

## Minutes of the Meeting of the PLANNING COMMITTEE held on 8 October 2020

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### PRESENT -

Councillor Clive Woodbridge (Chair); Councillor Monica Coleman (Vice-Chair); Councillors Alex Coley (Substituted by Councillor Christine Howells), Neil Dallen, David Gulland, Previn Jagutpal, Colin Keane, Jan Mason, Steven McCormick, Lucie McIntyre, Debbie Monksfield, Peter O'Donovan and Clive Smitheram

Officers present: Viv Evans (Interim Head of Planning), Danny Surowiak (Principal Solicitor), Virginia Johnson (Planner), John Robinson (Senior Planner), Steven Lewis (Planning Development Manager), Sarah Keeble (Democratic Services Officer) and Tim Richardson (Committee Administrator)

### 5 DECLARATIONS OF INTEREST

#### Declarations of Interest

Councillor Clive Smitheram, Other Interest: In the interests of openness and transparency, Councillor Clive Smitheram declared that he had received contact from members of the public in relation to all Items on the Agenda, and that he came to the meeting with a clear and open mind.

Councillor Clive Woodbridge, Other Interest: In the interests of openness and transparency, Councillor Clive Woodbridge declared that he had received correspondence in objection and support of the Ashley House, 7 Station Approach, and 6 The Grove Items. He stated that he came to the meeting with an open mind.

Councillor Monica Coleman, Other Interest: In the interests of openness and transparency, Councillor Monica Coleman declared that she had received correspondence relating to the Ashley House, 7 Station Approach, and 6 The Grove Items. She stated that she came to the meeting with an open mind.

Councillor Steven McCormick, Other Interest: In the interests of openness and transparency, Councillor Steven McCormick declared that he is a member of the Woodcote Epsom Residents Society and the Epsom Civic Society. He stated that he came to the meeting with a clear and open mind.

Ashley House Howell Hill Cheam Road Ewell SM2 7LQ

Councillor Colin Keane, Other Interest: In the interests of openness and transparency, Councillor Colin Keane declared that the Ashley House Item related to a property in his Ward, and that he had received a number of emails in

regarding this application. Councillor Keane stated that he came to the meeting with a clear and open mind.

6 The Grove, Epsom, Surrey, KT17 4DQ

Councillor Neil Dallen, Other Interest: In the interests of openness and transparency, Councillor Neil Dallen declared that he had received numerous emails regarding the 6 The Grove Item. He also declared that he is a member of the Epsom Civic Society, and that he came to the meeting with an open mind.

## 6 MINUTES OF THE PREVIOUS MEETING

The Minute of the previous meeting of the Planning Committee held on 3 September were agreed as a true record and the Committee authorised the Chair to sign them.

## 7 ASHLEY HOUSE HOWELL HILL CHEAM ROAD EWELL SM2 7LQ

### Description

Demolition of the existing building; erection of a three storey residential development comprising nine flats; provision of ten parking spaces, cycle and refuse storage facilities and new access onto Cheam Road

### Decision

The Committee noted a presentation from the Planning Officer.

The Committee was addressed by Ward Councillor, Christine Howells, who spoke in objection to the Application. The Committee also heard from an objector, and from the Applicant.

The following points were raised by the Committee:

**Trees:** Members spoke about the number of trees proposed to be planted along the boundary of the site. Members noted that newly planted trees can take a long time to take in the ground, and the possibility of re-planting any which were unsuccessful.

**Character of building:** Members spoke about the style and character of the proposed development, and noted how it had been well designed.

An additional condition was proposed by the Planning Officer. This condition was that:

- (1) No development shall take place until a detailed scheme of all the semi-mature tree planting along the rear and western flank boundary of the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in the first planting season and prior to the first occupation of the development or a phasing to be agreed in writing by the Local Planning Authority. Any trees which,

within a period of five years after planting, are removed, die or become seriously damaged or diseased in the opinion of the local planning authority, shall be replaced in the next available planting season with others of similar size, species and number, unless otherwise agreed in writing by the local planning authority. The approved scheme of screen planting shall thereafter be retained.

An additional condition was proposed by Councillor Jan Mason, and seconded by Councillor Steven McCormick. This condition was that:

- (2) The development shall not be occupied until a Car Parking Management Plan setting out provisions for the management and use of the proposed parking has been submitted to and agreed in writing by the Local Planning Authority. These details shall include a scheme for allocated parking and the management of spaces and shall be submitted for approval by the Local Planning Authority and only the approved details shall be implemented and retained as approved unless otherwise agreed.

The Committee resolved with 11 Members voting for, 1 Member voting against, and the Chair not voting that the condition be approved.

Following consideration, the Committee resolved unanimously that:

Planning Permission is **GRANTED** subject to the following:

Condition(s):

- (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:

AH P2 L PROPOSED SITE PLAN

AH P3 D PROPOSED PLANS

AH P4 C PROPOSED ELEVATIONS

ITB15503-GA-001 B PROPOSED SITE ACCESS ARRANGEMENT

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

- (3) Prior to the commencement of development, details and samples of the external materials to be used for the development 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: 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 take place until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and any other means of enclosure have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details prior to the development first being occupied and shall thereafter be retained.

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

- (5) Prior to commencement of works section drawings through parapets, reveals, soffits, lintel and cills at a scale of 1:5 shall be submitted to the local planning authority. No works shall commence until these specifications are approved and shall be carried out in accordance with the approved specifications.

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

- (6) Notwithstanding the approved drawings and prior to the commencement of the development, a drawing to a scale of 1:20 showing the proposed privacy screen along the flank edge of the balconies to Flat 5 and 8, shall be submitted to, and approved in writing by the Local Planning Authority. It is expected that the privacy screen comprise either a wing wall, frosted glazing, perforated metal, or combination of the three, at a height of at least 1.8m and frosted to a minimum of level 3 of the Pilkington Scale. The screen shall be implemented prior to the first use of the balcony, and shall be built in accordance with the approved details and thereafter maintained in situ.

**Reason: To protect the amenities and privacy of the occupiers 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.**

- (7) No development shall take place until details of existing and proposed finished site levels, finished floor and ridge levels of the buildings to be

erected, and finished external surface levels have been submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details.

**Reason: In order to safeguard the amenities of the occupiers of neighbouring properties in accordance with Policy CS5 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies 2015.**

- (8) No development shall take place until full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, have been 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.**

- (9) No demolition, site clearance or building operations shall commence on site until the protective fencing and other protection measures as shown on Drawing Number TPP 01 in the Arboricultural Method Statement dated December 2019 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 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.**

- (10) No part of the development shall be first occupied unless and until the proposed vehicular access to Cheam Road has been constructed and provided with a means within the private land of preventing private water from entering the highway, and visibility zones in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority (in general accordance with plan ITB15503-GA-00 Rev B) and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

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

- (11) No part of the development shall be first occupied unless and until the highway works, to include the provision of a right turn lane on Cheam

Road, have been constructed, generally in accordance with plan ITB15503-GA-00 Rev B.

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

- (12) 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 vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

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

- (13) No development shall commence until a Construction Transport Management Plan, to include details of:
- a) Parking for vehicles of site personnel, operatives and visitors
  - b) Loading and unloading of plant and materials
  - c) Storage of plant and materials
  - d) HGV deliveries and hours of operation
  - e) Measures to prevent the deposit of materials on the highway
  - f) 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: in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in compliance with Policy CS16 of the Core Strategy 2007.**

- (14) 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: In recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework 2019 and Policy DM36 of the Development Management Policies Document 2015.**

- (15) The development hereby approved shall not be first occupied unless and until the facilities for the secure parking of bicycles within the development site have been provided in accordance with the approved plans and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

**Reason: In recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework 2019 and Policy DM36 of the Development Management Policies Document 2015.**

- (16) No development shall take place until a scheme to enhance the biodiversity interest of the site (including details of bird, bat and insect boxes and swift bricks) has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in full 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.**

- (17) Prior to the commencement of the development, details of sustainability measures shall be submitted to and approved in writing by the local planning authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials including means of providing the energy requirements of the development from renewable technologies. The development shall be carried out in strict accordance with the approved details prior to the first occupation of the building, shall be maintained as such thereafter and no change shall take place without the prior written consent of the local planning authority.

**Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development in accordance with Policy CS6 of the Core Strategy (2007).**

- (18) Before any occupation of the development hereby permitted, the upper floors, western flank windows 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 of the Development Management Policies Document 2015.**

.And the following additional conditions:

- (19) No development shall take place until a detailed scheme of all the semi-mature tree planting along the rear and western flank boundary of the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in the first planting season and prior to the first occupation of the development or a phasing to be agreed in writing by the Local Planning Authority. Any trees which, within a period of five years after planting, are removed, die or become seriously damaged or diseased in the opinion of the local planning authority, shall be replaced in the next available planting season with others of similar size, species and number, unless otherwise agreed in writing by the local planning authority. The approved scheme of screen planting shall thereafter be retained.

**Reason: In order to safeguard the amenities and privacy of the adjoining residential properties in accordance with Policy DM10 of the Development Management Policies 2015.**

- (20) The development shall not be occupied until a Car Parking Management Plan setting out provisions for the management and use of the proposed parking has been submitted to and agreed in writing by the Local Planning Authority. These details shall include a scheme for allocated parking and the management of spaces and shall be submitted for approval by the Local Planning Authority and only the approved details shall be implemented and retained as approved unless otherwise agreed.

**Reason: To ensure the efficient and functional use of the car parking area, to safeguard the amenity of future occupiers of the approved development and to ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users in compliance with Policy DM10, DM37 of the Development Management Policies Document 2015 and Policy CS16 of the Core Strategy 2007.**

Informative(s):

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 38 of the National Planning Policy Framework 2019.
- (2) This form of development is considered liable for the Community Infrastructure Levy (CIL). CIL is a non-negotiable charge on new developments which involve the creation of 100 square metres or more of gross internal floorspace or involve the creation of a new dwelling, even when this is below 100 square metres. The levy is a standardised, non-negotiable charge expressed as pounds per square metre, and are charged on the net additional floorspace generated by a development. You will receive more information regarding the CIL in due course. More information and the charging schedule are available online:



<http://www.epsom-ewell.gov.uk/NR/exeres/74864EB7-F2ED-4928AF5A-72188CBA0E14.frameless.htm?NRMODE=Published><http://www.epsom-ewell.gov.uk/NR/exeres/74864EB7-F2ED-4928AF5A-72188CBA0E14.frameless.htm?NRMODE=Published>

- (3) No construction work shall be carried out in such a manner as to be audible at the site boundary before 07:30 hours or after 18:30 hour Monday to Friday; no construction work shall be audible at the site boundary before 8:00 or after 13:00 hours on Saturdays and no construction work of any nature shall be carried out on Sundays or Bank/Public Holidays.
- (4) The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway 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 (including Stats connections/diversions required by the development itself or the associated highway 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-andlicences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see <http://www.surreycc.gov.uk/people-and-community/emergency-planningand-community-safety/floodingadvice>.
- (5) The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment
- (6) 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
- (7) 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).

- (8) 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-electricvehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
- (9) The applicant should note that under the terms of The Conservation of Habitats and Species Regulations 2010, Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds or roosting bats which are also European Protected Species. You should note that the work hereby granted consent does not override the statutory protection afforded to these and other protected species and you are advised to seek expert advice if you suspect that the demolition would disturb any protected species. Please note that a European Protected Species Licence will be required to allow the proposed development to proceed lawfully. Further details can be found at: <https://www.gov.uk/environmental-management/wildlife-habitatconservation>

## 8 7 STATION APPROACH STONELEIGH SURREY KT19 0QZ

### Description

Demolition of existing buildings on site and erection of a part 5, part 7 storey building providing 20 residential flats with associated cycle and refuse stores. (Amended scheme received 01.05.2020)

### Decision

The Committee noted a presentation from the Planning Officer.

The Committee was addressed by Ward Councillor, Peter Webb, who spoke in objection to the Application. The Committee also heard from an objector, and an Agent to the Applicant.

The following points were raised by the Committee:

**Sustainability of location:** Members spoke about the sustainability of the proposed development, and noted its close proximity to the train station and shopping parade.

**Amenity:** Members raised concerns regarding the lack of private amenity space for the proposed residential units.

**Character and design of building:** Members noted concerns regarding the design of the proposed development. Members noted the size, scale and style of the proposed development and spoke about whether it may be out of character of the surrounding area in terms of colouring and materials.

**Housing mix:** Members raised concerns regarding the lack of properties proposed to be offered as affordable housing.

**Parking:** Members raised concerns regarding the proposed development being a car-free scheme. The site is situated in close proximity to a number of public transport options including bus routes and the train station, but detailed no parking bays for residents, visitors or loading.

An additional reason for refusal was proposed by Councillor Neil Dallen, and seconded by Councillor Jan Mason. This reason was due to the proposed development not meeting the car parking standards as set out in Policy DM37.

Following consideration, it was resolved unanimously that:

The Application be **REFUSED** in accordance with Officer recommendation and an additional reason relating to parking.

These reasons are as follows:

- (1) The design of the development due to its scale and height would appear as a dominant and incongruous element in the streetscene and would harm the character and appearance of the surrounding area, contrary to Policy DM9 and DM10 of the Development Management Policies Document 2015.
- (2) The adverse impacts of the scheme would significantly and demonstrably outweigh the benefits of the development including additional housing units when assessed against the policies in the National Planning Policy Framework taken as a whole. The proposal is contrary to the NPPF 2019, and Policies DM9, and DM10 of the Development Management Policies Document 2015.
- (3) In absence of a completed legal obligation under section 106 of the Town and Country Planning Act 1990 (as amended), the applicant has failed to comply with Policy CS9 (Affordable Housing and meeting Housing Needs) and para 64 of the NPPF 2019 in relation to the provision of two affordable on-site units.
- (4) The proposed development would not meet the parking standards as set out in Policy DM37 of the Development Management Policies Document 2015 resulting in harm on the amenities of surrounding residential occupiers' in terms of streetscene and availability of on-street parking. It would fail to comply with Policy CS16 of the Core Strategy 2007 and paragraph 102(e) of the NPPF 2019.

**9** 6 THE GROVE, EPSOM, SURREY, KT17 4DQ

Description

Erection of 7 x two bedrooms flats and 2 x three bedrooms flats and associated external works following demolition of the existing building.

## Decision

The Committee noted a presentation from the Planning Development Officer.

The Committee was addressed by an objector to the Application.

The following points were raised by the Committee:

**Size and scale of building:** Members spoke about the size of the proposed residential unit and raised concerns regarding the impact on its neighbouring units.

**Privacy to neighbouring residents:** Members raised concerns regarding the proposed development and the loss in private amenity space that this may cause to the neighbouring housing units.

**Presence of badgers:** Members noted concerns regarding the presence of badgers around the location of the proposed development. The proposed site is not formed of any special conservation area and is not regarded as a heightened habitat site. It was noted that as a protected species, any badgers found to be living at the site would be accommodated on obtaining a Natural England License.

The Officers recommendation was to refuse the Application.

A number of additional conditions were suggested by the Planning Development Officer to be added in the event that the Planning Inspectorate was minded to allow the appeal and approve the Application. These were to read:

### Condition(s):

- (1) To include security lighting which should be low level and downwards facing and not aimed to the rear of the garden.
- (2) To complete an updated survey of the location of badger sets. If a set was to be affected by the development an application should be made to Natural England.
- (3) To implement screening restricted planting and additional screening writing along the end of the site.
- (4) 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.

Informative(s):

- (1) The applicant is reminded that it is their responsibility to enter into an agreement with the owners of the road.

These additional conditions were to be added to those already listed on the report in the event of the Application being approved.

Following consideration, it was resolved unanimously that:

The Planning Committee confirmed that the Application would be **REFUSED** and would be passed on to the Planning Inspectorate on behalf of the Secretary of State.

**10 MONTHLY REPORT ON APPEALS AND HOUSING NUMBERS**

The Committee noted the appeal decisions from 11 August to 14 September 2020.

*The meeting began at 7.30 pm and ended at 10.27 pm*

COUNCILLOR CLIVE WOODBRIDGE (CHAIR)