The entrance room would be double height and the changing rooms drop down to a conventional ceiling height.
- 9.100 Although the building would not match the character of the existing school site. The building is set away from the main school and would be separated from the school by a public footpath. The degree of separation from the main school gives the site more freedom to establish its own character. As such the contemporary design of the sports pavilion would in the case be considered to be appropriate for its setting.

Conclusion

9.101 Overall, the proposed design would be of an acceptable quality. Boundary treatment and well considered building detailing and materials will be secured by way of conditions. The school site buildings would be a major improvement on the buildings to be replaced and the residential development would fit in with the surrounding suburban area with a modern twist, whilst providing a quality edge and view in to the site from Scotts Farm Road.

9.102 It is therefore concluded that the proposed development in terms of its design, layout, scale and massing would not have a harmful impact on the character and appearance of both the immediate and wider area and would therefore accord with the NPPF and Policies DM8, DM9 and DM10 of the Local Plan.

Quality of Accommodation

Internal Space Standards

9.103 The Nationally Described Space Standards, introduced by DCLG in March 2015, sets clear internal minimum space standards for new dwellings. The space standards are intended to ensure that all new homes are fit for purpose and offer the potential to be occupied over time by households of all tenures while policy DM12 (Housing Standards) of the Development Management Policies Document states that the council will only grant permission for new dwellings that provide adequate internal and external space standards.

9.104 The Nationally Described Space Standards also sets clear internal minimum space standards for bedrooms within new dwellings of 7.5 m² for single bedroom and 11.5 m² for a double bedroom.

9.105 All new units should be designed in accordance with the National Space Standards.

9.106 The application is proposing 161 units, comprising of 65 flats and 96 houses. The 161 units would comprise of 21 one bedroom units, 60 two bedroom units and 80 three bedroom units.

9.107 The units would be split into:

- 21 x 1 bedroom, 2 person flats;
- 15 x 2 bedroom, 3 person, 2 storey houses;
- 44 x 2 bedroom, 4 person flats;
- 1 x 2 bedroom, 4 person, 2 storey house;
- 29 x 3 bedroom, 4 person, 2 storey houses;

- 39 x 3 bedroom, 5 person, 2 storey houses;
- 12 x 3 bedroom, 6 person, 3 storey houses;

9.108 All 161 units would meet the minimum internal GIA standards and minimum bedroom sizes as required by the National Space Standards below:

- 50 sqm for a 1 bedroom, 2 person, single storey unit;
- 70 sqm for a 2 bedroom, 3 person, two storey unit;
- 70 sqm for a 2 bedroom, 4 person, single storey unit;
- 79 sqm for a 2 bedroom, 4 person, 2 storey unit;
- 84 sqm for a 3 bedroom, 4 person, 2 storey unit;
- 93 sqm for a 3 bedroom, 5 person, 2 storey unit; and
- 108 sqm for a 3 bedroom, 6 person, 3 storey unit;

9.109 It is therefore considered that the proposed units will have an acceptable level of internal amenity.

Sunlight and Daylight

9.110 The application has been supplemented with a Daylight & Sunlight report from eb7 (a consultancy specialising in daylight & sunlighting and other property related amenity issues) dated 26th June 2019, which assesses the housing and flatted blocks for residential use for their internal amenity levels.

9.111 The methodology and criteria used for the assessment is provided by the Building Research Establishments guidance 'Site layout planning for daylight and sunlight: A guide to good practice' (BRE, 2011) and the British Standard document BS8206 part 2. This is held to be the current industry standard in the UK.

9.112 The results of the report show good levels of internal amenity with all rooms meeting or exceeding the target Average Daylight Factor level for diffuse daylighting. In addition all relevant living rooms having windows within 90 degrees of due south meet the sunlighting targets.

9.113 The proposed residential accommodation will provide occupants with good acceptable standards of daylight and sunlight amenity in-line with the BRE's recommendations and current planning policy and is therefore acceptable.

Private and Communal Amenity Space

- 9.114 Paragraph 3.35 of the supporting text for Policy DM12 (Housing Standards) states that for houses of 3 or more bedrooms a minimum total private outdoor space of 70sqm should be provided and for houses of 2 bedrooms 40sqm should be provided. It further states that the Council will seek, subject to viability and practicality, a minimum depth of 10 metres for domestic rear gardens.
- 9.115 Paragraph 3.36 of the supporting text for Policy DM12 (Housing Standards) states that to provide adequate private amenity space for development of flats, a minimum of 5sqm of private amenity space for 1-2 person dwellings should be provided and an extra 1sqm should be provided for each additional occupant.
- 9.116 All of the houses will have their own amenity space in the form of private rear gardens with the majority have a depth of at least 10 metres. All will meet the minimum rear garden square meet area requirements.
- 9.117 The all but eleven of the of the apartments will have private balconies/gardens that meet the minimum balcony standards. All units will benefit from the 4,114.05 sqm communal amenity space (landscape buffer accessible to all occupiers of the development), however the location of the flatted development is such that the space is particularly accessible and provide some mitigation where the private amenity space is limited.
- 9.118 The level of private amenity provision, combined with the large amount of communal amenity space, ensures that the proposed residential development is considered to provide a good level of amenity space for its future residents. As such, on it is considered that the proposal would broadly comply with Policy DM12 of the Council's Development Management Policies Document (2015).

Conclusion

- 9.119 The site meets the policy guidance in terms of the quality of accommodation and therefore would be considered to be acceptable

Children's Playspace

- 9.120 The application will not provide any on site specific play equipment or play areas for the children living in the development, although the children could use the communal amenity space. To address this lack of provision, the development will be providing a £40,000 contribution, secured through a S106 legal agreement, to improve the nearby playground at Curtis Road, a 0.6 mile, 12 minute walk from the entrance to the residential development.

- 9.121 The provision of the contribution towards improving the existing Curtis Road playground is considered to be acceptable in providing dedicated play space for children of the development and would also help improve the facilities for the existing surrounding residents.

Impact on Neighbour's Residential Amenity (include lighting)

- 9.122 Policy DM9 (Townscape Character and Local Distinctiveness) sets out that Planning Permission will be granted for proposals which make a positive contribution to the Borough's visual character and appearance.
- 9.123 Policy DM10 (Design Requirements for New Developments, including House Extensions) sets out that development proposals will be required to incorporate principles of good design. Development proposals should also have regard to the amenities of occupants and neighbours, including in terms of privacy, outlook, sunlight/daylight, and noise and disturbance.
- 9.124 The site comprises of three field parcels, the upper parcel containing the current school buildings and facilities and the bottom two parcels which contain school playing fields.
- 9.125 The school site is located on the top portion of the site over two field parcels, with the remaining parcel located to the south east and running along the rear boundaries of properties on the west side of Gadeston Road. The sites are separated by the water course and planting which demark the two.
- 9.126 The proposed school buildings are not located adjacent to any domestic dwellinghouses and all of the proposed structures are set well within the site boundaries in this regard. As such, the proposed school buildings are not considered to result in any unacceptable impacts upon the amenity of any properties surrounding the site in terms of overbearing, overshadowing, overlooking or daylighting/sunlighting. Furthermore, the proposed school buildings would be separated from the residential part of this application and would not be considered to result in any unacceptable impacts upon any of the proposed dwellings that form part of the residential side of the application.
- 9.127 Given the relative distances to the north and retained buffer between the site and properties in Poplar Close and the southern end of Gadeston Road, there is no harmful loss of privacy, outlook or daylighting impact to these properties.

- 9.128 The proposed dwellings along the boundaries with Gadesden Road, Vernon Close, Poplar Farm Close, Chessington Close, Poplar Crescent and Scotts Farm Road would be limited to two storey dwelling types and would have a maximum height of 9.1 metres, which is comparable to the heights of the properties within the locality. Given the separation distances (Minimum separation distance the side wall of a proposed property to the boundary of an existing property is 5 metres, which is between Plot 1 and No. 17 Scotts Farm Road) and length of gardens between properties on these neighbouring roads (26 metres minimum separation from rear window to rear window, which is between plots 37-57 and properties on Gadesden Road) and the limited height of development (two Storey maximum height 9.1 metres), there is not considered to be any harmful impact upon amenity which justifies refusing planning permission in this case.
- 9.129 The fencing and means of enclosure to be approved by condition will also provide added privacy between proposed dwellings.
- 9.130 In accordance with the guidance of paragraph 3.35 of the Development Management Policies Document, the proposed development accords with the minimum depth of 10 metres of domestic garden space. Officers are satisfied that the garden depths and orientation of dwellings will not adversely impact amenity within the site and there are no rear window to rear window separation distances less than 21 metres (minimum separation distance is 21 metres at first floor level between Plots 88-91 and Plots 92-95). The proposed dwellings have a maximum height of 9.1 metres for two storey dwellings and 12 metres for three storey town houses, which is comparable to the heights of the properties within the locality. The fencing to be approved by condition will also provide added privacy between proposed dwellings.
- 9.131 The applicant has provide a Lighting report which examines the projection and light spill from the floodlighting. Modelling the light spill shows that the light has been directed upon the pitch with little outward spill beyond the playing surface, which then disperse down to nil beyond. Notwithstanding, the appearance and presence of the floodlighting will create a negative impact for existing residents above their current amenity experience, but subject to appropriate condition supplied by the Environmental Health team the amenity impact is considered acceptable.
- 9.132 The Environmental Health team comment that the submitted modelling produced indicates very little light spill with the contours sharply cutting off. Such projects are considered normal it is common within modern lighting installations. This doesn't however necessarily mean it will not be noticeable, as light reflects from various surfaces and may result in residents seeing and being aware of the lit surfaces directly where there is direct line of sight and other surfaces (including any atmospheric particles and fog)

- 9.133 A range of mitigation can be applied to limit the adverse impact, principally a light curfew. The Environmental Health team agree the proposed hours and support them on the basis of their timings and also the previous decision at another borough school for an AGP (granted on appeal - 14/01222/FUL), which used similar timings.
- 9.134 The floodlight has been well conceived to limit the potential impact. The impact however cannot be eliminated entirely. Some adjacent residents are likely to experience a reduction in residential amenity when the floodlights are in use, principally due to the reflection of light and appearance of lighting being visible on the horizon. It would be expected that the highest potential for disturbance would be within winter months when floodlighting will be needed in the early evening.
- 9.135 Subject to a proposed condition to control the setup, limited hours of operation and a review of the floodlighting if necessary, the proposed floodlighting is considered acceptable in planning terms. The identified impact upon amenity is considered to weigh negatively in the planning balance, but would not amount to a reason for refusing planning permission in its own right.

Highways and Parking

- 9.136 Chapter 9 of the NPPF relates to the promotion of sustainable transport. Paragraph 108 sets out that in assessing applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be, or have been, taken up and that safe and suitable access to the Site can be achieved for all users.
- 9.137 Paragraph 109 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.138 Policy CS16 encourages development proposals that foster an improved and integrated transport network and facilitate a shift of emphasis to non-car modes as a means of access to services and facilities. Development proposals should be appropriate for the highways network in terms of the volume and nature of traffic generated, provide appropriate and effective parking provision, both on and off-site, and vehicular servicing arrangements. Furthermore, development proposals must ensure that vehicular traffic generated does not create new, or exacerbate existing, on-street parking problems, nor materially increase other traffic problems.
- 9.139 Policy DM36 sets out that to secure sustainable transport patterns across the Borough, the Council will (inter alia) prioritise the access needs of pedestrians and cyclists in the design of new developments.

- 9.140 The residential development is proposing 283 parking spaces (190 allocated, 65 unallocated, 4 visitor spaces and 24 garages). This compares favourably with the Epsom & Ewell Parking Standard which require a minimum of 241.
- 9.141 The community use development proposed 142 parking spaces which would compare favourably to the likely demand calculated by SCC Highways of 95 spaces.
- 9.142 Concerns have been raised by residents with regards to the traffic impact for the proposal, with a detailed report prepared by Consultant Engineers with additional traffic surveys supporting their position. Surrey CC Highways have provided detailed comments on the basis of both the Applicants own data and that of the additional submission by residents.
- 9.143 In comparing the two sets of data to establish the robustness of the assessment Surrey CC Highways have come to the conclusion that the developer's data is reasonable and provides a robust assessment notwithstanding the location of one of the site's the developer selected and the average car ownership in the sites selected.
- 9.144 The developer has agreed to the following mitigation measures
- S106 agreement for £30,000 towards review and revalidation of SCOOT region of traffic signal systems at the Ruxley Lane (B284) junctions with Chessington Road (B284) and Kingston Road (A240)
 - Provision of a shared cycle way footway between Ruxley Lane and Scott's Farm Road to be secured by s278
 - Payment of a travel plan audit fee of £6150 toward auditing a travel plan
 - Provision of one car club vehicle for a minimum of two years, with all costs associated with the provision of the vehicle including provision of parking space either within a publicly accessible location of the development or on the public highway and pump priming being met by the developer
 - Provision of £50 worth of free travel for the first residential users of the proposed development using the car club vehicles.
 - Provision of one year free membership of the car club for the first occupants of each of the proposed residential units.
 - Reconfiguration of Scotts Farm Road to create an expanded highway to relocate parking within a bay to increase traffic flow along the Highway. The applicant will conduct the works to be adopted by Surrey CC

- 9.145 In combination the measures would mitigate the impact of the development, take advantage of the development's location close to a regular bus service to Tolworth, Surbiton, Kingston and Epsom and to a train station (West Ewell) with services to London Waterloo to travel by public transport.
- 9.146 The signals at the junctions of Ruxley Lane with Kingston Road and Chessington Road would be revalidated. The signals operate on a system called SCOOT which is an agile system that optimises signal timings for roads at such junctions depending on traffic flows.
- 9.147 The development includes provision of a shared cycleway footway between Scott's Farm Road and Ruxley Lane. This would provide a link between Ruxley Lane and Scott's Farm Road for users of the site without having to cycle along to the end of Scott's Farm Road in order to access Ruxley Lane. From here there are further off street cycle routes and acceptable residential streets to cycle on.
- 9.148 The proposed development has one pedestrian access as a result of its location between privately owned plots of land. Further access is therefore not feasible and the provided level of access would not be considered to have any detrimental impacts to the connectivity of the scheme.
- 9.149 The developer has agreed to a travel plan with measures that include a car club. The development includes provision of a shared cycleway footway between Scott's Farm Road and Ruxley Lane. This would provide a link between Ruxley Lane and Scott's Farm Road for users of the site without having to cycle along to the end of Scott's Farm Road in order to access Ruxley Lane. From this point there is an acceptable cycle infrastructure such as off street cycle routes and acceptable residential streets.
- 9.150 The developer has carried out an assessment of recorded personal injury accidents on Scott's Farm Road and at the junctions with Ruxley Lane with Scott's Farm Road and the A240. These junctions include where most traffic would be traveling to and from. The accidents do not show any problems with the highway network.
- 9.151 The developer has produced a plan numbered 174390 SK16 showing parking bays off and parallel to the highway. The bays could accommodate 6 vehicles which may offer improvements to parking alleviating problems felt at school drop off and pick up. The Highway Authority do not consider these spaces necessary because the proposed development includes adequate off street parking that would exceed likely demand and local parking standards. These spaces will be secured through a Section 106 agreement that requires them to enter into a Section 278 agreement with Surrey County Council to deliver the spaces.

- 9.152 If there is a parking problem on the highway, that is an existing problem that the developer would not be adding to. In addition parked cars on the highway provide a way of slowing vehicle speeds and are therefore considered a form of traffic calming.
- 9.153 The proposal is considered to be within a sustainable location and is appropriate and correct for a residential development. Whilst it is accepted that the development will lead to more traffic, it would not result in a significant increase when compared to existing movements on the neighbouring highway.
- 9.154 The National Planning Policy Framework (NPPF) states at paragraph 109 that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. This is not considered to be the case with this proposed development. Furthermore, the impacts identified would be mitigated by the above measures and in light of the site's location relative to public transport which provides a choice of means of travel in accordance with paragraph 108a of the NPPF.
- 9.155 The users of the site would not be reliant on private car use for travelling to and from the development and as such there is an opportunity to provide much needed housing without a significant increase in vehicle movements. This complies with National Planning Policy Framework paragraph 108a, b, and c which respectively states having opportunities to promote sustainable travel, safe and suitable access to the site, and that impacts can be cost effectively mitigated.
- 9.156 On the basis of conditions and S106 agreement to secure appropriate highway measures, the impact of the proposal is considered acceptable in highway terms.

Landscaping

- 9.157 Chapter 15 of the NPPF relates to the conservation and enhancement of the natural environment. Paragraph 170 sets out that planning decisions should contribute to and enhance the local environment by (inter alia) recognising the intrinsic character and beauty of the countryside and the wider benefits from ecosystem services, including trees and woodland.
- 9.158 Paragraph 175 of the NPPF sets out that development resulting in the loss or deterioration or irreplaceable habitats such as ancient woodland and ancient or veteran trees should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

9.159 Policy DM5 (Trees and Landscape) of the Development Management Policies Document (2015) sets out that the Borough's trees, hedgerows and other landscape features will be protected and enhanced by (inter alia):

- Planting and encouraging others to plant trees and shrubs to create woodland, thickets and hedgerows; and
- Requiring landscape proposals in submissions for new development, which retain existing trees and other important landscape features where practicable and include the planting of new semi-mature tree and other planting.

9.160 Policy DM5 further states that where trees, hedgerows or other landscape features are removed, appropriate replacement planting will normally be required. Consideration should be given to the use of native species as well as the adaptability to the likely effects of climate change.

9.161 An illustrative Landscape Masterplan accompanies this application (2808-LA-05 Rev P2 – Illustrative Landscape Masterplan – dated 14.03.19). This identifies existing and proposed soft landscaping at the site, including the locations of existing trees that are to be retained and the location of trees that are proposed. It also proposes hard landscaping and a trim trail. Detailed Planting Plans also accompany this Application, providing further details regarding tree planting at the Site.

School Site

9.162 An Arboricultural Implications Report, dated March 2019, accompanies this application. No category A or B trees and no trees of high landscape or biodiversity value are proposed to be removed. Only a small proportion of the trees contributing to the main Arboricultural features of the Site are to be removed. Specifically, 5 individual trees are proposed to be removed on the School Site. Their removal is considered to not have an adverse impact on the Arboricultural character and appearance of the local landscape. However, the application proposes an additional 201 new trees (116 trees at school site, 85 trees within the residential site) to be planted across the site including a tree lined pathway from the hockey pitches, past the back of the new classroom block, around the sports hall and connecting with the footbridge. This will provide a significant visual landscaping and ecology gain to the school site.

9.163 A Landscape Management Plan, dated December 2018, accompanies this application. It sets out that a significant feature of the proposed development is the retained tree and hedgerow vegetation along the watercourse boundary between the school and the proposed residential properties. Additionally, the site wide boundaries will be reinforced with new native buffer and tree planting, particularly around the school.

Residential Site

- 9.164 An Arboricultural Implications Report, dated March 2019, accompanies this application. No category A or B trees and no trees of high landscape or biodiversity value are proposed to be removed. Only a small proportion of the trees contributing to the main Arboricultural features of the Site are to be removed. Specifically, 21 trees are proposed to be removed on the Residential Site. Their removal is considered to not have an adverse impact on the Arboricultural character and appearance of the local landscape. However, the application proposes an additional 201 new trees to be planted across the site.
- 9.165 A Landscape Management Plan, dated December 2018, accompanies this application. It sets out that a significant feature of the proposed development is the retained tree and hedgerow vegetation along the watercourse boundary between the school and the proposed residential properties, as part of a linear public open space. This would provide a landscaped communal area in excess of 4,000 sqm. Additionally, the Site wide boundaries will be reinforced with new native buffer and tree planting.
- 9.166 Within the residential site, trees will be planted breaking up the internal roads and car parking bays, helping to soften the hard landscaping. This is at its most effective from the view from Scotts Farm Road into the main entrance and junction within the site with careful tree planting on each corner helping to create a soft and more pleasing environment. This is continued along the pedestrian only pathway between Block 3 and the houses opposite where a soft landscaped and tree lined route help to create a visual pleasing and interesting route through the middle of the site that is visible from the public highway, Scotts Farm Road. This will help to enhance the character of the area and integrate it into the surrounding suburban area.

Conclusion

- 9.167 The Landscape Management Plan sets out the overall management objectives for the external areas and retained structural vegetation and describes the long-term maintenance required to allow the planting to flourish.
- 9.168 The detailed soft and landscaping scheme ensures that the proposed development is visually attractive, creating a new character area. The Landscape Management Plan ensures that the development will be maintained in the long-term. As such, the proposal is considered to comply with Policy DM5.

Sustainability

- 9.169 Paragraph 8 of the NPPF sets out that there are three strands to achieving sustainable development, including an environmental objective. This is for development to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 9.170 Paragraphs 10 and 11 of the NPPF state that at the heart of the Framework is a presumption in favour of sustainable development.
- 9.171 Paragraph 148 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; and support renewable and low carbon energy and associated infrastructure.
- 9.172 Paragraph 149 of the NPPF states that plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures.
- 9.173 Policy CS6 (Sustainability in New Developments) of the Council's LDF Core Strategy (2007) states that the Council will expect proposals to demonstrate how sustainable construction and design can be incorporated to improve the energy efficiency of development e.g. by using an appropriate layout, building design and orientation; minimise the energy requirements of construction; and encourage the use of renewable energy by the incorporation of production facilities within the design of the scheme.
- 9.174 The applicant has stated within their planning statement that the proposed development will utilise modern, sustainable materials, ensuring that the new homes are as efficient as possible with regards to the use of natural resources and where possible, sustainable construction techniques will also be utilised to reduce energy and water consumption.
- 9.175 The proposed scheme has sought to integrate sustainability into the design of the proposal and it is considered to comply with Policy CS6.

Other Material Considerations

Community Facility

9.176 Policy CS13 (Community, Cultural and Built Sports Facilities) of the Council's LDF Core Strategy (2007) states [inter alia] that the provision of new community, cultural and built sports facilities, and the upgrading of those existing, will be encouraged.

9.177 Supporting Paragraph 6.1 of Policy DM34 (New Social Infrastructure) states that a good variety and geographical spread of community, built sports and cultural facilities add to the quality of life for residents, workers, visitors and those who study in the Borough.

9.178 The proposed new sports facilities will be made available to other local schools, sports clubs and the wider community. These would comprise of a 4 court sports hall, gym and separate dance and fitness studios, hockey pitches and the new full size 3G Artificial Grass [football] Pitch (AGP). It is proposed that these will be available to be hired out to the wider community in accordance with the below table.

9.179

Facility	Mon-Thurs	Friday	Saturday	Sunday
Sports hall	End of school day – 22.00		09.30-17.00	09.00 – 19.30
Studios	End of school day – 22.00		09.30-17.00	09.00 – 19.30
3G AGP (floodlit)	End of school day – 21.00	End of school day – 19.00	09.00-17.00	09.00-17.00
Hockey Plus surface (hockey, tennis, netball) (floodlit)	End of school day – 21.00	End of school day – 19.00	09.00-17.00	09.00-17.00
Compact athletics training facility April-Sept	End of school day – 21.00		09.00-17.00	09.00-17.00
Compact athletics training facility Oct-March	None	None	09.00-16.00	09.00-16.00
Grass pitches /playing field Upper Field May-August	End of school day – 21.00		09.00-17.00	09.00-17.00
Grass pitches/playing field Upper Field April/September	End of school day – 19.00		09.00-17.00	09.00-17.00
Grass pitches/playing field Upper Field October-March	None	None	09.00-17.00	09.00-17.00
Grass pitch 7v7 Main School Site September-April	None	None	09.00-17.00	09.00-17.00

- 9.180 In addition, a new car park is proposed for 47 cars and cycle parking area adjacent to the sports hall which will enable access to the sports hall and other sports facilities for community use outside of school hours to be secured by condition.
- 9.181 It is considered that the proposed use to the wider community of the sports facilities out with school hours would be welcomed and a useful addition to Epsom and Ewell Borough and would comply with the Council's LDF Core Strategy (2007) and Development Management Policies Document (2015).

Accessibility and Inclusion

- 9.182 NPPF Paragraph 91 states that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities e.g. through mixed-use developments; street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods. Local Planning Authorities should help create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Safe and accessible developments should be encouraged, which contain clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.
- 9.183 Policy DM10 (Design Requirements for New Developments) states that all new developments should be designed so that they can be adaptable and sustainability designed and incorporate the principles of safe design to reduce the risk and fear of crime, e.g. natural surveillance, appropriate levels of lighting.
- 9.184 The applicant has stated that the proposed development is intended to provide accessibility for everyone. The school buildings and sports facilities will be able to be accessed by all.
- 9.185 All entrances will have level thresholds and will allow easy wheelchair access with wide corridors and lifts to every floor of the apartment blocks, ensuring the environment would be easy to understand and navigable. All car parking across both the school and residential areas will have step free access.
- 9.186 The applicant is also proposing that all pedestrian routes will have sufficient aural and tactile information, supplemented by appropriate lighting design and visual clues to help people with sight impairment with obstacles and hazards to movement will be avoided. The applicant has stated that materials will be chosen for their slip resistance and unbound surfaces will be avoided. This will be secured by conditions.

- 9.187 The hard and soft landscaping across the development will reinforce the route to the principal accesses, creating an attractive and accessible approach and distinguishing the entrance from the facade as a whole and utilising the same unsegregated access for all groups of people.
- 9.188 The application will comply with the 2015 Building Regulations – ‘Access to and Use of Buildings Part M’. This is considered to be acceptable.
- 9.189 No areas are proposed for religious purposes and no element of the development discriminates against any culture. The buildings across the development are suitable for use by all age groups and genders and seeks to accommodate the needs of any potential user, ensuring the development is considered to be inclusive.
- 9.190 The proposed development is therefore considered to be acceptable in terms of accessibility and inclusion.

Archaeology

- 9.191 Chapter 16 of the NPPF refers to the conservation and enhancement of the historic environment. Paragraph 189 states that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 9.192 Policy CS5 (Conserving and Enhancing the Quality of the Built Environment) of the Core Strategy (2007) sets out that the Council will protect and seek to enhance the Borough’s heritage assets including (inter alia) archaeological remains. The settings of these assets will be protected and enhanced.
- 9.193 Policy DM8 (Heritage Assets) of the Development and Management Policies seeks to resist the loss of Heritage Assets and instead promote the opportunity to conserve and enhance these. Specifically, on any major development site of 0.4ha or greater, applicants are required to undertake prior assessment of the possible archaeological significance of a site and the implications of the proposals.
- 9.194 An Archaeological Desk-Based Assessment, prepared by CgMs Heritage, dated December 2018, accompanies the application. It sets out that the proposed development is not identified as having an impact on any designated archaeological assets and it has low archaeological potential. The SCC Archaeological Officer has recommended a condition for a Written Scheme of investigation prior to the commencement of the development, subject to Planning Permission being granted.

- 9.195 Subject to the recommended condition, the proposal is considered to acceptable in terms of archaeological impacts and conforms with Policy CS5.

Biodiversity

- 9.196 Chapter 15 of the NPPF relates to the conservation and enhancement of the natural environment. Paragraph 170 sets out that planning decisions should contribute to and enhance the natural and local environment by (inter alia) protecting and enhancing valued landscapes and sites of biodiversity. Development should, wherever possible, help to improve local environmental conditions, such as air and water quality.
- 9.197 Paragraph 175 of the NPPF sets out that development whose primary objective is to conserve or enhance biodiversity should be supported, while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 9.198 Policy CS3 (Biodiversity and Nature Conservation Areas) of the Core Strategy (2007) sets out that the biodiversity of Epsom and Ewell will be conserved and enhanced through the support for measures which meet the objectives of National and Local biodiversity action plans in terms of species and habitat. Development that would harm Grade 3 Sites of Nature Conservation Interests (SNCIs) will not be permitted unless suitable measures are put in place and it has been demonstrated that the benefits of a development would outweigh the harm caused.
- 9.199 Policy DM4 (Biodiversity and New development) seeks to ensure that new development takes every opportunity to enhance the nature conservation potential of a Site and secure a net benefit to biodiversity. It sets out that development affecting existing or proposed nature conservation sites and habitats of international, national or local importance will only be permitted if:
- The development would enhance the nature conservation potential of the site or is proven to be necessary for the conservation management of the site; or
 - There is no alternative location for the development and there would be no harm to the nature conservation potential of the site; or
 - There are imperative reasons of overriding public interest for the development.

- 9.200 Elsewhere in the Borough, development affecting any site or building that supports species protected by Law including their habitats, will only be permitted if appropriate mitigation and compensatory measures are agreed to facilitate the survival of the identified species, keep disturbance to a minimum and provide adequate alternative habitats to ensure no net loss of biodiversity.
- 9.201 Two Ecological Assessments, both dated December 2018, accompany this application. One relates to the school development and is called the '*Northern Area*' and the other to the residential development and is called the '*Residential Scheme*'.
- 9.202 Both assessments set out that the site is dominated by amenity grassland, with a stream surrounded by an area of scrub and trees present in the south. The field margins are characterised by taller vegetation and amenity species, which have spread from adjacent gardens. An ephemeral pool is also present within the "Residential Scheme" Site.
- 9.203 Both Sites were subject to an extended Phase 1 habitat survey in April and October 2018 and a desk-based study was also undertaken. Both Ecological Assessments set out that the proposal is considered to not have a significant adverse effect on the designated sites in the locality. Ecological interest within the site is largely focused on the stream corridor and associated shrub and trees, with the buildings, hardstanding and amenity grassland being of limited intrinsic interest. The potential for protected species to be present is acknowledged, and measures to quantify and address this are proposed which would be secured by way of a condition.
- 9.204 The Site is identified to deliver ecological enhancements for local wildlife, while safeguarding most of the existing interest. Subject to securing a Planning Condition to safeguard existing protected species, should Planning Permission be granted, the proposal is considered to comply with Policies CS3 and DM4.
- 9.205 Epsom and Ewell Ecology Officer has raised no objections subject to a LEMP (Landscape and Ecological Management Plan) being secured to implement and manage ecological mitigation in perpetuity through a Legal Agreement.

Contamination

- 9.206 Paragraph 178 of the NPPF states that planning decisions should ensure that:

- A site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);
- After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- Adequate site investigation information, prepared by a competent person, is available to inform these assessments.

9.207 The NPPF continues on to state that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

9.208 Policy DM17 (Contaminated Land) of the Development Management Policies Document states that where it is considered that land may be affected by contamination, planning permission will only be granted for development provided that the following criteria are satisfied:

- i) All works, including investigation of the nature of any contamination, can be undertaken without escape of contaminants which could cause unacceptable risk to health or to the environment;
- ii) It is demonstrated that the developed site will be suitable for the proposed use without risk from contaminants to people, buildings, services or the environment including the apparatus of statutory undertakers.

9.209 A Phase 2 Ground Conditions / Contamination Assessments Site Appraisal, prepared by Patrick Parsons, dated May 2018 was submitted with the application. This concluded that there is no risk of contamination and that remediation would not be required.

9.210 The Council's Contamination Officer has reviewed the assessment submitted and has no objections subject to conditions relating to a ground contamination and gas assessment, remediation and should unexpected contamination be discovered.

9.211 Subject to the recommended condition, the proposal is considered to acceptable in terms of contamination impacts and conforms with Policy DM17.

Flooding and Surface Water Drainage

9.212 Chapter 14 of the NPPF relates to meeting the challenge of climate change, flooding and coastal change. Paragraph 155 stipulates that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Paragraph 163 sets out that when determining any planning applications, Local Planning Authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.

9.213 Policy CS6 (Sustainability in New Developments) of the Core Strategy (2007) sets out that proposals for development should result in a sustainable environment and reduce, or have a neutral impact upon, pollution and climate change. The Council will expect proposals to demonstrate how sustainable construction and design can be incorporated to improve the energy efficiency of development – both new build and conversion. In order to conserve natural resources, minimise waste and encourage recycling, the Council will ensure that new development (inter alia):

- Has no adverse effects on water quality, and helps reduce potential water consumption for example by the use of water conservation and recycling measures and by minimising off-site water discharge by using methods such as sustainable urban drainage; and
- Avoids increasing the risk of, or from, flooding.

9.214 A tributary to the Hogsmill River splits the middle (School Development) and lower fields (Residential Development). The stream and the immediate surrounding banks are within Flood Risk Zones 2 and 3 (medium to high probability of flooding) with the land immediately next to the stream functional flood plain. The middle of the upper field is within a critical drainage area along with a small portion of the south western boundary of the lower field. The remaining and predominate parts of both fields are in Flood Zone 1 (low probability of flooding) but they do suffer from drainage issues. No residential development is proposed in the areas of greatest flood risk.

9.215 Two Flood Risk Assessments (FRA) have been provided dated December 2018 one relating to the '*School Site*' and one to the '*Residential Development*'. An update report for the '*Residential Development*' dated March 2019 has also been submitted. All the reports were prepared by Ardent.

9.216 The drainage strategy within the FRA for the '*School Site*' proposal includes the use of geocellular storage and surface drainage flow controls. The scheme will manage surface water discharge and flow and has been designed to ensure the development does not increase the risk of flooding on and off the site.

- 9.217 The FRA for the '*Residential Development*' states that the development will include SuDS features, such as attenuation basins, as well as the storage tanks. The majority of the storage required will be provided within the geocellular storage and will appropriately designed and managed to ensure effectiveness and longevity.
- 9.218 There are two Critical Drainage Areas (CDAs) associated with the site; one flowing from east to west in the school site and one within the residential area (north to south). Both of these relate to 'low' risk surface water flow paths identified on the Environment Agency (EA) flood maps. 'Low' risk in this definition refers storm events between the 1:100 year return period and the 1:1000 year return period.
- 9.219 The CDA within residential development site is shown to be located within the proposed rear gardens of a number of properties. As such, the flow path will not be impeded in the post-development scenario. In terms of the school development site, much of the area associated with the CDA is proposed as pitches and open landscape. There is a small pavilion building footprint which partially intersects the flow route. However, this is likely to have a negligible impact and would not restrict the flow path in its current form.
- 9.220 It is therefore considered that, due to the minimal development proposed in the CDAs, the flow paths will remain unobstructed and continue as per the existing scenario in the post-development state.
- 9.221 The Environment Agency and SCC have stated no objections, subject to conditions.
- 9.222 The FRA's demonstrate that the development can be successfully accommodated across the site, without increasing the flood risk to other neighbouring sites and without having a flood risk impact on the proposed residential dwellings. The proposal is considered to accord with Policy CS6.

Refuse and Recycling

- 9.223 Policy CS6 (Sustainability in New Developments) of the Council's LDF Core Strategy (2007) states [inter alia] that development should minimise waste and encourage recycling incorporating waste management processes.
- 9.224 The storage of waste facilities should be integral to the design of the development, ideally within dedicated waste enclosures, and located so that they can be accessed conveniently by residents.

- 9.225 The applicant has stated that each proposed dwellinghouse would be provided with space, generally located within storage enclosures within the rear gardens, for a 240L wheeled bin for landfill refuse and a 180L for recycling. The proposed apartments would be provided with communal facilities including 1100L of storage for landfill refuse and 1100L of storage for recycling.
- 9.226 This is considered acceptable in principle, subject to a waste management strategy being submitted secured via a condition.

Fire Safety

- 9.227 The applicant is expected to provide a fire safety report for the development. It is expected that a further report will be received prior to the committee meeting for both the school and residential sites. Commentary will be provided by update and if necessary any further recommended conditions or informatives.
- 9.228 The applicant will need to consult with Building Control (or an Approved Inspector) and the Fire Brigade prior to the construction of the development to finalise the fire safety plans.
- 9.229 The Surrey Fire and Rescue Service commented on 3rd June, following the re-consultation for the revised scheme. They have stated no objections to the proposed development but have suggested a list of informative relating to building regulations.

Legal Agreements

- 9.230 A payment or other benefit offered in a Section 106 agreement is not material to a decision to grant planning permission and cannot be required unless it complies with the provisions of the Community Infrastructure Levy Regulations 2010 (Regulation 122), which provide that the planning obligation must be:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 9.231 The Section 106 agreement will not address all the impacts since some of these will be addressed by CIL, in order to satisfy the Regulation 122 tests above.
- 9.232 In relation to this application, the following site specific financial and infrastructure contributions are required to mitigate the highways impacts of the development:

- £30,000 towards a review and re-validation of the SCOOT region of traffic signal systems at the Ruxley Lane (B284) junctions with both Chessington Road (B284) and Kingston Road (A240);
- Provision of a shared cycle way footway between Ruxley Lane and Scotts Farm Road;
- Provision of one car club vehicle for a minimum of two years, with all costs associated with the provision of the vehicle including provision of parking space either within a publicly accessible location of the development or on the public highway and pump priming being met by the developer;
- Provision of £50 worth of free travel for the first residential users of the proposed development using the car club vehicles;
- Provision of one year free membership of the car club for the first occupants of each of the proposed residential units; and
- £6,150 towards Travel Plan Auditing.

9.233 In addition, the following S278 works will be required:

- The provision of a car parking bay on Scotts Farm Road to hold 6 vehicles.

9.234 The development will be providing a Policy compliant level of 40% affordable housing units as discussed above in the Housing Section of the Report. This equates to 65 units split between 45 Affordable Rent units and 20 Shared Ownership units.

9.235 The legal agreement will also secure:

- £40,000 to improve the existing playground at Curtis Road.
- A LEMP (Landscape and Ecological Management Plan) being used to secured implementation and management of the ecological mitigation in perpetuity

Community Infrastructure Levy

9.236 This scheme is CIL liable.

10 Conclusion

10.1 The school development would provide a much needed upgrade to the school which is in need of replacement. The upgraded sports facilities would allow students to compete in sport to a higher standard than this which it currently is able to and will allow for further after school training sessions and sports activities.

- 10.2 Sport England objected on the grounds in a loss of playing fields this is outweighed by the provision of new all-weather pitches and improved facilities of which there is a significant shortfall within Epsom and Ewell Borough and which will be made more available for community use.
- 10.3 The design of the school buildings would be of a high standard. The building styles would not reflect the present campus appearance which are not of any architectural merit and as such, the proposed buildings arte of modern design which would contribute positively to the setting and appearance of the school and wider area.
- 10.4 The flood lighting has been raised as a concern during neighbour consultations. The extent to which the flood lighting and light pollution will impact the surrounding properties and disturb the existing site will be mitigate by conditions controlling the lighting levels an hours of operation.
- 10.5 The increased size of the facilities will be provided with additional car parking to accommodate the maximum capacity of the sports facilities and an additional 47 car parking spaces will be provided.
- 10.6 The residential development would be built on the lower site which is an unused field that is unsuitable for the school to use as a playing field.
- 10.7 The housing development would consist of a mixture between apartment block and dwelling houses. Building height range between two three and four storeys in height.
- 10.8 The residential part of the site would consist of two vernaculars to vary the building type and benefits from views through the site towards the communal greenspace at the rear. 85 new trees are proposed as a part of the residential development and there is landscaping throughout. The entrance to the site has been designed to provide a gateway into the site utilising specific building types and greenspace to make it more attractive.
- 10.9 The proposed residential site would not result in any unacceptable impacts to the amenity of neighbouring properties as separation distances in unison with building heights have been utilised to mitigate any potential issues. Furthermore the amenity of the proposed properties has been managed in a way as to ensure no significant impacts would befall the future occupants by ensuring policy compliant separation distances are utilised throughout.

- 10.10 Internal space standards have been met throughout the proposed development to ensure that all the proposed dwellings comply with the nationally described spaces standards. The gardens of the proposed dwelling houses all meet policy compliant standards and the majority of the apartments have balconies. The communal greenspace on site is considered to be adequate to mitigate the lack of private amenity space for those few third floor flats that do not have their own private amenity space.
- 10.11 The proposal would result in a net gain of trees on site and vegetation would be employed through a landscaping plan throughout both the school and residential side of the proposal. Species of flora planted as part of the plan will be discharged in co-operation with the councils ecology officer to ensure a high biological value and a condition will be attached the application to ensure that bird and bat boxes are used throughout the site to ensure a net gain in ecological value of the site in accordance with the Chapter 15 of the NPPF and Policy DM4.
- 10.12 The main issue that faces the proposal is the impacts upon transport network. The proposed transport assessment has been assessed by Surrey County Council Highways department and has been determined that subject to the agreement of mitigation measures via a combination of conditions, S106 Obligations and S278 Obligations the scheme would be acceptable.
- 10.13 A neighbour group funded their own separate data and report which has analysed Surrey County Council Highways and which the applicant provided responses to. The highways impacts are considered by Highway Authority to be acceptable subject to the agreement of the mitigate measures.
- 10.14 When considering the final planning balance and applying the presumption in favour of sustainable development as required in this case due to a clear lack of housing land supply in the borough, there is no technical planning constraint to the site which has not been overcome by the applicant or which cannot be adequately mitigated.
- 10.15 The proposal provides clear significant benefits in the form of additional housing, new and improve community and school facilities and a policy compliant levels of affordable housing. This is in addition to less significant, but notable benefits in the form of economic growth, biodiversity and contributions to improve play space and sustainable transport facilities.
- 10.16 When assessing the any adverse impacts form the proposal they are not considered to significantly or demonstrably outweigh the substantial benefits when assessed against the Policies of the framework as required by Para 11 of the NPPF. As such the proposal is considered an acceptable form of sustainable development and is recommended for approval.

11 Recommendation

11.1 Part A

Subject to a Section 106 Agreement being completed and signed by 5 December 2019, the Committee authorise the Head of Planning to grant planning permission, subject to Conditions.

11.2 Part B

In the event the S106 Agreement referred to in Part A is not completed by 5 December 2019, the Head of Planning be authorised to refuse the application for the following reason:

The application fails to provide the necessary Affordable Housing and Contribution and Off Site Highway works to mitigate the proposed development contrary to policies CS9 and CS12 of the Epsom and Ewell Core Strategy 2007, DM6, DM21, DM22 and DM36 Development Management Policies Document

11.3 Conditions:

General Conditions

- (1) **The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

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 and documents:**

Design and Access Statement

Design and Access Statement - Addendum

101703-BEL-SL-01-B	Presentation Planning Layout
101703-BEL-SL-02-B	Supporting Planning Layout
101703-BEL-SL-03-B	Storey Heights Layout
101703-BEL-SL-04-B	Tenure Layout
101703-BEL-SL-05-C	Unit Type Layout
101703-BEL-SL-06	Location Plan
101703-BEL-SL-07-B	Materials Layout
101703-BEL-SL-08	Existing Site Plan

101703-BEL-SL-FRP01	Footpath Route Plan 01
101703-BEL-SL-FRP02	Footpath Route Plan 02
101703-BEL-SL-OSA01	Open Space Areas 01
101703-SS01-A	Street Scene 01
101703-SS02-A	Street Scene 02
101703-SS03-A	Street Scene 03
101703-PER01-A	Perspective View 01
101703-PER02	Perspective View 02
101703-PER03	Perspective View 03
101703-PER04	Perspective View 04
101703-SEC01-A	Site Section 01
101703-SEC02-A	Site Section 02
PO-2B-2S-TF-E	The Potter - Elevations - Town - Feature Brick
PO-2B-2S-TT-E	The Potter - Elevations - Town - Tile
PO-2B-2S-P1	The Potter - Floor Plans
TH-3B-2S-TB-E-A	The Thespian - Elevations - Town - Brick
TH-3B-2S-TT-E-A	The Thespian - Elevations - Town - Tile
TH-3B-2S-TC-E-A	The Thespian - Elevations - Town - Contemporary
TH-3B-2S-P1-A	The Thespian - Floor Plans
QU-3B-2S-TF-E	The Quilter - Elevations - Town - Feature Brick
QU-3B-2S-P1	The Quilter - Floor Plans
101703-H324+-E1	House Type H324+ - Elevations - Town - Feature Brick
101703-H324+-E2	House Type H324+ - Elevations - Town - Tile
101703-H324+-E5	House Type H324+ - Elevations - Town - Contemporary
101703-H324+-P1	House Type H324+ - Floor Plans
101703-H324+-E3	House Type H324+ - Elevations - Town - Feature Brick
101703-H324+-P2	House Type H324+ - Floor Plans

101703-H324+-E4	House Type H324+ - Elevations - Town - Feature Brick
101703-H324+-P3	House Type H324+ - Floor Plans
MA-3B-2S-TF-E	The Mason - Elevations - Town - Feature Brick
MA-3B-2S-TC-E	The Mason - Elevations - Town - Contemporary
MA-3B-2S-P1	The Mason - Floor Plans
101703-B2-E1-B	Apartment Block 2 - Front Elevation
101703-B2-E2-B	Apartment Block 2 - Side Elevations
101703-B2-E3	Apartment Block 2 - Rear Elevation
101703-B2-P1-B	Apartment Block 2- Ground Floor Plan
101703-B2-P2-B	Apartment Block 2 - First Floor Plan
101703-B2-P3-B	Apartment Block 2 - Second Floor Plan
101703-B2-P4-B	Apartment Block 2 - Third Floor Plan
BA-2B-2S-TC-E	The Baker - Elevations - Town - Contemporary
BA-2B-2S-P1	The Baker - Floor Plans
TI-3B-2S-TF-E	The Tillman - Elevations - Town - Feature Brick
TI-3B-2S-TC-E	The Tillman - Elevations - Town - Contemporary
TI-3B-2S-P1	The Tillman - Floor Plans
SW-3B-3S-TF-E	The Shipwright- Elevations - Town - Feature Brick
SW-3B-3S-P1	The Shipwright - Floor Plans
101703-B1-E1-B	Apartment Block 1 - Front Elevation
101703-B1-E2-B	Apartment Block 1 - Side Elevations
101703-B1-E3-B	Apartment Block 1 - Rear Elevation
101703-B1-P1-B	Apartment Block 1- Ground Floor Plan
101703-B1-P2-B	Apartment Block 1 - First Floor Plan
101703-B1-P3-B	Apartment Block 1 - Second Floor Plan
101703-B1-P4-B	Apartment Block 1 - Third Floor Plan
101703-B3-E1-B	Apartment Block 3 - Front Elevation

101703-B3-E2-B	Apartment Block 3 - Side Elevation
101703-B3-E3-B	Apartment Block 3 - Rear Elevation
101703-B3-E4-B	Apartment Block 3 - Side Elevation
101703-B3-P1-B	Apartment Block 3 - Ground Floor Plan
101703-B3-P2-B	Apartment Block 3 - First Floor Plan
101703-B3-P3-B	Apartment Block 3 - Second Floor Plan
101703-B3-P4-B	Apartment Block 3 - Third Floor Plan
101703-GAR01	Garage Type 01 - Floor Plan and Elevations
101703-GAR02	Garage Type 02 - Floor Plan and Elevations
101703-GAR03	Garage Type 03 - Floor Plan and Elevations
101703-GAR04	Garage Type 04 - Floor Plan and Elevations
101703-GAR05	Garage Type 05 - Floor Plan and Elevations
101703-GAR06-A	Garage Type 06 - Floor Plan and Elevations
101703-SH01	Cycle Shed 01 - Floor Plan and Elevations
101703-SH02	Cycle Shed 02 - Floor Plan and Elevations
101703-SUB01	Sub Station - Floor Plan and Elevations
7806	residential Scheme Biodiversity Enhancement plan
PL01	Site Location Plan
PL02	Existing Site Plan
PL03	Proposed Site Plan
PL10	Existing Site Plan
PL11	Existing Ground Floor Plan
PL12	Existing Roof Plan
PL13	Existing Elevations
PL20	Proposed Site Plan
PL21	Proposed Ground Floor Plan

- PL22 Proposed First Floor Plan**
- PL23 Proposed Roof Plan**
- PL24 Proposed Elevations (1 of 2)**
- PL25 Proposed Elevations (2 of 2)**
- PL30 Existing Site Plan**
- PL31 Existing Ground Floor Plan**
- PL32 Existing First Floor Plan**
- PL33 Existing Roof Plan**
- PL34 Existing Elevations**
- PL40 Proposed Site Plan**
- PL41 Proposed Ground Floor Plan**
- PL42 Proposed First Floor Plan**
- PL43 Proposed Roof Plan**
- PL44 Proposed Elevations (1 of 2)**
- PL45 Proposed Elevations (2 of 2)**
- PL50 Proposed Site Plan**
- PL51 Proposed Ground Floor Plan**
- PL52 Proposed Roof Plan**
- PL53 Proposed Elevations (1 of 2)**
- PL54 Proposed Elevations (2 of 2)**
- PL60 Proposed Site Plan**
- PL61 Proposed Elevations (1 of 2)**
- PL62 Proposed Elevations (2 of 2)**
- PL70 Proposed Site Plan**
- PL71 Proposed Elevations (1 of 2)**
- PL72 Proposed Elevations (2 of 2)**
- PL75 Proposed Plan**

PL76 Proposed Elevations (1 of 2)

PL77 Proposed Elevations (2 of 2)

PL78 Proposed Plans and Elevations

PL80 Proposed Contextural North Elevation

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

- (3) No development shall commence until a landscaping scheme and planting schedule for each phase of the development, including boundary treatment, hardstanding and street furniture have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented within the first planting season following completion of the development and the tree planting and landscaping shall thereafter be maintained for five years to the satisfaction of the Local Planning Authority. Any trees or shrubs which die during this period shall be replaced in the first available planting season, and the area shown to be landscaped shall be permanently retained for that purpose only.**

Reason: The details would affect subsequent design of other elements of the scheme and must be agreed at the outset and in the interests of visual amenity and also that the Local Planning Authority shall be satisfied as to the details of the development in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the Development Management Policies Document adopted October 2015.

- (4) The development shall be carried out in accordance with the submitted flood risk assessments (ref 'December 2018 / / Ardent Consulting Engineers' and 'December 2018 / 174392-01A / Ardent Consulting Engineers') and the following mitigation measures they detail:**

Finished floor levels shall be set no lower than 25.87 metres above Ordnance Datum (mAOD).

Level for level compensatory storage shall be provided.

All topographic adjustments are taken forward to provide flood plain compensation.

The flood resilient and resistance measures outlined shall be fully implemented.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be

retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in line with the National Planning Policy Framework (NPPF). To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided and to ensure satisfactory storage of/disposal of surface water from the site

- (5) No development shall take place until a scheme for the provision and management of a 8 metre wide buffer zone alongside the watercourse has been submitted to, and approved in writing by, the local planning authority. Thereafter, the development shall be carried out with the approved scheme. Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping.

The scheme shall include:

plans showing the extent and layout of the buffer zone.

details of any proposed planting scheme (for example, native species).

details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.

details of any proposed footpaths, fencing, lighting, etc. There should be no lightning directed on to the river corridor as this would be harmful to bats and other wildlife

Reason: Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected in line with the submitted ecological Assessments by Ecology Solutions (7806.RSEcoAs.vf1 and 7806.NAEcoAs.vf2; dated December 2018). To accord with paras 170 and 175 of the National Planning Policy Framework (NPPF) and to conserve and enhance the environment by minimising impacts on and provide net biodiversity gain and meet the requirements of the Natural Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity.

- (6) No development of the footpath improvement works hereby approved shall commence until a Construction Transport Management Plan relevant to that development, 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) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicles with a max gross weight of 7.5 tones to avoid accessing the site via the junction of Scott's Farm Road with Ruxley Lane.
- (h) measures to prevent the deposit of materials on the highway
- (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- (j) no HGV movements to or from the site shall take place between the hours of 8.30 and 9.15 am and 3.15 and 4.00 pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Ruxley Lane and its side roads and Scotts Farm Road and its side roads
- (k) on-site turning for construction vehicles

has been submitted to and approved in writing by the Local Planning Authority for that phase. Only the approved details shall be implemented during the construction of the development.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and policy DM 35 Transport and New Development, of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (7) The approved Travel Plan shall dated August 2019 be implemented upon first occupation and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and policies DM 35 Transport and New Development, DM 36 Sustainable Transport for New Development, DM 37 Parking Standards of the Epsom and Ewell

**Borough Council Development Management Policies Document
September 2015.**

School Site Conditions

- (8) Prior reaching slab level of the School Site, a sample of all facing materials to be utilised in the development phase hereby permitted including bricks, contrast materials, mortar, windows, doors, roof materials, plant enclosure and car parking cladding shall be submitted to and approved in writing by the Local Planning Authority before any works on site are commenced. The development shall then be built in accordance with these approved samples.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the Development Management Policies Document adopted October 2015.

- (9) Prior reaching slab level of the School Site, full detailed drawings at 1:20 or 1:50 of all openings including windows, doors, communal entrances openings, balconies and areas for signage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on site. The development shall be carried out in accordance with the approved plans.

Reason: The details would affect subsequent design of other elements of the scheme and must be agreed at the outset and to ensure a satisfactory appearance on completion of the development in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the Development Management Policies Document adopted October 2015.

- (10) Prior to the commencement of the School Site of the development hereby permitted, the applicant shall supply full details, including the design and location of bird and bat boxes, as well as swift bricks, to be located within the proposed development. The approved details will then be retained in perpetuity or the lifetime of the development hereby approved or until the grant of planning permission explicitly states otherwise.

Reason: To safeguard and enhance biodiversity in accordance with Policy CS3 of the Core Strategy 2007 and Policy DM4 of the Development Management Policies Document 2015.

- (11) Prior reaching slab level of the School Site of the development hereby permitted detailed drawings of any walls, fences, or other means of enclosures within or around the site shall be submitted to and approved in writing by the Local Planning Authority.

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 having regards to policy CS3 of the Core Strategy 2007 and Policies DM4 and DM10 of the Development Management Policies Document adopted October 2015.

- (12) **No development shall take place in the School Site of the development until details of adequate refuse and recycling storage and collection facilities, including suitable collection and servicing to take place from within the site, has been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details and thereafter maintained.**

Reason: To provide adequate waste facilities in the interests of the amenities of the area and to encourage the recycling of domestic refuse having regards to policy CS3 of the Core Strategy 2007 and Policies DM4 and DM10 of the Development Management Policies Document adopted October 2015.

- (13) **No development shall take place until a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by, the local planning authority. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:**

Details of maintenance regimes

Details of any new habitat created on site and/or buffers around water bodies

Details of management responsibilities

Reason: To ensure that the wildlife areas are protected and managed appropriately. Also, to secure opportunities for enhancing the site's nature conservation value in line with national planning policy and adopted Policy DM4 in the Development Management Policies Document (2015) of the Epsom and Ewell Local Plan.

- (14) **Prior to the commencement of any development of the School Site, a plan showing the levels of all buildings, communal areas, roads, parking areas and pathways shall be submitted to and approved in writing by the Local Planning Authority. The phase shall be constructed in accordance with the approved details.**

Reason: The details would affect subsequent design of other elements of the scheme and must be agreed at the outset and to

ensure that the appearance and functioning of the development is satisfactory and to safeguard the amenities of adjoining occupiers in accordance with Policy DM10 of the Development Management Policies Document adopted October 2015.

- (15) No development at the School Site shall take place until the applicants or their agents or successors in title have secured the implementation of a programme of archaeological work to be conducted in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: to ensure archaeological investigation recording in accordance with Policy DM10 of the Development Management Policies Document adopted October 2015 and that National Planning Policy Framework.

- (16) Within 9 months of the date of this decision, a community use agreement prepared in consultation with Sport England should be submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to all indoor and outdoor sports facilities and car parking relating to Epsom and Ewell High School and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The Epsom and Ewell High School Development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: to ensure access to facilities to the benefit of all parties and to comply with policy DM34 of the Development Management Policies Document adopted October 2015.

- (17) Before the Artificial Grass Pitch is brought into use, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. This shall include measures to ensure the replacement of the Artificial Grass Pitch within the manufacturer's recommended period. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the Artificial Grass Pitch.

Reason: to ensure the facilities meet an appropriate playing standard and to the benefit of all parties and to comply with Policy CS13 of the Core Strategy 2007 policy DM34 of the Development Management Policies Document adopted October 2015.

- (18) Within 6 months of the use of the 3G Artificial Grass Pitch commencing:

(a) certification that the 3G Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf – FIFA Quality or equivalent International Artificial Turf Standard (IMS) and

(b) confirmation that the 3G Artificial Grass Pitch has been registered on the Football Association’s Register of Football Turf Pitches have been submitted to and approved in writing by the Local Planning Authority.

Reason: to ensure the facilities meet an appropriate playing standard and to the benefit of all parties and to comply with Policy CS13 of the Core Strategy 2007 policy DM34 of the Development Management Policies Document adopted October 2015.

- (19) Prior to the commencement of Epsom and Ewell High School Development (excluding footpath improvement works) including ground preparation, an Arboricultural Method Statement shall be submitted to and approved in writing by the Borough Council which sets out how trees will be protected during access to the site by plant and equipment during development activity. The Method Statement shall be implemented as approved.**

Reason: To ensure satisfactory protection of trees in the interest of amenity and environmental protection as required by Policies CS4 and DM5”

- (20) No development for the School Site 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) programme of works (including measures for traffic management)**
- (e) provision of boundary hoarding behind any visibility zones**
- (f) HGV deliveries and hours of operation**
- (g) vehicles with a max gross weight of 7.5 tones to avoid accessing the site via the junction of Scott’s Farm Road with Ruxley Lane.**
- (h) measures to prevent the deposit of materials on the highway**
- (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused**
- (j) no HGV movements to or from the site shall take place between the hours of 8.30 and 9.15 am and 3.15 and 4.00 pm nor shall the**

contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Ruxley Lane and its side roads and Scotts Farm Road and its side roads

(k) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority for that phase. Only the approved details shall be implemented during the construction of the development.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and policy DM 35 Transport and New Development, of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (21) Prior to commencement of the School Site of the development, a scheme incorporating full details of the external lighting shall be submitted to and approved in writing by the Local Planning Authority.**

The floodlighting scheme for School Site, shall be installed in complete accordance with the specification as detailed in the Sports Pitch Lighting Report dated Nov 18 Rev P03 by Hawden Associates Ltd or in agreement with the Borough Council and Sport England, and shall be maintained on that basis.

Prior to the floodlighting hereby approved being brought into use, the flood lights shall be tested and adjusted to minimise light spillage and the impact upon surrounding dwellings.

Any external lighting installed shall be in accordance with the approved details and thereby retained as such. The scheme shall take into account all of the lighting needs associated with the location and uses within the relevant phase of the development and shall be the minimum required to perform the relevant lighting task. It shall be specifically designed to minimise the risk of light spillage beyond the development site boundary and into the sky and to avoid harm to bats.

The scheme shall include:

- a) A statement setting out the objectives of the lighting scheme;**
- b) A report, prepared by a lighting engineer, setting out the technical details of the luminaries and columns, including their location, type, shape, dimensions and, expected luminance output and specifically explaining what design attributes have been chosen to minimise light pollution, in particular proposals to eliminate any risk of the direct viewing of the lit bulb from residential land;**

- c) A plan illustrating illuminance levels across the phase and at the boundary of the site. The level of illuminance should be appropriate to the character of the surrounding area as a whole;
- d) A plan illustrating illuminance levels beyond the boundary of the site, together with the downward light output ratio of the lights;
- e) A statement which demonstrates how the lighting scheme will be viewed against the wider landscape and, where appropriate, the potential role of landscaping in minimizing the day and night-time visual impact of the installation;
- f) An operational statement, the purpose of which is to ensure that the developer and the lighting designer have considered operational regimes that can provide energy savings;
- g) Details of the proposed hours of operation; and
- h) Details of the cumulative impact of the lighting taking account of each phase.

Once approved in writing, the lighting scheme for that the School Site shall be operated in accordance with the approved details. The council reserves the right to require periodic testing to be conducted on the lighting installations and if it is confirmed that approved levels are being exceeded the operator of the lighting scheme will be required to implement the necessary works to bring it back within compliance within a specified time period.

Reason: to ensure the facilities meet an appropriate playing standard whilst not prejudicing the amenity of any residential properties neighbouring the site, to the benefit of all parties and to comply with Policy CS13 of the Core Strategy 2007 policy DM34 of the Development Management Policies Document adopted October 2015

- (22) The School Site of the hereby permitted scheme shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development (Pre, Post and during), associated discharge rates and storages volumes shall be provided using a maximum Greenfield discharge rate of 11.2 l/s for the 1 in 1 year, 29.8 l/s for the 1 in 30 year and 41.9 for the 1 in 100 year storm events (as per the SuDS pro-forma or otherwise as agreed by the LPA).

b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).

c) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

d) Details of drainage management responsibilities and maintenance regimes for the finalised drainage system

e) Confirmation that the existing drainage ditch along the western boundary remains entirely operational pre, post and during construction.

f) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

- (23) Notwithstanding the submitted travel plan prior to the occupation of the school Site a revised 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 2019 and Surrey County Council's "Travel Plans Good Practice Guide to include a TRICS compliant Standard Assessment Methodology monitoring of the travel plan in years 1, 3 and 5 years after occupation. And then the approved Travel Plan shall be implemented upon first occupation and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.**

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and policies DM 35 Transport and New Development, DM 36 Sustainable Transport for New Development, DM 37 Parking Standards of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (24) Prior to the recreation facilities of the School Site being brought into use the internal road layout to the proposed 47 car parking spaces to**

serve the school facilities shall be provided in accordance with the approved plan numbered 174392 003, all to be permanently retained. Should there be a need for interim parking arrangements during the construction phase of the development, a temporary scheme should be submitted and approved in writing by the Local Planning Authority. The parking spaces approved for the final development shall thereafter be retained.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and policies DM 35 Transport and New Development, and DM 37 Parking Standards of the Epsom and Ewell Borough Council Development Management Policies Document September 2015

- (25) The School Site development hereby approved shall not be first brought into use unless and 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. Thereafter the parking turning areas shall be retained and maintained for their designated purpose. Should there be a need for interim parking arrangements during the construction phase of the development, a temporary scheme should be submitted and approved in writing by the Local Planning Authority. The parking spaces approved for the final development shall thereafter be retained.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and policies DM 35 Transport and New Development, and DM 37 Parking Standards of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (26) The school Site of the development hereby permitted shall not be occupied until details of the refuse and recycling storage facilities and a refuse and recycling management strategy for the residents of, staff of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling storage and management plan shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: To safeguard the amenities of the occupiers of the neighbouring properties in accordance with Policy DM10 of the Development Management Policies Document adopted October 2015.

- (27) Notwithstanding the submitted plans, the School Site development hereby approved shall not be brought into use until 10% (5) of the available additional parking spaces are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply). Otherwise a revised scheme should be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and policies DM 35 Transport and New Development, DM 36 Sustainable Transport for New Development, DM 37 Parking Standards of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (28) Notwithstanding paragraphs 6.2.1 to 6.3 of the submitted Transport Assessment dated December 2019 proposing arrangements to manage car parking details to manage cycle parking stock and arrangements to accommodate parking of mini buses within the site. a revised document to manage such parking shall be submitted to and approved in writing before occupation of the proposed development. The approved details shall be implemented upon occupation of the proposed community facilities. Should there be a need for interim parking arrangements during the construction phase of the development a temporary scheme should be submitted and approved in writing by the Local Planning Authority. The parking spaces approved for the final development shall thereafter be retained thereafter.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and policies DM 35 Transport and New Development, and DM 37 Parking Standards of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (29) Prior to the first occupation of the School Site of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS Policy CS 6 of the Core Strategy 2007 and Policy DM19 of the Development Management Policies Document adopted October 2015.

- (30) No part of the proposed School Site shall be occupied until the carriageway, footways and associated turning areas for refuse vehicles serving each of the dwellings to be occupied have been constructed in accordance with the approved plans.**

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and DM 35 Transport and New Development, of the Epsom and Ewell Borough Council Development Management Policies Document September 2015

- (31) The submitted travel plan shall be implemented upon first occupation of the School Site development hereby permitted.**

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and policies DM 35 Transport and New Development, DM 36 Sustainable Transport for New Development, DM 37 Parking Standards of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (32) The School Site development shall not be brought into use until a Facilities Management Plan has been submitted for the approval of the local planning authority. The approved Facilities Management Plan shall be implemented upon first occupation of the school.**

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and policies DM 35 Transport and New Development, and DM 37 Parking Standards of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (33) The Sports Facilities open for public use shall not operate outside of the hours listed for each element listed below:**

Facility	Mon-Thurs	Friday	Saturday	Sunday
Sports hall	End of school day – 22.00		09.30 – 17.00	09:00 – 19.30

Studios	End of school day – 22.00		09.30 – 17.00	09:00 – 19.30
3g AGP (Floodlit)	End of school day – 21.00	End of school day – 19.00	09.00 – 17.00	09.00 – 17.00
Hockey Plus Surface (hockey, tennis, netball (floodlit))	End of school day – 21.00	End of school day – 19.00	09.00 – 17.00	09.00 – 17.00
Compact Athletics Training April – Sept	End of school day – 21.00		09.00 – 17.00	09:00 – 17.00
Compact Athletics Training Oct – March	None	None	09.00 – 16.00	09:00 – 16.00
Grass pitches/playing field upper field May – August	End of school day – 21.00		09.00 – 17.00	09.00 – 17.00
Grass pitches/playing field upper field April/September	End of school day – 19.00		09.00 – 17.00	09.00 – 17.00
Grass pitches/playing field upper field October – March	None	None	09.00 – 17.00	09.00 – 17.00
Grass pitch 7v7 Main School Site September – April	None	None	09.00 – 17.00	09.00 – 17.00

Reason: To safeguard the amenities of the occupiers of the neighbouring properties in accordance with Policy DM10 of the Development Management Policies Document adopted October 2015).

- (34) No fans, louvres, ducts, flues, pipe-work or other external plant shall be fixed to the elevations of the buildings of the School Site.

Reason: In the interests of the visual amenities of the area in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the Development Management Policies Document adopted October 2015.

- (35) The roofs of the buildings of the School Site hereby permitted shall not be converted or used as balconies or a sitting out areas, and no access shall be gained except for maintenance purposes.

Reason: To protect the amenities and privacy of the adjoining residential properties in accordance with Policy DM10 (Design

Requirements for New Developments including House Extensions) of the Development Management Policies Document adopted October 2015.

- (36) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order, with or without modification) no extensions shall be erected (other than those expressly authorised by this permission) to any of the properties in the School Site.**

Reason: To control any subsequent enlargements in the interests of the visual and residential amenities of the locality with regard to Policy DM10 (Design Requirements for New Developments) of the Development Management Policies Document adopted October 2015.

- (37) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) (England) 2015 (or any order revoking and re-enacting that Order with or without modification) no fences, gates, walls or other means of enclosure shall be erected within the curtilage of the School Site.**

Reason: To control any subsequent visual changes in the interests of the visual and residential amenities of the locality with regard to Policy DM10 (Design Requirements for New Developments) of the Development Management Policies Document adopted October 2015.

- (38) The hours and use of the pitch and facilities the School Site facilities approved by school users shall be restricted to organised sport and recreation between the hours of 09:00 and 21:00 Monday to Thursday, 09:00 and 19:00 on Fridays and 09:00 and 17:00 on Weekends and Bank Holidays.**

Reason: To ensure the amenities of the area and local residents and to accord with policies Policy CS3 of the Core Strategy 2007 and Policies DM4 and DM10 of the Development Management Policies Document adopted October 2015.

- (39) Following any necessary demolition and prior to the commencement of any further development at the School site, the following shall be undertaken in accordance with current best practice guidance:**

(i) a desk study, site investigation and risk assessment to determine the existence, extent and concentrations of any made ground/fill, ground gas (including hydrocarbons) and contaminants (including asbestos) with the potential to impact sensitive receptors on and off-site. The results of the investigation and risk assessment shall be submitted to and approved by the Local Planning Authority; and

(ii) if ground/groundwater contamination, filled ground and/or ground gas is found to present unacceptable risks, a detailed scheme of risk

management measures shall be designed and submitted to the Local Planning Authority for approval.

Reason: to control ground pollution in accordance with Policy DM17 of the Development Management Policies Document adopted October 2015

- (40) Prior to any occupation of the school site, the approved remediation scheme prepared under Condition 40 must be carried out in accordance with its terms. Following completion, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: to control ground pollution in accordance with Policy DM17 of the Development Management Policies Document adopted October 2015

- (41) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. In that event, an investigation and risk assessment must be undertaken and where remediation is deemed necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: to control ground pollution in accordance with Policy DM17 of the Development Management Policies Document adopted October 2015

Residential Conditions

- (42) Prior to reaching slab level of the development at the Residential Site Development a sample of all facing materials to be utilised in the development phase hereby permitted including bricks, contrast materials, mortar, windows, doors, roof materials, plant enclosure and car parking cladding shall be submitted to and approved in writing by the Local Planning Authority before any works on site are commenced. The development shall then be built in accordance with these approved samples.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with Policy DM10 (Design Requirements for New Developments including House

Extensions) of the Development Management Policies Document adopted October 2015.

- (43) Prior to reaching slab level of the development at the Residential Site, full detailed drawings at 1:20 or 1:50 of all openings including windows, doors, communal entrances openings, balconies and areas for signage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on site. The development shall be carried out in accordance with the approved plans.**

Reason: The details would affect subsequent design of other elements of the scheme and must be agreed at the outset and to ensure a satisfactory appearance on completion of the development in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the Development Management Policies Document adopted October 2015.

- (44) Prior to the commencement of the Residential Site of the development hereby permitted, the applicant shall supply full details, including the design and location of bird and bat boxes, as well as swift bricks, to be located within the proposed development. The approved details will then be retained in perpetuity or the lifetime of the development hereby approved or until the grant of planning permission explicitly states otherwise.**

Reason: To safeguard and enhance biodiversity in accordance with Policy CS3 of the Core Strategy 2007 and Policy DM4 of the Development Management Policies Document 2015.

- (45) Prior to reaching the slab level of the Residential Site of the development hereby permitted detailed drawings of any walls, fences, or other means of enclosures within or around the site shall be submitted to and approved in writing by the Local Planning Authority.**

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 having regards to policy CS3 of the Core Strategy 2007 and Policies DM4 and DM10 of the Development Management Policies Document adopted October 2015.

- (46) No development shall take place in the Residential Site of the development until details of adequate refuse and recycling storage and collection facilities, including suitable collection and servicing to take place from within the site, has been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details and thereafter maintained.**

Reason: To provide adequate waste facilities in the interests of the amenities of the area and to encourage the recycling of domestic refuse having regards to policy CS3 of the Core Strategy 2007 and Policies DM4 and DM10 of the Development Management Policies Document adopted October 2015.

- (47) Prior to the commencement of Residential Development (excluding footpath improvement works) including ground preparation, an Arboricultural Method Statement shall be submitted to and approved in writing by the Borough Council which sets out how trees will be protected during access to the site by plant and equipment during development activity. The Method Statement shall be implemented as approved.

Reason: To ensure satisfactory protection of trees in the interest of amenity and environmental protection as required by Policies CS4 and DM5

- (48) No development at the Residential Site Development shall take place until the applicants or their agents or successors in title have secured the implementation of a programme of archaeological work to be conducted in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: to ensure archaeological investigation recording in accordance with Policy DM10 of the Development Management Policies Document adopted October 2015 and that National Planning Policy Framework.

- (49) No development shall take place until a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by, the local planning authority. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:

Details of maintenance regimes

Details of any new habitat created on site and/or buffers around water bodies

Details of management responsibilities

Reason: To ensure that the wildlife areas are protected and managed appropriately. Also, to secure opportunities for enhancing the site's nature conservation value in line with national planning policy and

adopted Policy DM4 in the Development Management Policies Document (2015) of the Epsom and Ewell Local Plan.

- (50) No development for the Residential Site 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) programme of works (including measures for traffic management)**
 - (e) provision of boundary hoarding behind any visibility zones**
 - (f) HGV deliveries and hours of operation**
 - (g) vehicles with a max gross weight of 7.5 tones to avoid accessing the site via the junction of Scott's Farm Road with Ruxley Lane.**
 - (h) measures to prevent the deposit of materials on the highway**
 - (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused**
 - (j) no HGV movements to or from the site shall take place between the hours of 8.30 and 9.15 am and 3.15 and 4.00 pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Ruxley Lane and its side roads and Scotts Farm Road and its side roads**
 - (k) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority for that phase. Only the approved details shall be implemented during the construction of the development.**

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and policy DM 35 Transport and New Development, of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (51) The residential development hereby approved shall not be commenced unless and until the proposed access to Scott's Farm Road and the first 10 metres of the new access road have both been constructed under a Section 278 Agreement and the access provided with visibility zones of 43 metres to the near side kerb line from a point 2.4 metres back into the access from the near side kerb line and tactile**

paving and dropped kerbs at the pedestrian crossing points in general accordance with the plan numbered 174390 004 submitted within the Ardent Transport Assessment dated December 2018, all to be permanently retained.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and policy DM 35 Transport and New Development, of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

(52) The Residential Site Development of the hereby permitted scheme shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

a) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development (Pre, Post and during), associated discharge rates and storages volumes shall be provided using a maximum Greenfield discharge rate of 11.2 l/s for the 1 in 1 year, 29.8 l/s for the 1 in 30 year and 41.9 for the 1 in 100 year storm events (as per the SuDS pro-forma or otherwise as agreed by the LPA).

b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).

c) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

d) Details of drainage management responsibilities and maintenance regimes for the finalised drainage system

e) Confirmation that the existing drainage ditch along the western boundary remains entirely operational pre, post and during construction.

f) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

- (53) The Residential Site of the development hereby permitted shall not be occupied until details of the refuse and recycling storage facilities and a refuse and recycling management strategy for the residents of, staff of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling storage and management plan shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: To safeguard the amenities of the occupiers of the neighbouring properties in accordance with Policy DM10 of the Development Management Policies Document adopted October 2015.

- (54) Following any necessary demolition and prior to the commencement of any further development at the residential site, the following shall be undertaken in accordance with current best practice guidance:

(i) a desk study, site investigation and risk assessment to determine the existence, extent and concentrations of any made ground/fill, ground gas (including hydrocarbons) and contaminants (including asbestos) with the potential to impact sensitive receptors on and off-site. The results of the investigation and risk assessment shall be submitted to and approved by the Local Planning Authority; and

(ii) if ground/groundwater contamination, filled ground and/or ground gas is found to present unacceptable risks, a detailed scheme of risk management measures shall be designed and submitted to the Local Planning Authority for approval.

Reason: to control ground pollution in accordance with Policy DM17 of the Development Management Policies Document adopted October 2015

- (55) Prior to any occupation of the residential site, the approved remediation scheme prepared under Condition 52 must be carried out in accordance with its terms. Following completion, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: to control ground pollution in accordance with Policy DM17 of the Development Management Policies Document adopted October 2015

- (56) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must

be reported in writing immediately to the Local Planning Authority. In that event, an investigation and risk assessment must be undertaken and where remediation is deemed necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: to control ground pollution in accordance with Policy DM17 of the Development Management Policies Document adopted October 2015

- (57) Notwithstanding the submitted travel plan prior to the occupation of the Residential Site a revised 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 2019 and Surrey County Council's "Travel Plans Good Practice Guide to include a TRICS compliant Standard Assessment Methodology monitoring of the travel plan in years 1, 3 and 5 years after occupation. And then the approved Travel Plan shall be implemented upon first occupation and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and policies DM 35 Transport and New Development, DM 36 Sustainable Transport for New Development, DM 37 Parking Standards of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (58) The residential Site development hereby approved shall not be first brought into use unless and 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. Thereafter the parking turning areas shall be retained and maintained for their designated purpose. Should there be a need for interim parking arrangements during the construction phase of the development, a temporary scheme should be submitted and approved in writing by the Local Planning Authority. The parking spaces approved for the final development shall thereafter be retained.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and policies DM 35 Transport and

New Development, and DM 37 Parking Standards of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (59) The details as shown on Residential Scheme Biodiversity Enhancement Plan Rev A August 2019 by Ecology Solutions shall be implemented in full prior to the first occupation of the Residential Development unless otherwise agreed with the Local Planning Authority. The details will then be retained in perpetuity or the lifetime of the development hereby approved or until the grant of planning permission explicitly states otherwise.**

Reason: To safeguard and enhance biodiversity in accordance with Policy CS3 of the Core Strategy 2007 and Policy DM4 of the Development Management Policies Document 2015.

- (60) The submitted Residential travel plan (Document Ref: 174390-05B) shall be implemented upon first occupation and for each subsequent occupation.**

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and policies DM 35 Transport and New Development, DM 36 Sustainable Transport for New Development, DM 37 Parking Standards of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (61) The residential development shall be constructed in accordance with the refuse strategy details as shown on drawing 101703-BEL-SL-02 B and 174390-010 (Refuse tracking May 2019) hereby approved.**

Reason: To provide adequate waste facilities in the interests of the amenities of the area and to encourage the recycling of domestic refuse having regards to policy CS3 of the Core Strategy 2007 and Policies DM4 and DM10 of the Development Management Policies Document adopted October 2015.

- (62) Prior to the first occupation of the residential Site of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).**

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS Policy CS 6 of the Core

Strategy 2007 and Policy DM19 of the Development Management Policies Document adopted October 2015.

- (63) No part of the proposed Residential Site Development shall be occupied until the carriageway, footways and associated turning areas for refuse vehicles serving each of the dwellings to be occupied have been constructed in accordance with the approved plans.**

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and DM 35 Transport and New Development, of the Epsom and Ewell Borough Council Development Management Policies Document September 2015

- (64) Notwithstanding the submitted plans the Residential Site Development hereby approved shall not be occupied unless and until 13 spaces of the available parking spaces for the flats are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) and a further 13 of the available spaces for the flats are provided with infrastructure to fit fast charge sockets and each of the 96 dwellings are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a revised scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.**

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and policies DM 35 Transport and New Development, DM 36 Sustainable Transport for New Development, DM 37 Parking Standards of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (65) Notwithstanding the submitted plans the Residential Site Development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with a revised a scheme to be submitted to and approved in writing by the Local Planning Authority for a minimum of 65 bicycle parking spaces to be provided in a secure and covered location. Thereafter the bike storage area shall be retained and maintained for its designated purpose.**

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National

Planning Policy Framework 2019 and policies DM 35 Transport and New Development, DM 36 Sustainable Transport for New Development, DM 37 Parking Standards of the Epsom and Ewell Borough Council Development Management Policies Document September 2015

- (66) No fans, louvres, ducts, flues, pipe-work or other external plant shall be fixed to the elevations of the buildings of the Residential Site development.**

Reason: In the interests of the visual amenities of the area in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the Development Management Policies Document adopted October 2015.

- (67) The residential development hereby approved shall be constructed in accordance with the levels as shown on 174390-003 Rev F unless otherwise agreed in writing by the Local Planning Authority.**

Reason: To safeguard the amenities of adjoining occupiers in accordance with Policy DM10 of the Development Management Policies Document adopted October 2015

- (68) The roofs of the buildings of the Residential Site development hereby permitted shall not be converted or used as balconies or a sitting out areas, and no access shall be gained except for maintenance purposes.**

Reason: To protect the amenities and privacy of the adjoining residential properties in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the Development Management Policies Document adopted October 2015.

- (69) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order, with or without modification) no extensions shall be erected (other than those expressly authorised by this permission) to any of the properties in the Residential Site development.**

Reason: To control any subsequent enlargements in the interests of the visual and residential amenities of the locality with regard to Policy DM10 (Design Requirements for New Developments including House Extensions) of the Development Management Policies Document adopted October 2015.

- (70) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) (England) 2015 (or any order revoking and re-enacting that Order with or without modification) no**

fences, gates, walls or other means of enclosure shall be erected within the curtilage of the Residential Site development.

Reason: To control any subsequent visual changes in the interests of the visual and residential amenities of the locality with regard to Policy DM10 (Design Requirements for New Developments including House Extensions) of the Development Management Policies Document adopted October 2015.

- (71) 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 sustainable and makes efficient use of water to comply with Policy DM12 of the Development Management Policies (2015).

Informatives:

- (1) 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 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/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-and-community/emergency-planning-and-community-safety/flooding-advice
- (2) 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)
- (3) The developer would be expected to instruct an independent transportation data collection company to undertake the monitoring survey. This survey should conform to a TRICS Multi-Modal Survey format consistent with the UK Standard for Measuring Travel Plan Impacts as approved by the Highway Authority. To ensure that the survey represents typical travel patterns, the organisation taking ownership of the travel plan will need to agree to being surveyed only

within a specified annual quarter period but with no further notice of the precise survey dates. The Developer would be expected to fund the survey validation and data entry costs.

- (4) Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
- (5) The traffic generation of the proposed community facility is based on a net increase of 3 sports pitches.
- (6) It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.ht> | for guidance and further information on charging modes and connector types.
- (7) The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council. If the developer were minded to dedicate the internal road layout for adoption into the public highway, the developer is reminded to alter the site layout to include the following as part of highway works under a Section 38 Agreement:

Between plots 3 and 53 the carriageway would have to be 5.5 metres wide.

1. The roads running north would have to be 4.8 metres wide.
 2. The entrance to plots 50 to 55 should be 4.1 metres wide but widened to 6 metres in front of parking spaces.
 3. The entrance to plots 61 to 65 should be 4.1 metres wide, widening to 6 metres in front of parking spaces
 4. The entrance to parking spaces south of plot 74 should be 4.1 metres wide, widening to 6 metres in front of the parking spaces.
 5. The road in front of blocks 1 and 2 should be 6 metres wide except next to plot 104 where the carriageway width should be 4.1 metres wide.
- (8) If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to

obtain prior written Consent. More details are available on our website. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards. If there are any further queries please contact the Sustainable Drainage and Consenting team via SUDS@surreycc.gov.uk. Please use our reference number in any future correspondence.

- (9) Flood Risk Activity Permit [FRAP] Under the Environmental Permitting (England and Wales) Regulations 2016, must be submitted to the Environment Agency and apply for a FRAP if you want to do work:
- In, over or under a main river
 - Within 8m of the bank of a main river, or 16m if it is a tidal main river (check the location of main rivers here)
 - Within 8m of any flood defence structure or culvert on a main river, or 16m on a tidal main river

Flood risk activities can be classified as: Exclusions, Exemptions, Standard Rules or Bespoke. These are associated with the level of risk your proposed works may pose to people, property and the environment. You should apply for a Bespoke FRAP if your work cannot be classified as one of the following:

- an excluded activity (listed here)
 - an 'exempt' activity (listed here)
 - a 'standard rules' activity (listed here)
- (10) Your attention is drawn to the series of publications produced by the Department for Communities and Local Government (CLG), which provides information for the responsible person about the Fire Safety Order. These publications are available from Government Services and Information website at: <https://www.gov.uk/workplace-fire-safety-your-responsibilities/fire-safety-advice-documents>. Responsibility for ensuring that a building is provided with appropriate fire safety arrangements rests with the responsible person, once the building is occupied The responsible person should, therefore, ensure that the fire safety arrangements in place are adequate and comply fully with the requirements of the Fire Safety Order.
- (11) With regard to water supply, this comes within the area of the Sutton & East Surrey Water Company. For your information the address to write to is -Sutton & East Surrey Water Company, London Road, Redhill, Surrey, RH1 1LJ Tel - (01737) 772000

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 Bottle Lane
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land @ epsom & ewell high school

rev date by details

Existing Site Plan

reference 101703-BEL-SL-08

04.10.2018 created
 1:1250 @ A1 scaling
 SR/SM contact
 revision

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7 Cedar Hill, Epsom, Surrey, KT18 7BP

Two storey side extension and single storey rear extension

Ward:	Woodcote Ward
Contact Officer:	Ade Balogun

1 Plans and Representations

- 1.1 The Council now holds this information electronically. Please click on the following link to access the plans and representations relating to this application via the Council's website, which is provided by way of background information to the report. Please note that the link is current at the time of publication, and will not be updated.

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PSZ4TLGYN3300>

2 Summary

- 2.1 Planning permission is sought for the erection of a two storey side extension and single storey rear extension, following demolition of existing side garage and the single storey side extension. The application is recommended for approval.
- 2.2 The application is scheduled for Planning Committee, as the applicant is a Councillor with the Borough.

3 Site description

- 3.1 The application site is located along the northern part of Cedar Hill within the built-up area of Woodcote Estate in Epsom. The application dwelling is a two storey detached dwellinghouse, with a single storey detached side garage and single storey side extension located behind the garage and detached from the garage. Woodcote estate was developed by a local builder Ernest Harwood to a fairly large size plot.
- 3.2 The application site shares its side boundaries with two neighbouring detached dwellings, no. 6 to the west and no. 8 Cedar Hill to the east.
- 3.3 The rear of the property slopes away and there is an existing steps to the rear garden area.
- 3.4 The site is not located within a conservation area and the dwelling is not a listed building and no listed building close to the application site.

4 Proposal

- 4.1 The proposal seeks planning permission for the erection of a two-storey side extension and a single storey rear extension. This would follow the demolition of existing side garage and the single storey side extension.

5 Comments from third parties

- 5.1 Five nearby neighbours were consulted during the course of this planning application. By the end of the consultation period (16.07.2019) and to date, no representations have been received.

6 Consultations

- 6.1 None

7 Relevant planning history

- 7.1 No relevant planning history

8 Planning Policy

Core Strategy 2007

CS1 – General Policy

CS5 - The built environment

Development Management Policies Document 2015

DM9 - Townscape character/distinctiveness

DM10 - Design for new developments

Householder Design Guidance 2004

9 Planning considerations

Impact on the Character of the Area

- 9.1 Cedar Hill consists mainly of residential development of two storey-detached properties, with varying architectural designs and styles.
- 9.2 There are a mix of large and small gaps between the properties along Cedar Hill, as some properties benefit from extensions and alterations including two-storey side additions. The prevailing layout and building line is consistent with most properties set back from the highway with front drives and public footway adjacent to the road.
- 9.3 The proposed two-storey side element of the proposed extension would project along the entire length of the eastern side elevation of the application dwelling, following demolition of the existing side garage and side extension behind the garage.

- 9.4 The proposed two-storey side extension would be set back from the principal elevation, which articulates the positive front projection and bay window.
- 9.5 The side extension would be set back from the shared side boundary lines with the neighbouring site by 1m separation gap.
- 9.6 The proposed two-storey side extension roof ridge would be set down at equal height above ground with the existing dwelling roof ridge height and forming equal eaves height with the host dwelling to create a subservient addition.
- 9.7 The proposal also includes a single storey rear extension. Given the limited view from the rear and non-visibility from the street views, the proposed rear extensions would have no impact on the appearance of the streetscene. As such, the proposed rear extension would be visually acceptable.
- 9.8 The Borough's Householder Design Guidance 2004 (SPD) states "in addition to providing extra space for the householder, a good scheme will be well-related to the original building...and respect the character of the road and local area". It provides specific design guidance for two storey side extensions, single and two storey rear extensions, dormers, and rooflights.
- 9.9 The proposed works will result in a larger property, which will maintain the character of the wider road and street scene. The extensions to the house will respect the existing built-line of the dwellings at ground floor, and would not dominate either the application property or the neighbouring properties.
- 9.10 The proposed extension will leave a gap of approximately 1m along the property boundaries and this is in line with policy. Given this separation gap from the neighbouring properties, the proposed extensions will blend with the existing house and its neighbouring dwellings.
- 9.11 The resultant effect of the extensions is that they would not harm the appearance and character of the locality or the street scene; it therefore complies with policies CS1 and CS5 of the Adopted Core Strategy (2007), DM9 and DM10 of the Borough Development Management Policies (2015) and the design guidance in the Borough Householder (Design Guide) SPG (2004).

Impact on neighbouring amenity

- 9.12 Given the size, sitting and design of the proposed extensions and its relationship to the neighbouring properties and the orientation of the application site, it is considered that the proposal would not adversely affect the amenities of the occupiers of the neighbouring properties.

- 9.13 The development would not significantly encroach on the neighbours to the East, West and North with its limited scale. The bulk of the extension would not result in a significant loss of light or be overbearing in nature. In light of the above, the development would accord with Policy DM10 of the Development Management Policies DPD and the Extensions SPD.

Parking Standard

- 9.14 There are adequate car parking space to the front of the dwelling including the new garage. Therefore, the proposal would not have any parking implications, notwithstanding the requirements of the Residential Parking Standards DPD 2015 would not be applied to a domestic extension.

- 9.15 No objection is therefore raise with regard to local plan policies and parking standards.

10 Conclusion

- 10.1 The application is therefore recommend for APPROVAL.

11 Recommendation

- 11.1 Approve, subject to 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, received on 06.11.2018:**

1490 01 (Existing and Proposed Plans) dated January 2019

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 materials and finishes of the external walls and roof of the development hereby permitted shall match those listed in the submitted application form and the colour and texture those of the existing building and shall thereafter be retained as such.**

Reason: To ensure a satisfactory appearance on completion of the development in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Development Management Policies Document Adopted October 2015.

- (4) The first floor window(s) in the side elevation of the development hereby permitted shall be glazed with obscure glass of no less than obscurity level 3 and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed 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.

- (5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, or other form of openings other than those shown on the approved plans, shall be inserted in the flank elevations of the development hereby permitted.

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

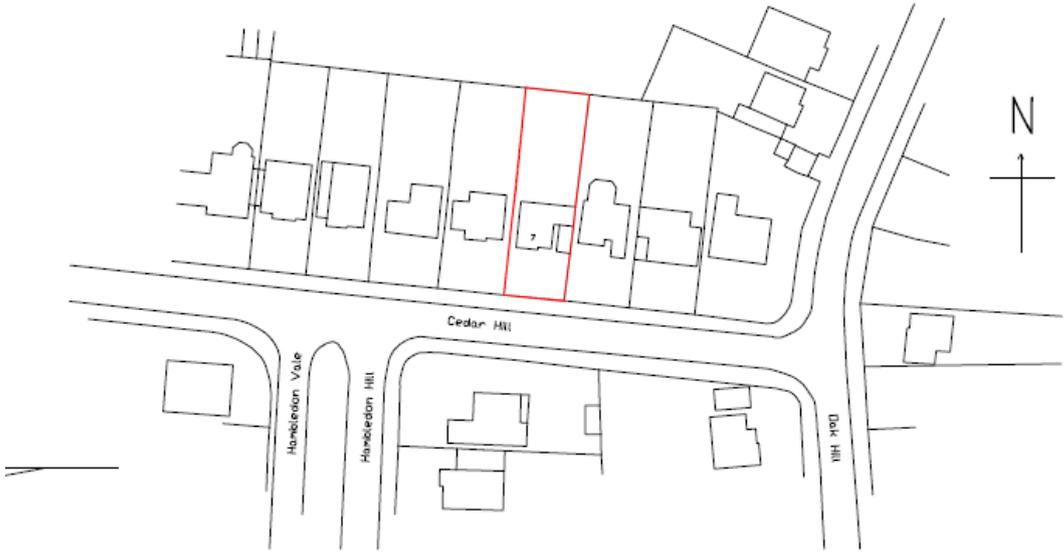
Informatives:

- (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.

If you need any advice regarding Building Regulations please do not hesitate to contact Epsom & Ewell Borough Council Building Control on 01372 732000 or contactus@epsom-ewell.gov.uk.

- (3) You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work before 8am or after 6pm Monday to Friday, before 8am or after 1pm on a Saturday or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Health Department Pollution Section.
- (4) The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes:
- carry out work to an existing party wall;
 - build on the boundary with a neighbouring property;
 - in some circumstances, carry out groundwork's within 6 metres of an adjoining building.
 - Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls.

The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "The Party Walls etc. Act 1996 - Explanatory Booklet".



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Location Plan
Scale 1:1250

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12 Millais Way, West Ewell, Surrey, KT19 9PF

Part single storey rear extension

Ward:	Ruxley Ward
Contact Officer:	Ginny Johnson

1 Plans and Representations

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Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PTYBI7GYFH00>

2 Summary

- 2.1 The applicant has submitted an "Application for a Lawful Development Certificate for a Proposed use or development" for a part single-storey rear extension. The application is brought to Planning Committee as the Application Property is owned by a Councillor.
- 2.2 Officers are satisfied that the appropriate legal tests have been met and that a Lawful Development Certificate should be granted.

3 Site description

- 3.1 The application property is a two-storey terraced house, which is set back from Millais Way by a driveway. The property is not Listed, nor is it within a Conservation Area.

4 Proposal

- 4.1 The applicant has submitted an "Application for a Lawful Development Certificate for a Proposed use or development" for a part single-storey rear extension. This measures 7.02 metres in width, 1.7 metres in depth and 2.96 metres in height.
- 4.2 An applicant can perform certain types of development without requiring to apply for Planning Permission. These are often referred to as "Permitted Development Rights". The name derives from the General Permitted Development Order and are granted not by the Local Planning Authority, but by Parliament via a statutory instrument.

4.3 The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) is the current Order. It sets out classes of development for which a grant of Planning Permission is not required, provided that its criteria is fully met and no restrictive condition is attached or that the development is exempt from Permitted Development Rights.

4.4 Permitted Development Rights have not been removed at the Application Property.

5 Comments from third parties

5.1 Not relevant. This type of application is not required to be consulted on.

6 Consultations

6.1 Not relevant. This type of application is not required to be consulted on.

7 Relevant planning history

7.1 Not relevant.

8 Planning Policy

8.1 Not relevant

9 Planning considerations

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

9.1 This Application is assessed under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

9.2 The rules on Permitted Development, set out in Schedule 2 of the Order, are sub-divided into a series of Parts. Part 1 specifically deals with development within the curtilage of a house. Part 1 is then sub-divided into Classes covering various types of development. Class A is pertinent in this case and covers the enlargement, improvement or alterations to a house, including rear extensions.

9.3 To note, Regulation 4 makes permanent the existing temporary right to enlarge a dwellinghouse by up to 8 metres in the case of a detached dwellinghouse or by 6 metres in the case of any other dwellinghouse, as permitted by Class A of Part 1 of Schedule 2 of the Order. It removes the time limiting date of 30th May 2019, as well as conditions which required development to be completed by that date (The Town and Country Planning (Permitted Development, Advertisement and Compensation Amendments) (England) Regulations 2019).

Permitted Development

A. The enlargement, improvement or other alteration of a dwellinghouse.

Development Not Permitted

A.1 Development is not permitted by Class A if—

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

Complies

(b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

Complies

(c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

Complies

(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

Complies

(e) the enlarged part of the dwellinghouse would extend beyond a wall which—

(i) forms the principal elevation of the original dwellinghouse; or

(ii) fronts a highway and forms a side elevation of the original dwellinghouse;

Complies

(f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height;

Complies

(g) until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height;

Complies (see note below)

Regulation 4 makes permanent the existing temporary right to enlarge a dwellinghouse by up to 8 metres in the case of a detached dwellinghouse or by 6 metres in the case of any other dwellinghouse, as permitted by Class A of Part 1 of Schedule 2 to the Order. It removes the time limiting date of 30th May 2019, as well as conditions which required development to be completed by that date (The Town and Country Planning (Permitted Development, Advertisement and Compensation Amendments) (England) Regulations 2019)

(h) the enlarged part of the dwellinghouse would have more than a single storey and —

(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;

Complies

(i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

Complies

(j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—

(i) exceed 4 metres in height,

(ii) have more than a single storey, or

(iii) have a width greater than half the width of the original dwellinghouse

Complies

(k) it would consist of or include—

(i) the construction or provision of a verandah, balcony or raised platform,

(ii) the installation, alteration or replacement of a microwave antenna,

(iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(iv) an alteration to any part of the roof of the dwellinghouse.

Complies

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—

(a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;

(b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or

(c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

Complies provided that these conditions are complied with. An informative note is added to remind the applicant.

Community Infrastructure Levy

9.4 Not relevant

10 Conclusion

10.1 The proposed development is considered Permitted Development, under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Officers are therefore satisfied that the appropriate legal tests have been met and that a Lawful Development Certificate should be granted.

11 Recommendation

11.1 The proposed development is considered Permitted Development, under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). A Lawful Development Certificate should be granted.

Informatives:

(1) The proposed development is considered Permitted Development, under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

(2) The decision relates to the following drawings:

001 - OS Map – dated June 2019

002 – Block Plan – dated June 2019

003 Rev A – Existing Plans – dated June 2019

004 Rev A – Existing Sections – dated June 2019

005 Rev A – Existing Rear Elevation – dated June 2019

006 Rev A – Proposed Plans – dated June 2019

007 Rev A – Proposed Sections – dated June 2019

008 Rev A – Proposed Rear Elevation - dated June 2019

- (3) Development is permitted by Class A subject to the following conditions—**
- (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;**
 - (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be—**
 - (i) obscure-glazed, and**
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and**
 - (c) where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse**
- (4) 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.**

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Parkdale Crescent, Worcester Park, Surrey

Installation of gates to the entrances of the rear access service lane to the residences 2-50 (even numbers only) (Retrospective)

Ward:	Cuddington Ward
Contact Officer:	Ginny Johnson

1 Plans and Representations

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Link:<http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PQQ473GYMS100>

2 Summary

- 2.1 The proposal is retrospective. Two sets of gates have been installed at two entrance points of an access lane, off Parkdale Crescent. The gates comprise good design and are not considered to adversely impact the street scene or neighbouring amenity.
- 2.2 The application is brought to Planning Committee as it has been submitted by a Councillor. The Councillor has acted on behalf of the residents at Parkdale Crescent, in his capacity as the Cuddington Residents' Association Neighbourhood Watch co-ordinator.
- 2.3 The proposal is recommended for approval.

3 Site description

- 3.1 The Application Site ('Site') comprises a rear access lane, located off Parkdale Crescent. It measures approximately 3.1 metres in width and serves the even numbers of 2 - 50 Parkdale Crescent only. It has two entrance points, located between 2 and 4 Parkdale Crescent and between 48 and 50 Parkdale Crescent.
- 3.2 There are no Listed Buildings within the vicinity of the Site and it is not located within a Conservation Area. The Site is within Flood Zone 1 (low probability of flooding).

4 Proposal

- 4.1 This application is retrospective. Two sets of gates have been installed, between 2 and 4 Parkdale Crescent and between 48 and 50 Parkdale Crescent.
- 4.2 The gates positioned between 2 and 4 Parkdale Crescent measure 1.5 metres in height and 2.8 metres in width. These are sited 3.88 metres from the access lane entrance, off Parkdale Crescent.
- 4.3 The gates positioned between 48 and 50 Parkdale Crescent measure 1.5 metres in height and 3 metres in width. These are sited 4.38 metres from the access lane entrance, off Parkdale Crescent.
- 4.4 The two sets of gates comprise green powder coated steel.
- 4.5 The gates prevent pedestrian or vehicular access to the access track, which leads to the rear of the residential properties.

5 Comments from third parties

- 5.1 The application was advertised by means of letters of notification to 81 neighbouring properties. 1 letter of support has been received. This sets out that the gates protect the access lane from fly tipping.

6 Consultations

- 6.1 Surrey County Council (Highways): the Application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements

7 Relevant planning history

- 7.1 There is no recent or relevant planning history relating to the Site.

8 Planning Policy

National Policy Planning Framework (NPPF) 2019

Chapter 12 Achieving well-designed places

Development Management Policies Document 2015

Policy DM9 Townscape Character and Local Distinctiveness

Policy DM10 Design Requirements for New Developments (including House Extensions)

9 Planning considerations

Impact on Visual Amenity

- 9.1 Policy DM9 sets out that planning permission will be granted for proposals, which make a positive contribution to the Borough' visual character and appearance. In assessing this, the Council will consider (inter alia) compatibility with local character and the relationship to the existing townscape and the setting of a proposal Site and its connection to its surroundings.
- 9.2 Policy DM10 sets out that development proposals will be required to incorporate principles of good design. Development proposals should have regard to the amenities of neighbours.
- 9.3 Chapter 12 of the NPPF relates to the achievement of well-deigned places. Paragraph 127 of the NPPF sets out that planning decisions should ensure that developments (inter alia) function well and add to the overall quality of the area, are visually attractive as a result of good architecture and are sympathetic to local character, including the surrounding built environment and landscape setting
- 9.4 The gates located between 2 and 4 Parkdale Crescent measure 1.5 metres in height and 2.8 metres in width. These are sited 3.88 metres from the access lane entrance, off Parkdale Crescent. The gates located between 48 and 50 Parkdale Crescent measure 1.5 metres in height and 3 metres in width. These are sited 4.38 metres from the access lane entrance, off Parkdale Crescent. The two sets of gates comprise green powder coated steel.
- 9.5 Both sets of gates are considered appropriate in height and are adequately positioned away from the road, ensuring they are not visually overbearing within the street scene. The gates provide a permeable boundary treatment, ensuring that a degree of connection remains between the access lane and the surrounding residential properties on Parkdale Crescent.
- 9.6 The proposed gates are not considered to adversely impact the street scene and are considered to comply with Policies DM9 and DM10 of the Development Management Policies Document (2015).

Impact on Neighbouring Amenity

- 9.1 Policy DM9 sets out that planning permission will be granted for proposals, which make a positive contribution to the Borough' visual character and appearance. In assessing this, the Council will consider (inter alia) compatibility with local character and the relationship to the existing townscape and the setting of a proposal Site and its connection to its surroundings.

- 9.2 Policy DM10 sets out that development proposals will be required to incorporate principles of good design, which includes details and key features, such as roof forms. Development proposals should have regard to the amenities of occupants and neighbours.
- 9.3 Both sets of gates measure 1.5 metres in height and are positioned within the access lane, abutting Nos. 2, 4, 48 and 50 Parkdale Crescent. In assessing the impact of the gates on neighbouring amenity, the following is noted:
- 2 Parkdale Crescent benefits from a rear fence, measuring 1.8 metres in height;
 - 4 Parkdale Crescent benefits from a side wall, measuring 2 metres in height;
 - 48 Parkdale Crescent benefits from a side fence, measuring 1.6 metres in height; and
 - 50 Parkdale Crescent benefits from a rear wall measuring 1.8 metres in height.
- 9.4 In line with the above, the gates will not be overly visible from the above properties, given that these are lower in height than the surrounding boundary treatments. There are no other residential properties that are considered to be adversely impacted by the gates.
- 9.5 The proposed gates are not considered to adversely impact neighbouring amenity and the proposal is considered to comply with Policies DM9 and DM10 of the Development Management Policies Document (2015).

Access

- 9.6 The access road is private and is in the titles of the adjoining properties, as confirmed by Surrey County Council (Highways). It is accessed and maintained solely by the landowners.

Community Infrastructure Levy

- 9.7 Not applicable.

10 Conclusion

- 10.1 The proposal is retrospective. Two sets of gates have been installed at the entrance points of an access lane, located off Parkdale Crescent. The gates comprise good design and are not considered to adversely impact the street scene or neighbouring amenity.
- 10.2 The proposal is recommended for approval.

11 Recommendation

- 11.1 Approve. No conditions required as this is a retrospective application.

Informatives:

(1) The retrospective Planning Application is considered to accord with relevant Local and National Planning Policies, including DM9 and DM10 of the Development Management Policies Document (2015).

(2) The following drawings were considered as part of this Application:

Site Location Plan – received 30.04.2019

PC001A1 – Existing: Parkdale Crescent Service Road: Adjacent to 2 & 4 Parkdale Crescent – received 14.06.2019

Existing: Parkdale Crescent Access Road – received 14.06.2019

PC001A2 – Proposed: Parkdale Crescent Service Road: Security Gates To Be Sited Adjacent To 2 & 4 Parkdale Crescent - received 14.06.2019

Proposed: Parkdale Crescent Security Gates To Be Sited Adjacent To 2 & 4 Parkdale Crescent - received 14.06.2019

PC001A3 – Existing: Parkdale Crescent Service Road: Adjacent To 48 & 50 Parkdale Crescent – received 14.06.2019

Existing: Parkdale Crescent Access Road – received 14.06.2019

PC001A4 – Proposed: Parkdale Crescent Security Gates To Be Sited Adjacent To 48 & 50 Parkdale Crescent – received 14.06.2019

Proposed: Parkdale Crescent Security Gates To Be Sited Adjacent To 48 & 50 Parkdale Crescent – received 14.06.2019

Access Gates Parkdale Crescent Specification - received 14.06.2019

Dimensioned Gates - received 14.06.2019

05 – Site Plan Indicating Proposed Gate Positions – received 30.04.2019

06 – Dimensioned Gates Elevation – received 30.04.2019

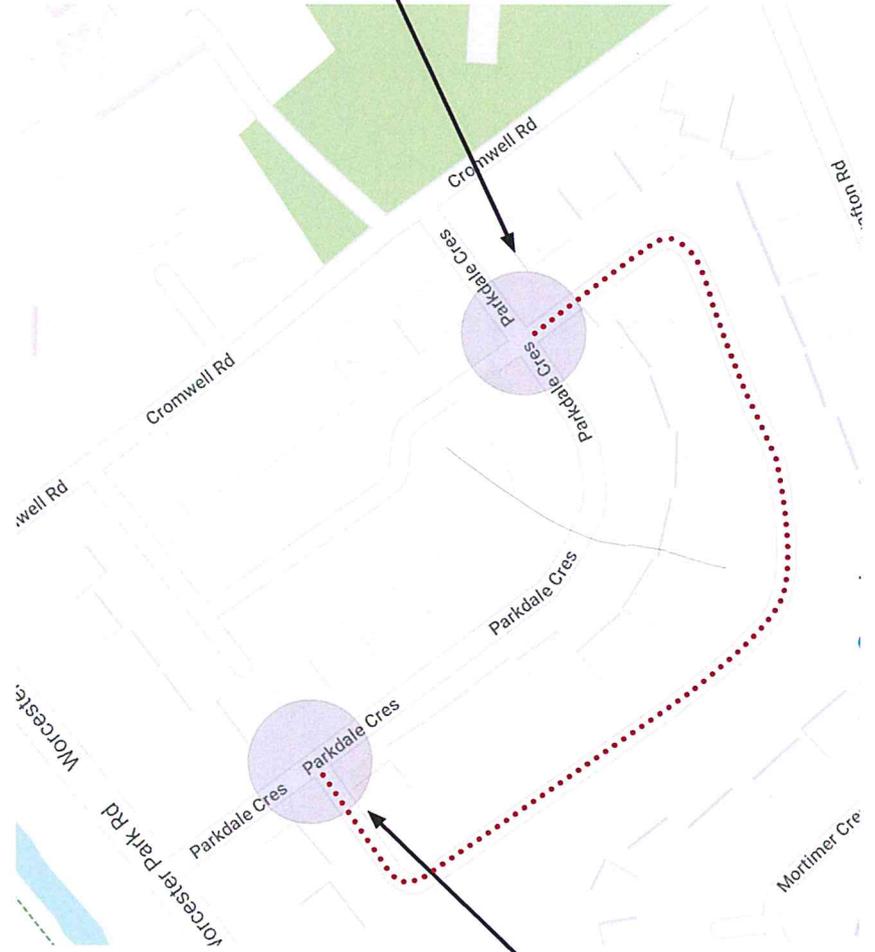
07 – Gate Elevation with Technical Detail & RAL Colour – received 30.04.2019

(3) 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.

Rear access road security gates Parkdale Crescent

8th June 2019



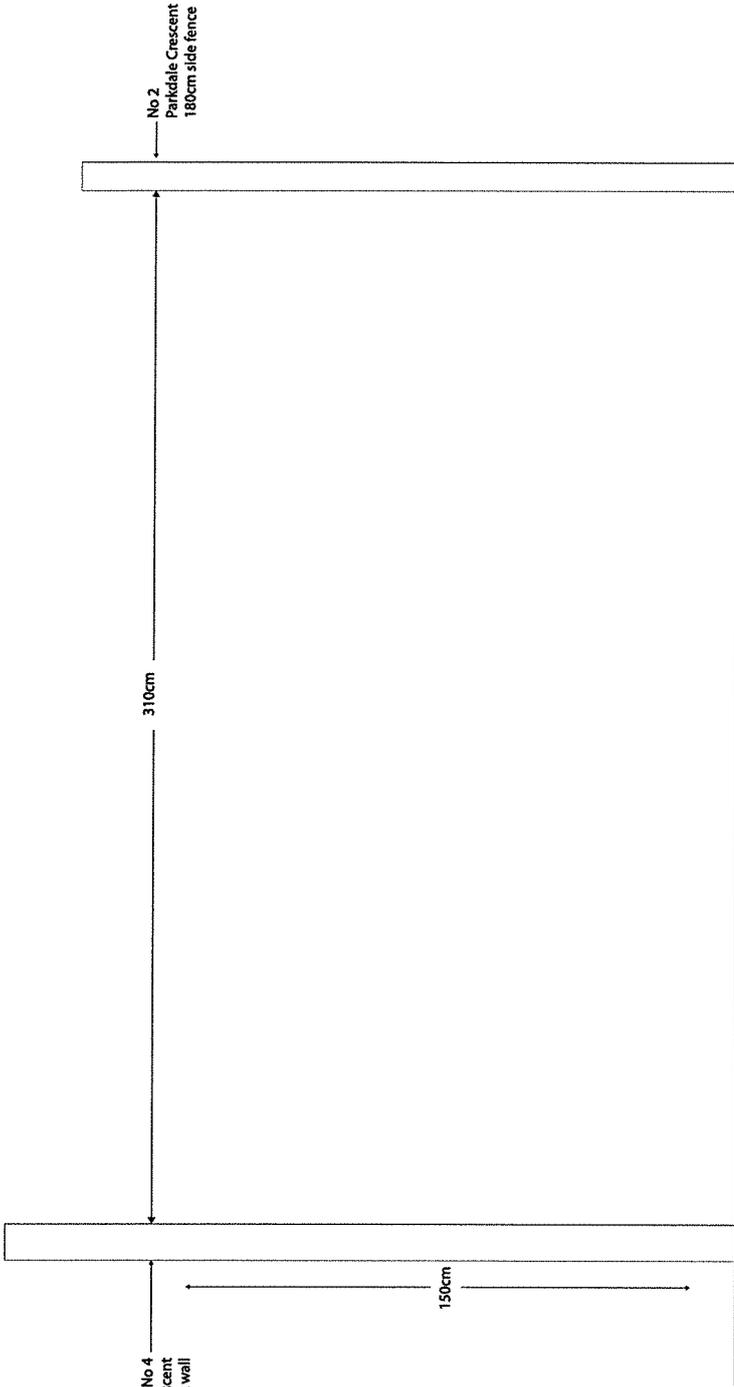
48 & 50
Parkdale Crescent

Agenda Item 6
Annex 1

Access road
to be gated
marked

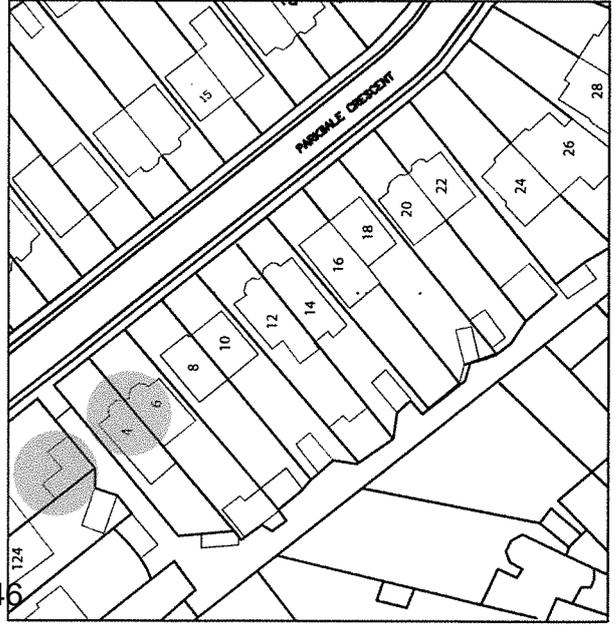
2 & 4
Parkdale Crescent

EXISTING: PARKDALE CRESCENT SERVICE ROAD: ADJACENT TO 2 & 4 PARKDALE CRESCENT



MEETES
0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
SCALE 1:1250 @ A2

BLOCK 4



MEETES
0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
SCALE 1:500 @ A2

0 1 2 3 4 5 6 7 8 9 10
LINEAR SCALE 1:100 @ A2

GENERAL
All works to comply with current Building Regulations and relevant codes of practice.
Materials to be installed in accordance with manufacturers recommendations. Contractors must ensure that materials used are fully suitable for their locations and that allied materials/backgrounds are appropriate.
Work to be carried out in a sound, neat, durable and workmanlike manner. Contractors must be in possession of relevant drawings before commencing work. All dimensions to be checked on site prior to ordering.

This outline specification is not intended as a fully detailed specification but to satisfy the requirements of current Building Regulations/Town Planning Acts. Contractors must allow for any incidental and / or ancillary works required to complete the project in a workmanlike manner even though they may not be referred to here. Drawings are to be read in conjunction with any other specialist's recommendations. The principal contractor is to ensure that provisions of CDM regulations, including notifications of work required under legislation are followed correctly prior to commencement of works.

ALL DIMENSIONS TO BE CHECKED ON SITE AND NOT SCALED FROM THIS DRAWING

FOR PRIOR NOTICE



On behalf of
Cuddington Residents' Association
SECURITY GATES SITED ADJACENT
TO 48 & 50 PARKDALE CRESCENT
AND 2 & 4 PARKDALE CRESCENT
CUDDINGTON WARD
WORCESTER PARK
SURREY KT4 7QF

JUNE 2019
PG001A1

MONTHLY REPORT ON PLANNING APPEAL DECISIONS

Report by Steven Lewis, Planning Development Manager/Ruth Ormella, Head of Planning

The Planning Service has received the following 4 Appeal decisions from 13th July 2019 to 19th August 2019.

Site Address	Planning reference	Description of development	Decision and Costs
Aviary Court, 138 Miles Road Epsom	APP/P3610/W/19/3225603 18/01325/FUL	Replacement Garage and hardstanding	Allowed No costs
Land r/o 52- 54 Hook Road Epsom Surrey	APP/P3610/W/19/3222481 18/00944/FUL	Demolition of 2 garages and erection of 1 dwelling.	Dismissed No costs
Office Rear Of 405 Kingston Road Ewell KT19 0BT	APP/P3610/W/19/3221969 18/01172/FUL	Change of use from A2 (Professional Services) to C3a (Residential flat)	Dismissed No costs
107 Dorking Road Epsom Surrey KT18 7JZ	APP/P3610/W/18/3215032 18/00770/FUL	Construction of 1 bedroom bungalow	Allowed Appellant made costs application which was refused
Land at Haddad House, 91 East Street, Epsom	APP/P3610/L/19/120026 17/01395/RES	Appeal against CIL charge following demolition	Dismissed and Surcharge upheld. Costs application by appellant refused

Summary of Appeal Decisions:

Aviary Court, 138 Miles Road, Epsom:

The Inspector allowed the appeal concluding the following

- Character and Appearance: contemporary design is acceptable and building line was not an alien feature in the area
- Living conditions of neighbours: Due to the length of the garden and low profile roof
- Living conditions: Privacy could be secured by hedging, means of enclosure and blinds

Land rear of 52 to 54 Hook Road, Epsom:

In this the application fell instance policy and SPD require that 40sqm of private outdoor space should be provided with a minimum depth of 10m of domestic rear garden space. The Inspector concluded that the modest contribution of a single dwelling did not outweigh the harm identified in this case.

Office Rear Of 405 Kingston Road, Ewell:

Inspector dismissed the appeal as the loss of employment space had not been adequately justified.

107 Dorking Road, Epsom:

This application follows on from 4 previous planning cases, all of which were refused. The sole reason for refusal in this case surrounded the impact on the character and appearance of the area. Features of concern such as material and balconies were not held to be alien due to other in the proximity.

Land at Haddad House, 91 East Street, Epsom

The appeal resulted from the serving of a CIL Surcharge notice upon a development following demolition of the building. The appellant disputed that the demolition formed part of the development, which the Inspector agreed with the Council summarising that the demolition is development shall be taken as to begun under section 56 (2) and (4) of the Town and Country Planning Act 1990.

Net No. of dwellings units approved

Month	Committee	Delegated
April	32	11
May	21	14
June	0	7
July	109	5
Total	199	

Annual Target 695 dwellings

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