

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)