

Development Site at Garages, Ormonde Avenue, Epsom, Surrey

Erection of three no. two-bedroom dwellings

Ward:	Court Ward
Contact Officer:	Ginny Johnson

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=PPHTSEGYMLQ00>

2 Summary

- 2.1 The scheme proposes a terrace of three dwellings, with associated parking, on a Site that currently comprises hardstanding. As the applicant is a registered social landlord, their intention is for the dwellings to be provided as affordable dwellings for rent, as part of their housing estate.
- 2.2 The principle of residential development at this Site is considered acceptable. The Site is designated as a 'Built Up Area', and is located within an established residential area. Furthermore, it benefits from an expired Planning Permission, allowing for two terraced dwellings.
- 2.3 The proposed dwellings have been carefully designed to assimilate with the existing residential properties at Ormonde Avenue. The proposed dwellings are of an acceptable height and massing and comprise good quality design.
- 2.4 The proposal seeks the provision of six car parking spaces, which exceeds Local Planning Policy standards. Additionally, cycle storage provision is proposed, encouraging sustainable means of travel. Surrey County Council (Highways) does not object to the proposal and the accompanying Transport Report illustrates that the proposal will not cause additional parking pressures in the local area.
- 2.5 The Application is to be determined at Planning Committee as Epsom and Ewell Borough Council is a landowner. The Application is also subject to a call-in request from a Councillor. Irrespective of the call-in request, this application would be determined at Planning Committee.

- 2.6 Officers recommend the Application for approval, subject to Planning Conditions and a S106 Legal Agreement.

3 Site description

- 3.1 The Application Site ('Site') comprises vacant land, used for informal parking. It is irregular in shape and measures approximately 0.08 hectares in size.
- 3.2 The Site is located at the Northern end of Ormonde Avenue, which is residential in nature. Typically, Ormonde Avenue comprises semi-detached two-storey properties, set back from the road by driveways.
- 3.3 Immediately to the North of the Site is a bridleway, with a railway line beyond, to the East of the Site are the rear gardens of Cremorne Gardens and to the South of the Site is a footpath, with 36 Ormonde Avenue located to the South of this, which is a two-storey semi-detached property. To the West of the Site is 36a and 36b Ormonde Avenue, which are semi-detached properties, which are two-storeys in height.
- 3.4 The wider area is typically also residential in character. As above, the residential dwellings at Ormonde Avenue are typically semi-detached and two storeys in height. The residential dwellings located at Aspen Close, located beyond the railway line to the North of the Site, range in height from two-storeys to three-storeys.
- 3.5 The Site is relatively well connected. Ewell West Train Station is located 0.9 kilometres North-East of the Application Site. The nearest bus stops are located at Hollymoor Lane, with regular services to Horton and Longmead.
- 3.6 The Site is designated as Built Up Area and partly within a Critical Drainage Area. It is not Listed, nor does it fall within a Conservation Area.

Application Background

- 3.7 A Planning Application (ref: 14/00167/FUL) was refused at Planning Committee, against an officer's recommendation for Approval. The Decision Notice is dated 24 July 2014. The Application sought to demolish garages at the Site and erect 1 x three bedroom and 1 x 2 bedroom dwellings with associated parking, replacement parking and hard and soft landscaping. The formal description of development is provided below:

"Demolition of existing garages 1-9, erection of 1 no. 3 bed 5 person and 1 no. 2 bed 4 person dwellings with associated parking, replacement parking and hard and soft landscaping. (Amended drawings received 01.07.2014)"

- 3.8 The Planning Application was refused at Planning Committee, as the proposed development was considered to result in the displacement of vehicles to the immediate and surrounding highway network, which would result in additional on-street parking pressures within Ormonde Avenue and Hollymoor Lane, to the detriment of traffic, pedestrian safety and residential amenity. The formal reason of refusal is provided below:

“The proposed development would result in the displacement of vehicles to the immediate and surrounding highway network, which would result in additional on-street parking pressures within Ormonde Avenue and Hollymoor Lane , to the detriment of traffic, pedestrian safety and residential amenity. Therefore, the proposal is contrary to policies CS5 and CS16 of the Core Strategy (2007) and policies BE1 and MV8 of the Epsom and Ewell Borough Local Plan (2000) and policy DM37 of the Development Management Policies (Pre-submission draft) 2013”

- 3.9 Planning Permission was allowed at appeal on 08 January 2015, under ref: APP/P3610/A/14/2226068. The main issue, as detailed within the Planning Inspectorate’s report, was the effect of the development on parking in Ormonde Avenue and Hollymoor Lane. The Inspectorate concluded that the appeal site was seldom used and that the loss of the garages and parking area would not exacerbate or worsen any existing parking problems in the area, given the car parking provision within the scheme.
- 3.10 The Planning Inspectorate’s report did not raise any further matters relating to Application ref: 14/00167/FUL and the appeal was allowed.

Current Situation

- 3.11 The former garages have been demolished, however the above Planning Permission (ref: 14/00167/FUL) was not implemented and the approval time expired on 08 January 2018. This application seeks a revised scheme at the Site, comprising a terrace of 3 X 2 bedroom dwellings, with associated parking. As the applicant is a registered social landlord, their intention is for the dwellings to be provided as affordable dwellings for rent, as part of their housing estate.
- 3.12 The Application is to be determined at Planning Committee as Epsom and Ewell Borough Council is a landowner. The Application is also subject to a call-in request from a Councillor. Irrespective of the call-in request, this application would be determined at Planning Committee.

4 Proposal

- 4.1 This application seeks a terrace of 3 X 2 bedroom dwellings, with associated parking. As the applicant is a registered social landlord, their intention is for the dwellings to be provided as affordable dwellings for rent, as part of their housing estate.

- 4.2 The proposed terraces measure 16.45 metres in width. The terraces have a staggered depth, with a maximum depth of 10.64 metres. The terraces have a maximum height of 7.5 metres.
- 4.3 The proposal seeks six car parking spaces. Four car parking spaces are proposed in front of Plots 1 and 2 and two car parking spaces by the side of Plot 3.
- 4.4 The proposal seeks soft landscaping. Subject to Planning Permission being granted, landscaping and tree provision shall be Conditioned.

5 Comments from third parties

- 5.1 The application was advertised by means of letters of notification to 41 neighbouring properties. To date (03.07.2019) 4 letters of objection have been received regarding:
- Overdevelopment
 - Traffic/Parking Implications.

6 Consultations

- 6.1 Surrey County Council (Highways): no objection, recommend Planning Conditions.

7 Relevant planning history

- 7.1 The below table sets out the recent and relevant Planning history pertaining to the Site:

Application number	Decision date	Application detail	Decision
14/00167/FUL	Appeal Allowed 08.01.2015	Demolition of existing garages 1-9, erection of 1 no. 3 bed 5 person and 1 no. 2 bed 4 person dwellings with associated parking, replacement parking and hard and soft landscaping.(Amended drawings received 01.07.2014)	Appeal Allowed

8 Planning Policy

Chapter 2	Achieving sustainable development
Chapter 5	Delivering a sufficient supply of homes
Chapter 9	Promoting sustainable transport
Chapter 11	Making effective use of land
Chapter 12	Achieving well-designed places
Chapter 15	Conserving and enhancing the natural environment
CS3	Biodiversity and Designated Nature Conservation Area
CS6	Sustainability in New Developments
CS7	Providing for Housing and Employment Development
CS8	Broad Location of Housing Development
CS16	Managing Transport and Travel
DM4	Biodiversity and New development
DM5	Trees and Landscape
DM9	Townscape Character and Local Distinctiveness
DM10	Design Requirements for New Developments (including House Extensions)
DM11	Housing Density
DM12	Housing Standards
DM19	Development & Flood Risk

DM36 Sustainable Transport for New Development

DM37 Parking Standards

9 Planning considerations

- Principle of Development
- Design, Layout and Scale
- Neighbouring Amenity
- Quality of Accommodation
- Highway and Parking
- Trees and Landscaping
- Ecology
- Sustainability
- Flood Risk and Drainage

Principle of Development

- 9.1 Chapter 11 of the NPPF relates to the effective use of land. Paragraph 117 of the NPPF sets out that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 9.2 Chapter 5 of the NPPF encourages the delivery and supply of homes. Paragraph 59 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 9.3 Policy CS7 sets out that Borough seeks the provision of sufficient housing.
- 9.4 Policy CS8 sets out that new housing development will be located within the defined built up area of Epsom and Ewell. Within these areas, the emphasis will be on the re-use of suitable previously developed land (including the re-use of conversion of existing buildings) for housing. Subject to other policies, planning consent will be given for development within the built up areas, including infilling, redevelopment and conversion.
- 9.5 Policy DM11 sets out that the Council will, in principle, support proposals for new housing that make the most efficient use of development sites located within the Borough's existing urban area.
- 9.6 The Standard Method Calculation indicates a high demand for new housing in the new plan period. Due to designations, primary constraints and overall land supply, there is a need to assess how every site can be optimised within the Borough.

- 9.7 The Site is designated as a Built Up Area, which is considered suitable for residential development, in line with Policy CS8. It is located in a typically residential area, lending itself to residential development.
- 9.8 Planning Permission was granted at Appeal, for the demolition of garages and erection of 1 x three bedroom and 1 x two bedroom dwellings at the Site. The planning Permission was not formally implemented, however the garages have been demolished. The principle of residential development at the Site is established by way of the former Planning Permission.
- 9.9 In summary, the principle of residential development at the Site is considered acceptable, given that it is designated as a 'Built Up Area', it is located within a residential area and it benefits from a former Planning Permission for residential development. It complies with Policy CS8 of the Core Strategy (2007).

Design, Layout and Scale

- 9.1 Chapter 12 of the NPPF relates to the achievement of well-designed places. Paragraph 124 sets out that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 9.2 Paragraph 127 of the NPPF sets out that Planning Decisions should ensure that developments (inter alia) function well, are visually attractive, are sympathetic to local character and history and establish or maintain a strong sense of place.
- 9.3 Paragraph 131 of the NPPF sets out that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 9.4 Policy DM9 (Townscape Character and Local Distinctiveness) sets out that Planning Permission will be granted for proposals which make a positive contribution to the Borough's visual character and appearance.
- 9.5 Policy DM10 (Design Requirements for New Developments, including House Extensions) sets out that development proposals will be required to incorporate principles of good design.
- 9.6 The proposed dwellings are located at the Northern end of Ormonde Avenue, where they will be most visible from within the street scene.
- 9.7 The accompanying Planning Statement sets out that the dwellings have been designed to take into account the prevailing character of the area. Specifically, these are arranged as a terrace of three, which reflects the terraced pattern of dwellings within Ormonde Avenue.

- 9.8 In conformity with drawing PL04 – Proposed Elevations for Planning Submission – dated Mar 2019, the proposed terraces have a maximum height of 7.5 metres, which is similar to the heights of nearby dwellings at Ormonde Avenue.
- 9.9 The proposal seeks the use of brick and render, which is considered appropriate. The material palette will create visually attractive dwellings, which will assimilate with the design and materiality of the existing dwellings located at Ormonde Avenue.
- 9.10 The dwellings lining Ormonde Avenue are typically set back from the road by driveways. The proposal mimics this, by proposing four car parking spaces in front of proposed dwellings 1 and 2 and two car parking spaces by the side of dwelling 3. The siting of the car parking spaces is considered appropriate and will not detract from the design of the proposed dwellings, nor adversely impact the street scene.
- 9.11 In summary, the proposed dwellings have been carefully designed to assimilate with the existing properties located at Ormonde Avenue. The proposal is not considered to adversely impact the street scene and complies with Policies DM9 and DM10 of the Development Management Policies Document (2015).

Neighbouring Amenity

- 9.12 Policy DM9 (Townscape Character and Local Distinctiveness) sets out that Planning Permission will be granted for proposals which make a positive contribution to the Borough's visual character and appearance.
- 9.13 Policy DM10 (Design Requirements for New Developments, including House Extensions) sets out that development proposals will be required to incorporate principles of good design. Development proposals should also have regard to the amenities of occupants and neighbours, including in terms of privacy, outlook, sunlight/daylight, and noise and disturbance.
- 9.14 Immediately to the North of the Site is a footpath, with a railway line beyond. To the East of the Site is the rear gardens of 19-21 Cremorne Gardens. These properties are semi-detached and two-storeys in height. To the South of the Site is a footpath, with 36 Ormonde Avenue located to the South of this. 36 Ormonde Avenue is two-storeys in height and semi-detached. To the West of the Site is 36a and 36b Ormonde Avenue, which are also two-storeys in height and semi-detached.

- 9.15 Paragraph 3.35 of the Development Management Policies Document (2015) sets out that subject to the consideration of development viability and practicality, the Council seeks a minimum depth of 10 metres of domestic rear garden space. The below sets out the maximum lengths of the rear gardens of the proposed dwellings. In accordance with drawing PL03 – Proposed Site Plan, Ground Floor Plan, First Floor Plan & Roof Plan – dated Mar 2019, a rear garden fence, measuring 1.8 metres is proposed at the rear boundary of the dwellings' gardens.
- From the rear elevation of Plot 1, the maximum length of the rear garden is 11.76 metres
 - From the rear elevation of Plot 2, the maximum length of the rear garden is 9.03 metres
 - From the rear elevation of Plot 3, the maximum length of the rear elevation is 9.07 metres.
- 9.16 In accordance with the guidance of paragraph 3.35 of the Development Management Policies Document, Plot 2 & Plot 3 fail to accord with the minimum depth of 10 metres of domestic garden space. This guidance does set out that minimum garden depth lengths is subject to the consideration of development practicality. Officers are satisfied that the shortfall in garden depths will not adversely impact neighbouring amenity enjoyed at 19-21 Cremorne Gardens by means of overbearing or loss of privacy. The proposed dwellings have a maximum height of 7.5 metres, which is comparable to the heights of the properties within the locality. The 1.8 metre high fence also provides added privacy for the neighbouring dwellings.
- 9.17 From the western elevation of Plot 3, a distance of 10.5 will be maintained from the side elevation of 36 Ormonde Avenue. This is considered an adequate distance, ensuring that the residential amenity at this adjacent property is not adversely impacted.
- 9.18 The proposed dwellings are sited approximately 20 metres from the properties at 36a and 36b Ormonde Avenue. These properties are not considered to be adversely impacted by the proposal, given this appropriate separation distance.
- 9.19 The dwellings are proposed in an area that is currently built up. The proposed dwellings are not considered to cause any unneighbourly or uncomfortable relationships with the closest neighbouring properties. Whilst an additional dwelling is proposed as part of this Application, in comparison to the previously approved scheme (ref: 14/00167/FUL), the siting of the dwellings is broadly similar. It is noted that the Planning Inspector did not consider that the previous scheme adversely impacted neighbouring amenity.
- 9.20 The proposal is not considered to adversely impact neighbouring amenity and is considered to comply with Policies DM9 and DM10.

Quality of Accommodation

9.21 Policy DM12 refers to housing standards and states that all housing developments are required to comply with external and internal space standards. Supporting paragraph 3.35 sets out that for houses, a minimum of 40sq.m will be provided.

9.22 The Nationally Described Space Standards introduced by DCLG in March 2015, sets out internal minimum space standards for bedrooms within new dwellings. The standard requires that in order to provide two bedspaces, a double bedroom should have a floor area of at least 11.5m².

	Bedroom 1 (sq.m)	Bedroom 2 (sq.m)	Total (sq.m)	Private Amenity Space
Plot 1	12.82	12.59	80.74	82.9
Plot 2	12	13.5	80.87	37.8
Plot 3	12.42	13.24	81	64

9.23 In line with the above table, the proposed dwellings exceed the minimum space standards set out in the Nationally Described Space Standards (2015).

9.24 Plots 1 and 3 provide adequate private amenity space, in accordance with Paragraph 3.35 of the Development Management Policies document (2015). Plot 2 however fails to provide the minimum required private amenity space.

9.25 In considering the shortfall of private amenity space at Plot 2, Officers have considered nearby green spaces, which are accessible to the public. There are numerous green spaces in close proximity to the Application Property, including Horton Country Park, which is located 1.9 kilometres to the West of the Site. This Park covers 400 acres, of which half is public open space.

9.26 Plot 2 falls shy of providing 40sq.m of private amenity space by 2.2sq.m. It provides a two-bedroom dwelling, on a Site that currently comprises hardstanding. It is relatively well connected in terms of public transport accessibility and there are open green spaces located in proximity to the plot. As such, the under provision of private amenity space is considered acceptable in these circumstances.

- 9.27 It is recognised that the previously approved scheme at this Site sought the provision of two dwellings, which each provided adequate private amenity space. This application seeks the provision of three dwellings, but Officers do not consider that the shortfall of 2.2sq.m at Plot 2 represents an overdeveloped scheme. In line with the requirements of the NPPF, Sites should be fully optimised and Officers are satisfied that this application optimises the Site.
- 9.28 The proposal is considered to comply with Policy DM12 of the Development Management Policies Document (2015).

Highway and Parking

- 9.29 Chapter 9 of the NPPF relates to the promotion of sustainable transport. Paragraph 108 sets out that in assessing applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be, or have been, taken up and that safe and suitable access to the Site can be achieved for all users.
- 9.30 Paragraph 109 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.31 Policy CS16 encourages development proposals that foster an improved and integrated transport network and facilitate a shift of emphasis to non-car modes as a means of access to services and facilities. Development proposals should be appropriate for the highways network in terms of the volume and nature of traffic generated, provide appropriate and effective parking provision, both on and off-site, and vehicular servicing arrangements. Furthermore, development proposals must ensure that vehicular traffic generated does not create new, or exacerbate existing, on street parking problems, not materially increase other traffic problems.
- 9.32 Policy DM36 sets out that to secure sustainable transport patterns across the Borough, the Council will (inter alia) prioritise the access needs of pedestrians and cyclists in the design of new developments.
- 9.33 Policy DM37 sets out that developments will have to demonstrate that the new scheme provides an appropriate level of off street parking to avoid an unacceptable impact on on-street parking conditions and local traffic conditions.
- 9.34 Concerns have been raised by nearby residents regarding the traffic and parking implications of this proposal. Residents have set out that parking in Ormonde Avenue is already at capacity and that the proposal will add to this. The concerns have been taken into account by Officers in the below assessment.

- 9.35 A Planning Application for a similar scheme was refused at Planning Committee, against an Officer's recommendation for Approval on 24 July 2014, under ref: 14/00167/FUL. The Planning Application was refused at Planning Committee, as the proposed development was considered to result in the displacement of vehicles to the immediate and surrounding highway network, which would result in additional on-street parking pressures within Ormonde Avenue and Hollymoor Lane, to the detriment of traffic, pedestrian safety and residential amenity.
- 9.36 Planning Permission was allowed at appeal, on 08 January 2015, under ref: APP/P3610/A/14/2226068. The main issue, as detailed within the Planning Inspectorate's Report, was the effect of the development on parking in Ormonde Avenue and Hollymoor Lane, having specific regard to traffic, living conditions and pedestrian safety.
- 9.37 At paragraph 5 and 6 of the Planning Inspectorate's Report, the appeal Site was considered seldom used and the loss of the garages and parking area was not considered to exacerbate or worsen any existing parking problems in the area, particularly given the provision for three additional parking spaces for residents to use within the scheme. Two spaces would be provided for each dwelling, which accorded with Local Planning Policy. Accordingly, the Planning Inspectorate confirmed that the proposal would not lead to increased parking pressure or traffic problems in Ormonde Avenue or Hollymoor Lane and would not harm the living conditions of surrounding residents.
- 9.38 It is accepted that there is a change in circumstances at the Site since the determination of the former Planning Application, as the former garage block has since been removed. However, the Appeal decision is considered a material consideration in the determination of this planning application.
- 9.39 This application seeks the provision of six car parking spaces, which exceeds the requirements as set out in the "Parking Standards for Residential Development Supplementary Planning Document" (2015). It also seeks cycle storage in the rear gardens of the proposed properties.
- 9.40 A Transport Report, dated March 2019, accompanies this application. Table 4.1 (Area Stress Level) sets out that the open parking area is not used at capacity and that nearby streets (Ormonde Avenue, Hollymoor Lane and Olando Gardens) are not used at full capacity. In turn, the Site's redevelopment is not considered to cause additional parking pressures in the local area, particularly given that an overprovision of car parking spaces is proposed for each dwelling.
- 9.41 Surrey County Council (Highways) formally commented on the Planning Application. It has no objection to the proposal, but recommends Planning Conditions, subject to the grant of Planning Permission.

- 9.42 In summary, the proposal seeks to provide six car parking spaces, exceeding Local Planning Policy standards. Additionally, it seeks to provide cycle storage, encouraging sustainable means of travel, which is encouraged by both National and Local Planning Policy. Surrey County Council (Highways) does not object to the proposal and the accompanying Transport Report illustrates that the proposal will not cause additional parking pressures in the local area.
- 9.43 The proposal is considered to comply with Policy CS16, DM36 and DM37.

Trees and Landscaping

- 9.44 Chapter 15 of the NPPF concerns the conservation and enhancement of the natural environment. Paragraph 175 of the NPPF sets out that development resulting in the loss or deterioration or irreplaceable habitats such as ancient woodland and ancient or veteran trees should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. Development whose primary objective is to conserve or enhance biodiversity should be supported, while opportunities to incorporate biodiversity improvements in and around developments should be encouraged.
- 9.45 Policy DM5 (Trees and Landscape) of the Development Management Policies Document (2015) sets out that the Borough's trees, hedgerows and other landscape features shall be protected and enhanced.
- 9.46 The Site comprises hardstanding, used for informal car parking. The proposal seeks to provide soft landscaping to the South of the Site, alongside 36 Ormonde Avenue, as well as to the front of Plots 1 and 2 and across the Northern boundary of the Site. This is illustrated on drawing PLO3 – Proposed Site Plan, Ground Floor Plan, First Floor Plan & Roof Plan for Planning Submission – Mar 2019.
- 9.47 To ensure the delivery of appropriate landscaping and tree provision, a Planning Condition is proposed, should Planning Permission be granted. In line with this, the proposal is considered to comply with Policy DM5.

Ecology

- 9.48 Chapter 15 of the NPPF relates to the conservation and enhancement of the natural environment. Paragraph 175 of the NPPF sets out that development whose primary objective is to conserve or enhance biodiversity should be supported, while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

- 9.49 Policy CS3 (Biodiversity and Nature Conservation Areas) sets out that development that is detrimental to the Borough's biodiversity will be minimised, and where it does take place, adequate mitigating measures should be provided. Wherever possible, new development should contribute positively towards the Borough's biodiversity.
- 9.50 Policy DM4 (Biodiversity and New development) seeks to ensure that new development takes every opportunity to enhance the nature conservation potential of a Site and secure a net benefit to biodiversity. It sets out that development affecting any site or building that supports species protected by Law including their habitats, will only be permitted if appropriate mitigation and compensatory measures are agreed to facilitate the survival of the identified species, keep disturbance to a minimum and provide adequate alternative habitats to ensure no net loss of biodiversity.
- 9.51 The Site currently comprises hardstanding, which is informally used for car parking. It does not comprise any buildings, or structures, since the former garages have been demolished. The accompanying Planning Statement sets out that the Site is currently of low ecological value, however the installation of bat and bird boxes, would result in a net gain in biodiversity at the Site. The Local Planning Authority's Ecologist formally commented on the Application and recommends a Planning Condition, subject to Planning Permission being granted, for the installation to bat and bird boxes.
- 9.52 The proposal is considered to comply with Policies CS3 and DM4.

Flood Risk and Drainage

- 9.53 Chapter 14 of the NPPF relates to meeting the challenge of climate change, flooding and coastal change. Paragraph 155 stipulates that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Paragraph 163 sets out that when determining any planning applications, Local Planning Authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.
- 9.54 The Site is within Zone 1 (Low Probability of Flooding). However, it is partly within the Epsom & Ewell Critical Drainage Area (EECDA). This is identified in the 2018 SFRA.
- 9.55 Policy DM19 sets out that development sites at medium or high risk from other sources of flooding as identified by the Borough Council's SFRA, will not be supported unless for all sources of risk, it can be demonstrated through a site Flood Risk Assessment that the proposal would, where practical, reduce risk both to and from the development or at least be risk neutral.

- 9.56 Surrey County Council (Local Lead Flood Authority) has considered the application and recommend Planning Conditions, should Planning Permission be granted.
- 9.57 Subject to securing Planning Conditions, the proposal is considered to comply with Policy DM19.

Sustainability

- 9.58 At Chapter 2, the NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three objectives to sustainable development: economic, social and environmental.
- 9.59 Policy CS6 (Sustainability in New Developments) sets out that proposals for development should result in a sustainable environment and reduce, or have a neutral impact upon, pollution and climate change. The Council will expect proposals to demonstrate how sustainable construction and design can be incorporated to improve the energy efficiency of development.
- 9.60 The accompanying Planning Statement sets out that the proposed dwellings would be constructed to a high standard, with the benefit of current lifetime living Regulations incorporated within their design. The scheme also includes appropriate levels of off-street car parking, cycle parking and waste storage. This in turn contributes to a sustainable scheme.
- 9.61 In summary, the scheme is considered to incorporate sustainable principles and accords with Policy CS6.

Community Infrastructure Levy

- 9.62 Affordable Housing is CIL chargeable development, but it is exempt from paying.

10 Conclusion

- 10.1 The scheme proposes a terrace of three dwellings, with associated parking, on a Site that currently comprises hardstanding. As the applicant is a registered social landlord, their intention is for the dwellings to be provided as affordable dwellings for rent, as part of their housing estate.
- 10.2 The principle of residential development at this Site is considered acceptable. The Site is designated as a 'Built Up Area', and is located within an established residential area. Furthermore, it benefits from an expired Planning Permission, allowing for two terraced dwellings.
- 10.3 The proposed dwellings have been carefully designed to assimilate with the existing residential properties at Ormonde Avenue. The dwellings are of an acceptable height and massing and comprise good quality design.

- 10.4 The proposal seeks the provision of six car parking spaces, which exceeds Local Planning Policy standards. Additionally, cycle storage provision is sought, encouraging sustainable means of travel. Surrey County Council (Highways) does not object to the proposal and the accompanying Transport Report illustrates that the proposal will not cause additional parking pressures in the local area.
- 10.5 Officers recommend the Planning Application for approval.

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 space has been laid out within the site in accordance with the approved plans for a minimum of 6 vehicles to be parked. Thereafter the parking 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.

- (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.

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

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maintenance costs to the applicant/organisation responsible for the damage.