

Former Police Station, Church Street, Epsom

The demolition of the former police station, and the erection of two residential blocks comprising a total of 29 residential units (11x1bed, 11 x2 bed and 7x3 bed), with associated car parking and landscaping.

Ward:	Town Ward;
Contact Officer:	Karen Haizelden

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=P3GOYRGYJ2X00>

2 Summary

- 2.1 This application is the demolition of the former Epsom Police Station and the erection of two residential blocks comprising a total of 29 residential units (11x1bed, 11 x2 bed and 7x3 bed), with associated car parking and landscaping.
- 2.2 The proposal complies with relevant policies contained in the Development Management Policies Document 2015.
- 2.3 The proposal is recommended for conditional permission subject to securing a s.106 Agreement.

3 Site description

- 3.1 The property lies within the town centre of Epsom on the western side of Church Street adjacent to the Church Street Conservation Area and in close proximity to the junction formed by High Street and Upper High Street. This is a mixed use location, and neighbouring uses include an Ambulance Station, Epsom Clinic, offices and residential properties.
- 3.2 The pedestrian only section of The Parade lies to the south west rear boundary of the site. The Parade provides pedestrian access from Worple Road to Epsom Town Centre and is characterised by neighbouring semi-detached and detached houses orientated towards the footpath.

- 3.3 The property comprises a purpose built Police Station constructed in the 1960's on an L-Shaped plot. The accommodation is arranged over two and three storeys with a small basement area. A single storey garage block lies to the rear. The central parts of the property are constructed over three storeys under a pitched tiled roof. The two storey elements comprise the wings to north and south under flat roofs.
- 3.4 Access to the property is afforded directly from Church Street, and makes use of an "in-out" driveway. There is a small basement area housing plant and equipment and locker room space. The ground floor parts comprise primarily cellular office accommodation and the redundant custody block. The first floor accommodation comprises a mix of open plan and cellular office accommodation, whilst the second floor parts provide a conference room, kitchen area and canteen.
- 3.5 In total, the site extends to 0.255 hectare (0.63 acre). With existing buildings of approximately 2000 square metres and surface totalling 1500 square metres and an existing roof ridge level of 12.5 metres.
- 3.6 Historically planning guidance was set out within the Upper High Street, Depot Road and Church Street Development Brief adopted November 2012. The Development Brief provides for a maximum building height in this location of 12 metres. This suggests a development over 3 or 3½ storeys.
- 3.7 The site ceased its operational use as a Police Station in 2012.
- 3.8 In 2011 Surrey Police sold off approximately 25 of their Surrey Police Stations. The sale concluded with the sale of Epsom Police Station in 2016.

4 Proposal

- 4.1 The proposal is for two residential blocks. Block A will face Church Street and comprise a four storey building. Block B will be located to the rear of the site and will be three storeys in height.
- 4.2 The two blocks will be composed of one, two and three bed apartments. There will be 29 apartments in total (11x1bed, 11 x2 bed and 7x3 bed). Block A will consist of 18 apartments and Block B will consist of 11 apartments.
- 4.3 Block A is a 4 storey block comprising of 18 x flats (5 x 1 bed, 9x 2 bed and 4 x 3 bed). Block A would be 19 metres in width, 21 metres in depth, 11.8 metres in height to the top of the parapet of the fourth floor.
- 4.4 Block B is a 3 storey block comprising of 11 flats (6 x 1 bed, 2 x 2 bed and 3 x 3 bed). Block B would be 15.5 metres in width, 20 metres in depth, and 9.5 metres in height to the top of the third floor.

- 4.5 There will be 24 associated car parking with the access arrangements to the site remaining the same as the existing, through an in and out driveway onto Church Street.
- 4.6 Some apartments will have individual balconies and there will be a communal amenity space of 300m² located to the rear of the site.
- 4.7 The existing boundary wall to the site will be cleaned and enhanced and lowered in places and there will be a new wall and railings facing onto the main Church Street entrance to Block A.
- 4.8 The boundary treatment and landscaping in the communal areas will be enhanced with the planting of new trees and the retention of the preserved trees on the site.

5 Comments from third parties

- 5.1 The original application was advertised by means of letters of notification to 45 neighbouring properties. 13 letters of representations and 1 letter of support have been received, including letters from the Epsom Civic Society. The letters of objection stated the following:
 - Should be part of a comprehensive scheme
 - Debatable whether the proposed design preserve or enhance conservation area
 - Design lacklustre and uninspiring no originality or architectural merit
 - Inadequate on site car parking increased to the streets
 - Overbearing for the historic houses in the vicinity
 - Residential next door to working ambulance station may cause issues between neighbouring residential properties
 - Existing on street parking problems and highway safety issues will be made worse
 - Bulk and mass should be reduced to allow more landscaping
 - Overlooking and loss of privacy
 - Light pollution
- 5.2 The letter of support stated the following:
 - Housing and flats needed in the Borough
 - Design looked acceptable
 - But felt number of parking spaces inadequate
- 5.3 Amended drawings were received on the 7 January 2019 and neighbours were re-consulted. To date (27/2/2019) an additional 6 letters of objection have been received, 2 from addresses which had not previously objected. The objections stated the following concerns:
 - proposed design does not preserve or enhance conservation area
 - Design lacklustre and uninspiring no originality or architectural merit

- Inadequate on site car parking increased to the streets
- Existing on street parking problems and highway safety issues will be made worse
- Should have pitched roofs
- Bulk and mass
- Stress on the Town Centre from various developments and construction works
- Overlooking and loss of privacy

6 Consultations

- 6.1 **SCC Highways** – No objection, subject to conditions.
- 6.2 **Archaeological** - The proposed development is located within an Area of High Archaeological Potential (AHAP) defined around the historic core of Epsom. As such, I am pleased to note that the applicant has taken on board the archaeological implications of the proposed development and have submitted an archaeological desk based assessment (DBA), produced by their archaeological contractor Archaeological Solutions, in support of their application.
- 6.3 The DBA provides suitable data on which the archaeological potential of the site can be assessed, although I am not in full agreement with its conclusions on the archaeological potential of the site. However, it is clear from the recently reviewed definition of the site as an AHAP, and the data presented in the report, that there is a high potential for the presence of Heritage Assets of archaeological significance from the medieval through to the post-mediaeval period. That potential may be lower for earlier periods but as noted in the report, there is a low instance of archaeological investigation within the vicinity of the site by which that might be better judged. As such, I would consider there to be an unknown potential for the prehistoric period and later periods through to the medieval.
- 6.4 Given that the site has a high potential for Heritage Assets of archaeological significance to be present, I would agree with the report that there is a need for further archaeological work in the form of a trial trench evaluation to determine the archaeological potential of the site. The evaluation should target the areas outside the footprint of the existing buildings where the potential for the presence of undisturbed archaeological horizons is highest.
- 6.5 The evaluation should best take place ahead of the demolition of the existing buildings with its results used to inform the need, or otherwise for further mitigation measures. Such measures may take the form of archaeological monitoring or excavation.

- 6.6 Given that any Heritage Assets that may be present are only likely to be of local or regional significance, I do not recommend that it is necessary for the archaeological work to be undertaken in advance of any planning permission but would recommend that securing the archaeological work as a condition of any planning permission is an acceptable and proportionate response. To ensure the required archaeological work is secured satisfactorily, the following condition is appropriate and should be attached to any planning permission:
- 6.7 *“No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority.”*
- 6.8 This has been added to the Planning Conditions as condition 4.
- 6.9 **Tree Officer** - has concerns with regard to the proposed new building line and the root protection zone of the Cedar street tree on Church Street. In accordance with the British Standard the applicant needs to demonstrate that roots of the tree will not be damaged by the proposal, this will be the subject of a planning condition. This will cover demolition, foundation construction and service installation. Adequate spatial separation is key to successful tree integration in this situation.
- 6.10 Proximity of balconies to tree canopy of this street tree will be within a couple of feet of the building. There may be an unreasonable maintenance burden for future occupants.
- 6.11 Underground services and conflicts with the RPAs will need to be properly investigated prior to the commencement of development and strategies agreed with reference to the relevant British Standards of Tree protection.
- 6.12 The proposal includes a front boundary wall / fencing, with no tree protection details regarding its construction. There is no mention of how this will be constructed without damaging tree roots. It is not clear if the retaining wall which the tree is growing in will need to be removed for highway visibility. It is shown removed in the design and access statement. If this happens it is highly likely to kill the tree this is unacceptable so details will need to be agreed in advance of any development on site.
- 6.13 **SCC SUDs** - We are satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents and can recommend planning permission is granted. We would however recommend that should planning permission be granted, that suitably worded conditions are applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development. Suggested conditions are below.

- 6.14 Note: The Applicant states: ‘...the site is located within a Zone 1 Source Protection Zone negating the use of infiltration techniques from hardstanding areas.’ However Environment Agency Guidance ‘Groundwater protection: Principles and practice (GP3)’ (August 2013 Version 1.1) states: ‘We support the use of sustainable drainage systems (SuDS) for new discharges. Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should have a suitable series of treatment steps to prevent the pollution of groundwater.’
- 6.15 Where infiltration SuDS are proposed for anything other than clean roof drainage (see G12 - discharge of clean roof water to ground) in a SPZ1 we will require a risk assessment to demonstrate that pollution of groundwater would not occur.’ (Position Statements: G12 and G13). Therefore the use of an infiltration based system should be investigated with BRE Digest: 365 tests, ground water level testing and risk assessment from a Geotechnical Engineer
- 6.16 **Epsom Civic Society** - Preferred the slated mansard roof design not fully acceptable. Car parking provision is inadequate car parking basement parking would resolve this issue

7 Relevant planning history

7.1

Reference number	Proposal	Decision	Decision date
92/00206/ZGD	Installation of ramp for disabled persons.	No Objections	22 May 1992
95/00481/DOE	Alterations to garage block to provide forensic room.	No Objections	25 September 1995

8 Planning Policy

National Policy Planning Framework (NPPF) July 2018 /Updated February 2019

- Chapter 5: Delivering a sufficient supply of homes
 Chapter 7: Ensuring the Vitality of Town Centres
 Chapter 8: Promoting Healthy and Safe Communities
 Chapter 9: Promoting Sustainable Transport
 Chapter 11: Making Effective Use of Land
 Chapter 12: Achieving Well-designed Places
 Chapter 16: Conserving and enhancing the historic environment

Core Strategy 2007

Policy CS1	Creating Sustainable Communities
Policy CS3	Biodiversity
Policy CS5	The Built Environment
Policy CS6	Sustainability in New Developments
Policy CS9	Affordable Housing and Meeting Housing Needs
Policy CS16	Managing Transport and Travel

Development Management Policies Submission Document November 2014

Policy DM4	Biodiversity
Policy DM5	Trees and Landscape
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 DM17	Contaminated Land
Policy DM19	Development and Flood Risk
Policy DM22	Housing Mix
Policy DM36	Sustainable Transport for New Development
Policy DM37	Parking Standards

Plan E An Area Action Plan for Epsom Town Centre 2011

Supplementary Planning Guidance

Revised Developer Contributions 2014
Parking Standards for Residential Development 2015
The Vacant Building Credit April 2018
Upper High Street, Depot Road and Church Street Brief 2012
Planning considerations

Principles of Residential Development

- 8.1 The principle of demolishing the existing Police Station and replacing it with a new residential development has been established in Plan E and the supplementary planning documents relating to the site.
- 8.2 The Government's 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. 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.
- 8.3 The redevelopment of this brownfield site in a highly sustainable location is acceptable in principle subject to other material considerations.

Design and Visual Amenity

- 8.4 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. Policy DM8 states that the Council will resist the loss of our Heritage Assets and every opportunity to conserve and enhance them should be taken by new development.
- 8.5 The existing Police Station is an example of 1970s office development with unrelenting concrete façades of limited visual merit. This proposal involves the demolition of the existing buildings on the site. There are no internal or external features of the building that merit preservation.
- 8.1 The revised proposals draw on detailing and design typologies which are typical of the form and style of development found in Epsom; in particular from the adjacent Conservation Area and wider town centre. Design references have been taken from the nearby buildings. The proposal will consist of two residential blocks. Block A to the Church Street frontage will be four storeys in height. Block B will be three storeys in height. The two blocks have a common design theme of traditional red brick façades with stone and modern concrete to give the impression of stone detailing.
- 8.2 The upper storeys of both blocks are recessed forming an attractive parapet style detail. This will also serve as a roof terrace balcony for future residents. The windows proposed are traditional design sash style with Georgian like panes with stone effect headers and sills. Other design features include iron railings.
- 8.3 The proposed height of Block A is 11.5m and Block B is 9.5m to the top of the building.
- 8.4 The proposed fenestration and appearance from Church Street will be an attractive entrance feature to the town centre. This traditional design will be prominent giving a sense of grandeur and style. Although modern materials will be used the design will reflect the surrounding area. This is considered a good balance in this location presenting a well-designed attractive building that will blend into the historic surroundings, be contextually appropriate and make a positive statement within the street scene.
- 8.5 It is therefore concluded the proposed scheme in terms of its design, scale and massing would have a positive impact on the character and appearance of both the immediate and wider area and would therefore accord with Policy DM8, DM9 and DM10.

Heritage Assessment

- 8.6 As well as being located adjacent to the Church Street Conservation Area, there are a number of listed buildings and locally listed around the site. The impact of the development on the individual heritage assets have been assessed.
- 8.7 The proposals to demolish the former police station and erection of two residential blocks to the front and rear side of the site will result in a neutral impact to The Hermitage which has historically had a large building on the site. The proposal for a four storey building is not out of context for the site or the setting of the Conservation area and does not affect its setting.
- 8.8 Ashley Cottages are to the rear of the site and face on to the rear boundary wall. Block B is set back from the rear boundary wall and is stepped back with a hipped roof which softens the scale of the building in line with other properties in the surrounding area. A large open view of the rear of the site is retained as is currently experienced by the heritage assets along The Parade. The development will have a neutral impact on the setting of Ashley Cottages.
- 8.9 The Cedars is an important heritage asset to the conservation area and is visible along Church Street. The development will not affect this view and will be interrupted by the existing trees that line Church Street. The new blocks reference the red brick materials of The Cedars and local area.
- 8.10 The proposed demolition of the former police station and construction of two residential blocks to the front and rear of the application site will not impact on the setting of the Listed Buildings or Locally Listed Building or those identified as having a positive contribution. The retention of the boundary walls, the siting of the blocks and provision of further trees to the rear of the site enhances the site setting and will preserve the significance of the Heritage Assets located in the Church Street Conservation Area.
- 8.11 The proposed materials and designed brick masonry with rusticated rendered ground floor level and hipped roof acknowledges a number of the local architectural features. The scale of the residential blocks is reminiscent of the large properties that line Church Street and does not impact on the special historic interest of those buildings of interest as identified in the Conservation Area Map
- 8.12 The Church Street Conservation Area was designated in 2010 for the protection and enhancement of the heritage assets contained within it and for the prevention of unsympathetic works to unlisted buildings that would affect its significance.

- 8.13 The development will not have any material impact on the neighbouring Church Street Conservation Area. The existing building on the site offers no contribution to the aesthetic value or evidential value of the neighbouring conservation area and the proposed development seeks to enhance the visual benefits of the conservation area and neighbouring buildings.
- 8.14 The proposed residential blocks would retain a setback position along Church Road, maintaining the vista of the heritage assets along this view. The Parade has historically had a subservient view of the site and the setting is not affected by these proposals.
- 8.15 The site currently makes no material contribution to the setting and significance of nearby heritage assets. The proposed design respects the character of the area and presents the opportunity to greatly enhance the site's character and appearance. The proposal will result in no harm to the significance of the identified heritage assets. The proposal accords with Policy DM8.

Neighbourhood Amenity

- 8.16 The siting of the proposed building has taken into account the positioning of the existing surrounding residential dwelling and surrounding properties.
- 8.17 There is a separation distance of 11 metres at the closest point between the rear of Block B and the property boundary with a further 10 metres to the nearest habitable room window of the dwellings on The Parade, giving an overall distance of 21 metres. Given the separation distances involved, the buildings will have no direct overlooking into properties at the rear. Given the existing commercial nature of the site the potential overlooking from office building windows could potentially be worse. In this respect the residential balconies and windows now proposed will have a traditional residential back to back building relationship.
- 8.18 The building set back and increased landscaping to the rear boundary will prevent the building from having an overbearing impact on the outlook of residential properties on the nearby surrounding streets.
- 8.19 The extent of any potential overlooking from the proposal will not be material, or harmful overlooking of nearby residential properties. The proposed scheme would comply with Policy DM10.

Housing Space Standards

- 8.20 The Nationally Described Space Standards (2015) set 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. The Standards provide separate standards for bedrooms within new dwellings stating that a single bedroom should be no smaller than 7.5 m² and a double bedroom should be no smaller than 11.5 m². All new units should be designed in accordance with the National Space Standards.
- 8.21 The proposed 3 bed 4 person flats would have an internal floor space area of 74m², the 2 bed 3 person flat would have an internal floor area of 61m² and the 1 bed 2 person units would have an internal floor area of 50m². Each flat would comply with the Nationally Described Space Standard Technical requirements in terms of GIA and bedroom sizes and therefore also comply with Policy DM12.

Amenity Space

- 8.22 All the flats would have access to the 300m² of communal amenity space to the rear of the site. Overall this would be adequate in terms of both size and quality to suit the needs of future residents of the apartments. In addition some of the apartments will have balconies as private amenity areas.

Car Parking and Access

- 8.23 The Council's adopted Parking Standards requirements for the car parking provision within residential developments in this Town Centre location are a 0.75 spaces for 1 and 2 bed properties and 1 space for a 3 bedroom properties. There are 22 x 1 and 2 bed=16.5 spaces and 7 x 3 bed =7 spaces. Paragraph 4.4 of the adopted parking requirements says this figure must be rounded up to whole spaces. Therefore the proposal would lead to a car parking requirement of 24 car parking spaces.
- 8.24 These have been provided on site around the two residential blocks. The proposal therefore complies with the Council's adopted car parking requirements.
- 8.25 Given that this is a highly sustainable location with train station and numerous bus services in close proximity and walking distance to the town centre shops and other facilities this level of car parking is considered to be appropriate to serve the development. The car parking will be situated to the rear of the site and is arranged in two banks of car parking spaces providing the 24 spaces required by the Council's Car Parking Standards.

- 8.26 Surrey County Council Guidance suggests that for developments of flats or apartments, 20% of available parking spaces should be fitted with a fast chargepoint with sufficient power supply made available for a further 20% of spaces to be fitted with additional fast chargepoints. It is expected that this guidance will be reviewed and updated as Electric Vehicle uptake progresses. In this respect at least 6 spaces would be required to be Electric Vehicle. Also a further 6 spaces should be available if required in the future. Refer to Condition 14.
- 8.27 Cycle parking will be provided to comply with the SCC Cycle Parking Standard 1 and 2 bedroom units requiring 1 space, 3 or more bedroom unit 2 spaces. The proposed number of spaces required is therefore 36 spaces. This will be secured by condition. The exact location within the site will be clarified as part of this condition. Refer to Condition 13.

Waste Management

- 8.28 The Applicants have indicated that they will be using a private waste management collection and disposal service. The exact details will be the subject of a planning condition to ensure that the development and service available to future occupiers of the development is compliant with the Council's existing waste collection and disposal services for the Borough. Refer to proposed conditions 20 and 21 for the detail.

Ecology and Biodiversity

- 8.29 Given the existing buildings on the site the proposed built area to site area is acceptable. Accordingly, there would be no adverse impact on the ecology/biodiversity, in compliance with DM4 which requires that every opportunity should be taken to secure net benefit to the Borough's biodiversity.
- 8.30 The application is supported by a bat survey that has not found any evidence of bat presence at the site.
- 8.31 There will be swift bricks to encourage the local bird population.
- 8.32 Other recommendations in the ecological report will also be secured by means of condition.

Trees and Landscaping

- 8.33 A Tree Preservation Order is in force on the site (reference TPO 451) covering a number of lime trees and a beech positioned toward the southern site boundary. Consequently, any person intending to carry out any operations involving trees is required to consult the Council before works are undertaken.
- 8.34 The principle arboricultural features on or near the site are the lime trees and a beech positioned toward the southern site boundary and a number of offsite street trees located to the east.

- 8.35 Of the total of 11 trees and groups on the site, all will be retained and none are scheduled to be removed to facilitate this development proposal. However, four trees/groups will have activities arising from the development occurring within their root protection areas.
- 8.36 These activities include the upgrade of the existing surfacing and the return of some areas of tarmac to soft landscaping. If appropriate care is taken and the sensitive work is properly supervised and implemented correctly, then the proposed development is arboriculturally acceptable, with a low risk of any adverse impact on the nearby trees to be retained.
- 8.37 Details of hard and soft landscaping would need to be secured by an appropriate planning condition in this respect the proposal would comply with Policy DM5 – Trees and Landscape.
- 8.38 A particularly significant street tree is the Cedar tree situated to the front of the site in Church Street. While this tree is a street tree and not within the application site. Nevertheless every step will be taken to ensure the future survival of this tree during the construction process. As the tree has been identified in having an important impact upon the street scene. Stringent conditions to ensure its survival are recommended. Refer to conditions 5, 6 and 7 in relation to this tree.

Affordable Housing

- 8.39 In November 2014 the Government introduced a new threshold for affordable housing contributions so that only developments of over 10 dwellings or 1,000 square metres of gross floorspace would be required to provide a contribution to the provision of affordable housing. The Government considers that this will assist in the delivery of housing on small-scale sites. This is further reflected in the revised NPPF.
- 8.40 The Government has also introduced the Vacant Building Credit, in order to incentivise the development of brownfield sites. This is a financial credit equivalent to the existing gross floorspace of vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. The credit applies where vacant buildings are proposed to be brought back into lawful use or demolished and redeveloped. The credit does not apply to buildings which have been abandoned.
- 8.41 In light of these changes, the following guidance as to how the Council will apply the Vacant Building Credit and the implementation of Core Strategy Policy CS9.
- 8.42 The Planning Practice Guidance states that:

- 8.43 *“Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought”.*
- 8.44 *“Where there is an overall increase in floorspace in the proposed development, the local planning authority should calculate the amount of affordable housing contributions required from the development as set out in their Local Plan. A ‘credit’ should then be applied which is the equivalent of the gross floorspace of any relevant vacant buildings being brought back into use or demolished as part of the scheme and deducted from the overall affordable housing contribution calculation. This will apply in calculating either the number of affordable housing units to be provided within the development or where an equivalent financial contribution is being provided”.*
- 8.45 *“The existing floorspace of a vacant building should be credited against the floorspace of the new development. For example, where a building with a gross floorspace of 8,000 square metre building is demolished as part of a proposed development with a gross floorspace of 10,000 square metres, any affordable housing contribution should be a fifth of what would normally be sought”.*
- 8.46 The applicant have submitted a Viability Report and this has been evaluated by independent Consultants to advise the Council on viability and affordable housing. These Consultants have identified a need for 2 affordable housing units within the scheme. The applicant has agreed with the final assessment.
- 8.47 In this case the applicant has agreed for these social rent units to be provided on site and that in the event it is not possible to locate a Registered Provider willing to take on the units, that a commuted sum will be secured. The commuted sum will be £299,880 in lieu of the on-site provision of affordable housing
- 8.48 The amount of the commuted sum has been arrived at through the viability appraisal process.

Sustainability

- 8.49 Core Strategy Policy CS6 requires proposals to demonstrate how sustainable construction and design can be incorporated to improve the energy efficiency of development.
- 8.50 An appropriate planning condition is recommended, should the proposal be acceptable, to secure their inclusion.

Community Infrastructure Levy

- 8.51 The proposal would be CIL liable.

9 Conclusion

- 9.1 The proposal meets planning policy objectives and gives the opportunity to redevelop this vacant site currently an eyesore in the town centre.
- 9.2 The proposal would incorporate all the principles of good design in accordance with NPPF and relevant Development Management Policies.
- 9.3 The development would make a positive contribution to the town centre and make a contribution to meeting housing need pursuant to the national policy to significantly boost the supply of housing.

10 Recommendation

Part A

10.1 Subject to a legal agreement being completed and signed to secure the following heads of terms:

- Provision of two social rented units on site;
- A commuted sum of £299,880 in lieu of the on-site provision of affordable housing
- A mechanism to review the viability of the development in the event that it does not reach completion of the ground floor slab level within three years from the date of the planning permission.

The Committee authorise the Head of Planning to grant planning permission subject to the conditions set out below.

Part B

In the event that the section 106 Agreement referred to in Part A is not completed within 3 months from the 14 June 2019 the Head of Planning is authorised to refuse the application for the following reason:

In the 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) in relation to the provision of a housing or a commuted sum in lieu of the on-site provision of affordable housing.

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:

Plan Nos. - Description - Date received :

17.2538.118 Rev P6 Proposed Elevations Block A Jan 2019

17.2538.119 Rev P5 Proposed Elevations Block B Jan 2019

17.2538.121 Rev P6 Proposed Context Elevations and Site Section Jan 2019

17.2538.116 Rev P5 Proposed First Floor Layout Jan 2019

17.2538.115 Rev P5 Proposed Ground Floor Layout Block B Jan 2019

17.2538.110 Rev P6 Proposed Site/ Roof Layout Section Jan 2019

Reason: For avoidance of doubt and in the interests of proper planning to comply with Policy CS5 of the Core Strategy (2007).

- (3) Prior to the commencement of development, details and samples of the external surfaces 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 the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority

Reason: 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 DM8 and DM10 of the Development Management Policies 2015.

- (5) No development, groundwork or site clearance shall be carried out until a full Arboricultural Method Statement (AMS) and Tree Protection Plan have been submitted to and approved by the Local Planning Authority. This will include all trees within the red line of the application as well as the mature Cedar street tree on Church Street just outside the curtilage of the site. The AMS will include 'trial hole' investigation data, a building foundation design specification (including appropriate section drawings) for any part of the building within a Root Protection Area (RPA) and will also

include details of all new services outside of RPAs, or acceptable methodology for working within RPAs. All works prescribed, both to trees and that related to construction activities shall be undertaken in strict accordance with this information. The protective measures, including fencing and ground protection, in accordance with this information shall be installed prior to any construction or groundwork commencing on the site and will remain until the development is complete.

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. To ensure protection and long term viability of retained trees

- (6) 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. The detailed landscaping scheme identifying all existing trees, shrubs and hedges to be retained and include existing and finished levels information around retained trees has been submitted to and approved by the local planning authority in writing. The landscape scheme will also identify new species, planting sizes, planting distances, density, numbers and provisions for the future maintenance of all new planting.**

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.

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

until all equipment, machinery and surplus materials have been moved from the site.

Reason: To 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.

- (8) **No development shall take place until details of all boundary treatment have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The approved scheme 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.

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

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

- (10) **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.

- (11) **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.

- (12) No development shall take place until details of existing and proposed finished site levels, finished floor and roof 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 visual amenities of the area / 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.

- (13) No development shall be occupied until 24 car parking spaces have been laid out and 36 secure and covered cycle parking spaces have been provided. Turning areas indicated shall be used and retained exclusively for its designated purposes.

Reason: In Order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the provisions of policy CS16 of the Core Strategy (2007) and DM36 and DM37 of the Development Management Policies 2015.

- (14) No development shall be occupied until 6 spaces, (with a further 6 becoming available in the future if demand warrants it), have been fitted with fast charge sockets 7kw Mode 3 with Type 2 Connector 230v AC 32 Amp Single Phase dedicated supply.**

Reason: In Order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the provisions of policy CS16 of the Core Strategy (2007) and DM36 of the Development Management Policies 2015

- (15) 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 and shall include 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).

- (16) The development hereby approved shall be carried out in accordance with the protection, mitigation and enhancement measures detailed in the ecological assessment and plan of implementation prior to the first occupation of the development in accordance with the approved timetable detailed in the ecological assessment and plan. This will include bat boxes and swift bricks. The approved measures shall thereafter be maintained**

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.

- (17) No external lighting shall be installed on the site or affixed to any buildings including the two main residential blocks or placed within the site unless the local planning authority has first approved in writing details of the position, height, design, measures to control**

light spillage and intensity of illumination. Only the approved details shall be installed.

Reason: In order to safeguard the amenities of the occupiers of neighbouring properties and visual amenity in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

- (18) No development shall take place until a strategy of surface water drainage for the site using a Sustainable Drainage System (SuDS) has been submitted to and approved in writing by the local planning authority. The approved development shall be implemented in accordance with the approved strategy prior to the first occupation of the building and thereafter retained in that condition.**

Reason: To ensure that the principles of sustainable drainage are incorporated into the development and to reduce the impact of flooding in accordance with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

- (19) No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

Reason: To prevent an increased risk of flooding and to prevent pollution of the water environment in accordance with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

- (20) No development shall take place until details for the storage and collection of waste on the premises, including the design and position of storage facilities for bins, recycling and the method of waste collection and disposal have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the first occupation of the development and thereafter maintained for the duration of the development.**

Reason: In the interests of residential and visual amenity, and to encourage waste minimisation and recycling of domestic refuse, in the interests of sustainable development in accordance with Policies CS5 and CS6 of the Core Strategy (2007) and Policy DM10 and DM12 of the Development Management Policies 2015.

- (21) No development shall take place until a written Waste Minimisation Statement, confirming how demolition and construction waste will be recovered and reused on site or at other sites has been submitted to and approved in writing by the local planning authority. The**

measures shall be implemented in strict accordance with the approved details.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste to landfill is reduced in accordance with Policy CS6 of the Core Strategy (2007).

- (22) The development hereby permitted shall not be occupied, until details of the hard surfaced areas shall be submitted to and approved in writing by the local planning authority. Such details shall show that the hard surface will be porous or permeable, or shall direct surface water to a porous or permeable surface within the site. The development shall be carried out fully in accordance with the approved details and so maintained.**

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

- (23) No development shall take place until a scheme for the suitable treatment of all plant and machinery/air handling equipment against the transition of sound and/or vibration to the residential dwellings has been submitted to and approved in writing by the local planning authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and thereafter retained as such.**

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

- (24) The main flat roof of both residential blocks hereby permitted shall not be converted or used as a balcony or a sitting out area, 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 LDF Development Management Policies Document Adopted October 2015.

- (25) Prior to occupation of the development all details of the residential balconies including privacy screening be submitted to the Local Planning Authority for consideration and approval and then implemented in accordance with the approved details.**

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.

Informatives:

- (1) 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.

- (2) 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.**
- (3) The applicant is advised to contact Epsom and Ewell Borough Council at an early stage to discuss naming and numbering of the development on 01372 732000. For further information see <http://www.epsom-ewell.gov.uk>**
- (4) This form of development is considered liable for the Community Infrastructure Levy (CIL). CIL is a non-negotiable charge on new developments which involve the creation of 100 square metres or more of gross internal floorspace or involve the creation of a new dwelling, even when this is below 100 square metres. The levy is a standardised, non-negotiable charge expressed as pounds per square metre, and are charged on the net additional floorspace generated by a development. You will receive more information regarding the CIL in due course. More information and the charging schedule are available online <http://www.epsom-ewell.gov.uk>.**