

**23/00532/FUL Parkside House, Ashley Road, Epsom, Surrey, KT18 5BS**

<b>Ward:</b>	<b>Town Ward</b>
<b>Site:</b>	<b>Parkside House Ashley Road Epsom Surrey KT18 5BS</b>
<b>Application for:</b>	<b>Change of use to dual use Office (Use Class E (g)(i)) and Education (Use Class F1(a)) and associated works</b>
<b>Contact Officer:</b>	<b>Ginny Johnson</b>

## **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: <https://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RU4XJSGYJCU00>

## **2 Summary**

- 2.1 The application is classified as a major planning application and is referred to Planning Committee in accordance with Epsom & Ewell Borough Council's Scheme of Delegation.
- 2.2 The Application Site ("Site") comprises a three-storey building, called Parkside House, with basement car parking. The building was constructed as a purpose-built office building in the early 1990s.
- 2.3 The Site is located within Epsom Town Centre, where there is a preference for Town Centre uses to be located. The existing building is in lawful use as Offices (Class E(g)(i)), which is considered a main Town Centre use as defined within the National Planning Policy Framework (NPPF) (2021) and Plan E (2011).

- 2.4 The University of the Creative Arts (UCA) wish to use the Site for educational purposes. Education uses are not considered to be a main Town Centre use, as defined within the NPPF and Plan E. A Change of Use application is submitted, from Offices (Use Class E(g)(i)) to dual use Office and Education (Use Class F1(a)) (formerly known as Use Class D1).
- 2.5 The Cover Letter that supports this application sets out that the purpose of dual use is to give UCA a planning permission for two separate uses, which can be interchangeable over a 10 year period without the need for further planning permission. After 10 years, whichever use that is being implemented within the building at that time then becomes the lawful use of the building.
- 2.6 A Marketing Report supports this application. It outlines marketing evidence for a period of 18 months based on leasehold occupancy. There was one viewing of the building since it was marketed from September 2021. Due to the need for refurbishment of the building and the lack of activity in the office market, the Marketing Report concludes that it is unlikely that office use is viable at the Site. The letting interest for the building has come from UCA on a subject to planning permission for the change of use basis.
- 2.7 The proposal accords with Policy E5 of Plan E (2011), as the building would be retained in an active use, contributing to the vitality and viability of Epsom Town Centre and to UCA's Epsom Campus.
- 2.8 The proposal accords with Policies CS14 of the Core Strategy (2007) and Policy DM34 of the Development Management Policies Document (2015), as the proposal supports new social infrastructure on the basis that it meets an identified need, whilst also providing employment opportunities too.
- 2.9 There are many benefits of an educational use in this location. Education use would increase footfall in the Town Centre through additional students and academic staff relying upon shops and services within a convenient walking distance of the Site. The co-location of the Site and the existing UCA Epsom Campus encourages knowledge sharing and would deliver further investment into Epsom, to create a higher-education student hub.
- 2.10 The proposal does not seek any external or internal alterations to the building and no changes to existing landscaping. There are no objections from EEBC's Conservation and Design Officer and Tree Officer.
- 2.11 The building's entrances would remain as existing. The proposal does not give rise to issues of noise and disturbance, as confirmed by the lack of objection from EEBC's Public Protection Manager.
- 2.12 The Site benefits from car parking spaces and cycle parking spaces. Given the Site's Town Centre location, it is accessible by foot, cycle, and public transport.

- 2.13 UCA staff members and visitors are allowed to use their car parks only, not students. The building could accommodate up to 1336 students and they would be encouraged to travel via sustainable transport modes, through the on-going implementation of UCA's Travel Plan. As a result of these restrictions, this proposal would have the potential to generate significantly less vehicular movements throughout a typical weekday, as well as during AM and PM peak hour periods, in comparison with the Site's extant office use.
- 2.14 The proposal has received no objections from Statutory and Internal Consultees, no objections from nearby residents and is supported by Officers.
- 2.15 Officers recommend approval of the planning application, subject to Conditions.

### **3 Recommendation**

- 3.1 Grant planning permission, subject to Conditions.

### **4 Site description**

- 4.1 The Application Site ('Site') comprises a three-storey building, called Parkside House, with basement car parking. The building was constructed as a purpose-built office building in the early 1990s.
- 4.2 The building has a traditional appearance utilising brick and stone, with a mansard roof. Landscaping surrounding the building consists largely of hardstanding for access and parking, with small areas of planting to the south and east of the building. There is a Tree Preservation Order allocated to a tree located on the eastern portion of the Site within a small area of soft landscaping.
- 4.3 Nuffield House, an office building, to the north of the Site. To the south, the Site overlooks Rosebery Park, with several trees and shrubs partially concealing the Site from the park.

### **5 Proposal**

- 5.1 The proposal seeks full planning permission for a change of use of Parkside House to dual use Office (Use Class E (g)(i)) and Education (Use Class F1(a)).
- 5.2 The Cover Letter that supports this application sets out that the purpose of dual use is to give UCA a planning permission for two separate uses, which can be interchangeable over a 10 year period without the need for further planning permission. After 10 years, whichever use that is being implemented within the building at that time then becomes the lawful use of the building.

## 6 Comments from third parties

- 6.1 The application was advertised by means of letters of notification to 103 neighbouring properties. 0 letters of representation have been received.
- 6.2 A Site Notice was displayed, and the application advertised in the local paper.

## 7 Consultations

- SCC Highways: no objection. Recommend Conditions
- Environment Agency: Falls outside of remit
- SCC Archaeology: No Archaeological Concerns
- SCC LLFA: No objection
- EEBC Planning Policy: No objection
- EEBC Conservation and Design: No objection
- EEBC Ecology: No objection
- EEBC Environmental Health: No objection
- EEBC Trees: No objection
- EEBC Waste: No objection
- EEBC Contaminated Land: No objection

## 8 Relevant planning history

- 8.1 There is no recent or relevant planning history relating to this Site.

## 9 Planning Policy

### National Policy Planning Framework (NPPF) 2021

Chapter 2	Achieving sustainable development
Chapter 7	Ensuring the vitality of Town Centres
Chapter 9	Promoting sustainable transport

### Core Strategy 2007

Policy CS1	Creating Sustainable Communities in the Borough
Policy CS6	Sustainability in New Developments
Policy CS11	Employment Provision
Policy CS14	Epsom Town Centre
Policy CS16	Managing Transport and Travel

### Development Management Policies Document 2015

Policy DM4	Biodiversity and New Development
Policy DM5	Trees and Landscape
Policy DM9	Townscape Character and Local Distinctiveness
Policy DM10	Design Requirements for New Developments
Policy DM34	New Social Infrastructure

### Plan E (2011)

Policy E1	Town Centre Boundary
Policy E5	Town Centre Employment Floorspace Provision

## 10 Planning considerations

- Principle of development
- Design and landscaping
- Impact on neighbouring amenity
- Flood risk
- Highways, car parking and cycle parking
- Sustainability.

### Principle of development

#### *Policy*

- 10.1 Chapter 2 of the National Planning Policy Framework (2021) (NPPF) relates to achieving sustainable development. There are three overarching objectives to achieve sustainable development: an economic objective, a social objective, and an environmental objective. The economic objective seeks to building a strong, responsive, and competitive economy and the social objective is to support strong, vibrant, and healthy communities.
- 10.2 Chapter 7 of the NPPF relates to ensuring the vitality of Town Centres. Paragraph 86 sets out that planning decisions should support the role that Town Centres play at the heart of local communities, by taking a positive approach to their growth, management, and adaption.
- 10.3 Policy CS11 of the Core Strategy (2007) sets out that losses of employment land will be resisted in the strategic employment areas of Epsom Town Centre. Regeneration of employment premises and intensification of employment uses will be encouraged in these locations.
- 10.4 Policy CS14 of the Core Strategy (2007) sets out that measures to improve Epsom Town Centre, including new development, will be encouraged especially where they help it to adapt and reinforce its role in meeting the needs of the local community and acting as a focus for a range of activities (including retail, cultural, business, leisure and residential) and where they recognise and build on the distinctive character of the place.
- 10.5 Policy CS14 of the Core Strategy (2007) sets out that development should (inter alia) create a balance of uses that contribute to a flourishing day-time and night-time economy.
- 10.6 Policy DM34 of the Development Management Policies Document (2015) sets out that planning permission will be given for new or extension to existing social infrastructure on the basis that it (inter alia) meets an identified need, is delivered, where practical, in multi-use, flexible and adaptable buildings or co-located with other social infrastructure uses, which encourage dual use and increase public access, is in a location accessible by public transport, walking and cycling, does not have a significant adverse impact on residential amenity and makes an appropriate provision for on-site car parking, access to public transport, cycling and walking.

- 10.7 Policy E1 of Plan E (2011) sets out that in principle, Town Centre uses will be permitted within the Town Centre boundary, subject to other relevant policies. These uses will include retail, employment, higher density housing and community facilities. Mixed use proposals are encouraged, although single use schemes will be permitted where it can be demonstrated they will make a positive contribution and will not harm the vitality and viability of the Town Centre.
- 10.8 Policy E5 of Plan E sets out that within the Town Centre boundary, the loss of existing employment space will be resisted. Proposals that seek to redevelop aging upper floor office floorspace for retail, other commercial A class uses, or non-commercial uses would be considered provided that (inter alia) the existing office use has been subject to an active marketing exercise lasting at least 12 months, prior to alternative uses being considered.

*The proposal*

- 10.9 UCA is investing in new facilities to create an international centre for creative business, fashion, and textiles. This would enhance the development of the Business School for the Creative Industries (BSCI) and expand the School of Fashion and Textiles (SoFT). The occupation of Parkside House (this Site) would facilitate this.
- 10.10 The Site is located within Epsom Town Centre, where there is a preference for Town Centre uses to be located. The existing building is in lawful use as Offices (Class E(g)(i)), which is considered a main Town Centre use as defined within the National Planning Policy Framework (NPPF) (2021) and Plan E (2011).
- 10.11 Education uses are not considered to be a main Town Centre use, as defined within the NPPF and Plan E. A Change of Use application has been submitted from Offices (Use Class E(g)(i)) to dual use Office and Education (Use Class F1(a)) (formerly known as Use Class D1).

*Marketing Report and Cover Letter*

- 10.12 A Cover Letter supports this application. It sets out that UCA is investing in new facilities to create an international centre for creative business, fashion and textiles. This will enhance the development of the Business School for the Creative Industries (BSCI) and expand the School of Fashion and Textiles (SoFT), which the occupation of Parkside House will facilitate.

- 10.13 The Cover Letter sets out that the purpose of dual use is to give UCA a planning permission for two separate uses, which can be interchangeable over a 10 year period without the need for further planning permission. This is controlled under Class V, Part 3 of Schedule 2 of the General Permitted Development (England) Order 2015. In essence, Class V allows an Applicant or Landlord to switch between the two uses without the need for further planning permission for a period of up to 10 years. After 10 years, whichever use that is being implemented within the building at that time then becomes the lawful use of the building. This permitted development right introduces flexibility into planning permissions for a change of use to allow market forces to dictate the use of premises. Where one use was unsuccessful (i.e., if UCA were to vacate the premises in the next few years), there would be an alternative use (i.e., offices) already established and lawfully in place ensuring the continued active use of premises.
- 10.14 A Marketing Report supports this application. It outlines marketing evidence for a period of 18 months based on leasehold occupancy. There was one viewing at the building since it was marketed from September 2021. Due to the need for refurbishment of the building and the lack of activity in the office market, the Marketing Report concludes that it is unlikely that office use is viable at the Site. The letting interest for the building has come from UCA on a subject to planning permission for the change of use bases.
- 10.15 The Cover Letter sets out that the proposed development accords with Policy E5 of Plan E (2011), as the building would be retained in an active use, contributing to the vitality and viability of Epsom Town Centre and to UCA's Epsom Campus.
- 10.16 The Cover Letter sets out that the use of the building by UCA is suitable in this location given the proximity to UCA's Epsom Campus and the support of Policy DM34 of the Development Management Policies Document (2015), which seeks to support schemes for new social infrastructure on the basis that it meets an identified need.
- 10.17 The Cover Letter sets out that in addition to the above, there are many benefits for education use in this location. Education use would increase footfall in the Town Centre through additional students and academic staff relying upon shops and services within a convenient walking distance of the Site. The co-location of the Site and existing UCA Epsom Campus encourages knowledge sharing and would deliver further investment into Epsom, to create a higher-education student hub.

#### *EEBC Planning Policy*

- 10.18 EEBC's Planning Policy team formally commented on this application, setting out that the Marketing Report submitted with this application demonstrates that the building has been marketed for a sufficient period and that there has been very limited interest.

- 10.19 EEBC Planning Policy's comments set out that there is a general policy presumption in favour of supporting social infrastructure. Policy CS14 of the Core Strategy (2007) states that measures to improve Epsom Town Centre is encouraged where they reinforce the role of meeting needs of the local community. The supporting documentation does not clearly set out the need for educational uses at this building, but, given that UCA has expressed a general need for expansion and that the proposal would still provide employment, there is no objection from a Planning Policy perspective.

*Officer comment*

- 10.20 Officers recognise that the Site has been actively marketed for office use without success. Subject to planning permission being granted, the dual use of Office and Education would enable the building to be brought back into viable use, which is encouraged by Planning Policy. The Site is within the Town Centre and in proximity to UCA's Epsom Campus, which brings many benefits, including increased footfall within the Town Centre and enhancing the higher education offer within the Borough.
- 10.21 Subject to planning permission being granted, a Condition would be included to ensure that the dual Office (Class E (g)(i)) and Education (Class F1(a)) Uses shall be limited for a period of 10 years from the date of the decision. The use of the building at the time of the expiry of the 10 year period would become the established use of the building. Any further changes of use after that period would require a further planning application/permission.
- 10.22 The proposal complies with Policies DM34 of the Development Management Policies Document (2015) and Policy E5 of Plan E (2001).

Design and landscaping

*Policy*

- 10.23 Policy DM5 of the Development Management Policies Document (2015) sets out that the Borough's trees, hedgerows and other landscape features will be protected and enhanced. Every opportunity should be taken to ensure that new development does not result in a significant loss of trees, hedgerows or other landscape features unless suitable replacements are proposed.
- 10.24 Policy DM9 of the Development Management Policies Document (2015) sets out that planning permission will be granted for proposals which make a positive contribution to the Borough's visual character and appearance.
- 10.25 Policy DM10 of the Development Management Policies Document (2015) sets out that development proposals will be required to incorporate principles of good design, the most essential element identified as contributing to the character and local distinctiveness of a street, which should be respected, maintained or enhanced. As such the prevailing typology, scale, layout, height, form and massing should be respected.



*Cover Letter*

- 10.26 A Cover Letter supports this application. It sets out that the application does not seek any external or internal alterations to the building to facilitate the Change of Use.
- 10.27 The Cover Letter sets out that the Site currently contains moderate levels of soft landscaping on the southern and eastern portions of the Site. This soft landscaping would be retained as part of this planning application. The introduction of further soft landscaping is not possible without interfering with the existing access and car parking arrangements. As the access and car parking arrangements are sought to be maintained as existing, no further soft landscaping is proposed as part of this application.

*EEBC Conservation and Design Officer*

- 10.28 EEBC's Conservation and Design Officer commented on this application, noting that there are no alterations to the elevations and that the building is not close to any heritage assets, other than 55 South Street, which is a Listed Building. The Officer had no comments to give and raises no objection to the proposal.

*EEBC Tree Officer*

- 10.29 EEBC's Tree Officer formally commented on this application, with no objection, as there are no changes proposed to the existing landscaping.

*Officer comment*

- 10.30 The proposal does not seek any external or internal alterations to the building to facilitate the Change of Use. The Site benefits from soft landscaping at present, and it is not possible to introduce more of this, due to the existing access and car parking arrangements. There are no objections from EEBC's Conservation and Design Officer and Tree Officer, so Officers are satisfied that the proposal is acceptable.
- 10.31 The proposal complies with Policies DM5, DM8, DM9 and DM10 of the Development Management Policies Document (2015).

Impact on neighbouring amenity

*Policy*

- 10.32 Policy DM10 of the Development Management Policies Document (2015) sets out that development proposals should have regard to the amenities of occupants and neighbours.

*Cover Letter*

- 10.33 A Cover Letter supports this application. It sets out that the proposed development does not seek to extend the footprint or change the visual appearance of the building on Site. Building entrances would remain as existing, which are sited away from neighbouring properties, limiting levels of noise and disturbance from comings and goings from the building. Due to this, the proposal would have any significant impact upon any neighbouring residential amenities.

*EEBC Public Protection Manager*

- 10.34 EEBC's Public Protection Manager comments on this application, confirming no observations.

*Officer comment*

- 10.35 Officers note that the proposal does not extend the footprint of the building and that building entrances would remain as existing. The proposed Change of Use does not give rise to issues of noise and disturbance, as confirmed by the lack of objection from EEBC's Public Protection Manager. Officers are content that neighbouring amenity would not be adversely affected because of this proposal.
- 10.36 The proposal complies with Policy DM10 of the Development Management Policies Document (2015).

Flood risk

*Policy*

- 10.37 Policy DM19 of the Development Management Policies Document (2015) sets out that development within Flood Risk Zones 2 & 3, on sites of 1ha or greater in Zone 1 and sites at medium or high risk from other sources of flooding will not be supported unless it can be demonstrated through a site FRA that a proposal would, where practical, reduce risk both to and from the development or at least be risk neutral. Development is expected to reduce the volume and rate of surface water run-off through the incorporation of appropriately designed Sustainable Drainage Systems (SUDS) at a level appropriate to the scale and type of development.

*The Site*

- 10.38 The Site is within Flood Zone 1 (low probability of flooding).
- 10.39 The building is not located in an area affected by surface water flooding.

*Flood Risk Assessment*

- 10.40 A Flood Risk Assessment (FRA) supports this application. It sets out that the Site lies within Flood Zone 1. Although ground water flood risk is not expected at surface level, there is a possibility of groundwater affected the basement levels. Further onsite investigation would be required to further understand this risk.
- 10.41 The FRA sets out that the building is not located in an area affected by surface water flooding and the flood risk to the educational use of the proposed building from ground floor level up is very low. Where possible, the scheme may be able to reduce flood risk through additional resilience within the basement levels or through the incorporation of SuDS techniques.
- 10.42 The FRA sets out that the Site may be affected by current or future flooding from over the lifetime of the development, but with suitable mitigation, the risks are acceptably low. The proposed development should not increase the risk of flooding elsewhere and would be safe for future occupants throughout the lifespan of the development.

#### *SCC LLFA*

- 10.43 Surrey County Council Lead Local Flood Authority (SCC LLFA) formally commented on this application, with no objection.

#### *Officer comment*

- 10.44 Officers recognise that there are no changes sought to the building footprint or the levels of hardstanding, so the proposed development should not increase the risk of flooding elsewhere and would be safe for future occupants throughout the lifespan of the development.
- 10.45 The proposal complies with Policy DM19 of the Development Management Policies Document (2015).

#### Highways, car parking, cycle parking and refuse

#### *Policy*

- 10.46 Chapter 9 of the National Planning Policy Framework (2011) (NPPF) relates to the promotion of sustainable transport. Paragraph 110 of the NPPF sets out that in assessing applications for development, it should be ensured that (inter alia) appropriate opportunities to promote sustainable transport modes can be – or have been taken up, given the type of development and its location.
- 10.47 Paragraph 112 of the NPPF sets out that applications for development should (inter alia) give priority first to pedestrian and cycle movements, address the needs of people with disabilities and reduced mobility in relation to all modes of transport and be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

- 10.48 Policy CS16 of the Core Strategy (2007) encourages proposals that facilitate a shift of emphasis to non-car modes as a means of access. Development proposals should (inter alia) minimise the need for travel, provide safe, convenient and attractive accesses for all, be appropriate for the highways network, provide appropriate and effective parking provision and ensure that vehicular traffic generated does not create new, or exacerbate existing, on street parking problems, nor materially increase other traffic problems.
- 10.49 SCC Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development states that for schools/colleges/children's centres, car parking provision is subject to an individual assessment and justification.

*Transport Statement*

- 10.50 A Transport Statement supports this application. It sets out that the existing on-site car parking provision is split between the surface car park, which provides 45 car parking spaces, including one designated disabled space and the basement car park, which is split over two levels. A total of 188 car parking spaces are provided across both parking areas. The basement car park has a total of 141 car parking spaces, with 69 car parking spaces on the upper level and 72 car parking spaces located on the lower level.
- 10.51 The Transport Statement sets out that the Site provides a total of 35 cycle parking spaces. This provision consists of 9 Sheffield stands providing two cycle parking spaces each, and 17 wall mounted butterfly stands. All cycle parking spaces are provided internally across the split-level basement.
- 10.52 The Transport Statement acknowledges the Site's Town Centre location and that it is accessible by foot, cycle and public transport. There are bus stops located along Ashley Road and the A24, and Epsom train station is within walking distance.
- 10.53 The Transport Statement sets out that the Site's existing vehicular and pedestrian access arrangements would remain unchanged as a result of this proposal. The on-site car parking provision would also remain unchanged, but a total of nine car parking spaces (5% of the existing spaces) would be designated as disabled car parking bays.
- 10.54 The Transport Statement sets out that UCA staff members and visitors are allowed to use their car parks only, not students.
- 10.55 The building could accommodate up to 1336 students and they would be encouraged to travel to the building via sustainable transport modes, through the on-going implementation of UCA's Travel Plan. As a result of these restrictions, this proposal would have the potential to generate significantly fewer vehicular movements throughout a typical weekday, as well as during AM and PM peak hour periods, in comparison with the Site's extant office use.

- 10.56 The Transport Statements sets out that the on-site cycle parking provision is not proposed to change as part of this proposal. However, since the demand for on-site car parking from staff and visitors is likely to be significantly lower, there is scope to convert car parking spaces to cycle parking spaces.
- 10.57 The Transport Statement sets out that the usage of the existing cycle parking facilities would be monitored on a regular basis, as part of the on-going implementation of UCA's Travel Plan. If approximately 90% of the cycle parking spaces are used, additional cycle spaces could be installed to accommodate increased demand from both staff and students at UCA.
- 10.58 The Transport Statement sets out that currently, delivery and servicing is accommodated on Site. Delivery and servicing vehicles access and egress the Site via the access located off Ashley Road. There is sufficient space within the internal layout to enable a larger refuse truck to enter and exit in forward gear.
- 10.59 The Transport Statement sets out that the delivery and servicing arrangements will not change because of the proposal. The proposed refurbishment/expansion works would not result in an intensified use of the Site and as such, it is not envisaged to result in an increase in the number of delivery and servicing movements to/from the Site.
- 10.60 In summary, the Transport Statement sets out that the proposal would likely result in a substantial decrease in vehicular movements throughout a typical weekday, including peak AM and PM hour periods, in comparison to commercial office use. Consequently, the proposal would have a positive impact on the operational and safety characterises of the local highway network.

*Cover Letter, dated 05 July 2023*

- 10.61 A Cover Letter supports this application, which suggests providing 23 active Electric Vehicle Recharging Points (EVCPs) EVPCs within the Site's surface car park. The provision would accommodate the short, medium and long term demand arising from UCA staff and visitors. It would also strike a reasonable balance in satisfying future demand whilst not comprising the long-term aim and objectives of UCA's Travel Plan, which is to increase the proportion of staff and visitors to travel by sustainable modes, rather than the private car for journeys to and from UCA's campuses.

*EEBC Waste*

- 10.62 EEBC Waste formally commented on this application confirming that the proposals are suitable, subject to ensuring that bins must be sited for collection within six metres of the entrance.

*Surrey County Council Highways*

- 10.63 Surrey County Council (SCC) Highways formally commented on this application, with no objection, but recommending that Conditions are attached to any planning permission granted.

Sustainability

*Policy*

- 10.64 The National Planning Policy Framework (2011) (NPPF) states that the purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 7). It sets out that sustainable development has overarching economic, social and environmental objectives. The environmental objectives include mitigating and adapting to climate change.
- 10.65 Paragraph 9 of the NPPF states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account.
- 10.66 Consideration of sustainability and climate change are embedded within the Local Planning Authority's Core Strategy (2007). Specifically, Policy CS1 of the Core Strategy (2007) sets out that the Council expect development and use of land to contribute positively to the social, economic and environmental improvements necessary to achieve sustainable development, both in Epsom and Ewell, and more widely. Changes should protect and enhance the natural and built environments of the Borough and should achieve high-quality sustainable environments for the present, and protect the quality of life of future generations. Policy CS6 of the Core Strategy (2007) sets out that development should result in a sustainable environment and reduce, or have a neutral impact upon, pollution and climate change.
- 10.67 Officers recognise that the Site has been actively marketed for office use without success. Subject to planning permission being granted, the building would be brought back into viable use, which is encouraged by Planning Policy. The Site is within the Town Centre and in proximity to UCA's Epsom Campus, which brings many benefits, including increased footfall within the Town Centre and enhancing the Borough's higher education offer.
- 10.68 Subject to planning permission being granted, 23 active Electric Vehicle Recharging Points (EVCPs) EVPCs within the Site's surface car park would also be provided, but the proposal does seek to promote sustainable means of travel, encouraging walking and cycling, rather than reliance on the private car.
- 10.69 The proposal would bring the building back into viable use, enhance the higher education offer within the Borough, encourage increased footfall within the Town Centre.

10.70 The above comprises sustainable principles. The proposal accords with Policy CS6 of the Core Strategy (2007).

## 11 Conclusion

- 11.1 The Site is located within Epsom Town Centre, where there is a preference for Town Centre uses to be located. The existing building is in lawful use as Offices (Class E(g)(i)), which is considered a main Town Centre use as defined within the National Planning Policy Framework (NPPF) (2021) and Plan E (2011).
- 11.2 A Marketing Report supports this application. It outlines marketing evidence for a period of 18 months based on leasehold occupancy. There was one viewing of the building since it was marketed from September 2021. Due to the need for refurbishment of the building and the lack of activity in the office market, the Marketing Report concludes that it is unlikely that office use is viable at the Site. The letting interest for the building has come from UCA on a subject to planning permission for the change of use basis.
- 11.3 The proposal accords with Policy E5 of Plan E (2011), as the building would be retained in an active use, contributing to the vitality and viability of Epsom Town Centre and to UCA's Epsom Campus.
- 11.4 The proposal accords with Policies CS14 of the Core Strategy (2007) and Policy DM34 of the Development Management Policies Document (2015), as the proposal supports new social infrastructure on the basis that it meets an identified need, whilst also providing employment opportunities too.
- 11.5 There are many benefits of an educational use in this location. Education use would increase footfall in the Town Centre through additional students and academic staff relying upon shops and services within a convenient walking distance of the Site. The co-location of the Site and the existing UCA Epsom Campus encourages knowledge sharing and would deliver further investment into Epsom, to create a higher-education student hub.
- 11.6 The proposal does not seek any external or internal alterations to the building and no changes to existing landscaping. There are no objections from EEBC's Conservation and Design Officer and Tree Officer.
- 11.7 The building's entrances would remain as existing. The proposal does not give rise to issues of noise and disturbance, as confirmed by the lack of objection from EEBC's Public Protection Manager.
- 11.8 The Site benefits from car parking spaces and cycle parking spaces. Given the Site's Town Centre location, it is accessible by foot, cycle and public transport.

- 11.9 UCA staff members and visitors are allowed to use their car parks only, not students. The building could accommodate up to 1336 students and they would be encouraged to travel via sustainable transport modes, through the on-going implementation of UCA's Travel Plan. As a result of these restrictions, this proposal would have the potential to generate significantly less vehicular movements throughout a typical weekday, as well as during AM and PM peak hour periods, in comparison with the Site's extant office use.
- 11.10 The proposal has received no objections from Statutory and Internal Consultees, no objections from nearby residents and is supported by Officers.
- 11.11 Officers recommend approval of the planning application, subject to Conditions.

## **12 Recommendation**

### **12.1 Grant, subject to Conditions.**

#### **Conditions**

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) 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:

630439.01 – Site Location Plan  
630439.02 - Existing Site Plan  
630439.04 – Existing Lower Car Park Plan  
630439.06 - Existing Upper Car Park Plan  
630439.08 - Existing Ground Floor Plan  
630439.10 - Existing First Floor Plan  
630439.12 – Existing Second Floor Plan  
630439.14 – Existing Elevation 1  
630439.16.17 – Existing Elevation 2 and 3  
630439.20 – Existing Elevation 4  
630439.03 – Proposed Site Plan  
630439.05 – Proposed Lower Car-Park  
630439.07 – Proposed Upper Car-Park  
630439.09 – Proposed Ground Floor Plan  
630439.11 – Proposed First Floor Plan  
630439.13 – Proposed Second Floor Plan  
630439.15 – Proposed Elevation 1  
630439.18.19 - Proposed Elevation 2 and 3



630439.21 – Proposed Elevation 4

Reason: For avoidance of doubt and in the interests of proper planning 4.

3.The dual Office (Class E (g)(i)) and Education (Class F1(a)) hereby permitted, under Class V of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), shall be limited for a period of 10 years from the date of this decision. The use of the building at the time of the expiry of the 10 year period shall become the established use of the building. Any further change of use after that period shall require a further planning permission

Reason: In order to provide greater flexibility to the use of the building and to clarify the lawful uses hereby permitted and to clarify the criteria relating to this permission

4.Works related to the construction of the development hereby permitted, including works of 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 (a) The development hereby approved shall not be occupied unless and until space has been laid out within the site in accordance with the approved plans by the Local Planning Authority for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking areas shall be retained and maintained for their designated purposes

5 (b) The existing vehicle parking (and turning) area at the premises (as shown on the existing site plan, the existing upper car park and the existing lower car park (dated 04 May 2023) shall be permanently retained and maintained for their designated purpose

Reason: In order that the development does not prejudice highway safety nor cause inconvenience to other highway users namely pedestrians and cyclists and to satisfy policies DM35, DM36 and DM37 of the Epsom & Ewell Borough Council Development Management Policies Document (2015)

6. The development hereby approved shall not be occupied unless and until at least 23 car parking spaces are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with the approved proposal by the Local Planning Authority.

Reason: In recognition of Section 9 "Promoting Sustainable Transport" of the NPPF (2021) and to accord with Policy DM36 (Sustainable Transport for New Development) of the Epsom & Ewell Borough Council Development Management Policies Document (2015)

7. The development hereby approved shall not be occupied unless and until space has been laid out within the site in accordance with the approved plans by the Local Planning Authority for the secure parking of bicycles. All cycle parking should be secure, covered and lit. Thereafter the parking areas shall be retained and maintained to the satisfaction of the Local Planning Authority. Furthermore, an Electric Charging Point nearby to any bicycle parking to increase the take up of electric bicycles and to be in line with recent SCC parking guidance released in February 2023 shall be installed prior to first occupation and maintained thereafter.

Reason: In recognition of Section 9 "Promoting Sustainable Transport" of the NPPF (2021) and to accord with Policy DM36 (Sustainable Transport for New Development) of the Epsom & Ewell Borough Council Development Management Policies Document (2015)

8. The development shall accord with the Flood Risk Assessment, Lustre, dated April 2023, including its mitigation measures and recommendations, for the entirety of the development.

Reason: To prevent an increased risk of flooding, to prevent pollution of the water environment and to ensure principles of sustainable drainage are incorporated into the development in accordance with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015

9. On collection days, refused and recycling bins serving the development must be sited for collection within six metres of the vehicular entrance.

Reason: In the interests of residential and visual amenity, and to encourage waste minimisation and recycling of refuse, in the interests of sustainable development in accordance with Policies CS5 and CS6 of the Core Strategy (2007), Policy DM10 and DM12 of the Development Management Policies 2015 and '*Guidance on the storage and collection of household waste*' (dated November 2018)

**Informative(s):**

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. Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to: carry out work to an existing party wall, build on the boundary with a neighbouring property and in some circumstances, carry out groundworks within 6 metres of an adjoining building.

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

4. 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)

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

6. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of

Practice, ([www.ccscheme.org.uk](http://www.ccscheme.org.uk)) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm

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 applicant is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway