

Public Document Pack

Legal and Democratic Services



To: All Members of the Planning Committee

Dear Councillor,

Planning Committee - Thursday, 14th January, 2021,
<https://attendee.gotowebinar.com/register/4746139109888192014>

Please find attached the following report for the meeting of the Planning Committee to be held on Thursday, 14th January, 2021, which has been agreed by the Chair of the Planning Committee, and which relates to a live planning appeal. This was not included in the original Agenda pack published previously.

1. **22-24 DORKING ROAD EPSOM SURREY KT18 7LX** (Pages 3 - 36)

This application was determined by committee on 03.09.2020, against the advice of officers, and planning permission was refused. That decision is subject to appeal. In preparing the appeal statement on behalf of the Council, officers need to add an additional ground of refusal.

For further information, please contact Democratic Services, email:
democraticservices@epsom-ewell.gov.uk or tel: 01372 732000

Yours sincerely

A handwritten signature in black ink, appearing to read "K. Belden".

Chief Executive

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22-24 Dorking Road Epsom Surrey KT18 7LX

Ward:	Woodcote Ward
Site:	22-24 Dorking Road Epsom Surrey KT18 7LX
Application for:	Demolition of existing houses and erection of a part two, part three storey building with rooms in the roof and basement providing 20 flats. Basement parking for cars and cycles. Bins stores and associated hard and soft landscaping including new boundary walls and railings. (Amended scheme received 6 May 2020)
Contact Officer:	John Robinson

1 Plans

- 1.1 The Council now holds this information electronically. Please click on the following link to access the plans 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=PZQCF3GYGB500>

2 Background

- 2.1 This application was determined by committee on 03.09.2020, against the advice of officers, and planning permission was refused. That decision is subject to appeal. In preparing the appeal statement on behalf of the Council, officers need to add an additional ground of refusal.

3 Planning considerations

- 3.1 The committee report (Appendix 1) at paragraphs 10.9 to 10.23 deals with heritage impacts and concluded that the development would result in less than substantial harm to the to the significance of designated heritage assets nearby the application site. In weighing up the material planning considerations the conclusion of officers was that the public benefits of the scheme outweighed this harm.

- 3.2 It is axiomatic that in the context of a refusal of planning permission, the weighing of the material planning considerations need to be re-examined. In this context, in accordance with paragraph 193 of the NPPF, the Council and the Inspector are required to:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance

- 3.3 Furthermore, section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places the following legal duty on those exercising planning functions (which includes a Planning Inspector who acts on behalf of the Secretary of State):

In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 3.4 It is important therefore that the legal duty placed on the council and the decision maker (ie the Inspector on behalf of the SoS) and the requirements of the NPPF (which flow from the statutory duty) to give the harm to the significance of the heritage assets great weight in the planning balance is properly discharged. In the light of these considerations, officers consider that an additional ground is needed as in the context of a refusal of planning permission the harm to the significance of the heritage assets is no longer considered to be outweighed by the benefits of the development.

- 3.5 With respect to the risk of costs from adding an additional ground, costs are awarded both on the basis of unreasonable behaviour and that behaviour resulting in additional and unnecessary costs being incurred. Two factors should reduce this:

1. The ground is added as early as possible in the process – the appeal has not at the time of drafting this report, been validated by the Planning Inspectorate.

2. Whilst the ground may be seen as a new element in the Council's case, it is not a new element in the case for the Inspector. He/she is bound by the statutory duty in s66 of the 1990 Act and is bound by law to fully consider these matters in any event. The appellant should similarly do so. By introducing this ground no additional or unnecessary resources need to be deployed by any party and therefore there should be no basis upon which to award costs, even if unreasonable behaviour is found against the Council.

4 Recommendation

- 4.1 That the amendment to the decision on this application be agreed and a new ground of refusal be added as follows:

3. **The proposed development by reason of its impact on the settings of nearby heritage assets, particularly those opposite the site including the grade II* Hylands, results in harm to the significance of those designated heritage assets which is not considered to be outweighed by the public benefits of the scheme. The proposal is contrary to paragraphs 193 and 196 of the NPPF, policy CS5 of the Core Strategy 2007 and policy DM8 of the Development Management Policies Document 2015.**

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Ward:	Woodcote Ward
Site:	22-24 Dorking Road, Epsom, KT18 7LX
Application For:	Demolition of existing houses and erection of a part two, part three storey building with rooms in the roof and basement providing 20 flats. Basement parking for cars and cycles. Bins stores and associated hard and soft landscaping including new boundary walls and railings.
Contact Officer:	John Robinson

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=PZQCF3GYGB500>

2 Summary

- 2.1 This application seeks permission for the demolition of two detached dwellings and the erection of a part two storey/part three storey building (with roof accommodation) comprising 20 flat units and associated parking and external works.
- 2.2 The proposal is considered to comply with residential policies contained in the Development Management Policies Document 2015.
- 2.3 **The application is therefore recommended for conditional permission subject to the completion of a S106 agreement**

3 Site description

- 3.1 The 0.12ha application site is located on the northern side of Dorking Road, on the eastern junction of White Horse Drive. The ground level falls from the northern (rear) boundary to the Dorking Road highway boundary by around 1.8m.

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- 3.2 The site is currently occupied by Nos 22 and 24 Dorking Road, two detached houses with detached garages at the rear. No. 22 is accessed from Dorking Road onto a hard-landscaped driveway, whilst access to No. 24 is gained from a driveway on White Horse Drive, adjacent to gardens and outbuildings.
- 3.3 The site is bounded to the east by No 20 Dorking Road, a detached inter-war period house, and to the rear (north) by No 2A White Horse Drive, a detached “chalet” bungalow.
- 3.4 The Site does not fall under any statutory heritage designations, however, it is within proximity to four statutorily listed buildings. These are Tamerisk Cottage (Grade II - 60m to the north west), The Hylands (Grade II* - 32m to the south west), 67-69 Dorking Road (Grade II – located 20m to the south), and the White Horse Public House (Grade II – located 25m to the south).
- 3.5 The site is located approximately 120m to the south west of the Woodcote Conservation Area.

4 Revisions

- 4.1 Improvements have been secured during the course of the application following negotiations between officers and the applicant regarding the scale and massing of the scheme. The scheme has been amended as follows:
- (a) The general roofline of the proposal has been lowered by 300mm.
 - (b) The roof design has been changed from one with projecting eaves to one with a parapet and roof set back behind,
 - (c) The roof profile to the north has been reduced.
 - (d) The window pattern and elevational treatment has been rationalised, including: moving the dormers from the front wall position to a position set back in the roof; the expression of the front entrance on the south elevation to Dorking Road has been improved; and the omission of the railings at roof parapet level between the bays to White Horse Drive.
 - (e) The massing of the west elevation to White Horse Drive has been reduced, by reducing the height of both projecting bays.
 - (f) The flat mix has been changed from 3 x studio flats, 1 x one bed, 8 x two bed and 8 x three bed; to 3 x studio flats, 2 x one bed, 10 x two bed and 5 x three bed flats.

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- 4.2 Overall, these amendments are welcomed, as they would reduce the actual and perceived mass of the building in views from both Dorking Road and White Horse Drive. The reduced roof profile would allow the proposal to step down earlier and more comfortably in relation to 2A White Horse Drive, and the reduction in the height of the projecting bays on the west elevation would ensure that the principal volume of the building would be viewed as set further back, and not as a dominating element in the streetscene.

5 Proposal

- 5.1 This application seeks permission for the demolition of two detached houses (Nos 22 and 24 Dorking Road) and the erection of a part two storey/part three storey building (with roof accommodation) comprising 20 flat units (3 studio, 2 one bed, 10 two bed and 5 three bed) and associated parking and external works.
- 5.2 The building would have a broadly square footprint, measuring 21m (w) x 17m (w), with a 10m x 10m two storey projection to the rear. In response to the site levels, the building would have a lower ground floor comprising an undercroft parking area and 2 two bed flats.
- 5.3 The ground floor would be accessed from Dorking Road via a “bridge” over the garden serving the ground floor flats below. It would have crowned hipped roof set behind a parapet, with a parapet height of between 8.28m and 10.95m along Dorking Road, and between 8.72m and 5.92m along White Horse Drive. It would have an overall height of around 13.22m. The building would maintain the established building lines.
- 5.4 Each flat would comply with national space standards in regards to overall gross internal area (GIA) and individual habitable rooms. A mix of private (balconies and terraces) and communal amenity space for the units would be provided.
- 5.5 The proposed building would be of a contemporary design, with stock brick elevations, a crowned hipped roof set behind a prominent parapet, articulated by projecting bays and dormer windows. It would step down to meet its lower height to both the north east on Dorking Road and the north-west on White Horse Drive.
- 5.6 Undercroft parking for 15 vehicles would be accessed via a ramp along the (northern) rear boundary, served by a widened crossover off White Horse Drive. Refuse storage would be provided at ground level, accessed off the pedestrian “bridge” on Dorking Road. Cycle storage for 28 cycles would be located at lower ground floor level.

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6 Comments from third parties

6.1 The application was advertised by means of letters of notification to 49 neighbouring properties, a site and press notice. By (03.06.2020) 37 letters of objection had been received regarding:

- Highway safety
- Parking issues
- Out of Character
- Overdevelopment
- Loss of light
- Overbearing
- Overlooking
- Inappropriate design
- Inadequate amenity space

6.2 Following submission of an amended scheme on 06.05.2020, a second consultation period began on 18.06.2020, and expired on 09.07.2020. 32 letters of objection were received, and are summarised as follows :

- Highway safety
- Parking issues
- Out of character
- Loss of light
- Overlooking/loss of privacy
- Overdevelopment
- Inappropriate design
- Excavation of basement (*Officer Comment: This falls within the remit of the Health and Safety Executive and the Construction (Design and Management) 2015*)

7 Consultations

7.1 Design and Conservation Officer: The proposal is considered as causing less than substantial harm as per paragraph 196 of the NPPF in terms of its impact on the listed buildings on the opposite side of the road. The benefits of the additional housing are considered to outweigh this lower level harm.

7.2 Tree Officer: No objections

7.3 Highways Officer: No objections. Conditions to be imposed on any permission granted

7.4 Surrey County Council Sustainable Drainage and Consenting Team: No objection subject to conditions

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8 Relevant planning history

Application number	Decision date	Application detail	Decision
16/01484/FUL	01.03.2017	Proposed erection of a 2 bedroom detached bungalow on land to rear of 22 & 24 Dorking Road.	REFUSED

9 Planning PolicyNational Policy Planning Framework (NPPF) 2019

Chapter 2 Achieving sustainable development
Paragraphs 8 – 12 and 14

Chapter 5 Delivering a sufficient supply of homes
Paragraphs 59- 61, 68

Chapter 9 Promoting sustainable transport
Paragraphs 105-106, 108-111

Chapter 11 Making effective use of land
Paragraphs 118, 122, 123

Chapter 12 Achieving well-designed places
Paragraphs 127, 130 and 131

Chapter 15 Conserving and enhancing the natural environment
Paragraphs 170,174, 175, 177, 178, 180, 182 and 183

Chapter16 Conserving and enhancing the historic environment
Paragraphs 189 - 197

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Core Strategy 2007

Policy CS1	Creating Sustainable Communities
Policy CS3	Biodiversity
Policy CS5	The Built Environment
Policy CS6	Sustainability in New Developments
Policy CS9	Affordable housing and meeting Housing Needs
Policy CS16	Managing transport and travel

Development Management Policies Document 2015

Policy DM4	Biodiversity and New Development
Policy DM8	Heritage Assets
Policy DM5	Trees and Landscape
Policy DM9	Townscape Character and Local Distinctiveness
Policy DM10	Design Requirements for New Developments
Policy DM11	Housing Density
Policy DM13	Building Heights
Policy DM12	Housing Standards
Policy DM17	Contaminated Land
Policy DM19	Development and Flood Risk
Policy DM22	Housing Mix
Policy DM37	Parking Standards

10 Planning considerationsPrevious Application

- 10.1 An application (16/01484/FUL) for the proposed erection of a 2 bedroom detached bungalow on land to rear of 22 & 24 Dorking Road was refused under delegated authority in March 2017 on the following grounds:

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1.The proposed development, by reason of its scale and massing, its location within the plot and loss of green infrastructure would result in an inappropriate form of backland development which would have an overbearing impact on 2A Whitehorse Road and would result in the unacceptable loss of garden space for 24 Dorking Road, contrary to the local character of the area and therefore failing to comply with policy DM16 of the Development Management Policies Document 2015.

2.The proposed development, by reason of its scale, massing, external appearance including lack of landscaping, would result in an overly prominent building in a harsh, urbanized setting which fails to incorporate the principles of good design such as respecting plot width and format, the space between buildings, layout and massing of the dwelling including soft landscaping and choice of materials. The proposal therefore fails to make a positive contribution to the borough's visual character and local distinctiveness of this area and does not comply with policies DM9 and DM10 of the Development Management Policies Document 2015 and Supplementary Guidance on Single Plot/Residential Infill Development 2003.

Principle of Development

- 10.2 The National Planning Policy Framework, referred to hereon as 'the framework' at 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.
- 10.3 Paragraph 68 of the Framework encourages the promotion of small and medium sized sites – giving great weight to the benefits of using suitable sites within existing settlements for homes.
- 10.4 Paragraph 122 of the Framework states that planning policies and decisions should support development that makes sufficient use of land taking into account: (d) the desirability of maintaining an area's prevailing character and setting (including residential gardens) or of promoting regeneration and change...
- 10.5 The Government's standard method for calculating the objectively assessed housing need identifies a housing requirement for the Borough of 579 new homes each year. In the absence of a five year housing land supply this has been increased to 695 through the imposition of a 20% buffer since the Council did not pass the latest housing delivery test as published on 20th February 2019.

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- 10.6 Meeting any increase in the annual housing building target will be challenging. With the Borough being mostly comprised of existing built up areas, strategic open spaces or Green Belt, the supply of available development sites is now extremely limited. It is therefore important that available sites are optimised for housing delivery.
- 10.7 Paragraph 11d of the framework is engaged via footnote 7 in circumstances where Local Planning Authorities cannot demonstrate a 5 year supply. The practical application and consequence of this is that unless the site is located in an area or asset of particular importance that provides a clear reason for refusal, then permission must be granted unless it can be demonstrated that any adverse impacts demonstrably outweigh the benefits when assessed against the NPPF as a whole.
- 10.8 Given the significant housing need in the borough, it is considered that the proposed redevelopment of this site in a sustainable location for a residential scheme is appropriate in principle, subject to the detailed consideration of the other planning considerations below.

Impact on a Heritage Asset

- 10.9 Section 66 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority or Secretary of State, as relevant, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest that it possesses.
- 10.10 Paragraph 190 of the Framework states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 10.11 Paragraph 193 of the framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It emphasises that the weight given to an asset's conservation should be proportionate to its significance, and notes that this great weight should be given irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 10.12 Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

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- 10.13 Policy DM8 Heritage Assets, set outs the Council's intention to resist the loss of our Heritage Assets and take every opportunity to conserve and enhance them. It states that development proposals that involve, or have an effect upon Heritage Assets must establish the individual significance of the Asset as part of the application or consent process. As part of the assessment process the significance of the Asset will be taken into account (namely whether it is a designated Heritage Asset or a non-designated Heritage Asset) when determining whether the impact of any proposed development is acceptable.
- 10.14 The Site does not fall under any statutory heritage designations, however, it is located within proximity to four statutorily listed buildings. This includes Tamerisk Cottage (Grade II - 60m to the north west), The Hylands (Grade II* - 32m to the south west), 67-69 Dorking Road (Grade II – located 20m to the south), and the White Horse Public House (Grade II – located 25m to the south).
- 10.15 A Heritage Statement has been prepared and submitted by the applicant in support of this application.
- 10.16 The report has undertaken a full assessment of the site and the surrounding townscape characteristics, and an assessment of the significance of nearby heritage assets and their settings. The report also considered the appropriateness of the design of the proposed development in its context and its potential effects on the significance of heritage assets in the local area.
- 10.17 The report states that

Most of the heritage assets in the vicinity of the site are on the south side of Dorking Road and form a linear, if fragmented, group which contrasts with the greater uniformity of 1930s development on the opposite side of Dorking Road. By building a taller building on the corner of White Horse Drive and Dorking Road, opposite the group of heritage assets, the proposal produces a more prominent point of interest in the streetscape as the viewer enters Epsom from the south-west and to a limited degree alters the setting to the group of listed buildings.

By comparison of the scale and width of Dorking Road, the small scale and low density 1930s residential buildings on the north side of Dorking Road are out of proportion, especially when taking in account the larger buildings to the surrounding area such as The Hylands and the public buildings to the East. The proposed development is considered to respond better to the scale and width of the road and contributes an architecture of quality to an area that otherwise has little of interest other than the heritage assets opposite to the south.

In creating this new setting, the proposal will not detract from the significance of the heritage assets either individually or as a linear

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group on the route into Epsom, nor will it affect the viewer's appreciation of the significance of those assets. It will be read as a new contemporary element of high quality, stylistically complementing the developments in its immediate context.

10.18 The report concludes that the 1930s houses on the site

do not hold any special architectural or historic interest and are not listed, locally listed or located within a conservation area. The proposed development is of high quality and responds to both the corner condition and the characteristics of surrounding development. In doing so, it is considered to make a positive contribution to the townscape. Whilst the proposed development will create a new setting to the surrounding designated heritage assets nearby, the proposal will not detract from the significance of the heritage assets either individually or as a linear group on the route into Epsom, nor will it affect the viewer's appreciation of the significance of those assets. It will be read as a new contemporary element of high quality stylistically complementing the developments in its immediate context.

10.19 Officers agree that the existing dwellings do not warrant retention on grounds of historical significance or architectural merit. However, the proposal would represent a change in the setting of the listed properties on the (opposite) south side of Dorking Road. There are concerns regarding the perceived scale of the proposal in relation to these heritage buildings and clearly, the proposed development would more prominent building than the existing 1930s houses opposite by virtue of their height and, site coverage. The Council's Conservation officer has assessed the amended scheme and considers that the development would lead to a less than significant harm to the setting of the nearby listed buildings by view of their context.

10.20 Officers consider that the (amended) proposal has been carefully designed to respond to its position on the corner site and to contribute positively to the townscape experience, including the setting of the listed building opposite.

10.21 The proposed development would result in an increase from two to 20 new dwelling units, which is a significant increase, given the Councils need for housing and the lack of provision in the borough and represents a clear and tangible public benefit. In addition other public benefits from economic and social facets are also considered to weight positively in this regard.

10.22 In accordance with the tests set out in paragraph 196 of the Framework 2019, Officers conclude that the clear public benefits of the proposal would outweigh the less than substantial harm to the significance of a designated heritage asset.

10.23 The proposal would therefore comply with the NPPF and Policy DM8, DM9 and DM10.

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Visual impact

- 10.24 Chapter 12 of the Framework refers to design. Paragraph 127 sets out that planning decisions should ensure that developments (inter alia) function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting. Development should also create places that are safe, inclusive and accessible.
- 10.25 Paragraph 130 of the Framework sets out that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.
- 10.26 Paragraph 3.7.5 of the Core Strategy states that new development should enhance and complement local character, and be capable of integrating well into existing neighbourhoods. Paragraph 3.7.6 goes on to state that the Council will expect developments to be of a high quality, creating a safe environment which enhances the public realm and which positively contributes to the townscape.
- 10.27 Policies DM9 and DM10 encourage high quality development and planning permission will be granted for proposals, which make a positive contribution to the borough's visual character and appearance. Policy DM8 states that the Council will resist the loss of our Heritage Assets and every opportunity to conserve and enhance them should be taken by new development
- 10.28 The area around the site is not of a uniform character, as acknowledged in Epsom & Ewell's Environmental Character Study (ECS) in 2008. The ECS identified the part of Dorking Road within which the site is located, as falling within Character Area 35. This was described as *"an area of very mixed built form, a result of its proximity to the town centre, busy road thoroughfares, large institutional land uses and the railway as neighbouring areas. Overall, the area has a busy character - both in terms of activity but also in terms of mixed visual characteristics. A succession of small scale infill and replacement development from a wide range of periods has eroded a sense of uniformity in the area - mostly from small scale cul de sac development. Whilst some localised areas are of a uniform character which can be described (see sub areas), the lack of a predominant style or form within other parts of the character area defy a summary description"*.

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- 10.29 The lack of uniformity, identified in the ECS, is owing in part to a variety of architectural styles, eras and materials used. The area is, as the ECS states, “*of very mixed built form, height, scale and plot sizes*”. There are a number of detached and semi-detached houses, however, a secondary school is located to the north west, Epsom General Hospital is to the south east, and a public house is located to the south. There is greater residential uniformity to the north on White Horse Drive, as acknowledged in the ECS
- 10.30 The design approach would be contemporary, with brick elevations, and articulated in both plan and elevation by features such as projecting bays, recessed and projecting balconies, and a distinctive hipped roof profile incorporating dormers, set back behind a prominent parapet.
- 10.31 It would respond to the site’s topography by the incorporation of a lower ground floor, which would accommodate undercroft parking, two flats and associated amenity space.
- 10.32 The building would step up from two storeys on the immediate boundary with No 2A White Horse Drive and No 20 Dorking Road respectively, to become a three storey (with roof accommodation) building with a varied roofline. The roof, set back behind a strong parapet line, and the projecting bay elements would break up the mass of the elevations effectively. The quality of design would be enhanced with simple but effective detailing including distinctive dormers, generous windows, deep reveals and a combination of integral brick balconies and cantilever balconies.
- 10.33 The undercroft parking would ensure that the frontage of the building, and views along Dorking Road and White Horse Drive, would not be dominated by parked vehicles.
- 10.34 In summary, it is concluded that the proposal, both in terms of layout, scale and appearance, would achieve a high quality development which would be a positive addition to streetscene and the character of the wider area. It would therefore accord with the Framework and Policies DM8, DM9 and DM10 of the Local Plan

Residential Amenity

- 10.35 Policy CS5 of the Core Strategy 2007 and Policy DM10 of the Development Management Policy Document 2015 seeks to safeguard residential amenities in terms of privacy, outlook, and sunlight/daylight, avoidance of visual intrusion and noise and disturbances.
- 10.36 The siting of the proposed building has taken into account the positioning of adjacent dwellings and ensures that the proposal will not result in any unacceptable loss of amenity to occupants of adjoining properties due to overlooking or loss of privacy.

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- 10.37 The upper floor windows and balconies in the northern (rear) elevation of the proposed scheme would face the flank elevation of No 2a White Horse at a distance of between 7.37m and 12.89m, and its rear garden at a distance of some 15.8m. The windows and balconies in the east (flank) elevation would face no 20 Dorking Road at a distance of 11m. These distances are considered adequate to avoid significant loss of privacy/overlooking to the affected properties.
- 10.38 Flat No 15 on the second floor and flat No 19 on the third floor would have access to roof terraces facing No 20 Dorking Road. A safeguarding condition requiring details of privacy screens to be erected along the perimeter of the terraces, as well as to the balconies serving flat No 9 and 20, is recommended to be imposed which would prevent any material overlooking of the garden of the affected adjoining property.
- 10.39 The new building would not conflict with a 45 degree outlook angle taken from the nearest rear facing window of No 20 Dorking Road, and would step down in height towards its neighbour in White Horse Drive. This would ensure that there would not be unacceptable impacts on the amenity of these neighbours in terms of overshadowing and being overbearing in their outlook.
- 10.40 In conclusion ,given the juxtaposition of these neighbouring properties and the separation distances involved, the proposal is not considered to give rise to unacceptable impacts on the amenity of these neighbours in terms of overshadowing, overbearing or overlooking.
- 10.41 In this respect, the proposal would comply with Policy DM 10.

Housing Space Standards

- 10.42 The Nationally Described Space Standards, sets clear internal minimum space standards for new dwellings. The space standards are intended to ensure that all new homes are fit for purpose and offer the potential to be occupied over time by households of all tenures. The Standards provide separate standards for bedrooms within new dwellings stating that a single bedroom should be no smaller than 7.5 m² and a double bedroom should be no smaller than 11.5 m². All new units should be designed in accordance with the National Space Standards.
- 10.43 The proposed 3 bed (4 person) flats would have a Gross Internal Area of between 74m² and 98.7m², the 2 bed (3 person) flats an area between 63.9m² and 79.6m², the 1 bed (2 person) flats an area between 55.2m²and 58.4m² and the studio flats (1 person) an area of 37m².
- 10.44 Each flat would comply with the appropriate Nationally Described Space Standard technical requirements (74m², 61m², 50m² and 37m² respectively) in compliance with Policy DM12

Amenity Space

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10.45 Policy DM12 refers to housing standards and requires amenity space to be private, functional, safe and bio-diverse, easily accessible from living areas, oriented to take account of sunlight and shading, of sufficient size to meet the needs of the likely number of occupiers and provide for the needs of families with young children. The lower ground floor flats would have access to private amenity space and the other flats (apart from flat No 16) would have a balcony or roof terrace. All flats would have access to communal amenity space to the rear of the building. Overall, this would be adequate in terms of both size and quality to suit the needs of small and larger family accommodation, and would therefore comply with policy DM12's requirement for amenity space for flatted developments.

Car parking and Access

10.46 Chapter 9 of the Framework 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, given the type of development and its location;
- safe and suitable access to the site can be achieved for all users; and
- any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

10.47 Paragraph 109 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.

10.48 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

Access

10.49 The car parking spaces would be located at basement level and would be accessed via a vehicular ramp that forms a dropped kerb crossover access in broadly the same location as the existing access onto White Horse Drive for No 24 Dorking Road. The existing access to No 22 Dorking Road would become redundant although the dropped kerb would be retained to assist bin collections from the Dorking Road

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10.50 The access would be two-way at the top of the ramp to enable a car to pull clear of White Horse Drive and the adjacent footway. The access ramp would then narrow to a two-directional single lane width to the basement. The ramp would operate with traffic signal and barrier controls at the top and bottom.

10.51 The Highway Authority has raised no objection to the proposed access in terms of visibility and meeting the relevant highway standards.

Waste Collection

10.52 Two bin stores would be located at ground level, along the frontage of Dorking, all within 10 metres of the kerbside.

10.53 The Council's Transport and Waste Services Manager has raised no objections to the refuse/recycling arrangements.

Sustainability of the Site

10.54 The site is sustainably located within acceptable walking distances of both bus and rail services and is situated in proximity to local retail, employment and leisure opportunities. Consequently, it is considered that residents would not necessarily be reliant on the use of a car for typical daily journey purposes and would have a range of alternative modes of transport, including bus, cycling and walking.

10.55 Measures to encourage sustainable transport are recommended by the Highway Authority and are secured by planning conditions.

Parking

10.56 The Council's adopted Parking Standards requirements for car parking provision within residential developments are a minimum of 1 space for one and two bed flat units and 1.5 spaces for 3+ bed units.

10.57 Within the site, 15 car parking spaces would be provided at basement level, which equates to an overall parking ratio of 0.75 spaces/unit. Two of the spaces would be designed for use by disabled drivers and would be located within the proximity of the main lift core. With reference to the SPD standards, the car parking provision would be 8 spaces below the minimum required provision.

10.58 Provision for the storage of 28 cycles is included within the proposal, a condition is recommended to secure the provision of this prior to occupation.

10.59 The site and White Horse Drive do not fall within a Controlled Parking Zone, and it is considered that due to parking restrictions within the surrounding area, any on street car parking associated with the proposed development would be prevented from occurring in a location likely to cause a highways safety and/or amenity problem.

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- 10.60 The application is supported by a Transport Assessment, which reviewed the existing car ownership levels within the Woodcote Ward, using the latest data from obtained from the Office of National Statistics (ONS), to establish the appropriateness of the proposed car parking provision. The applicant prepared report states that based on the 2011 Census data, it can be seen that the likely level of unrestrained car ownership for the proposed residential use would be 0.57 cars per dwelling for up to 2 bed flats, and 1.02 cars per 3 bed flat. Applying the car ownership data to the proposed schedule results in an anticipated parking demand of 14 cars for the overall development. Therefore, the applicant contends that the actual demand for spaces is likely to be met by the provision on site, meaning there would be little likelihood of overspill parking taking place on the local road network.
- 10.61 As the census is undertaken every 10 years, Officers are in agreement that this is the latest data available, and this has been confirmed by the Highway Authority. As the data is specific to the location, type and tenure of development, it is considered to provide an accurate representation of the likely unrestrained level of car ownership for the proposed scheme.
- 10.62 The Highway Authority will only raise objections regarding parking if there is a shortfall that would lead to danger on the adjoining highway. Extensive on street parking restrictions within the vicinity of the application site (including at junctions, outside the school and outside Epsom Hospital) will prevent any on street car parking associated with the proposed development from occurring in a location likely to cause a highways safety problem. Having reviewed the application and supporting information submitted it is not considered by the Highway Authority that a shortfall of 8 car parking spaces would cause a highway safety issue in this case.
- 10.63 The Highway Authority do recommended a condition that requires a Car Parking Management Plan be submitted to ensure the car park spaces are appropriately allocated and the car park system managed suitably.
- 10.64 Residents have commented that Whitehorse Drive is a busy road, which already suffers from road congestion due to the use by Rosebery and St Joseph's School, and parking congestion and significant levels of anti-social parking due to the schools along with (Epsom) hospital staff and visitors, and that overspill parking from the proposal would add to parking stress.
- 10.65 Any potential impact on amenity arising from the shortfall in parking is therefore a matter for the Council to consider in this instance in light of its own parking policy and the level of perceived impact

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- 10.66 The amenity impact of the shortfall in this case is identified by Officers as minor adverse and should be considered together with the need to optimise the site, the evidence of likely car ownership provided by the applicant, the sustainable location of the site, with access to a range of non-car modes of transport and measures which are to be put in place to encourage sustainable modes. The negative impact is not considered by Officers to be a sufficient reason to refuse permission in its own right and should be weighed against the proposal in the final planning balance.
- 10.67 It is concluded that the proposal would strike an acceptable balance between parking on site and sustainable modes of transport and would be acceptable in respect of its parking provision and impact on the highway and therefore complies with policies DM10 and DM37 of the Development Management Policies Document 2015

Ecology/Biodiversity

- 10.68 Chapter 15 of the Framework relates to the conservation and enhancement of the natural environment. Paragraph 170 sets out that planning decisions should contribute to and enhance the natural and local environment by inter alia) protecting and enhancing valued landscapes and sites of biodiversity. Development should, wherever possible, help to improve local environmental conditions, such as air and water quality.
- 10.69 Policy DM4, seeks to ensure that every opportunity should be taken to secure net benefit to the Borough's biodiversity.
- 10.70 The application is supported by a Preliminary Ecological Appraisal and Bat Survey which set out the following:

The habitats on site are typical of suburban residential buildings and gardens, and are of low ecological value. One building, 22 Dorking Road, was considered to have low potential to support roosting bats, due to surrounding habitats, slipped tiles, and suitable roost features within the roof void. There was also potential breeding bird habitat present on site. A bat emergence survey was carried out on the 19th June 2019 of 22 Dorking Road. No bats were seen emerging from the property and are considered to be likely absent. Subsequently, no further surveys or mitigation measures for roosting bats are required. A bat was recording commuting between 22 Dorking Road and the neighbouring property to the east. Recommendations for bats have been made, including, the retention of the identified commuting route, a sympathetic building and lighting scheme and a late discovery protocol for bats. Various habitat enhancements are also recommended, including a native planting scheme, grassland planting, bird and insect boxes

- 10.71 Overall, these findings are agreed and a condition will be imposed to secure the recommendations for construction practice and mitigation set out in the main survey.

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10.72 Subject to the appropriate conditions, it is considered that the proposed scheme would comply with Policy DM4

Trees/Landscaping

10.73 Chapter 15 of the Framework concerns the conservation and enhancement of the natural environment. Paragraph 170 sets out that planning decisions should contribute to and enhance the local environment by (inter alia) recognising the intrinsic character and beauty of the countryside and the wider benefits from ecosystem services, including trees and woodland.

10.74 Policy DM5 (Trees and Landscape) of the Development Management Policies Document (2015) sets out that the Borough's trees, hedgerows and other landscape features will be protected and enhanced by (inter alia):

- Planting and encouraging others to plant trees and shrubs to create woodland, thickets and hedgerows; and
- Requiring landscape proposals in submissions for new development, which retain existing trees and other important landscape features where practicable and include the planting of new semi-mature tree and other planting.

10.75 The application was accompanied by an arboricultural report, which states that the proposed development would require the removal of a single Ornamental Cypress tree. An Ash Tree in the garden of No 20 Dorking Road would be retained and protected during the construction period.

10.76 Indicative proposals for replacement tree and landscape planting have been submitted. Scope for replacement tree planting will be limited to some degree by the layout of the site (and the need to ensure a sustainable long term relationship between vegetation and the proposed building). However the proposed layout makes provision for areas of meaningful landscaping along the frontage with Dorking Road (including some scope for hedge planting along the flank and rear boundaries) and areas of soft landscaping within the site. It is recommended that a landscaping condition to secure details of proposed landscaping and planting is imposed.

10.77 The proposal is therefore considered to comply with Policy DM5

Affordable Housing

10.78 Paragraph 64 of the Framework states that

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“Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:

a) provides solely Build to Rent homes;

b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);

c) is proposed to be developed by people who wish to build or commission their own homes; or

d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.”

10.79 Policy CS9 deals with affordable housing requirements. The policy seeks 40% affordable housing on sites of 15 dwellings and above. The Council will seek to ensure that the affordable housing remains affordable to successive as well as initial occupiers through the use of planning conditions or a planning obligation.

10.80 In this regard the proposal would be required to provide 8 affordable units.

10.81 Paragraph 3.12.11 goes on to state that where there are specific and overriding site constraints or where development specific issues inhibit the provision of affordable housing, off site provision or financial contributions may be acceptable.

10.82 The applicant submitted a Viability Report which stated that there is insufficient value in the proposal to support an affordable housing contribution

10.83 This evidence has been scrutinised by the Council’s independent valuer who is in agreement that the scheme is unable to support a fully policy compliant affordable housing provision.

10.84 Following discussions with the applicant, a financial contribution towards affordable housing in lieu of a provision on site has been agreed. The agreed amount is a commuted sum of £145,000 in lieu of the expectation of 10% of units to be affordable homes as required by the NPPF Paragraph 64. (The contribution in lieu has been calculated as two of the units at discount market sale, with a 25% discount to OMV, which would be £580,000 x 25% equating to £145,000. This contribution would be secured by a legal agreement)

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10.85 Notwithstanding the above contribution, Officers recommend the implementation of a review mechanism, which would allow the Council to benefit from any improvements in scheme viability over the development period.

10.86 The viability review mechanism to be included in the S.106 agreement would require the submission of a revised Viability Statement

Sustainability

10.87 Core Strategy policy CS6 requires proposals to demonstrate how sustainable construction and design can be incorporated to improve the energy efficiency of development.

10.88 An appropriate planning condition is recommended, should the proposal be acceptable, to secure their inclusion.

Planning Balance and Conclusion

10.89 The tilted balance in paragraph 11 of the Framework 2019 is engaged because the Council cannot demonstrate a five-year supply of deliverable housing sites.

10.90 The provision of 20 units (an additional 18 residential units) would provide a significant public benefit which weighs in favour of the scheme. The proposal is held to be a sustainable development which will contribute positively, Paragraph 59 of the Framework 2019 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. The provision of additional housing comprises a substantial social benefit.

10.91 At paragraph 10.19 and 10.20 of this report, it is concluded that the clear public benefits of the proposal would outweigh the less than substantial harm to the significance of a designated heritage asset.

10.92 Balanced against the identified conflict, officers must also give some weight to the provision the secured a commuted sum of £145,000 towards affordable housing.

10.93 The amenity impact of the shortfall in the parking provision is given limited weight against the scheme, due to the sustainable location of the site, with access to a range of non-car modes of transport and measures which are to be put in place to encourage sustainable modes. Increasing on-site parking would not optimise the residential use of the site, an important objective in view of housing need.

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10.94 In addition, other benefits must also be identified, these being economic from the construction project and CIL and others secured by planning conditions such as biodiversity enhancement and sustainability improvements.

10.95 Taking all of these matters into account, including all other material considerations, it is found that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits of the proposed development when assessed against the policies in the NPPF 2019 as a whole and that the proposal represents sustainable development.

Community Infrastructure Levy

10.96 The scheme would be CIL liable

11 Recommendation

Part A

11.1 Subject to a legal agreement being completed and signed by the 30th December 2020 to secure the following heads of terms :

- A commuted sum of £145,000 in lieu of the on-site provision of affordable housing
- The submission of a revised Viability Statement.

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

Part B

11.2 In the event that the section 106 Agreement referred to in Part A is not completed by 4th September 2020 the Head of Planning be authorised to refuse the application for the following reason:

In the absence of a completed legal obligation under section 106 of the Town and Country Planning Act 1990 (as amended), the applicant has failed to comply with Policy CS9 (Affordable Housing and meeting Housing Needs) in relation to the provision of a commuted sum in lieu of the on-site provision of affordable housing.

Condition(s):

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

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- (2) The development hereby permitted shall be carried out in accordance with the following approved plans:

DRE-A2 01 B PROPOSED LOWER GROUND FLOOR

DRE-A2 02 E PROPOSED GROUND FLOOR

DRE-A2 03 C PROPOSED FIRST FLOOR

DRE-A2 04 B PROPOSED SECOND FLOOR

DRE-A2 05 C PROPOSED THIRD FLOOR

DRE-A2 06 C PROPOSED ROOF

DRE-A3 01 A PROPOSED WEST & SOUTH ELEVATION

DRE-A3 02 A PROPOSED NORTH & EAST ELEVATION

DRE-A3 03 A PROPOSED SECTIONS A-A' & B-B'

DRE-A3 04 A PROPOSED CONTEXTUAL ELEVATIONS

DRE-A3 05 - PROPOSED SECTION C-C' PARKING RAMP

DRE-A3 06 - PROPOSED SECTION D-D' PARKING ACCESS BARRIER

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

- (3) Prior to the commencement of development, details and samples of the external materials to be used for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

- (4) No development shall take place until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and any other means of enclosure have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details prior to the development first being occupied and shall thereafter be retained.

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

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

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

- (6) Notwithstanding the approved drawings and prior to the commencement of the development, a drawing to a scale of 1:20 showing the proposed privacy screen along the flank and front edge of the terraces to Flat 15 and 19, to the flank edges of the balcony to Flat 9, and to the front edge of the balcony to Flat 20, shall be submitted to, and approved in writing by the Local Planning Authority. It is expected that the privacy screen compromise either a wing wall, frosted glazing, perforated metal, or combination of the three, at a height of at least 1.8m and frosted to a minimum of level 3 of the Pilkington Scale. The screen shall be implemented prior to the first use of the terrace/balcony, and shall be built in accordance with the approved details and thereafter maintained in situ.**

Reason: To protect the amenities and privacy of the occupiers of the adjoining residential properties in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Development Management Policies Document Adopted October 2015.

- (7) The window in the flank elevation of Flat No 14 of the development hereby permitted shall be glazed with obscure glass of no less than obscurity level 3 and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.**

Reason: To safeguard the privacy of the occupants of adjoining properties in accordance with Policy DM10 of the Development Management Policies 2015.

- (8) No development shall take place until details of existing and proposed finished site levels, finished floor and ridge levels of the buildings to be erected, and finished external surface levels have been submitted**

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to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details.

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

- (9) No development shall take place until full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and thereafter retained.

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

- (10) No demolition, site clearance or building operations shall commence on site until the protective fencing and other protection measures as shown on Drawing Number DPA-7071-03A in the Arboricultural Method Statement dated August 2019 have been installed. At all times until the completion of the development, such fencing and protection measures shall be retained as approved. Within all fenced areas, soil levels shall remain unaltered and the land kept free of vehicles, plant, materials and debris.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

- (11) The development hereby approved shall not be first occupied unless and until the existing access from the site to Whitehorse Drive have been permanently closed and any kerbs, verge, or footway fully reinstated, and on street redundant access protection markings removed.

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

- (12) The development hereby approved shall not be first occupied unless and until the existing access from the site to Dorking Road has been

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reduced in width to 1.5m to accommodate waste collection only, with any redundant kerbs, verge, footway, fully reinstated.

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

- (13) No part of the development shall be first occupied unless and until the proposed vehicular access to Whitehorse Drive has been constructed and provided with visibility zones in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

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

- (14) The development hereby approved shall not be first occupied unless and until a pedestrian inter-visibility splay measuring 2m by 2m has been provided on each side of the access to Whitehorse Drive, the depth measured from the back of the footway and the widths outwards from the position of an emerging vehicle. No obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

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

- (15) 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 P1856 TRK01 for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

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

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

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

- (17) No development shall commence until a Construction Transport Management Plan, to include details of:**

- (a) parking for vehicles of site personnel, operatives and visitors**
- (b) loading and unloading of plant and materials**
- (c) storage of plant and materials**
- (d) provision of boundary hoarding behind any visibility zones**
- (e) HGV deliveries and hours of operation**
- (f) measures to prevent the deposit of materials on the highway**
- (g) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused**
- (h) no HGV movements to or from the site shall take place between the hours of 8.00 and 9.15 am and 3.00 and 4.00 pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Whitehorse Drive, Dudley Grove, Elm Grove and Dorking Road during these times has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.**

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

- (18) The development hereby approved shall not be first occupied unless and until the following facilities/measures have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for:**

- (a) The secure parking of bicycles within the development site,**
- (b) Information sign to be displayed in the car parking area regarding the availability of and whereabouts of local public transport / walking / cycling / car sharing clubs, and thereafter the said approved sign shall be provided, retained and maintained to the satisfaction of the Local Planning Authority**

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

- (19) The development hereby approved shall not be occupied unless and until each of the proposed car parking spaces are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority**

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

- (20) 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 Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:**

a) Detailed drawings showing the green roof and permeable paving

b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 1.4 l/s.

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.

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Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site, in accordance with Policy CS6 of the Core Strategy 2007

- (21) 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 in accordance with Policy CS6 of the Core Strategy 2007

- (22) Prior to the commencement of the development hereby permitted, details of bird and insect boxes and swift bricks shall be submitted to and approved in writing by the local planning authority. The enclosures shall be erected in accordance with the approved details and shall be retained, free of obstruction, in perpetuity thereafter.

Reason: To safeguard and enhance biodiversity in accordance with Policy CS3 of the Core Strategy (2007) and Policy DM4 of the Development Management Policies Document (2015).

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

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

- (24) No development shall take place until a scheme to enhance the biodiversity interest of the site has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved and thereafter maintained.

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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.

Informative(s):

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 38 of the National Planning Policy Framework 2019.
- (2) This form of development is considered liable for the Community Infrastructure Levy (CIL). CIL is a non-negotiable charge on new developments which involve the creation of 100 square metres or more of gross internal floorspace or involve the creation of a new dwelling, even when this is below 100 square metres. The levy is a standardised, non-negotiable charge expressed as pounds per square metre, and are charged on the net additional floorspace generated by a development. You will receive more information regarding the CIL in due course.
More information and the charging schedule are available online:
<http://www.epsom-ewell.gov.uk/NR/exeres/74864EB7-F2ED-4928-AF5A-72188CBA0E14.frameless.htm?NRMODE=Published>
- (3) No construction work shall be carried out in such a manner as to be audible at the site boundary before 07:30 hours or after 18:30 hours Monday to Friday; no construction work shall be audible at the site boundary before 8:00 or after 13:00 hours on Saturdays and no construction work of any nature shall be carried out on Sundays or Bank/Public Holidays
- (4) The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see:

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<http://www.surreycc.gov.uk/roads-and-transport/road-permits-andlicences/the-traffic-management-permit-scheme>

The applicant is also advised that Consent may be required underSection 23 of the Land Drainage Act 1991. Please see:

www.surreycc.gov.uk/people-and-community/emergency-planningand-community-safety/floodingadvice