

Public Document Pack

Democratic Services



PLANNING COMMITTEE

Thursday 9 November 2023 at 7.30 pm

**Place: Council Chamber - Epsom Town Hall,
<https://www.youtube.com/@epsomandewellBC/playlists>**

Online access to this meeting is available on YouTube: [Link to online broadcast](#)

The members listed below are summoned to attend the Planning Committee meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Councillor Humphrey Reynolds
(Chair)
Councillor Steven McCormick (Vice-
Chair)
Councillor Kate Chinn
Councillor Neil Dallen
Councillor Julian Freeman
Councillor Jan Mason

Councillor Bernie Muir
Councillor Phil Neale
Councillor Peter O'Donovan
Councillor Clive Woodbridge

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sing'.

Chief Executive

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

EMERGENCY EVACUATION PROCEDURE

No emergency drill is planned to take place during the meeting. If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions.

- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move to the assembly point at Dullshot Green and await further instructions; and
- Do not re-enter the building until told that it is safe to do so.

Please note that this meeting will be held at the Town Hall, Epsom and will be available to observe live using free YouTube software.

A link to the online address for this meeting is provided on the first page of this agenda. A limited number of seats will be available on a first-come first-served basis in the public gallery at the Town Hall. If you wish to observe the meeting from the public gallery, please arrive at the Town Hall reception before the start of the meeting. A member of staff will show you to the seating area. For further information please contact Democratic Services, email: democraticservices@epsom-ewell.gov.uk, telephone: 01372 732000.

Information about the terms of reference and membership of this Committee are available on the [Council's website](#). The website also provides copies of agendas, reports and minutes.

Agendas, reports and minutes for this Committee are also available on the free Modern.Gov app for iPad, Android and Windows devices. For further information on how to access information regarding this Committee, please email us at Democraticservices@epsom-ewell.gov.uk.

A [glossary of Planning terms and acronyms](#) is available to view on the Council's website.

Public speaking

Public speaking in support or against planning applications is permitted at meetings of the Planning Committee. Two speakers can register to speak in support (including the applicant/agent) and two can register to speak against any single application. Speakers will be registered in the order that submissions to register are received. An individual can waive their right to speak in favour of an individual who attempted to register at a later time, or alternatively, several members of the public may appoint one person to speak on their behalf, provided agreement to this arrangement can be reached amongst themselves.

Speakers shall have a maximum of 3 minutes to address the Committee and remarks must be confined to the application upon which the speaker registered.

For more information on public speaking protocol at Planning Committee meetings, please see [Annex 4.8](#) of the Epsom & Ewell Borough Council Operating Framework.

If you wish to register to speak on an application at a meeting of the Planning Committee, please contact Democratic Services by email at democraticservices@epsom-ewell.gov.uk, or by telephone on 01372 732000 in advance of the deadline for registration. Please state the application(s) on which you wish to speak, and whether you wish to speak in support or against the application.

The deadline for registration to speak on an application at a meeting of the Planning Committee is Noon on the day of the meeting.

Exclusion of the Press and the Public

There are no matters scheduled to be discussed at this meeting that would appear to disclose confidential or exempt information under the provisions Schedule 12A of the Local Government Act 1972 (as amended). Should any such matters arise during the course of discussion of the below items or should the Chair agree to discuss any other such matters on the grounds of urgency, the Committee may wish to resolve to exclude the press and public by virtue of the private nature of the business to be transacted.

Filming and recording of meetings

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Members of the Press who wish to film, record or photograph a public meeting should contact the Council's Communications team prior to the meeting by email at: communications@epsom-ewell.gov.uk

Filming or recording must be overt and persons filming should not move around the room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non-handheld devices, including tripods, will not be allowed.

Guidance on Predetermination /Predisposition

The Council often has to make controversial decisions that affect people adversely and this can place individual members in a difficult position. They are expected to represent the interests of their constituents and political party and have strong views but it is also a well established legal principle that members who make these decisions must not be biased nor must they have pre-determined the outcome of the decision. This is especially in planning and licensing committees. This Note seeks to provide guidance on what is legally permissible and when members may participate in decisions. It should be read alongside the Code of Conduct.

Predisposition

Predisposition is lawful. Members may have strong views on a proposed decision, and may have expressed those views in public, and still participate in a decision. This will include political views and manifesto commitments. The key issue is that the member ensures that their predisposition does not prevent them from consideration of all the other factors that are relevant to a decision, such as committee reports, supporting documents and the views of objectors. In other words, the member retains an “open mind”.

Section 25 of the Localism Act 2011 confirms this position by providing that a decision will not be unlawful because of an allegation of bias or pre-determination “just because” a member has done anything that would indicate what view they may take in relation to a matter relevant to a decision. However, if a member has done something more than indicate a view on a decision, this may be unlawful bias or predetermination so it is important that advice is sought where this may be the case.

Pre-determination / Bias

Pre-determination and bias are unlawful and can make a decision unlawful. Predetermination means having a “closed mind”. In other words, a member has made his/her mind up on a decision before considering or hearing all the relevant evidence. Bias can also arise from a member’s relationships or interests, as well as their state of mind. The Code of Conduct’s requirement to declare interests and withdraw from meetings prevents most obvious forms of bias, e.g. not deciding your own planning application. However, members may also consider that a “non-pecuniary interest” under the Code also gives rise to a risk of what is called apparent bias. The legal test is: “whether the fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the Committee was biased”. A fair minded observer takes an objective and balanced view of the situation but Members who think that they have a relationship or interest that may raise a possibility of bias, should seek advice.

This is a complex area and this note should be read as general guidance only. Members who need advice on individual decisions, should contact the Monitoring Officer.

AGENDA

1. DECLARATIONS OF INTEREST

Members are asked to declare the existence and nature of any Disclosable Pecuniary Interests in respect of any item of business to be considered at the meeting.

2. MINUTES OF THE PREVIOUS MEETING (Pages 5 - 32)

The Committee is asked to confirm as a true record the Minutes of the Meeting of the Committee held on the **5 October 2023** (attached) and to authorise the Chair to sign them.

3. DEVELOPMENT SITE AT 65 LONDON ROAD, EWELL, SURREY, KT17 2BL (Pages 33 - 66)

Construction of a three to five-storey building plus basement for use as a care home (Use Class C2) with up to 81 bedrooms and associated communal spaces and services, together with associated car and cycle parking, refuse storage and ancillary works.

4. FORMER POLICE STATION, CHURCH ROAD, EPSOM, KT17 4PS (Pages 67 - 136)

Demolition of the existing police station (Use Class E) and ambulance station (Sui Generis) and erection of a new residential, nursing and dementia care home for the frail elderly (Use Class C2) comprising ancillary communal facilities and dementia care, basement parking, reconfigured vehicular access onto Church Street, landscaping and all other associated works.

5. PLANNING APPEALS REPORT - SEPTEMBER QUARTER (Pages 137 - 146)

Summary of all Planning Appeal Decisions between June and September 2023.

Minutes of the Meeting of the PLANNING COMMITTEE held at the Council Chamber, Epsom Town Hall on 5 October 2023

PRESENT -

Councillor Humphrey Reynolds (Chair); Councillor Steven McCormick (Vice-Chair); Councillors Kate Chinn, Neil Dallen, Julian Freeman, Robert Leach (as nominated substitute for Councillor Jan Mason), Bernie Muir, Phil Neale, Peter O'Donovan and Clive Woodbridge

Absent: Councillor Jan Mason

Officers present: Simon Taylor (Planning Development & Enforcement Manager), Gemma Paterson (Principal Planning Officer), Alex Awoyomi (Solicitor) and Dan Clackson (Democratic Services Officer)

18 DECLARATIONS OF INTEREST

No disclosable pecuniary interests were declared by Members in respect of any item of business to be considered at the meeting.

19 MINUTES OF THE PREVIOUS MEETING

The Committee confirmed as a true record the Minutes of the Meeting of the Committee held on 7 September 2023 and authorised the Chair to sign them.

20 23/00967/FUL MARTIAL ARTS CENTRE, ALEXANDRA RECREATION GROUND, EPSOM, KT17 4BU

The Committee considered that a possible deferral of the application might be in order, on the basis that the building design as set out in the application may not be suitable for community use, suggesting that further time might be required for the application to be reviewed.

The Solicitor in attendance at the meeting provided legal guidance, advising the Committee to receive the Principal Planning Officer's introductory presentation to the application prior to proposing any motions and/or making any decision on the matter.

The Committee received the presentation on the application from the Principal Planning Officer.

Description:

New Martial Arts Centre following demolition of existing building.

Officer Recommendation:

Approval, subject to following conditions and informatives.

Decision:

Following consideration, Councillor Dallen proposed that the application be deferred to a future meeting of the Committee in order to allow time to seek further information with respect to how the building could be utilised for community use. The proposal was seconded by Councillor Bernie Muir.

The Committee voted (3 for, 6 against and the Chair not voting) against the proposal.

Following further consideration, the Committee resolved (8 for, 1 abstention, and the Chair not voting) to:

Grant planning permission subject to the following conditions and informatives:

Conditions:

(1) Timescale

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) Approved Details

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

Drawing Number LOC02

Drawing Number GA02

Drawing Number GA04

Drawing Number GA05

Reason: For the avoidance of doubt and in the interests of proper planning as required by Policy CS5 of the Core Strategy 2007.

(3) Materials

The development hereby permitted shall be constructed entirely of the materials as detailed on the planning application form and supporting documents, unless otherwise approved in writing by the Local Planning Authority.

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

(4) Foundation Method

Prior to the commencement of development, a method statement shall be submitted which details how the pad foundation of the building will be constructed to avoid damage to the roots of the adjacent trees for the approval in writing by the Local Planning Authority. All foundation construction works shall be carried out in strict accordance with the approved details.

Reason: To ensure satisfactory protection of trees in the interest of amenity and environmental protection as required by Policies CS5 of the Core Strategy 2007 and Policies DM5 and DM9 of the Development Management Policies 2015.

(5) Tree Protection

No demolition, site clearance or building operations shall commence on site until the protective fencing and other protection measures as shown in the Arboricultural Report, prepared by Arborsense and dated 04 September 2023 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.

(6) Tree Works

Prior to commencement of development a schedule of facilitation tree works, to include those set out in paragraph 7.4 of the Agenda Report, is to be submitted for the approval of the Local Planning Authority and implemented before site construction. No tree within or overhanging the curtilage of the site shall be felled, or pruned, during the construction phase unless detailed in the approved schedule of facilitation tree works. All tree works shall be carried out to British Standard 3998 and in strict accordance with the details as approved.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features in accordance with Policy CS5 of the Core Strategy 2007 and Policies DM5 and DM9 of the Development Management Policies 2015.

(7) Community Use

The development hereby permitted shall be used for community purposes only, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the existing community use of the site and in order to safeguard the amenities of the occupiers of neighbouring properties, visual amenity and highway safety by prevent inappropriate development on the site in accordance with Policy CS5 of the Core Strategy 2007 and Policies DM9, DM10 and M37 of the Development Management Policies 2015.

(8) Cycle Parking Provision

The cycle parking provision serving Alexandra Recreation Ground shall not be reduced beyond the level currently existing, unless otherwise approved in writing by the Local Planning Authority.

Reasons: In recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2019 to meet the objectives of the NPPF 2021, and to satisfy policies DM35 and DM36 of the Development Management Policies 2015.

Informatives:

- (1) In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.
- (2) Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced.

- (3) The 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;
 - in some circumstances, carry out groundwork's 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) Should any protected species under the Conservation of Habitats and Species Regulations 2017 (as amended), or evidence of such species, be found prior to or during the development, all works must stop immediately and an ecological consultant contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

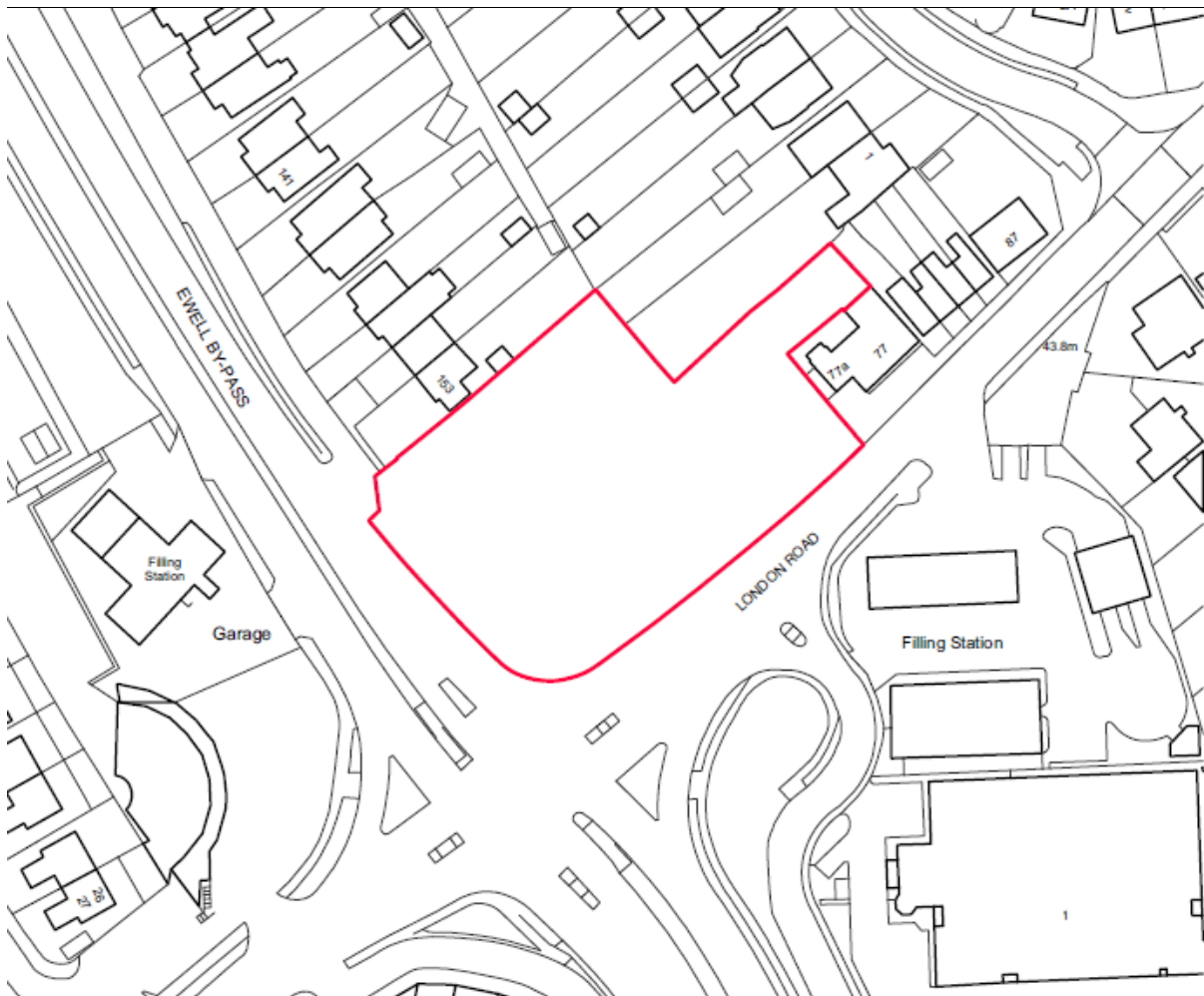
The meeting began at 7.30 pm and ended at 8.11 pm

COUNCILLOR HUMPHREY REYNOLDS (CHAIR)

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Development Site At 65 London Road, Ewell, Surrey, KT17 2BL

Application Number	23/00817/FUL
Application Type	Full Planning Permission (Major)
Address	Development Site At 65 London Road, Ewell, KT17 2BL
Ward	Stoneleigh Ward
Proposal	Construction of a three to five-storey building plus basement for use as a care home (Use Class C2) with up to 81 bedrooms and associated communal spaces and services, together with associated car and cycle parking, refuse storage and ancillary works
Recommendation	Approval, subject to conditions, informatives and s106 legal agreement
Expiry Date	10 February 2024
Contact Officer	Ginny Palmer
Reason for Committee	Major development



SUMMARY

1 Summary and Recommendation

- 1.1 This application is to be determined at Planning Committee, as it is classified as a “major planning application”.
- 1.1 The Site is previously developed land within the Built-Up Area of Epsom & Ewell, with extant planning permissions for a 45-flat scheme and a 70-bedroom Care Home scheme. The proposed development seeks to provide a specialist form of accommodation (Use Class C2).
- 1.2 Accompanying the planning application is a Planning Need Assessment (Caterwood), which indicates that there is a need for en-suite wetroom bedrooms within Epsom and Ewell and the wider catchment area. The proposal contributes towards this need. It also enables the freeing up of housing stock for use by others and contributes the equivalent of 44 units to Epsom & Ewell Borough Council’s housing land supply, when applying the “Housing Delivery Test Measurement Rule Book”.
- 1.3 The proposal has been designed to respond to its immediate surroundings. The scheme combines good design and landscaping, which is viewed positively, especially when judged against the Site’s existing situation. Internally, the scheme has been designed to cater for residents requiring care and support.
- 1.4 There is a presumption in favour of granting sustainable development unless the application of policies gives a clear reason for refusing permission (paragraph 11 of the NPPF).
- 1.5 In this case, the proposal seeks numerous public benefits, including:
 - Redeveloping a vacant Site and optimising the use of land
 - Provision of a Care Home (Use Class C2), which brings numerous social benefits
 - Enabling people to move out of existing housing, freeing up housing stock for use by others
 - Contribution that the proposal would make to the Council’s housing land supply
 - Creation of employment opportunities.
- 1.6 The proposal also seeks to provide car parking, cycle parking and an ambulance and deliveries bay. It also seeks a widened footway, push button controlled pedestrian crossing facilities and improved bus infrastructure. The proposal has been formally assessed by SCC Highways and the Local Planning Authority’s Waste Team.

- 1.7 The proposal also demonstrates how the development could be taken forwards in accordance with best practice sustainable design and construction policies.
- 1.8 Taking the relevant facts of this application into consideration, Officers recommend approval of this application, as the adverse impacts are not considered to demonstrably outweigh the benefits, when assessed against the NPPF, as a whole.
- 1.9 The plans and supporting documentation for the planning application and representations for or against the proposal, if any, are held electronically on the [Council's website](#), correct at the time of publication.
- 1.10 A [glossary of Planning terms and acronyms](#) is available to view on the Council's website.

KEY INFORMATION

	Existing	Proposed
Site Area	3,172sqm	3,172sqm
Units	0 (two extant permissions for 45 dwellings (Class C3) and 70-bedroom Care Home (Class C2) (equivalent of 38 Class C3 dwellings)	81 care home bedrooms (Class C2) (equivalent of 44 Class C3 dwellings)
Floorspace	0 (two extant permissions for 45 dwellings (3,387sqm GIA) and 70-bedroom Care Home (3,651sqm GIA)	4,366sqm GIA
Affordable Housing Units	N/A	N/A
Car Parking Spaces	0 (the 45-dwelling scheme has 33 spaces and 70-bedroom Care Home scheme has 24 spaces)	25
Cycle Parking Spaces	0 (the 45-dwelling scheme has 54 spaces and 70-bedroom Care Home scheme has 10 spaces)	10
Specific dimensions of proposed building		
Height of proposed building	Ewell-by-Pass wing = 10.6m – 16m above existing Ewell By-Pass pavement (which increase in height by approximately 0.6m from north to south) London Road wing = 11.3m-15.6m above existing London Road pavement (which increases in height by 1.3m from west to east)	

Width of proposed building	Ewell By-Pass wing = 9.2m (width of the three-storey part) – 15.4m London Road wing = 15.4m
Depth of proposed building	Ewell By-Pass wing = 33.3m (40.5m including the three-storey part) London Road wing = 38.4m – 42m
Size of proposed bedrooms	16sqm + 4sqm en-suite wetroom = 20sqm
Size of private amenity spaces	0sqm
Size of communal amenity spaces	Internal = combined communal internal areas 710sqm External = garden 336sqm and terraces (at 1 st , 2 nd , 3 rd and 4 th floor levels) 82sqm

SITE AND PROPOSAL

2 Description of Site

- 2.1 The Application Site (“Site”) comprises vacant land, which was formally occupied by the “Organ and Dragon” pub, which is understood to have been demolished in 2014.
- 2.2 The Site is a corner plot, off London Road and Ewell By-Pass. It measures approximately 0.32 hectares in size. The Site is accessed off London Road.
- 2.3 There are various uses surrounding the Site, including (but not limited to) petrol stations, a car sales garage, commercial uses, and houses.
- 2.4 The closest bus stop is approximately 140 metres to the north-east of the Site. Ewell West Train Station is approximately 0.7 miles to the south-west of the Site and Ewell East Train Station is approximately 0.8 miles to the south of the Site.
- 2.5 The Site is designated as:
- Built Up Area
 - Stoneleigh and Auriol Neighbourhood Forum.
- 2.6 The Site is not listed, but there are listed buildings in proximity to it. The Site is not located within a Conservation Area.

The Site is located within Flood Zone 1 (low probability of flooding).

3 Description of Proposal

3.1 The Site is previously developed land within the Built-Up Area of Epsom & Ewell, with extant planning permissions for a 45-flat scheme and a 70-bedroom care home scheme. The proposed development seeks to provide a specialist form of residential accommodation (Use Class C2).

3.2 The formal description of the proposed development is:

“Construction of a three to five storey building plus basement for use as a care home (Use Class C2) with up to 81 bedrooms and associated communal spaces and services, together with associated car and cycle parking, refuse and storage and ancillary works”

3.3 The following table sets out that differences between this proposed scheme, and the 70-bedroom Care Home scheme and the 45-flat scheme:

	45-flat scheme	70-bed scheme	81-bed scheme
Residential units	45	Equivalent of 38	Equivalent of 44
Floorspace	3,387m ²	3,651 m ²	4,366 m ²
Footprint	803 m ²	886 m ² + 32.72 m ² bike/bin store	896m ² + 41m ² bike/bin store
Height			
Ewell By-Pass	10.1-19.5m	12.3-14.5m	9.3-17.5m
London Road	10.7-19.5m	12.3-14.5m	12.3-17.5m
Depth			
Ewell By-Pass	35.1m + 6.5m	33.3m	40.5m
London Road	31.7m	41.6m	42m
Width:			
Ewell By-Pass wing	14m	14.2-15.4m	9.2-15.4m
London Road wing	15.5m	11.7-15.4m	11.7-15.4m

3.4 The proposed development responds to an identified need for new Care Home beds in both the Epsom & Ewell Borough Council area, and a wider (circa. 4 mile) market catchment area. The proposed Care Home would be capable of caring for residents of all dependency levels, including specialist dementia care, providing bedrooms with en-suite “wetrooms” together with spacious communal areas and other ancillary services/facilities for residents.

3.5 The proposed Care Home falls within Use Class C2 (“residential institutions”) of the Town and Country Planning (Use Classes) Order 1987 (as amended), which defines Class C2 use as “Use for the provision of residential accommodation and care to people in need of care (other than a use within Class C3 (dwelling houses). Use as a hospital or nursing home. Use as a residential school, college, or training centre”.

CONSULTATIONS

Internal Consultees	
EEBC Design and Conservation Officer	No response received
EEBC Ecology	Recommend Conditions
EEBC Tree Officer	Recommend Conditions
EEBC Environmental Health	Recommend Conditions
EEBC Contaminated Land	Recommend Conditions
EEBC Waste	No objections
EEBC Planning Policy	No response received
External Consultees	
SCC Adult Social Care	No objection, but recommendations
SCC Highways	Recommend Conditions
SCC Fire and Rescue	Recommend consideration is given to the installation of AWSS (i.e., sprinklers, water mist, etc) as part of a total fire protection package
Environment Agency	No response received
SCC LLFA	Recommend Conditions
Thames Water	Recommend Condition
SCC Archaeology	No objections
Public Consultation	
Neighbours	<p>The application was advertised by means of a site notice, press notice, and notification to 24 neighbouring properties, concluding on 07 August 2023. 2 submissions were received. They raised the following issues:</p> <ul style="list-style-type: none"> • Design. The proposed development is too high and there is an inadequate boundary • Construction/vibration noise to surrounding residential properties • Safety of residents of 1 and 3 Elmwood Drive, and 153 Ewell By Pass, as there would need to be a further barrier • Loss of daylight to surrounding residential properties • Concern regarding ventilation for future residents • Overbearing to 1 Elmwood Drive

	<ul style="list-style-type: none"> Lack of car parking <p>Applicant response: The Applicant responded to concerns raised by letter, dated 15 September 2023. The contents of the letter, and the planning officer's consideration, are summarised within the body of this Report.</p>
Ward Member	No comments were received.
Residents Association	No comments were received.

PROPERTY HISTORY

Application number	Application detail	Decision
16/00933/FUL	Erection of a Class A1 convenience supermarket and associated parking, access, servicing, and landscaping. (Amended drawings received 09.05.2017)	Refused 27 June 2017
18/00573/FUL	Development of a supermarket, together with associated parking, access servicing and landscaping	Refused 15 February 2019
20/01079/FUL	Construction of a three to six storey building comprising 45 flats (Use Class C3) with associated car and cycle parking, refuse storage and ancillary works	Granted 16 August 2021
22/00728/FUL	Construction of a four storey building plus basement for use as a care home (Use Class C2) with up to 70 bedrooms and associated communal spaces and services, together with associated car and cycle parking, refuse storage and ancillary works.	Granted 17 January 2023

SITE CONSTRAINTS

- Built Up Area
- Stoneleigh and Auriol Neighbourhood Forum
- Flood Zone 1 (low probability of flooding)

PLANNING POLICY AND GUIDANCE

National Planning Policy Framework 2023 (NPPF)

- Section 2: Achieving Sustainable Development
- Section 5: Delivering a Sufficient Supply of Homes
- Section 8: Promoting Healthy and Safe Communities
- Section 9: Promoting Sustainable Transport

- Section 11: Making Effective Use of Land
- Section 12: Achieving Well-Designed Places
- Section 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Section 16: Conserving and Enhancing the Historic Environment

Epsom and Ewell Core Strategy 2007 (CS)

- Policy CS1: Sustainable Development
- Policy CS5: The Built Environment
- Policy CS6: Sustainability in New Development
- Policy CS8: Broad Location of Housing Development
- Policy CS9: Affordable Housing and Meeting Housing Needs
- Policy CS16: Managing Transport and Travel

Epsom and Ewell Development Management Policies Document 2015 (DMPD)

- Policy DM4: Biodiversity and New Development
- Policy DM5: Trees and Landscape
- Policy DM8: Heritage Assets
- Policy DM9: Townscape Character and Local Distinctiveness
- Policy DM10: Design Requirements for New Developments
- Policy DM12: Housing Standards
- Policy DM19: Development and Flood Risk
- Policy DM21: Meeting Local Housing Needs
- Policy DM35: Transport and New Development
- Policy DM36: Sustainable Transport for New Development
- Policy DM37: Parking Standards

Other Documentation

- Planning Practice Guidance 2021 (NPPG)
- Surrey County Council Commissioning Statement 'Accommodation with care residential and nursing care for older people Epsom and Ewell Borough April 2019 onwards'
- Strategic Housing Market Assessment Update 2019
- Council's Housing and Economic Development Needs Assessment 2023
- Making the Efficient Use of Land – Optimising Housing Delivery 2018
- Strategic Housing Market Assessment Update 2019
- Surrey County Council Vehicular and Cycle Parking Guidance 2021
- Parking Standards for Residential Development SPD 2015
- Revised Sustainable Design SPD 2016
- Historic England guidance: The Setting of Heritage Assets

APPRAISAL

4 Presumption in Favour of Sustainable Development

- 4.1 Paragraph 11 of the NPPF stipulates that development proposals which accord with an up-to-date development plan should be approved and where a proposal conflicts with an up-to-date development plan, permission should not usually be granted. Currently, the Council does not have an up-to-date development plan on account of not being able to demonstrate a five-year supply of housing.
- 4.2 Paragraph 11(d) is engaged where the Council's policies which are most important for determining the application are out-of-date. The practical application and consequence of this is that unless the site is in an area or affects an 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 would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.
- 4.3 The Site is designated as a Built-Up Area and in accordance with Policy CS8, a Care Home is an acceptable use at this Site (subject to material considerations).
- 4.4 The scheme would contribute the equivalent of 44 units to Epsom & Ewell Borough Council's housing land supply, when applying the "Housing Delivery Test Measurement Rule Book". This is not merely a theoretical contribution to housing land supply. The proposal would enable older people to move from existing housing, freeing up that stock for use by others. Consequently, it is appropriate to have regard to this contribution as a benefit of the proposals.
- 4.1 It may be argued that some of those occupying the proposed units would be moving from outside of Epsom & Ewell Borough Council's authoritative area. The NPPF emphasises the importance of significantly boosting the supply of homes and this objective is not confined to specific areas. This is clearly set out within the Inspector's Appeal Decision for Epsom General Hospital (APP/P3610/W/21/3272074). The Inspector set out that freeing up housing stock in other Local Authority areas is a benefit.
- 4.2 It is important to note the pressing need for housing in Epsom & Ewell, as shown by the Housing Delivery Test (HDT) outcomes and the housing land supply position. Considering that pressing need, significant weight is given to the contribution that the proposal would make to housing land supply.
- 4.3 In this case, the proposal seeks numerous public benefits, including:
- Redeveloping a vacant Site and optimising the use of land

- Provision of a Care Home (Use Class C2), which brings numerous social benefits
- Enabling people to move out of existing housing, freeing up housing stock for use by others
- Contribution that the proposal would make to the Council's housing land supply
- Creation of employment opportunities.

4.4 In considering the above, Officers consider that the proposal offers an opportunity to redevelop the vacant Site and provide a Care Home (Use Class C2), which is an appropriate use at this Site. The proposal would enable the freeing up of housing stock for use by others and would contribute towards the housing land supply position. It would also create employment opportunities too.

4.1 The minor adverse impacts of this proposal, which include the proposal not providing

- 4.2 a maximum number of 41 car parking spaces in accordance with Surrey County Council's Vehicular and Cycle Parking Guidance, is not considered to demonstrably outweigh the benefits of the scheme, when assessed against the NPPF as a whole.

5 Principle of Development

Location of Development

5.1 The Site is within the designated Built-Up Area and in accordance with Policy CS8, a Care Home is an acceptable use at this Site (subject to material considerations).

5.2 Officers note the recent planning permission at the Site, under ref: 22/00728/FUL, where a Care Home (Use Class C2) was considered acceptable. In the spirit of consistent decision making, the principle of a Care Home at this Site continues to be acceptable.

Care Home provision

5.3 Paragraph 60 of the NPPF sets out 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.

5.4 The NPPG states that the need to provide housing for older people is critical and that the proportion of older people in the population is increasing.

- 5.5 Policy CS8 sets out that new housing development will be located within the defined Built-Up area of Epsom and Ewell.
- 5.6 Policy DM21 states that permission will be granted for specialised forms of residential accommodation where there is evidence of need and there will not be overprovision of a particular type of accommodation.
- 5.7 Supporting paragraph 4.9 of Policy DM21 sets out that it is important that the Council ensures that new housing developments provide a choice and mix of housing so that the Borough continues to be comprised of balanced and sustainable communities.
- 5.8 There is no single, recognised methodology for identifying future residential and nursing care need, as stipulated within the Inspector's Appeal Decision for Epsom General Hospital (APP/P3610/W/21/3272074).
- 5.9 A "Planning Need Assessment", by Carterwood, dated March 2023, accompanies this application. The Planning Need Assessment sets out that the proposal would provide an 81-bed purpose-built car home to meet the needs of all aspects of elderly care provision, including nursing, personal and dementia care.
- 5.10 The Planning Need Assessment is based on a circa 4-mile market catchment area, and the Epsom and Ewell Borough Council area.
- 5.11 The Planning Need Assessment sets out that based on 2025, the earliest the proposed Care Home could be available, there is a net need for 24 and 195 minimum market standard Care Home beds in the market catchment and Epsom & Ewell Borough Council area.
- 5.12 The Planning Need Assessment assesses the balance of provision for dedicated dementia beds in 2025, which indicates a net need for 335 and 112 minimum market standard Care Home beds in the market catchment and Epsom & Ewell Borough Council area. For clarity, the first figure is the need in the market catchment area, and the second figure is the need in the Borough.
- 5.13 The Planning Need Assessment provides an analysis of need for Care Home bedrooms providing full en-suite wetrooms. There is a net need for 1,246 and 462 elderly beds, including 629 and 206 dedicated dementia beds, in the market catchment area and Epsom & Ewell Borough Council area.
- 5.14 The Planning Need Assessment sets out that the market catchment area and Local Planning Authority shortfalls are expected to increase to 687 and 352 minimum market standard beds by 2035. This assumes planned schemes are developed, and existing supply and prevalence rates remain constant.

- 5.15 The Planning Need Assessment sets out that the proposed Care Home would be capable of caring for residents of all dependency levels, including those who require dementia care within a specialist unit, with well-specified, flexible, COVID-19 compliant accommodation to enable care to be administered most effectively.
- 5.16 Surrey County Council Adult Social Care formally commented on this application, setting out that as the planning application amounts to an alteration of the previously approved Care Home scheme, increasing the number of units to 81, the previous comments provided on planning application ref: 22/00728/FUL still apply. The previous comments are set out below:

The [Epsom & Ewell Accommodation Statement](#) states that at the time of publication there was an indicative need for both additional residential and nursing care home provision in the Epsom & Ewell Borough Council area. Since publication the following care homes have closed in the Epsom & Ewell Borough Council area, which amends the figures as follows:

- *Epsom Lodge - reduction of residential care home supply of 13 beds*
- *The Elders Care Home – reduction of residential care home supply of 23 beds*
- *Homelea – reduction of residential care home supply of 19 beds*

However, it is recognised that several residential and nursing care home planning applications have been received by Epsom & Ewell Borough Council since the publication of the Accommodation Statement. The outcomes of these applications should be reviewed by the Planning Authority to establish if this manifestly changes the outcome of the Accommodation Statement.

While the Applicant is an organisation with no history of operating care homes itself, there is no reference to a care provider working in partnership with the organisation in (the previous) application. There is therefore very little indication of what type of care will be delivered on Site, whether the care home would operate with or without nursing care provision, and no description of exactly how the particular development would benefit local residents or the joint health and social care system. (That) application therefore suffered by comparison with others that provided details of future operational plans. But there is no local planning policy that requires clarity on who will operate any future care development, nor any requirement for an operator statement alongside other statements in the application.

- 5.17 Surrey County Council Adult Social Care did not comment on the additional storey and changed footprint from a massing and scale

perspective, but it is their view that the Care Home designers should reflect further on the plans for the fourth floor. As per section 4.2 of the Applicant's Design and Access Statement, the sluice room on the fourth floor opens directly out into the hallway and staff do not have access to a WC next to it as per other floors.

- 5.18 To minimise risks of infection and maintain hygiene, it was suggested that the fourth-floor plan be reviewed, with a sluice room set further apart from bedrooms to minimise disruption through noise and to provide staff with the space and facilities needed to fully and safely dispose of waste etc.
- 5.19 The Applicant responded to Surrey County Council Adult Social Care's Comments by amending the layout of the fourth floor. The sluice room was moved into the staff area next to the nurse post. The two storerooms that were in this area were over-sized relative to the number of bedrooms on this floor and have been consolidated into a single storeroom at the end of the corridor where the sluice room was previously. There is also the other storeroom next to the stairwell at the other end of the fourth floor.
- 5.20 There is a need for en-suite wetroom bedrooms in Epsom and Ewell and the wider catchment area, and this proposal contributes towards this need. The scheme would contribute the equivalent of 44 units to Epsom & Ewell Borough Council's housing land supply, when applying the "Housing Delivery Test Measurement Rule Book". This is not merely a theoretical contribution to housing land supply. The proposal would enable older people to move from existing housing, freeing up that stock for use by others. Consequently, it is appropriate to have regard to this contribution as a benefit of the proposals.
- 5.21 It may be argued that some of those occupying the proposed units would be moving from outside of Epsom & Ewell Borough Council's authoritative area. The NPPF emphasises the importance of significantly boosting the supply of homes and this objective is not confined to specific areas. This is clearly set out within the Inspector's Appeal Decision for Epsom General Hospital (APP/P3610/W/21/3272074). The Inspector set out that freeing up housing stock in other Local Authority areas is a benefit.
- 5.22 Internally, the scheme has been designed to cater for residents requiring care and support, and Officers note that the Applicant had amended the fourth floor, to take into consideration the comments from Surrey County Council Adult Social Care. There is a focus on communal spaces and facilities, which encourages social interaction. Officers give this positive weight, as social and community benefits arising from this scheme.
- 5.23 The proposal has been designed to respond to its immediate surroundings. The scheme combines good design and landscaping, which is viewed positively, especially when judged against the Site's existing situation.

- 5.24 Taking the relevant facts into account, Officers are satisfied that the principle of the use on this site is acceptable.
- 5.25 The principle of the proposed development in land-use terms is consistent with National and Local Planning policies, including CS1 (and indirectly CS7 and CS8) and DM21.

6 Quality of Accommodation

- 6.1 Nationally Described Space Standards are not applicable to proposed C2 Uses. For reference, the Nationally Described Space Standards require a single bedroom to measure at least 7.5m² and a double (or twin) bedroom to measure at least 11.5m².
- 6.2 Paragraph 3.36 of Policy DM11 requires minimum private outdoor space to be provided for houses and flats, but this requirement is not applicable to proposed C2 Uses.
- 6.3 A Design and Access Statement accompanies this application. It sets out that the proposal seeks a five-storey building, to provide a Care Home including 81-bedrooms with private ensuite wet-rooms, including a lower ground floor for storage, plant and ancillary accommodation. The total number of bedrooms is optimal for an end-user.
- 6.4 All bedrooms would measure a minimum of 16sqm (which satisfies the minimum 11.5sqm standard for a double bedroom), each with an en-suite wetroom (approximately 20sqm in total).
- 6.5 The proposed bedrooms do not benefit from individual private amenity space, but there are communal amenity spaces proposed. The combined internal communal space measures approximately 710sqm, the external garden measures approximately 336sqm and the terraces at 1st, 2nd, 3rd and 4th floors measure 82sqm. This is broken down as follows:
- 8.77sqm of internal communal space per bedroom
 - 5.16sqm of garden/terrace space per bedroom, comprising 4.15sqm garden space per bedroom and 1.01sqm terrace per bedroom.
- 6.6 The Planning Statement that accompanies this application sets out that the design of the proposed development has been influenced by various Care Home sector specialists who have a first-time understanding of the needs of Care Home operators. This includes factors such as the amount of communal space per bedroom and preference for several separate spaces; provision of space for ancillary services/facilities for residents such as a hair salon, shop or café, provision of outdoor space at each level; bedroom size and provision of en-suite wetrooms as well as larger assisted bathrooms. The proposed development responds to these requirements.

- 6.7 The Planning Statement sets out that although not applicable to Care Homes, Policy DM12 seeks to ensure appropriate external and internal space standards with reference to the Nationally Described Space Standards (2015) that require single bedrooms to have a floor area of at least 7.5sqm. The proposed bedrooms provide are 16sqm, each with an en-suite wetroom (approximately 20sqm in total).
- 6.8 The Planning Statement sets out that the two main communal areas (dining room and lounge) at each level have generous amounts of glazing to maximise natural light into these spaces. The fourth-floor main communal areas open out onto a roof terrace enclosed with railings and glazing between brick columns to create an additional amenity space for residents.
- 6.9 The Planning Statement sets out that the ground floor outdoor area provides a covered terrace and landscaped gardens.
- 6.10 Officers note that planning policy does not require minimum sized bedrooms or a minimum standard of private outdoor space to be provided for C2 Uses.
- 6.11 The proposal seeks 81 bedrooms, inclusive of en-suite wetrooms. Officers consider that the bedrooms proposed are adequately sized, at approximately 20sqm per room, including the en-suite wetroom, which exceeds Nationally Described space standards for a single and double bedroom, if this were applicable. The bedrooms do not benefit from private balconies, but communal amenity spaces are provided for residents, which benefit from outlook and access to sunlight.
- 6.12 Officers consider that the quality of the internal accommodation, and external amenity spaces, are acceptable.

7 Design and Character

Built Form, Pattern and Layout

- 7.1 Paragraphs 125, 130 and 134 of the NPPF refer to the need for functional and visually attractive development that is sympathetic to local character and history. Policy CS5 of the CS requires high quality design that is attractive, relates to local distinctiveness and complements the attractive characteristics of the area. Policy DM9 of the DMPD requires a positive contribution to and compatibility with the local character and the historic and natural environment and Policy DM10 requires good design that respects, maintains or enhances the prevailing house types and sizes, density, scale, layout, height, form and massing, plot width and building separation, building lines and key features.

Design rationale

- 7.2 The Design and Access Statement (DAS) that accompanies this application explains the design rationale of the proposed Care Home.
- 7.3 The DAS sets out that the design of the approved residential scheme (ref: 20/01079/FUL) was developed in close consultation with Council Officers, undergoing two pre-application meetings. Various key design factors were established including siting, footprint, height, mass, materials, and elevational treatment. This new proposed for an 81-bedroom Care Home looks to retain these established design factors, and improve on them, where possible.
- 7.4 The DAS sets out that the proposal almost identically replicates the layout of the approved 70-bedroom Care Home scheme, with an additional “fourth floor” storey. This additional storey is set back from the typical lower stories and covers approximately half the area.
- 7.5 The approved 70-bedroom Care Home scheme was based on the operational requirements as set out by a single Care Home provider, limiting the number of storeys and the number of beds per storey. Since the approval of that planning application, alternative providers have expressed interest in additional beds.

Materials and Elevational Treatment

- 7.6 The DAS sets out that the proposed development utilises brick, as per the approved residential scheme, with stone banding to reflect and complement the Castle Parade buildings, located opposite. The DAS considers these to be appropriate materials, compatible with local character.
- 7.7 The DAS sets out that the elevational treatment of the proposed building has been developed to better suit the specific requirements of a Care Home, which consists of modular rooms, repeated across elevations and floors. Private external balconies are impractical for Care Home bedrooms, with shared balconies and amenities concentrated in communal areas and gardens.
- 7.8 The DAS sets out that to avoid repetitive fenestration, and to create interest and reduce noise from traffic, the elevation incorporates disordered brick pilasters, which reacquire regularity and order in correlation with the building corner dedicated to communal activities.

Height

- 7.9 The Ewell-By-Pass wing ranges from a min. 9.3m to a max. 17.5m above finished ground level and the London Road wing ranges from a min. 12.3m to a max. 17.5m above finished ground level.

- 7.10 The DAS sets out that an indicative plant enclosure, based on maximum parameters, proposed at roof level. The final details and exact requirements would be determined at detailed Mechanical and Electrical services (M&E) design stage. The proposed plant enclosure is set back off the South East and South West elevation lines, to minimise visibility from the public. The distance from the proposed building to the two-storey neighbouring dwelling at 77 and 77a London Road has increased from 7 metres in the approved scheme, to 23 metres in this proposal. On the Ewell By-Pass elevation, the height of the proposal has been reduced to five stories, compared to the six-storey approved scheme.

Officer comment

- 7.11 The height and massing of the proposed building has been developed to suit the requirements of a Care Home.
- 7.12 The siting and layout of the proposed building is virtually the same as the previously permitted 70-bedroom Care Home scheme at the Site, which in turns follows the principles of the previously permitted 45-flat scheme.
- 7.13 The change of note to the siting and layout of the proposed building is the extension of the wing that fronts Ewell By-Pass. This extension is set back from the building line of the main elevation of the Ewell By-Pass elevation. The proposed building varies from three-storeys to five storeys, with the additional part-storey at the upper level and roof-level plant enclosure largely fitting within the envelope of the approved 45-flat scheme. The side extension described is three-storeys, which together with the setback, provides an appropriate transition between the Care Home and the terraces houses at 147-153 Ewell By-Pass.
- 7.14 The use of brick (as per the previously approved schemes) and stone banding on the elevations reflect and complement the Castle Parade buildings opposite provide architectural detail and interest to the building.
- 7.15 The proposed building is appropriate in height, mass and design, drawing on design principles from the previous schemes, which were considered acceptable by the Council's Design and Conservation Officer, and Officers too.
- 7.16 The proposal complies with relevant sections of the NPPF, NPPG, Policies CS1, DM9 and DM10. Should planning permission be granted, a Condition is required, requiring details and samples of external materials to be submitted to and approved by the Local Planning Authority.

8 Heritage and Conservation

- 8.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that development must ensure the preservation of any nearby listed building, including its setting,

- 8.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to the desirability of preserving or enhancing the character or appearance of that area.
- 8.3 Paragraphs 197-202 of the NPPF requires consideration of the harm to the significance of a designated heritage asset. Paragraph 200 requires clear and convincing justification where there is harm to or the loss of a designated heritage asset. Paragraph 202 states that where there is less than substantial harm, the harm must be weighed against the public benefits.
- 8.4 Policy CS5 of the CS and Policy DM8 of the DMPD seek to protect and enhance heritage assets and their setting.
- 8.5 The Site is not listed, nor is it within a Conservation Area, but there are listed buildings in proximity to the Site.
- 8.6 A Heritage Statement, dated June 2023, accompanies this application. It considers the heritage assets in the vicinity of the Site and concludes that the only heritage asset that could be affected by the proposed development is the Listed terrace, nos. 79 to 85 London Road.
- 8.7 The Heritage Statement sets out that there is a varied and disparate surrounding townscape to the Listed terrace, within which the Site is a large, fragmented gap site, and with garages and a retail warehouse reflecting the proximity of the by-pass. The Listed terrace addresses London Road, with the significance of the terrace best appreciated/understood in views looking towards the building, along with its broadly contemporary and traditionally proportioned neighbours to both sides, with which it forms a small group. As a road fronting terrace, there is nothing about the orientation of the building towards the road that links or connects it with the Site.
- 8.8 The Heritage Statement sets out that Site does not serve to reveal or enhance the significance of the Listed terrace. The proposed development is relatively close to the Listed terrace, but the two are not immediately juxtaposed with each other. No. 77 London Road forms an intermediary transitional building, and there is a generous separation distance between this building and the closest part of the proposed development. This provides a sense of transition and there is no sense of the proposed development being too close in proximity, or causing harm due to its proximity, scale, height, or mass. On the contrary, the built form is logically arranged and forms a pleasing three-dimensional transition between the Listed terrace and the corner element that addresses and marks the By-Pass junction.
- 8.9 The Heritage Statement sets out that the proposed development does not dominate the Listed buildings and instead continues the building line of

London Road in a positive way, and of a scale and mass that is entirely appropriate and coherent. The mass of the proposed development is wholly appropriate, with a good quality new development that reinstates the building line on London Road and gives definition, can only be seen as positive. The mass of the proposed development is wholly appropriate, with a good corner presence and separation from the finer grain of the older buildings.

- 8.10 The Heritage Statement concludes that there would be no harm to the Listed Buildings and there are no resulting policy conflicts. The contribution made by the setting of the Listed Buildings to its significance would, if anything, be enhanced by the proposed development.
- 8.11 The site is not within an Archaeological Site. SCC Archaeology has formally commented on this application, confirming no archaeological concerns.
- 8.12 The Council's Design and Conservation Officer has not commented on this application, so Officers have relied upon comments given in the previously approved applications, which did not object to the schemes, but rather ensured that appropriate planning Conditions were attached to any planning permission, if granted.
- 8.13 There would be no harm to the nearby Listed Buildings and no resulting policy conflicts because of this proposal. There was no objection from the Design and Conservation Officer for the previous two planning permissions, subject to a Condition being attached to any planning permission granted, requiring samples of materials. This Condition is recommended for this application, should planning permission be granted.

9 Landscaping and Trees

- 9.1 Paragraph 131 of the NPPF, Policy CS3 of the CS, Policy DM5 of the DMPD and the Householder SPG seek the retention, protection and enhancement of existing and new trees, hedgerows, and other landscape features, with removal of trees supported by sound justification and appropriate replacement planting of native species.
- 9.2 The Design and Access Statement (DAS) that accompanies this application sets out that the proposed planting and soft landscaping areas have increased by 50% from the approved residential scheme (ref: 20/01079.FUL), as follows:
- Proposed 1.2-metre-wide planting to the majority of boundaries of residential properties, 1.2 metres along Ewell By-Pass, 1.2 metres – 2.3 metres along London Road, and a large area of planting on the corner of London Road and Ewell By-Pass
 - An additional large, landscaped garden facing Ewell By-Pass to serve as shared amenity breakout space for residents. Hedges and

trees to be planted along the boundary, to create a visual buffer to the highway.

- 9.3 A Landscape Proposal Softworks drawing accompanies this application, which illustrate the soft and hard landscape components of the proposal, giving details of materials and plant stock, sizes and densities proposed.
- 9.4 EEBC's Tree Officer formally commented on the application, setting out that more is expected from a development like this, in this location, where planning policy places emphasis on the need for trees to be incorporated into schemes, to provide for climate adaption and environmental improvement.
- 9.5 The Tree Officer queried whether funds could be obtained to plant trees on the verge by the Site, by Beaufort Way.
- 9.6 Officers note that the landscaping proposed as part of this application is very similar to that approved under the previously permitted scheme at this Site (70-bedroom Care Home scheme). The landscaping was considered acceptable in the previous scheme, subject to a Condition, and in the spirit of consistent decision making, the landscaping proposed as part of this scheme is therefore acceptable. It would be unreasonable to now consider otherwise, especially given that the siting and layout of the proposed building is similar to the previously consented 70-bedroom Care Home scheme at the Site.
- 9.7 It is noted that the previously permitted scheme did not allow for off-site tree planting. Officers maintain the view that off-site tree planting is not required for this scheme, having regard to Regulation 122 of the CIL Regulations, which sets out the limitations on the use of Planning Obligations.
- 9.8 It is unlawful for a Planning Obligation to be considered when determining a planning application for a development, which does not meet all the following tests:
 - It is necessary to make the development acceptable in planning terms;
 - It is directly related to the development; and
 - It is fairly and reasonable related in scale and kind to the development.
- 9.9 Like the previous scheme (70-bedroom Care Home scheme), Officers do not consider that off-off street tree planting would be necessary to make this development acceptable in planning terms, given that the Site currently comprises no trees or landscaping, and that the proposal does provide for adequate hard and soft landscaping within the Site boundary.

- 9.10 Off-street tree planting is not considered to directly relate to this development, given that this development proposes hard and soft landscaping within the Site boundary. Off-street tree planting would not be fairly and reasonably related in scale and kind to this development, as this proposal seeks hard and soft landscaping within the Site as part of this proposal.
- 9.11 To reiterate, the landscaping proposed as part of this application is very similar to that approved under the previously permitted scheme at the Site, which was considered acceptable, subject to a Condition. It would be unreasonable to now require off-street tree planting as part of this proposal.
- 9.12 The proposal is considered to comply with Policy DM5.

10 Affordable Housing

- 10.1 Paragraph 65 of the NPPF set out that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of 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 (b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students).
- 10.2 Class C2 use (Residential Institutions) relates to the provision of residential accommodation and care to people in need of care, other than a use within class C3 (dwelling houses). As the proposed use is not a C3 (dwelling house) use because the rooms are not self-contained, it does not attract the requirement for affordable housing.
- 10.3 The Council's Strategic Housing Manager formally commented on this application, setting out that the proposal is a Care Home, so no comment to give.

11 Neighbour Amenity

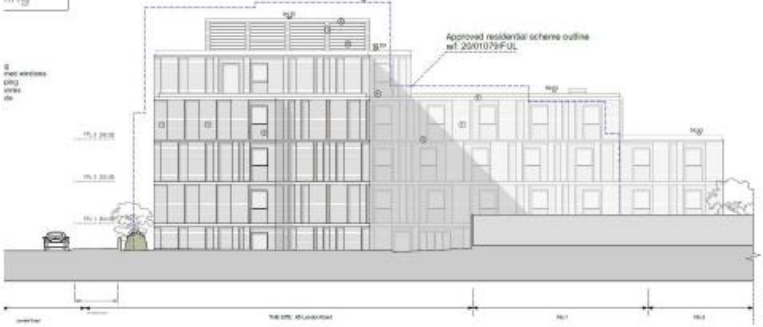
- 11.1 Policy CS5 of the CS and Policy DM10 of the DMPD seeks to protect occupant and neighbour amenity, including in terms of privacy, outlook, sunlight/daylight, and noise whilst Paragraph 185 of the NPPF and Policy CS6 of the CS seek to mitigate and reduce noise impacts.
- 11.2 Concerns have been raised by nearby neighbours that the proposal would adversely impact neighbouring amenity. These concerns have been taken into consideration by the Agent, who responded to the concerns by letter

(detailed within this section of the Report) and by Officers, within the assessment of this planning application.

- 11.3 The Design and Access Statement (DAS) that accompanies this application shows that the rear elevations of the proposed building that face the neighbouring residential properties are well set back from the Site boundary. 27.3 metres is provided between the (rear) north-west elevation of the London Road wing to the north-western boundary with 153 Ewell By-Pass. and 21.9 metres is provided from the (rear) north-east elevation of the Ewell By-Pass wing to the closest north-eastern boundary with the rear garden of 1 Elmwood Drive.
- 11.4 No windows are proposed in the north-west flank wall closest to 153 Ewell By-Pass and in the north-east flank wall closest to 77A London Road, the windows only serve the corridors. There is also a separation distance of 17 metres.
- 11.5 A Daylight and Sunlight Report accompanies this application. The proposed development was considered in relation to the Building Research Establishment Limited (BRE) guidelines on daylight and sunlight. Any reductions in daylight and sunlight to the neighbouring properties are minimal and in full accordance with BRE guidance. Similarly, any overshadowing effects are also negligible and full compliant with the BRE guidelines.
- 11.6 The Daylight and Sunlight Report concludes that the impact of the proposed scheme is minimal, and all residential neighbouring properties will retain very good daylight and sunlight amenity after development.
- 11.7 A Noise Assessment, dated 13 April 2023, supports this application. It establishes and quantifies the existing noise climate and recommends appropriate noise mitigation to protect future occupants, to comply with local planning policy.
- 11.8 The Assessment found that with appropriate mitigation, internal noise levels can meet the appropriate noise level in BS 8233 and local planning policy.
- 11.9 An Air Quality Assessment, dated March 2023, accompanies this application. it provides an assessment of potential key impacts associated with the construction and operational phases of the proposed development.
- 11.10 The Assessment sets out that a qualitative assessment of construction dust effects was undertaken, and the construction phase of the development is predicated to have a “medium risk” of nuisance and/or loss of amenity impacts due to dust nuisance. However, the risk of dust nuisance can be mitigated.

- 11.11 The Assessment sets out that a traffic-related impact assessment was scoped out as the proposed development is not anticipated to generate a significant amount of traffic. But dispersion modelling was undertaken to assess the residential suitability. The air quality dispersion modelling has concluded that as a minimum, mechanical ventilation with a NOx filter would be required on the ground floor of the proposed development.
- 11.12 The Assessment concludes that the proposed development is not considered to conflict with any national, regional, or local planning policy in relation to construction and operation phase dust and air quality nuisance.
- 11.13 EEBC Environmental Health formally commented on this application, recommending a Condition to reduce the levels of nitrogen dioxide in the ground floor residences to acceptable concentrations, subject to planning permission being granted. This same Condition was imposed on the planning permission for the 70-bedroom Care Home scheme.
- 11.14 A Condition is also recommended relating to noise, requiring the Applicant to submit a report setting out the proposed glazing specification and room ventilation approach to include sufficient calculations for compliance with the internal noise criteria contained within BS 8233:2014 and the ANC/loA Acoustics Ventilation and Overheating Residential Design guide. This Condition was imposed on the planning permission for the 70-bedroom Care Home scheme.
- 11.15 The Agent prepared a letter to respond to the concerns raised by neighbours, including that the proposal would adversely impact neighbouring amenity. The contents of the letter are summarised below:

Concern raised	Agent consideration and response
Additional height	<p>The additional height of the proposed building compared to the building approved under application ref: 22/00728/FUL (70-bedroom Care Home scheme) is achieved by way of an additional of a “part storey” only. This increases the height of the building where the two wings meet at the corner of London Road and Ewell By-Pass and along part of the east wing that fronts London Road.</p> <p>The additional part storey and roof-level plant enclosure are located in this area so as to not exceed the height envelope of the building approved under the 45-flat scheme and so not to create a sense of enclosure for the properties to the rear, including 1 and 3 Elmwood Drive.</p>

Concern raised	Agent consideration and response
	<p>Similarly, the extension of the west wing that fronts Ewell By-Pass and extends outside the envelope of the previously approved buildings is deliberately restricted to three-storeys, in order not to create an overheating impact on neighbouring properties.</p> <p>The proposed north-east elevation, which faces 1 and 3 Elmwood Drive is shown in Figure 1 (below) with the blue dashed outline representing the height of the 45-flat scheme. This illustrates that the additional height has been sensitively sited away from the Ewell By-Pass wing that runs parallel with the rear of 1 and 3 Elmwood Drive and instead places the additional height on the part of the building that is perpendicular to the rear of 1 and 3 Elmwood Drive in order to minimise the impact and largely keep within the height envelop of that building that has already been approved.</p> <p>Fig 1: Proposed North-East Elevation (extract from application drawing 420(GA)24)</p> 
<p>Noise and vibration</p>	<p>The nature of the construction project and its relationship to sensitive receptors is not such that it warrants any extraordinary measures beyond those that are governed by existing legislation relating to noise and vibration and good construction practice.</p> <p>Furthermore, the construction of the proposed development would not give rise to any greater potential impacts than the two developments already approved at the Site.</p> <p>The planning permission for the 70-bedroom Care Home scheme was subject to a Condition that restricted hours of demolition and construction, and it is anticipated that the same Condition would be imposed, should planning permission be granted.</p>
<p>Ventilation for future residents</p>	<p>The proposed ventilation strategy is set out in the Energy and Sustainability Statement that accompanies this application and is the same as the ventilation</p>

Concern raised	Agent consideration and response
	<p>strategy for the approved 70-bedroom care home scheme application.</p> <p>The planning permission for the 70-bedroom Care Home scheme was subject to a Condition requiring further details of the proposed glazing specification and room ventilation approach to demonstrate compliance with internal noise criteria. It is anticipated that the same Condition would be imposed should planning permission be granted for this current application.</p>
<p>Inadequate proposed boundary treatment from a safety perspective</p>	<p>Proposed site plan ref: 420(SP)03 shows the boundary of the car park with the adjacent gardens as comprising a proposed 1.2-metre-wide hedge, a proposed wall, and the existing fence. The proposed hard landscaping plan (ref: D0456_001 C) shows the car parking areas as being surrounded by kerbs.</p> <p>It is the Applicant's view that the presence of a raised kerb and the 1.2-metre-wide hedge would give sufficient warning to any driver accidentally overrunning a parking space to brake before contact would be made with the brick wall. In the highly unlikely event that a car was to mount the kerb, crash through the hedge and strike the brick wall with sufficient impact to cause the wall to collapse, the close boarded fence would likely provide protection from falling bricks.</p>

11.16 Officers are satisfied that the scheme has been proposed to limit adverse impacts on nearby neighbours. The letter prepared by the Agent, dated 15.09.2023, provides comprehensive comments and responses to the concerns raised by neighbours, and the Daylight and Sunlight Report demonstrates that all residential neighbouring properties would retain very good daylight and sunlight amenity after development, should this proposal be granted planning permission.

11.17 The proposal accords with Policy DM10.

12 Parking and Access

12.1 Policy CS16 of the CS encourages an improved and integrated transport network and facilitates a shift of emphasis to non-car modes as a means of access to services and facilities. Development proposals should provide safe, convenient, and attractive accesses for all, be appropriate for the highways network, provide appropriate and effective parking provision, both on and off-site and ensure that vehicular traffic generated does not create new, or exacerbate existing, on street parking problems, nor materially increase other traffic problems.

- 12.2 Policy DM36 sets out that to secure sustainable transport patterns and usage across the Borough, we will (inter alia) prioritise the access needs of pedestrians and cyclists in the design of new developments.
- 12.3 Policy DM37 sets out that developments will have to (inter alia) 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.

Car Parking

- 12.4 The Council's "Parking Standards for Residential Development Supplementary Planning Document", dated December 2015, sets out minimum car parking requirements for residential development. For "other forms of development", the Council refers to Surrey County Council's guidance.
- 12.5 Surrey County Council Vehicular and Cycle Parking Guidance sets maximum car parking standards for Care Homes, at a level of 1 car parking space per 2 residents, or individual assessment/justification. This means that this Site should provide a maximum of 41 car parking spaces, subject to individual assessment/justification.
- 12.6 The Transport Assessment that accompanies this application sets out that Surrey County Council identified that this Site could be a suitable location for a car free residential development, as the Site is ideally located to facilities required by a short walk (as per previous pre-application discussions). Public transport services to local and wider destinations including London are also accessible within a reasonable walk or short cycle journey. As such, it is perfectly reasonable to anticipate that many of the staff members would not commute to the Site by private car.
- 12.7 The Transport Assessment considers that due to the nature of the development, the likelihood of residents owning and using a private vehicle is very low, and the proposed car parking spaces would most likely be used by staff and visitors. Therefore, the proposed 25 car parking spaces are based on an understanding of the likely requirements of any future care home operator for staff and visitor car parking.
- 12.8 The Transport Assessment sets out that the previously approved scheme, for a 70-bedroom Care Home, provided 24 car parking spaces.
- 12.9 The Transport Assessment sets out that in line with Surrey County Council Highways; standards, electric charging points would be installed on 20% of all car parking spaces. Up to three of the car parking spaces would be sized to disabled car parking dimensions and one car parking bay will be dedicated for use by an ambulance. There would also be

provision for a drop off/pick up bay, which would not impact the car park operation when occupied.

- 12.10 The Transport Assessment sets out a Car Park Management Plan (CPMP) is proposed. This is expected to be subject to a Condition should planning permission be granted. This would ensure that the car park provision on Site is fully managed, and to ensure that no overspill car parking occurs.

Cycle Parking

- 12.11 The Transport Assessment sets out that Surrey County Council's Vehicular and Cycle Parking Guidance (2018) does not provide direct requirements for cycle parking for Care Homes. Therefore, a provision of 10 secured and weather-proof cycle parking spaces are proposed at this stage. There will be scope to expand the provision if needed, but it is expected that such provision would be sufficient for staff members, visitors and possibly some residents.

Pedestrian and Vehicle Access and Manoeuvrability

- 12.12 Paragraph 110 of the NPPF requires safe and suitable access, paragraph 111 allows for refusal where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe and paragraph 112 seeks to minimise conflicts between pedestrians, cyclists, and vehicles. This is reinforced in Policy CS16 of the CS and DM10 of the DMPD.
- 12.13 The Design and Access Statement (DAS) that accompanies this application sets out that access to the Site will remain in the same location as the approved residential scheme (ref: 20/01079/FUL), via London Road, in the form of a footway crossover at the south-eastern side of the Site. The existing access, located closer to the junction, would be removed.

Servicing

- 12.14 Policies DM32 and DM38 of the DMPD aims to ensure that rear servicing is provided or retained in new development. Where it is not possible or practical, alternative solutions must not cause highway obstruction.
- 12.15 The Transport Assessment sets out that all servicing would be undertaken within the Site and would not require any delivery vehicles to wait on London Road or Ewell By-Pass. There is space within the Site for a van to undertake a delivery without blocking the access road or car parking spaces.

12.16 The Transport Assessment sets out that swept path analysis has been undertaken for a 11.2 metre refuse vehicle (in excess of the current requirements to accommodate a 10.8 metre vehicle) to demonstrate that it can enter and exit the Site in a forward gear. The swept path analysis is within Appendix 1 of the Transport Assessment.

12.17 The Transport Assessment sets out that bin stores are located in convenient positions, adjacent to the turning head and within 20 metres walk from the turning head.

London Road & Ewell By-pass Signalised Junction – Pedestrian Crossing Improvements

12.18 The Transport Assessment sets out that Surrey County Council had requested within previous pre-application comments, that a push-button crossing would be provided across London Road, south of the Site, to form part of the signalised junction of London Road and Ewell By-Pass. Currently for both the eastbound and westbound lanes of London Road, pedestrians cross between traffic phases without the aid of pedestrian signal heads. The dedicated left turn on London Road (to Ewell By-Pass south) does have a push-button crossing already, which is proposed to remain in its current form.

12.19 The Transport Assessment sets out that that the proposed access sketch in Appendix H (of the Transport Assessment) illustrates the proposed position of the new signalised push-button controlled pedestrian crossings, which are in a similar position to the existing crossing points, but with the crossings over the eastbound lane on London Road moved further west to achieve a staggered crossing.

12.20 The Transport Assessment sets out that the central island has been increased to 6.4 metres long and 3 metres wide to accommodate the staggered crossing and safe pedestrian refuge in the centre of the junction. Signal heads have been relocated to fit with the island and out of the pedestrian path and keep left bollards proposed.

12.21 The Transport Assessment sets out that to facilitate the additional length of the island, the stop line on London Road for westbound traffic has been pushed back a short distance of approximately 2 metres, and the kerb line outside of the Development Site moved by approximately 400mm, to achieve two 3 metre lanes prior to the merge of eastbound traffic.

12.22 The Transport Assessment sets out that the pedestrian crossing phases work with the existing traffic phases, and as such add no additional delay into the junction.

Trip Generation

12.23 Policy DM35 of the DMPD requires consideration of the impact upon the transport network via a Transport Assessment or Statement.

12.24 The Transport Assessment sets out that the proposed scheme maintains the full range of highway improvements as the permitted residential scheme (45-flat scheme) and while changing the appearance of the proposal and the land use, it is expected to generate less trips than the permitted residential scheme. Therefore, the transport impact of the proposed development would be less severe than the previously assessed residential scheme. There are no transport impact reasons to refuse the proposed development.

Surrey County Council Highways

12.25 Surrey County Council Highways formally commented on this application, with no objection, recommending S106 Obligations and Conditions.

12.26 The response sets out a “site specific comment”, which concludes that the proposal would not impact on the safety or operation of the surrounding highway network with regards to vehicular trips to or from the Site.

12.27 The “site specific comment” does not refer to the proposed car parking spaces. However, as set out above, due to the nature of the development, the likelihood of residents owning and using a private vehicle is very low and the proposed car parking spaces would most likely be used by staff and visitors. Therefore, the proposed 25 car parking spaces are based on an understanding of the likely requirements of any future care home operator for staff and visitor car parking. Furthermore, this Site is in a sustainable location, ideally located to facilities a short walk away. Public transport services to local and wider destinations are also accessible within a reasonable walk or short cycle journey. As such, it is perfectly reasonable to anticipate that many of the staff members would not require to commute by private car.

EEBC Waste Team

12.28 EEBC’s Waste Team was formally consulted on this application and raise no objections.

Officer comment

12.29 The proposal is supported by a Transport Assessment, which confirms that the full range of highway improvements secured within the permitted residential scheme (45-flat scheme) are secured as part of this application, and that it is expected that this Care Home would generate less trips than the permitted residential scheme.

12.30 The scheme does not provide 41 car parking spaces, which is the maximum number of spaces required by Surrey County Council Vehicular and Cycle Parking Guidance. Due to the nature of this development, residents are unlikely to own and use a private car, and so most car parking spaces would be used by staff and visitors. Therefore, the proposed 25 car parking spaces are based on an understanding of the likely requirements of any future care home operator for staff and visitor parking. A Car Park Management Plan would be secured via Condition, should planning permission be granted, to ensure that the car park provision on Site is fully managed.

12.31 SCC Highways sets out that the proposal would not impact the safety or operations of the surrounding highway network, subjecting to securing appropriate S106 Obligations and Conditions, should planning permission be granted.

13 Ecology and Biodiversity

13.1 Paragraphs 174 and 180 of the NPPF, Policy CS3 of the CS and Policy DM4 of the DMPD require the conservation and enhancement of on-site biodiversity, with minimisation of impacts and the provision of mitigation measures. The duty of care extends to Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 to protect species identified under Schedule 5 of the Wildlife and Countryside Act 1981 and Schedule 2 of the Conservation of Habitats and Species Regulations 2017.

13.2 An Ecological Appraisal Report, dated June 2023, accompanies this application. It sets out that the proposed development has potential to impact breeding birds, the Site is dominated by buddleia *Buddleja davidi*, and DEFRA's standing advice is that this species should be treated as an invasive species, but as a whole, the Site supports habitats of low ecological value.

13.3 The Ecological Appraisal Report recommends that no further surveys are carried about, but mitigation is proposed, and enhancements.

13.4 A Reptile Survey, dated June 2020, accompanies this application. The Survey suggest that the Site does not support reptiles, but the availability of suitable habitat means that the presence of reptiles cannot be discounted. It is therefore necessary to take mitigation steps, outlined within the Report, and Ecological Appraisal Report.

13.5 EEBC's Ecologist formally commented on this application, setting out that the Reports are in order, and that the recommendations should be subject to a Condition, should planning permission be granted.

14 Flooding and Drainage

- 14.1 Paragraphs 159 and 167 of the NPPF, Policy CS6 of the CS and Policy DM19 of the DMPD state that development at medium or high risk from flooding must ensure that there is no increase in flood risk, whether on or off site, and implementation of flood resilience and mitigation to reduce it to acceptable levels.
- 14.2 Paragraph 167 of the NPPF, Policy CS6 of the CS 2007 and Policy DM19 of the DMPD seek the implementation of sustainable urban drainage systems (SUDS).
- 14.3 A Flood Risk Assessment & SuDS Strategy Report accompanies this application. This sets out that the Site is located within Flood Zone 1, indicating a low risk of flooding from fluvial and tidal sources. The Site is also at very low risk of surface water flooding.
- 14.4 The Report proposes a SuDS drainage strategy, to ensure that flood risk downstream is reduced. The Report was supplemented by a letter from EAS, dated 08.09.2023.
- 14.5 Surrey County Council Local Lead Flood Authority (LLFA) formally commented on this application, confirming that the proposed drainage scheme is acceptable subject to securing Conditions, should planning permission be granted.
- 14.6 Thames Water formally commented on this application, setting out that with regard to foul water sewerage network infrastructure capacity, there is no objection. With regard to surface water network infrastructure capacity, there is no objection. The proposed development is located within 15 metres of a strategic sewer. A Condition is required if planning permission is granted, a piling method statement is required.
- 14.7 The proposal accords with Policy CS6 and DM19.

15 Contamination and Remediation

- 15.1 Paragraph 183 of the NPPF and Policy DM17 of the DMPD requires consideration of ground conditions and risks to end users.
- 15.2 The Site is close to several potential sources of contamination, including an infilled brick pit.
- 15.3 A Preliminary Investigation Report, dated June 2023, accompanies this application, which concludes that a ground investigation and further risk assessment should be carried out to investigate the potential for ground contamination. EEBC Contaminated Land reviewed the Report and

proposed a Condition be applied to any planning permission granted, to ensure that future investigations/assessments are carried out.

15.4 The proposal accords with Policy DM17.

16 Environmental Sustainability

16.1 Policy CS6 of the CS stipulates that development should incorporate sustainable development and reduce, or have a neutral impact upon, pollution and climate change. This includes incorporation of renewable energy, use of sustainable construction methods and sustainable building design, flood management, reduction in water use and improvement of water quality and minimisation of noise, water and light pollution.

16.2 On 23 July 2019, the Council committed to tackling Climate Change and addressing Epsom and Ewell Borough Council carbon emissions.

16.3 An Energy and Sustainability Statement accompanies this application, dated May 2023. It demonstrates how the development could be taken forwards in accordance with best practice sustainable design and construction policies. The scheme would deliver a series of sustainability measures, which include:

- Sustainable material selections
- The development of a site waste management plan
- Water conservation measures aligning with BREEAM WAT 01 requirements
- SuDS strategy to achieve a run-off rate of 1 l/s, with flows attenuated via SuDS measures
- A comprehensive ecological strategy to deliver a net gain in biodiversity alongside ecological protection measures
- Incorporation of climate adaption measures, including permeable paving and landscaping
- A 13.6% reduction in CO2 emissions and 13.98% reduction in primary energy beyond a Part L2a 2013 baseline
- Renewable heat pumps and PV providing 27.15% of the development's predicted energy needs.

16.4 The proposed measures are sufficient to ensure the proposal compiles with Policy CS6.

17 Accessibility and Equality

17.1 Policy CS16 of the CS and Policy DM12 of the DMPD requires safe, convenient and attractive access to be incorporated within the design of the development. Being a care home, the development would be fully accessible for all users.

- 17.2 The Council is required to have regard to its obligations under the Equality Act 2010, including protected characteristics of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief.
- 17.3 Age is a protected characteristic, so the Equality Act 2010 is engaged. There is no detrimental impact on any protected characteristics, in fact, the scheme is positive in this respect.

18 Planning Obligations and Community Infrastructure Levy

- 18.1 Paragraphs 55 and 57 of the NPPF requires consideration of whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations, but only where they are necessary, related to the development, fair and reasonable.
- 18.2 Policy CS12 of the CS and the Developer Contributions SPD require that development must be able to demonstrate that the service and community infrastructure necessary to serve the development is available, either through on-site provision or a financial contribution via a planning obligation.
- 18.3 The Community Infrastructure Levy Charging Schedule 2014 indicates that the application is liable for CIL payments because it involves additional floor area in excess of 100m². It is payable at £20/m² index linked.

CONCLUSION BALANCE

19 Planning Balance

- 19.1 The Site is previously developed land within the Built-Up Area of Epsom & Ewell, with extant planning permissions for a 45-flat scheme and a 70-bedroom Care Home scheme. The proposed development seeks to provide a specialist form of accommodation (Use Class C2).
- 19.2 Accompanying the planning application is a Planning Need Assessment (Caterwood), which indicates that there is a need for en-suite wetroom bedrooms within Epsom and Ewell and the wider catchment area. The proposal contributes towards this need. It also enables the freeing up of housing stock for use by others and contributes the equivalent of 44 units to Epsom & Ewell Borough Council's housing land supply, when applying the "Housing Delivery Test Measurement Rule Book".
- 19.3 The proposal has been designed to respond to its immediate surroundings. The scheme combines good design and landscaping, which is viewed positively, especially when judged against the Site's existing situation. Internally, the scheme has been designed to cater for residents requiring care and support.

- 19.4 There is a presumption in favour of granting sustainable development unless the application of policies gives a clear reason for refusing permission (paragraph 11 of the NPPF).
- 19.5 The proposed development would make a significant contribution towards delivering the Council's housing target and would therefore be consistent with the Framework and Council policy in so far as it seeks to significantly boost the supply of homes. Given the pressing need for housing in the Borough, as demonstrated by the extent of the Council's housing shortfall and how long the deficit is likely to persist, this benefit is given significant weight.
- 19.6 The proposal would provide a care home facility that would meet a defined need and provide a choice of housing for the community. The proposal care accommodation would have benefits for future occupiers in terms of improved wellbeing and health outcomes. Having regard to identified need, this benefit is given significant weight.
- 19.7 The proposal seeks a widened footway, push button controlled pedestrian crossing facilities and improved bus infrastructure. The proposal has been formally assessed by SCC Highways and the Local Planning Authority's Waste Team. These social improvements benefit the wider community and weigh further in the balance.
- 19.8 The proposal would provide economic benefits through employment during the construction phase, the additional employment generated by the completed proposal and the additional expenditure in the local economy at both construction and following occupation. The construction phase is temporary and therefore this would amount to a limited benefit.
- 19.9 The proposal would achieve a landscape improvement on the site though the extent attracts limited weight. The proposal also demonstrates how the development could be taken forwards in accordance with best practice sustainable design and construction policies.
- 19.10 The minor adverse impacts of this proposal, which include the proposal not providing a maximum number of 41 car parking spaces in accordance with Surrey County Council's Vehicular and Cycle Parking Guidance, is not considered to demonstrably outweigh the benefits of the scheme, when assessed against the NPPF as a whole.

RECOMMENDATION

20 To grant planning permission subject to the requirements of the s106 legal agreement in PART A and the conditions and informatives in Part B

Part A

Grant planning permission, in accordance with the proposed Conditions and informatives and subject to a Section 106 Agreement being signed by 09 February 2024, securing the following Heads of Terms:

- **Bus Stop Infrastructure at both the A24 northside bus stop and A24 southside bus stop, to include shelters and real time passenger information**
- **Push button controlled pedestrian crossing facilities on London Road**
- **A 3m wide footway on both the London Road and Ewell Bypass frontages to the Site**
- **Travel Plan Auditing fee of £6,150**

Part B

If the Section 106 Agreement referred to in Part A is not completed by 09 February 2024, the Head of Planning is authorised to refuse the application for the following reason:

In the absence of a completed legal obligation under section 106 of the Town and Country Planning Act 1990) as amended), the applicant has failed to comply with Policy CS16 of the Core Strategy (2007) and Policies DM36 and DM37 of the Development Management Policies Document (2015)

Conditions

1) Timescale

The development hereby permitted shall be begun before the expiration of three years from the date of this permission

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

2) Approved details

The development hereby permitted shall be carried out in accordance with the following approved plans: 420(SP)01 - Location Plan

420(SP)03 Rev P00 - Proposed Site Plan

420(SP)04 Rev P00 - Proposed Ground Floor Site Plan

GA 420(GA)01 Rev P00 - Proposed Basement Floor GA
420(GA)02 Rev P00 - Proposed Ground Floor GA
420(GA)03 Rev P00 - Proposed First Floor GA
420(GA)04 Rev P00 - Proposed Second Floor GA
420(GA)05 Rev P00 - Proposed Third Floor GA
420(GA)06 Rev P01 - Proposed Fourth Floor GA
420(GA)07 Rev P00 - Proposed Roof Plan GA
420(GA)20 Rev P00 - Proposed Elevations GA - Proposed Streetscapes
420(GA)21 Rev P00 - Proposed Elevations GA - Southwest
420(GA)22 Rev P00 - Proposed Elevations GA - Southeast
420(GA)23 Rev P00 - Proposed Elevations GA - Northwest
420(GA)24 Rev P00 - Proposed Elevations GA - Northeast
D0456_001_C - Landscape Proposal Hard works
D0456_002_D - Landscape Proposal Soft works

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) Materials

Prior to the commencement of development, details 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) Construction Transport Management Plan

No development shall commence until a Construction Transport Management Plan, to include details of:

- a) parking for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) storage of plant and materials
- d) programme of works
- e) provision of boundary hoarding behind any visibility zones
- f) HGV deliveries and hours of operation
- g) vehicle routing
- h) measures to prevent the deposit of materials on the highway
- i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- j) on-site turning for construction vehicles (or measures for traffic management)
- k) has been submitted to and approved in writing by the Local Planning Authority.
Only

- l) 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. To support the sustainable development objectives of the National Planning Policy Framework 2023

5) Means of enclosure

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, in consultation with the Highway Authority in respect of the details of the boundary treatment at the southernmost corner of the site. Development shall be carried out in accordance with the approved details prior to the development first being occupied and shall thereafter be retained

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

6) Travel Plan

Prior to the occupation of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide", and in general accordance with the 'Heads of Travel Plan' document (if appropriate, specify).

And then the approved Travel Plan shall be implemented (trigger point to be added on site specific basis) and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. To support the sustainable development objectives of the National Planning Policy Framework 2023

7) London Road access

No part of the development shall be first occupied unless and until the proposed vehicular access to London Road 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 (in general accordance with drawing SK01 Rev G contained in the Transport Assessment, June 2023) 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. To support the sustainable development objectives of the National Planning Policy Framework 2023

8) EV charging

The development hereby approved shall not be occupied unless and until each of the proposed 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 order that the development should not prejudice highway safety nor cause inconvenience to other highway users. To support the sustainable development objectives of the National Planning Policy Framework 2023

9) Car Park Management Plan

Prior to occupation of the development hereby approved, a Car Park Management Plan, to identify and manage the users of the parking spaces (including but not limited to residents, staff, visitors) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the Car Park Management Plan shall be implemented in accordance with the approved details.

Reason: In the interests of road safety and to prevent obstruction of the highway and public areas by inappropriate overspill parking. To support the sustainable development objectives of the National Planning Policy Framework 2023

10) SuDS details

The development hereby permitted shall not commence until details of the design of a surface water drainage scheme (with reference to the revised drainage strategy set out in EAS letter dated 8 September 2023) have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non- Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. Associated storage volumes shall be provided using an infiltration-based strategy.
- b) 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.). Including details of the rainwater planters.
- c) 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 from increased flood risk. Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.

- d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- e) 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.

The agreed scheme must be implemented prior to the commencement of development and maintained throughout the lifetime of the development.

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.

11) SuDS verification report

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 surface water 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), and confirm any defects have been rectified

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS

12) Piling Method Statement

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling

13) Nitrogen dioxide assessment

Prior to first occupation of the development, the applicant shall submit a report to be approved in writing by the local planning authority, setting out the approach to reducing levels of nitrogen dioxide in the ground floor residences to acceptable concentrations. The report shall include modelling to predict internal concentrations under a range of circumstances, demonstrate the degree by which occupants can open windows, the frequency of filter changes necessary to maintain efficiency, report the specification of the proposed mechanical system and include sufficient calculations to show the necessary filter dwell time and air volume movement is being achieved.

The agreed scheme must be implemented prior to the occupation of the development and maintained throughout the lifetime of the development.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy DM10 of the Development Management Policies 2015

14) Noise treatment details

No development shall take place until a scheme for the suitable treatment of all plant and machinery against the transmission of noise has been submitted to and approved in writing by the local planning authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and thereafter retained as such

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

15) Internal noise criteria details

Prior to first occupation of the development, the applicant shall submit a report to be approved in writing by the local planning authority setting out the proposed glazing specification and room ventilation approach to include sufficient calculations for compliance with the internal noise criteria contained within BS 8233:2014 and the ANC/loA Acoustics Ventilation and Overheating Residential Design guide. Such a report shall form the basis of noise and overheating assessment and sufficient mitigation strategies for both shall be defined

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

16) Ground/groundwater contamination

A desk study has been submitted with this planning application. A detailed scheme of risk management shall be designed and submitted to the Local Planning Authority for approval, prior to the commencement of development, if ground/groundwater contamination, filled ground and/or ground gas is found to present unacceptable risks.

If ground/groundwater contamination, filled ground and/or ground gas is found to present unacceptable risks, a detailed scheme of risk management measures shall be designed and submitted to the Local Planning Authority for approval, prior to the commencement of development

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite

receptors, in accordance with Policy DM17 of the Development Management Policies 2015 and the National Planning Policy Framework

17) Remediation scheme

Prior to any occupation of the site, the approved remediation scheme, if required under Condition 16, prepared must be carried out in accordance with its terms. Following completion and prior to occupation, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM17 of the Development Management Policies 2015 and the National Planning Policy Framework

18) Pedestrian splays

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 London Road, the depth measured from the back of the footway and the widths outwards from the edges of the access. No obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays

19) Stopping up of existing access

The development hereby approved shall not be first occupied unless and until the existing access from the site to London Road has been permanently closed and any kerbs, verge, footway, fully reinstated

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. To support the sustainable development objectives of the National Planning Policy Framework 2023

20) Parking and turning

The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for 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. To support the sustainable development objectives of the National Planning Policy Framework 2023

21) Cycle parking

The development hereby approved shall not be first occupied unless and until the facilities for the secure parking of bicycles within the development site has been provided in accordance with the approved plans and thereafter shall be retained and maintained to the satisfaction of the Local Planning Authority

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. To support the sustainable development objectives of the National Planning Policy Framework 2023

22) Unexpected contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. In that event, an investigation and risk assessment must be undertaken and where remediation is deemed necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM17 of the Development Management Policies 2015 and the National Planning Policy Framework

23) Hours of work

Works related to the construction of the development hereby permitted, including works of demolition or preparation prior to building operations shall not take place other than between the hours of 08.00 to 18.00 hours Mondays to Fridays; 08.00 to 13.00 hours Saturdays; with no work on Saturday afternoons (after 13.00 hours), Sundays, Bank Holidays or Public Holidays

Reason: In order to safeguard the amenities of the occupiers of neighbouring properties in accordance with Policy DM10 of the Development Management Policies 2015

24) Compliance with Reptile Survey

The development hereby approved shall be carried out in accordance with the protection, mitigation, recommendation and enhancement measures detailed in the (WE) Ecological Appraisal Report, dated June 2023 and the (WE) Reptile Survey, dated June 2020. The approved measures shall thereafter be maintained

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

25) Compliance with Sustainability Report

The development hereby approved shall be carried out in accordance the Energy and Sustainability Report, dated May2023. The approved measures shall thereafter be maintained.

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)

26) Landscape design proposal

The development shall take place in accordance with D0456_001_C - Landscape Proposal Hard works and D0456_002_D - Landscape Proposal Soft works. The 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

Informatives

- 1) The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway 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 (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see: <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see: www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice
- 2) 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)

- 3) The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment
- 4) Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage
- 5) It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:
<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types
- 6) Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway
- 7) The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service
- 8) Sub ground structures should be designed so they do not have an adverse effect on groundwater
- 9) If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on SCC LLFA's website. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards. Sub ground structures should be designed so they do not have an adverse effect on groundwater. If there are any further queries please contact the Flood Risk, Planning, and Consenting Team via SUDS@surrey.gov.uk.

- 10) As required by Building Regulations part H, paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.
- 11) Thames Water would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharged into the public sewer.
- 12) Thames Water would advise that management of surface water from new development should follow Policy SI 13 Sustainable Drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services would be required,
- 13) Thames Water recommend that petrol/oil interceptors be fitted in all car parking/washing/repair facilities.
- 14) There are public sewers crossing or close to the Site. If significant work is planned near to the sewers, it's important that you minimise risk of damage. The Applicant is advised to read Thames Water's guide to working near to or diverting pipes.
- 15) Thames Water advises the Applicant that the development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The Applicant is encouraged to read the Environment Agency's approach to groundwater protection and may wish to discuss implications for their development with a suitably qualified environmental consultant.

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Former Police Station, Church Road, Epsom, KT17 4PS

Application Number	22/00923/FUL
Application Type	Full Planning Permission (Major)
Address	Former Police Station, Church Road, Epsom, KT17 4PS
Ward	Town Ward
Proposal	Demolition of the existing police station (Use Class E) and ambulance station (Sui Generis) and erection of a new residential, nursing and dementia care home for the frail elderly (Use Class C2) comprising ancillary communal facilities and dementia care, basement parking, reconfigured vehicular access onto Church Street, landscaping and all other associated works.
Recommendation	Approval, subject to conditions and informatives
Expiry Date	13 November 2023
Contact Officer	Gemma Paterson
Reason for Committee	Major development



SUMMARY

1 Summary and Recommendation

- 1.1 The application is recommended for approval, subject to the completion of a Section 106 agreement to deliver highway improvements and conditions and informatives. In the event that the Section 106 Agreement is not completed by 09 February 2023, the Head of Place is authorised to refuse the application.
- 1.2 The application is classified as a Major planning application and is referred to Planning Committee in accordance with Epsom and Ewell Borough Council's Scheme of Delegation.
- 1.3 The application seeks planning permission for the demolition of the existing building and the construction a new residential, nursing and dementia care home for the frail elderly (Use Class C2) providing 85 bedrooms, ancillary communal facilities and dementia care, basement parking, reconfigured vehicular access onto Church Street, landscaping and all other associated works.
- 1.4 The proposed Care Home falls within Use Class C2 ("residential institutions") of the Town and Country Planning (Use Classes) Order 1987 (as amended), which defines Class C2 use as "Use for the provision of residential accommodation and care to people in need of care (other than a use within Class C3 (dwelling houses). Use as a hospital or nursing home. Use as a residential school, college, or training centre"
- 1.5 The proposal would meet a housing need identified by County Council Adult Services and the Council's Housing and Economic Development Needs Assessment by providing 85 residential/nursing bedspaces in the Borough.
- 1.6 The proposal would contribute the equivalent of 47 residential units towards the Council's housing target.
- 1.7 The scheme does not propose any affordable housing provision on site. Although a key requirement of Policy E17g of Plan E is a site-specific policy which seeks new development to secure at least 20 affordable homes on this site, this would only be expected in the case a Class C3 use was proposed on site as there is no requirement under the Council's affordable housing policy to secure affordable housing for Class C2 use.
- 1.8 The proposal would result in less than substantial harm to the setting of designated heritage assets. This harm leads to a presumption against granting planning permission when the public benefits arising from the proposal are weighed in the balance (giving considerable importance and weight to the desirability of preserving the setting and the features of

special architectural and historic interest of the surrounding heritage assets). However, in this case, the public benefits are considered to outweigh the less than significant harm arising from the proposal.

- 1.9 The proposal would result in the loss of three trees within the site, all of which have limited public amenity value and the proposal would successfully retain and protect the remaining trees on site. 25 new trees would be planted on the site, including provision for the replacement of an existing highway tree, should this fail within five years of the operation of the development.
- 1.10 The provision of amenity provided within this scheme is regarded to be sufficient to meet the recreation needs of future occupiers.
- 1.11 The scale and form of the proposal would be suitable in its surrounding context, with the architectural design considered to respond sympathetically to the surrounding built form, but with a contemporary use of materials. It has also been satisfactorily demonstrated that a development of this scale could be provided on the site without have a harmful impact on neighbouring residential amenity or without sterilising future development on the adjoining site.
- 1.12 The proposed development would not result in any significant increase in traffic generation to an extent that would result in any issues to highway safety or to the operation of the highway network.
- 1.13 Although the proposal would not meet the Council's parking standards, the site is in a highly sustainable location with access to a number of public transport modes and the displaced parking can be accommodated in adjacent public car parks without conflicting with the operation of the existing highway network or causing inconvenience to existing residents and would not cause harm to the overall character and appearance of the surrounding area.
- 1.14 The provision of amenity provided within this scheme is regarded to be sufficient to meet the recreation needs of future occupiers.
- 1.15 It has also been satisfactorily demonstrated that a development of this scale could be provided on the site without having a harmful impact on neighbouring residential amenity or sterilising future development on the adjoining site.
- 1.16 It is noted that the Council's Transport and Waste Services Manager has a concern about the efficiency of collection from the proposed one-way system of the site, but in this case, the proposal fully meet the Council's waste and recycling policy requirements (see Section 15 for further discussion).

- 1.17 The application is supported by robust documentation to allow the Council to carry out its statutory duty to the care of protected species and the proposal would increase the habitat on site, to an equivalent of 49.6% biodiversity gain.
- 1.18 The proposal includes sustainable development measures such as renewable resources (solar panels, air source heat pumps and mechanical ventilation), as well as sustainable construction methods.
- 1.19 The proposal would not increase the risk of flooding from any fluvial or pluvial sources at or around the site, and mitigation measures would be conditioned to reduce the risk of groundwater flooding from the presence of the proposed basement and SuDS attenuation measures.
- 1.20 The proposal would not increase the risk from land contamination to controlled waters, ecological systems and on site/off site receptors.
- 1.21 It has been demonstrated that there would not be any detectable effect on health or quality of life for the future occupiers of the site or neighbouring occupiers due to operational noise.
- 1.22 There would be no adverse archaeological implications associated with the proposed development.
- 1.23 It has been demonstrated that the proposal is in compliance with the Fire Safety Order in respect of means of warning and escape in case of fire.
- 1.24 Plans and supporting documentation for the planning application and representations for or against the proposal, if any, are held electronically on the Council's website at [Former Police Station](#) correct at the time of publication.
- 1.25 A [glossary of Planning terms and acronyms](#) is available to view on the Council's website.

KEY INFORMATION

	Existing	Proposed
Site Area	0.35 hectares	
Floor Space	1,469m ²	4,780m ²
Car Parking Spaces	56	30
Cycle Parking Spaces	10	10

SITE AND PROPOSAL

2 Description of Site

- 2.1 The application site consists of the existing 1960's buildings containing the former Epsom Police Station and the ambulance station. The site has a total area of 0.35 hectares. The existing Police Station is a part 2 storey, part 3 storey building and the ambulance station is single storey with four ambulance bays. The site also contains car parking to the rear.
- 2.2 The built form surrounding the site is diverse in scale, varying from 2-3 storeys in the immediate vicinity, with new developments of 4-6 storeys extending towards the primary core area of the Epsom Town Centre.
- 2.3 The site shares a boundary with the Church Street Conservation Area and falls within the setting of a number of listed buildings, notably The Hermitage (Grade II) and The Cedars (Grade II*).

3 Description of Proposal

- 3.1 The proposed development involves the demolition of the existing buildings and the erection of a three to five storey building containing 85 bed spaces for a residential, nursing and dementia care home (Class C2).
- 3.2 The accommodation would comprise of 85 single occupancy bedrooms, each equipped with a full en-suite wetroom. A number of communal areas are proposed on each floor, including lounges, dining areas and assisted bathrooms. Shared facilities such as a shop, cinema, hairdresser and treatment room are also proposed at ground floor level internal to the building.
- 3.3 There would be two external communal landscaped areas comprising a courtyard garden interconnecting footpaths and seating, with the second including a sensory garden and bowls and croquet lawn.
- 3.4 The design of the proposed development features three distinct variations in height, with the Church Street elevation comprising four storeys, reducing to part four and part three storeys in the south east corner of the site, reducing further to part two storeys, part three storeys in the south west, adjacent to The Parade.
- 3.5 The existing access arrangements onto Church Street would be reconfigured, with new separate arrangements for entering and existing the site. The entering arrangement would also provide direct access to a basement car park.

- 3.6 30 vehicle parking spaces would be provided within the basement, including 2 no. blue badge spaces and 7 no. electric vehicle parking spaces. A drop off bay is provided immediately in front of the building, with a further blue badge space proposed within the Church Street frontage, providing 31 no. vehicle parking spaces in total.

Amendments received 21 July 2023

- 3.7 In April 2023, Officers raised concerns in respect to the overall scale, form, design and materials of the proposed built form and the subsequent impact this would have on the significance of the setting of the Conservation Area and surrounding designated heritage assets, as well as harm to the future health and wellbeing of trees to be retained on site. A Design Review Panel convened on 26 May 2023 to undertake a review of the scheme, which was subsequently amended to reflect the recommendations of the Panel as follows:

- The height of the development reduced by one storey, with a corresponding reduction in scale, giving rise to 86 beds (originally the scheme comprises 96 beds).
- The fenestration and size of the building entrance revised to suit the new proportions.
- The glazing at ground floor level brought forward to be flush with the surrounding brickwork.

Amendments received 15 September 2023

- 3.8 Following continued concerns from the Council's Tree Officer in respect of the future health and wellbeing of trees to be retained on site, further amendments to the scheme were received on 15 September 2023, comprising:

- Reconfiguring and reducing the width of the southern 'out' access adjacent to T5 in order that the southern kerb line is the same as existing and resulting in the northern kerblines being in the position of the innermost kerb as shown in the attached photographs.
- A new tree located south of T3, adjacent to the northernmost 'in' access.
- Two new trees in the place of T4 should this tree die within 4 years of construction (an annotation to this effect is shown on the amended landscape plans).
- A change to the red line boundary showing T4, T5 and the proposed replacement trees on the verge as part of the site.
- The position of the ramp amended in line with the draft drawings previously provided
- A reduction in the size of the scheme by 1 bed to 85 beds in total because of the above ramp amendments.

CONSULTATIONS

External Consultees

Environment Agency	No objection subject to conditions
Highway Authority	No objections subject to securing off site highway improvements through a Section 278 Agreement and the imposition of conditions.
Surrey Archaeology	No objections, subject to imposition of conditions
Lead Local Flood Authority	No objections subject to imposition of conditions. SLR appear to have extensively reviewed and considered any potential groundwater impacts that could result from the development
Fire Service	No objections subject to informatives
Thames Water	No objections subject to informatives

Internal Consultees

Trees	No objection subject to conditions
Ecology	No objection subject to conditions
Conservation	Less than substantial harm to heritage assets
Land Contamination	No objection subject to conditions
Waste	Objection

Public Consultation

Neighbours	<p>The original scheme was advertised by means of a site and press notice, and letters of notification to neighbouring properties. Two letters of objection had been received and the issues raised are summarised as follows:</p> <ul style="list-style-type: none"> • The proposal would increase the ground water levels, causing issues to neighbouring properties • Potential flood risk arising from basement car park • Noise and disruption cause by the demolition and construction phase • The material of the proposed roof is not appropriate for the Conservation Area • Parking levels would result in overspill on street • Concern about the over proliferation of specialist elderly concern in the Borough • Special protection required for retained trees <p>Amendments received 21 July 2023 were advertised by means of a site and press notice, and letters of notification to neighbouring properties. 10 letters of objection were received,</p>
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	<p>two of which came from occupants of 42 The Parade and three of which came from 50 The Parade, and the issues raised are summarised as follows:</p> <ul style="list-style-type: none"> • Overlooking to 39 The Parade • Loss of light to 39 The Parade • Overlooking to adjacent properties • Basement car park may affect the groundwater levels • Materials not in keeping • Loss of screening to 50 The Parade through removal of trees • Increase in ambient noise levels caused by air conditioning and air source heat pump • Overspill parking on street caused by staff • Noise/disturbance from demolition and construction phase <p>Amendments received 15 September 2023 were advertised by means of a site and press notice, and letters of notification to neighbouring properties. 1 letter of objection and 1 letter of further information has been received and the issues raised are summarised as follows:</p> <ul style="list-style-type: none"> • Groundwater flooding episodes have not fully been addressed and the development poses an increased risk to neighbouring properties by displacement of groundwater flows • Further information in respect to the historic groundwater flooding in the location and several other locations within the vicinity of the site <p>The comments material to the planning merits of this proposal are addressed within the contents of this report.</p>
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PROPERTY HISTORY

App No.	Description	Status
19/01589/FUL	Erection of 60 Extra Care apartments for older persons with associated communal facilities, parking and landscaping (C2 use class) following the demolition of the existing buildings	Withdrawn 19/02/2021
17/01586/FUL	Demolition of the former police station, and the erection of two residential blocks comprising a total of 29 residential units (11x1bed, 11 x2 bed and 7x3 bed), with associated car parking and landscaping (part of site only)	Granted 01/02/2020 (Lapsed)

SITE CONSTRAINTS

- Built Up Area
- Town Centre
- Local Centre
- Opportunity Site
- Tree Preservation Order
- Church Street Conservation Area (adjacent)
- Archaeological Site
- Site of Special Scientific Interest Risk Area

PLANNING POLICY AND GUIDANCE

National Planning Policy Framework 2023 (NPPF)

- Section 2: Achieving Sustainable Development
- Section 5: Delivering a Sufficient Supply of Homes
- Section 6: Building a Strong, Competitive Economy
- Section 8: Promoting Healthy and Safe Communities
- Section 9: Promoting Sustainable Transport
- Section 11: Making Effective Use of Land
- Section 12: Achieving Well-Designed Places
- Section 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Section 15: Conserving and Enhancing the Natural Environment
- Section 16: Conserving and Enhancing the Historic Environment

Epsom and Ewell Core Strategy 2007 (CS)

- Policy CS1: Sustainable Development
- Policy CS3: Biodiversity and Designated Nature Conservation Areas
- Policy CS5: The Built Environment
- Policy CS6: Sustainability in New Development
- Policy CS7: Housing Provision
- Policy CS8: Broad Location of Housing Development
- Policy CS16: Managing Transport and Travel

Epsom and Ewell Development Management Policies Document 2015 (DMPD)

- Policy DM4: Biodiversity and New Development
- Policy DM5: Trees and Landscape
- Policy DM8: Heritage Assets
- Policy DM9: Townscape Character and Local Distinctiveness
- Policy DM10: Design Requirements for New Developments
- Policy DM12: Housing Standards
- Policy DM13: Building Heights

- Policy DM17: Contaminated Land
- Policy DM19: Development and Flood Risk
- Policy DM21: Meeting Local Housing Needs
- Policy DM31: Safeguarding Small-Scale Retail Provision
- Policy DM35: Transport and New Development
- Policy DM36: Sustainable Transport for New Development
- Policy DM37: Parking Standards

Epsom Town Centre Area Action Plan 2011 (Plan E)

- Policy E1: Town Centre Boundary
- Policy E17: Emergency Service Uses Site

Other Documentation

- Planning Practice Guidance 2021 (NPPG)
- Surrey County Council Commissioning Statement 'Accommodation with care residential and nursing care for older people Epsom and Ewell Borough April 2019 onwards'
- Strategic Housing Market Assessment Update 2019
- Council's Housing and Economic Development Needs Assessment 2023
- Making the Efficient Use of Land – Optimising Housing Delivery 2018
- Strategic Housing Market Assessment Update 2019
- Surrey County Council Vehicular and Cycle Parking Guidance 2021
- Parking Standards for Residential Development SPD 2015
- Revised Sustainable Design SPD 2016
- Historic England guidance: The Setting of Heritage Assets
- Church Lane Conservation Area Appraisal 2009

APPRAISAL

4 Presumption in Favour of Sustainable Development

- 4.1 Paragraph 11 of the NPPF stipulates that development proposals which accord with an up-to-date development plan should be approved and where a proposal conflicts with an up-to-date development plan, permission should not usually be granted. Currently, the Council does not have an up-to-date development plan on account of not being able to demonstrate a five-year supply of housing.
- 4.2 Paragraph 11(d) is engaged where the Council's policies which are most important for determining the application are out-of-date. The practical application and consequence of this is that unless the site is in an area or affects an 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 would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.

- 4.3 Footnote 7 to paragraph 11d identifies designated heritage assets as being assets of particular importance. Notwithstanding this, following the tests of paragraph 202 of the NPPF, there are no policies within the NPPF which provide a clear reason for refusal. The proposal therefore falls to be considered within paragraph 11d(ii) of the NPPF and when considering the principle of development, the presumption in favour of sustainable development is fundamental in this case.

5 Principle of Development

Location of Development

- 5.1 The site is located within the built-up area of Epsom and the principle of development is acceptable in terms of the principles, objectives and policies in the CS, the DMPD and supporting guidance and documents.
- 5.2 Paragraph 60 of the NPPF 2023 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.
- 5.3 Paragraph 62 of the NPPF 2023 states that the housing needed for different groups in the community should be assessed and reflected in planning policies, including the needs of older people and people with disabilities.
- 5.4 The NPPG states that the need to provide housing for older people is critical and that the proportion of older people in the population is increasing. The NPPG goes on to say that giving older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems
- 5.5 Policy E17g of Plan E, Epsom Town Centre Area Action Plan 2011 identifies the site as the Emergency Services Site, which is a strategic site for future development within Epsom Town Centre. Proposals for the redevelopment of the Emergency Services Site will require (inter alia) the delivery of up to 50 residential units, including at least 20 affordable homes.
- 5.6 The site is coming forward as a site allocation for residential development under the Council's Emerging Local Plan (SA2). However, notwithstanding that the Local Plan has completed the Regulation 18 consultation, it is still at a relatively early stage of the preparation process, limited weight is given to plan as a material consideration in this application.

- 5.7 The surrounding area is mixed commercial, community and residential in character and appearance given its town centre location. Although current planning policy seeks Class C3 use on the site, the proposal would count as 47 new homes under the Housing Test Measurement Rule Book. Given the significant housing need within the Borough and the need to provide homes for mixed communities, the redevelopment of this site at a higher density creating additional specialist residential units within a sustainable location could be acceptable in principle, subject to the other material planning considerations identified below.

Loss of Existing Use

- 5.8 The principle of the loss of the existing emergency services hubs and health clinic use has been established under Policy E17g of Plan E, Epsom Town Centre Area Action Plan 2011 and, in the case of the former Police Station, by the granting of planning application 17/01586/FUL

Planning Needs Assessment

- 5.9 Strategic Housing Market Assessment Update 2019 forecasts the number of those aged 65 or over in Epsom and Ewell to increase by 4,500 to be 19,500 by 2035 and that there are projected increases in health conditions in older people, most notably an increase of 36% in people with mobility difficulties and a 40% increase in people with dementia.
- 5.10 The Surrey County Council Commissioning Statement 'Accommodation with care, residential and nursing care for older people Epsom and Ewell Borough April 2019 onwards' supports the increase in bed demand for Epsom and Ewell, identifying a need for 100 residential care home beds and 181 nursing care beds (a total need of 281 beds) by 2025 and 156 residential care home beds and 251 nursing care beds (a total need of 407 beds) by 2035.
- 5.11 The Council's Housing and Economic Development Needs Assessment 2023 identifies at Table 72 of paragraph 16.75 that there is a current shortfall of 313 residential/nursing bedspaces in the Borough. Paragraph 16.72 identifies that there will be a total additional demand for 732 residential/nursing bedspaces in the Borough by 2040, a figure that includes the current 313 spaces shortfall.
- 5.12 Policy DM21 of the Development Management Policies Document 2015 states that the Council will grant planning permission for specialised forms of residential accommodation subject to (inter alia) the application document including clear and robust evidence that there is a need for the new accommodation and that the delivery of the new

accommodation does not result in an over provision of that particular type of accommodation.

- 5.13 Paragraph 4.9 of the Development Management Policies Document 2015 identifies the importance of ensuring that new housing developments provides a choice and mix of housing so that the borough continues to be comprised of balanced and sustainable communities.
- 5.14 The application is supported by a Planning Needs Assessment, prepared by Carterwood and dated February 2022. The review identifies that demand for high dependency nursing and dementia care provision will continue to rise in line with the growing elderly demographic and there is an identified need for 1,158 additional residential/nursing beds by 2034.
- 5.15 The Planning Needs Assessment undertakes a quantitative assessment for the needs for the proposed care home on two bases; a market catchment area, calculated as 4 miles within the site, and secondly within the Local Authority boundary.
- 5.16 In considering existing supply of market standard bedspaces (which is defined as a registered bedroom providing a minimum of an ensuite WC and wash basin) the Planning Needs Assessment identifies are 53 care homes in the market catchments area, totalling 2,115 registered bedspaces, 698 of which have wetrooms. Within the Local Authority boundary, there is an existing supply of 9 care homes with 345 registered bedspaces, none of which have wetrooms.
- 5.17 The Planning Needs Assessment also assesses the existing supply of dedicated dementia care. Within market catchment area there are 612 registered bedspaces, 280 with ensuite wetrooms. Within the Local Authority boundary, there are 142 registered bedspaces, none of which have ensuite wetrooms.
- 5.18 The Planning Needs Assessment also considers the planned supply of bedspace provision up to 2024, based upon planning applications submitted within the last three years. The Assessment has taken the view that any applications older than three years would either have been developed and therefore included in the existing supply or unimplemented. There is no opposition to this approach. This research was carried out in February 2022.
- 5.19 Furthermore, since this research in February 2022, the Council has granted permission for a 70 bedroom care home, suitable for specialist dementia care at 65 London Road (22/00728/FUL), which is extant. Figures within the Planning Needs Assessment have therefore been adjusted by Officers to take into consideration the planned bedspaces of this approved permission.

- 5.20 The planned supply identifies 286 bedspaces created from new development within the market catchment area (adjusted from 216), 142 bedspaces of which would be specialist dementia bedspaces (adjusted from 72). Within the Local Authority boundary, there are 135 planned bedspaces created from new development (adjusted from 65), 94 of which would be specialist dementia bedspaces (adjusted from 24).
- 5.21 The Planning Needs Assessment has therefore considered both the existing and planned supply of bedspaces in the market catchment area and Local Authority boundary when forecasting the 2024 need.
- 5.22 It should be noted that the Guild Living development at Epsom General Hospital has not been included in the planned supply, as that development represents extra care/assisted living and not defined as a care home. The need for these two types of accommodation is always considered separately because, whilst housing with care does deliver an element of care, it is aimed at people who are slightly more independent and not individuals who require a high level of care/are approaching the end of life as in a care home.
- 5.23 The 2024 needs analysis summary in the Planning Needs Assessment identifies a net need for an additional 106 market catchment elderly ensuite bedspaces (adjusted from 176) and 217 Local Authority ensuite bedspaces, (adjusted from 287). For specialist dementia ensuite bedspaces, the net need for the market catchment area is 217 ensuite bedspaces (adjusted from 287) and the Local Authority need is 71 elderly ensuite bedspaces (adjusted from 141).
- 5.24 There is also an identified need for 1,024 wetroom bedspaces (adjusted from 1,094) for market catchment need and a Local Authority boundary need for 470 wetroom ensuite bedspaces (adjusted from 540). For specialist dementia wetrooms, the net need for the market catchment area is 407 wetroom bedspaces (adjusted from 477) and the Local Authority need is 156 wetroom bedspaces (adjusted from 266).
- 5.25 The Planning Needs Assessment has also forecasted, at paragraph 16.5, the future need for Local Authority boundary bedspaces in 2034, indicating a need for an additional 444 bedspaces. This is in line with the projected 2035 forecast of the Surrey County Council Commissioning Statement, identifying the future needs as 407 bedspaces.
- 5.26 Officers are therefore satisfied that there is a current identified need for a development of 85 bedspaces with wetrooms in the Borough. This is supported by the Surrey County Council Adult Social Care Officer, who has noted that the Borough has fewer care homes than its neighbours, meaning that people in general are more likely to move out of the area for care home placements. The proposal would therefore meet the first criterion of Policy DM21 of the Development Management Policies

Document 2015, the policy which seeks to provide specialised forms of residential accommodation

- 5.27 In response to the second criterion of Policy DM21 of the Development Management Policies Document 2015, given the extent of the identified need, Officers are satisfied that the proposal would not result in an over provision of care accommodation in the locality.
- 5.28 Finally, as the proposal would provide accommodation within a fully serviced building, Officers are satisfied that the design of the proposal would be sufficiently flexible to allow the building to be readily converted to other uses, in the event the need of the permitted use declined. This would satisfy the third criterion of Policy DM21 of the Development Management Policies Document 2015.

6 Housing Need

- 6.1 The NPPF 2023 requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of supply against housing requirements. In the absence of an up-to-date Local Plan, for the purposes of this calculation it is the standard housing methodology requirement that applies.
- 6.2 The Council has calculated its five year housing land supply position as being 1.56 years. Epsom & Ewell Borough Council is presently falling significantly short of this requirement and cannot presently demonstrate five years housing land supply.
- 6.3 Paragraph 11 of the Housing Delivery Test Measurement Rule Book provides a nationally prescribed formula for converting communal accommodation, such as extra-care units, into the equivalent number of net homes delivered. The accommodation from this scheme would provide 47 residential units.
- 6.4 E17g of Plan E, Epsom Town Centre Area Action Plan 2011 identifies the site as the Emergency Services Site, which is a strategic site for future development within Epsom Town Centre. Proposals for the redevelopment of the Emergency Services Site will require (inter alia) the delivery of up to 50 residential units, including at least 20 affordable homes.
- 6.5 As part of the key requirement of Policy 17g of Plan E 2011 is to deliver up to 50 units, the proposal would meet this key requirement, in that it would contribute 47 residential units towards delivering the Council's housing target and would therefore be consistent with the Framework and Council policy in so far as it seeks to significantly boost the supply of homes. This is a significant benefit of the scheme.

7 Affordable Housing

- 7.1 Paragraph 65 of the NPPF 2023 states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% unless the proposal provides specialist accommodation for groups of people with specific needs (such as purpose built accommodation for the elderly or students)
- 7.2 Policy E17g of Plan E, Epsom Town Centre Area Action Plan 2011 identifies the site as the Emergency Services Site, which is a strategic site for future development within Epsom Town Centre. Proposals for the redevelopment of the Emergency Services Site will require (inter alia) the delivery of up to 50 residential units, including at least 20 affordable homes.
- 7.3 Although there is no requirement under the NPPF 2023 or Policy C9 of the Core Strategy 2007 to secure affordable housing for a Class C2 development, a key requirement of Policy E17g of Plan E seeks new development to secure at least 20 affordable homes on the site.
- 7.4 The proposal does not seek to provide any affordable housing at the site. This policy conflict would therefore be an adverse impact of the application to be weighted in the planning balance.

8 Impact on Heritage Assets

- 8.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, states that in considering applications which affect Listed Buildings, Local Planning Authorities must 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.
- 8.2 The desirability of preserving the settings of listed buildings should not simply be given careful consideration for the purpose of deciding whether there would be some harm but should be given 'considerable importance and weigh' when carrying out the balancing exercise.
- 8.3 Additionally, the NPPF 2023 attaches great importance to the conservation and enhancement of the historic environment. Paragraph 199 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 (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.
- 8.4 Paragraph 200 of the NPPF 2023 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or

destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional

8.5 Paragraph 201 of the NPPF 2023 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

8.6 Paragraph 202 of the NPPF 2023 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.

8.7 Significance can be harmed through development within a heritage assets setting. Whilst there is no statutory protection for the setting of a Conservation Area, paragraph 200 of the NPPF 2023 requires that consideration be given to any harm to or loss of significance of a designated asset, which includes Conservation Areas, from development within its setting.

8.8 This is further supported by paragraph 206 of the NPPF 2023 which states that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”

8.9 Appendix 2 Glossary of the NPPF 2023 defines setting of a heritage assets as the surroundings in which a heritage asset is experienced.

Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

- 8.10 Policy DM8 of the Development Management Policies Document 2015, sets out 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.
- 8.11 Policy E17g of Plan E, Epsom Town Centre Area Action Plan 2011 for the redevelopment of the Emergency Services Site will require (inter alia) the design of future proposals to maintain and enhance the setting of the adjoining conservation area.
- 8.12 The site shares a boundary with Church Street Conservation Area and was the site of one of the many large houses situated along Church Street. The Conservation Area formed the earlier site of Epsom which migrated further west to the modern day High Street after a new settlement was set out by Chertsey Abbey. The early nature of the settlement around Church Street is not only evident in the late medieval Church of St Martin, but also in the Grade II listed Hermitage which sits directly opposite the application site. This building dates to 1600 and is unusual in Epsom as a survival in the local area dating from before the arrival of the spa town later. Key elements include its scale, elevational appearance, steep pitched clay tile roof and central chimney stack. The location of the building is important as it reveals the boundary of the Conservation Area and the transition from the more modern part of Epsom into the earlier part of its medieval history.
- 8.13 Further along the Church Street are larger houses built following the development of Epsom as a spa town from the mid-17th century. The nearest example to the development site is The Cedars which is Grade II* Listed and dates from the late 17th to early 18th century marking a change in architectural styles at the time. The building would have one point been similar to The Hermitage and is believed to have been converted from the original structure rather than entirely rebuilt. The building is significant as one of the many good quality late 17th and early 18th century houses built in Epsom at this time.
- 8.14 From the early 19th century smaller cottages were built to the north-west of the Conservation Area, one of the earliest being the Grade II listed Ashley Cottages. These would have faced on to the boundary of a house

owned by George Brown at the time of the 1842 Epsom tithe map. The building is important as one of the earlier examples of a vernacular pair of cottages built during the 19th century. Further good quality houses followed and were built around Laburnum Road, The Parade, Worple Road and Heathcote Road. This includes the locally listed 52 The Parade which has a similar relationship with the application site to Ashley Cottages.

- 8.15 The Hermitage (45 Church Street) is the oldest house in Epsom, the sole survivor from the pre-spa village, containing elements dating back to 1600.
- 8.16 Key elements which contribute to the character and appearance of the Conservation Area include the use of brick, painted weatherboarding and handmade tiles. These materials are evident on some of the later buildings within the Conservation Area which make a positive contribution to its character and appearance, such as 12 Church Street. Other key features include the range of historic buildings throughout the area from the 17th to 19th centuries, the variety of cottages and houses which contrast with the larger houses and the separation of the site from Epsom Town Centre.
- 8.17 Paragraph 194 of the NPPF 2023 requires proposals affecting heritage assets to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be sufficient to understand the potential impact of the proposal on their significance. The application is therefore supported by a Heritage Statement, prepared by Bidwells and dated July 2023 which concludes that the demolition of the existing buildings on site would have no impact on the setting of nearby built heritage assets and that the proposed new building would have no impact on the significance of the surrounding heritage assets.

Church Street Conservation Area

- 8.18 Paragraph 7.19 of the Heritage Assessment considers the site's current contribution to the significance of the Conservation Area, noting that 'the buildings on the site date from the second half of the twentieth century and bear no relation to the architectural style or scale of historic development within the Conservation Area. Furthermore, the composition of the buildings' elevations, most prominent on Church Street, are out of keeping with the residential buildings which characterise the Church Street Conservation'. The Heritage Assessment concludes that the buildings on the site make no contribution to the significance of the Conservation Area.
- 8.19 Paragraph 10.4 – 10.11 of the Heritage Assessment then considers the likely impact of the proposed development upon the Church Street Conservation Area, noting that the design of the building has since

evolved from the original submission as a result of the Council's requested design review and would therefore provide a high-quality, contextual design response to the site's surroundings, including through building height and roof form/materials. Paragraph 10.9 also suggests that there would be no abrupt revelation of the full volume of the building on approach to the Church Street Conservation Area, rather that the surrounding built form and established trees lining the street mean that the building would be gradually revealed.

- 8.20 Paragraph 10.10 of the Heritage Assessment appears to be seeking to address Officers concerns in respect of the original scheme of the site, noting that the design of the building has been articulated to mitigate any sense of massing inappropriate for the local context. Paragraph 10.11 concludes that the proposal would have a 'neutral impact upon the significance of the Conservation Area.
- 8.21 Although the Conservation Officer acknowledges that the existing buildings on the site do not make a positive contribution to the setting of the Church Street Conservation Area, they do benefit from being of a reasonable scale and a much greater degree of openness than the proposed scheme.
- 8.22 The Conservation Officer notes that the scale of the existing built form in the area gradually decreases when traversing away from the High Street towards the Church Street Conservation Area, where the built form is predominantly two and three storeys. The Council's Conservation Officer considers this to be an important transition from one part of Epsom to another and contributes to the setting of the Church Street Conservation Area.
- 8.23 Notwithstanding the Heritage Assessment conclusion that the building would not be an 'abrupt revelation', the Council's Conservation Officer considers the sudden appearance of built form of the height and massing proposed on approach to Church Street Conservation Area would appear immediate, unexpected and somewhat discordant with the current flow from the five storey buildings within the Town Centre to the low-rise suburban neighbourhood are in which the site sits.
- 8.24 The Conservation Officer also has concerns in respect of the bulk and massing of the proposed development, noting that it would appear domineering in its local surroundings. While the northern end of the elevation facing Church Street seeks to respond to this issue, the main block does not and forms a continuous massing along the road which does not reflect its surroundings. The Council's Conservation Officer notes that the proposal could also benefit from some more features on a human scale to reduce its incongruous appearance.
- 8.25 The scale and massing of the proposed development would change the character of this important transition between two distinct areas character

areas of Church Street, which is fundamental to the appreciation of the character of Church Street Conservation Area which would adversely affect the surroundings in which the Church Street Conservation Area is experienced. In light of this, the Council's Conservation Officer attributes the proposal to having less than substantial harm on the setting of the Church Road Conservation Area.

The Hermitage (Grade II)

- 8.26 Paragraphs 7.31 – 7.36 of the applicant's Heritage Assessment considers the setting of The Hermitage and its contribution towards the significance of the listed building. This identifies that The Hermitage as being located within the northern boundary of the Church Street Conservation Area, however, due to the more varied and later built form in its immediate surroundings, it does not form part of the historic core of the Conservation Area to the south.
- 8.27 Paragraph 7.34 identifies buildings in the immediate area and then draws attention to large scale building, further north to the site towards High Street, suggesting that these buildings form part of the setting of The Hermitage.
- 8.28 Officers note that there are a number of buildings intervening between the Hermitage and the large scale buildings further to the north west of Church Street (The Kirkgate and Capitol Square), including the two storey United Reform Church, the two storey Epsom Club, the two storey Conservative Club and the part two storey, part three Epsom Fire Station.
- 8.29 Paragraph 7.36 of the Heritage Assessment considers the site's current contribution to the significance of The Hermitage, noting that there is clear intervisibility between the two, although as the buildings dating from the 1960s which do not relate to the architectural style, plot layout, building materials, use or age of the listed building, they make no contribution to the significance of the Listed Building.
- 8.30 Paragraphs 10.16 – 8.19 of the Heritage Assessment then considers the likely impact of the proposed development upon the significance of The Hermitage. It acknowledges that the four-storey scale of the proposal would be taller in comparison to the existing built form on the site, but notes that it would not be overly dominant in the street scene, as a result of its set back from the road behind landscaping and parking/entrance area. Furthermore, in combination with the attractive and contextual design, the Heritage Assessment concludes that the proposal would have a neutral impact on the significance of The Hermitage.
- 8.31 The Council's Conservation Officer does not agree that the proposal would have a neutral impact on the significance of The Hermitage. Whilst there is currently clear intervisibility between the site and The

Hermitage, this is partially due to the reasonable scale and degree of openness resulting from the existing built form on the site.

- 8.32 The replacement of this with development of considerable scale and massing would be domineering on the Church Street elevation, creating a palpable stark contrast the Grade II Listed Hermitage opposite. The experience of The Hermitage would be affected through the dominating presence of the proposed development, which would not be fully mitigated from being set back behind a highway landscaping strip. The Council's Conservation Officer therefore attributes less than substantial harm to the setting of The Hermitage as a result of the scale of the proposal.

Ashley Cottages (Grade II)

- 8.33 Paragraphs 7.54- 7.57 of the Heritage Assessment assesses setting of Ashley cottages and its contribution to the listed buildings significance, noting the attractive, leafy character of The Parade makes a positive contribution to the significance of the listed buildings.
- 8.34 In considering the site's current contribution to the significance of the listed building, the Heritage Assessment gives consideration to the extent of the existing high brick boundary wall and the limited, filtered views between the existing buildings and these listed buildings. As the buildings on the site do not relate to the architectural style, plot layout, building materials or historic development of the listed building, the Heritage Assessment considers that make no contribution to the significance of these listed buildings.
- 8.35 Paragraphs 10.25 to 10.27 considers the likely impacts of the proposed development upon the significance of Ashley Cottages, noting that the layout and variety of building heights would provide a step down in built form from the more urban Church Street towards the quieter character of The Parade. This would ensure only a small visual change in views from the site and would respect the setting of the listed building.
- 8.36 The Conservation Officer notes that whilst the proposal would be stepped down to the rear of The Parade, the massing would provide a continuous three storey horizontal façade along The Parade, beyond which the higher built form would be perceived. This is a contrast to the lower level development currently experienced from the site when travelling along The Parade. The massing of the development, along with the use of bronze aluminium materials would therefore cause harm to the setting of these listed buildings. The Conservation Officer therefore attributes less than substantial harm to the setting of Ashley Cottages as a result of the scale of the proposal.

The Cedars (Grade II*)

- 8.37 Paragraphs 7.46 – 7.50 of the Heritage Assessment assesses the contribution of the setting to the significance of The Cedars. To the south, there are a number of listed buildings built in the seventeenth and eighteenth century, which form an important group that contribute to the significance of The Cedars. As the Cedars is the northern most building of this group, it is considered to be located 'close' to the more varied townscape to the north of Church Street. In considering the sites contribution to the significance of The Cedars, the Heritage Statement concludes it makes no contribution, as the existing buildings on the site have no historic, visual and functional relationship with this listed building.
- 8.38 Officers note that there are a number of buildings intervening between the Cedars and the larger development to the far north, including the two storey 2A Worple Road, the part three, two and one storey buildings comprising the site, the open landscape of Dullshot Green, two storey Hope Lodge and the two storey Epsom Baptist Church.
- 8.39 Paragraphs 10.20 to 10.24 of the Heritage Assessment then considers the likely impact of the proposed development upon the significance of The Cedars. It concludes that the proposed development would be largely concealed in views from the listed building due to its setback from the boundary frontage, as well as existing planting and plot layouts nearby. It also considers that views north already include the varied character of Church Street near the High Street and as such the proposal would have a neutral impact upon the listed building's setting or significance.
- 8.40 Paragraph 10.22 acknowledges that proposed development would be glimpsed out of north windows of The Cedars, and that the appearance of the building would be appropriate in terms of form and scale to this aspect of the setting, which already contains varied development.
- 8.41 The Council's Conservation Officer concludes that the combination of the scale of the building and the alien form of the mansard roof would fail to reflect the character and appearance of the Conservation Area, resulting in degree of harm to the setting of The Cedars. The Council's Conservation Officer considers this degree of harm to be less than substantial, given that the views would be from a small number of viewpoints and in cases largely obscured by intervening built form and vegetation.

Officer Response

- 8.42 It is clear from the response of the Conservation Officer that the proposed development would cause harm to the significance of

surrounding designated heritage assets and that the overall level of harm attributed is less than substantial.

- 8.43 The Conservation Officer has attributed less than substantial harm to the setting of the Church Street Conservation Area as a result of the proposal. As the site is not within a Conservation Area, it is not subject to Section 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 and whilst Officers may not be required to 'pay special attention to the desirability of preserving or enhancing the character or appearance of that area' under the Act, there is still a requirement to give great weight to the asset's conservation irrespective of the scale of harm identified.
- 8.44 However, given the surrounding context, Officers consider that a four storey building would sit comfortably on site. Furthermore, the planning history demonstrates that the principle of four storey development has been accepted on site in the past.
- 8.45 As the Conservation Officer has identified less than substantial harm to the significance of designated heritage assets, in accordance with paragraph 202 of the NPPF 2023, this harm must be weighed against any public benefits of the proposal. Great weight should be given to the asset's conservation irrespective of the scale of harm identified.
- 8.46 The NPPF 2023 identifies that public benefits could be anything that delivers economic, social or environmental progress, as described in paragraph 8. The NPPG 2023 further states that public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits (020 Reference ID: 18a-020-2019072).
- 8.47 The public benefits of the proposed development include:
- The contribution of net gain residential development to the Borough housing figures
 - Meeting an identified need for older persons living accommodation
 - The generation of employment during the operation of the proposal
- 8.48 The public benefits identified above are important factors. In this case, Officers attached significant weight to the contribution of quasi residential development towards the Borough housing figures, when taking into consideration the extent of the Council's housing shortfall and how long the deficit is likely to persist.
- 8.49 The proposal would contribute towards an identified need for older persons living accommodation and would provide 24/7 on site nursing, personal and domestic care services to the residents within. Officers consider that significant weight should be attached to public benefit,

given the great future need for the Borough present and future needs for such accommodation.

- 8.50 The scheme would generate a minimum of 70 to 80 full time employees upon initial occupation, including full and part time care and nursing roles, management, technical, administrative, care, housekeeping, maintenance, physiotherapy and occupational therapy positions. Although the previous use of the site also generated employment, this employment was reprovisioned within Borough, rather than lost, and the employment generated by the proposed use would therefore be additional employment use, rather than a replacement from any lost on the site from the existing use. Officers consider that significant weight should be attached to public benefit.
- 8.51 Officers give considerable importance and weight to the desirability of preserving the setting and the features of special architectural and historic interest of the surrounding heritage assets. However, notwithstanding the considerable importance and weight that the less than substantial harm attracts, in this case, the accrued public benefits are considered to outweigh the less than substantial harm arising from the proposal.

9 Trees and Landscaping

- 9.1 Paragraph 131 of the NPPF 2023 notes the important contribution that trees make to the character and quality of urban environments, as well as helping to mitigate climate change. Planning decisions should take opportunities to incorporate trees elsewhere in development, that appropriate measures are in place to secure the long term maintenance of newly planted trees and that existing trees are retained wherever possible.
- 9.2 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 by [inter alia]:
- continuing to maintain trees in streets and public open spaces and selectively removing, where absolutely necessary, and replacing and replanting trees; 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 trees and other planting.
- 9.3 The application is accompanied by a Tree Constraints Plan, prepared by Keen Consultants, reference 1845-KC-XX-YTREE-TCP01Rev D and dated March 2022, a Tree Survey and Impact Assessment, prepared by Keen Consultants, reference 1845-KC-XX-YTREE-TreeSurvey-and-ImpactAssessment-RevC and dated September 2023, an Arboricultural Method Statement, prepared by Keen Consultants, reference 1845-KC-

XX-YTREE-Method Statement-RevD and dated September 2023, and a Tree Protection Plan, prepared by Keen Consultants, reference 1845-KC-XX-YTREE-TTPO1RevD dated April 2022.

- 9.4 The Tree Survey and Impact Assessment identifies that the proposal would result in the loss of a grouping of Ash Trees (3 trees in total), which would be replaced by the planting of 25 new trees. Of these new trees, three large trees (2 no. Italian Alders and 1 no. Black Locust) would be planted in the verge to Church Street, to complement the Cedar trees to be retained. The Council's Tree Officer raises no objection to the loss of the three trees, which are contained well within the site and therefore do not make a significant contribution of the verdant character of the area.
- 9.5 One of the existing Cedar trees to be retained (Cedar of Lebanon, identified as Tree 4 on supporting plans) is currently in a state of decline. As a highway verge tree, this tree is the responsibility of the County Highway Authority. The County have advised that the tree in its current condition does not meet the County criteria for removal at this current stage, although they are monitoring its condition. When County observe that the tree is actually dead and likely to cause a risk to the highway users, they will order a fell to a 1.0 metre stump.
- 9.6 Given the current state of decline of the Cedar tree, it is unlikely to tolerate the changes brought on by the development to the soil area surrounding its roots. The Council's Tree Officer has therefore secured a commitment from the applicant to replace the Cedar tree T4 with Cedar trees, should the retained Cedar Tree fail within the first five years of the completion of the development. This is applied as a Grampian condition.
- 9.7 The new verge trees would be planted in a crate system, which would improve the rooting environment for these new trees. In addition, raised linear beds with a soft cell system will be deployed along the front verge where existing hard landscaped surface sits, to allow newly planted trees to establish and thrive.
- 9.8 The Council's Tree Officer has thoroughly reviewed the supporting documents and considers the proposal to be acceptable in principle, subject to conditions to secure underground surveys to demonstrate that the crate planting is viable, as well as conditions to secure landscape management, tree protection and tree replacement, should permission be granted.
- 9.9 In light of the above, Officers are satisfied that the proposal would not cause harm to the future health and wellbeing of trees to be retained on site and that the new planting is likely to be viable and flourish, in accordance with 131 of the NPPF 2023 and Policy DM5 of the Development Management Policies Document 2015.

10 Quality of Accommodation

- 10.1 Paragraph 130 of the NPPF 2023 states that planning decision should ensure that developments (inter alia) create places that are accessible, and which promote health and well-being, with a high standard of amenity for existing and future users
- 10.2 Policy DM12 of the Development Management Policies Document 2015 states that all new housing developments including conversions, are required to comply with external and internal space standards and must provide appropriate external private and/or communal amenity space to meet the needs generated by the development.
- 10.3 The Nationally Described Space Standards 2015 is not applicable to the Class C2 use proposed. Nonetheless, the rooms themselves are of sufficient size, as they exceed the requirements under the Nationally Described Space Standards, and are provided with good outlook. There are also adequate community spaces.
- 10.4 It is therefore considered that the proposed units will have an acceptable level of internal amenity in accordance with Policy DM12 of the Development Management Policies Document 2015.

11 Proposed Amenity Space

- 11.1 Policy DM12 of the Development Management Policies Document 2015 seeks to provide appropriate external private and/or communal space to meeting the needs generate by the development.
- 11.2 31 of the proposed bedspaces would be served by private amenity space in the form of patio gardens or balconies. The remaining 54 bedspaces would not be served by private amenity space, but would be served by communal balconies, roof terraces and the recreational gardens.
- 11.3 The main external communal recreation space to the rear of the building is secure and includes active gardens for residents to engage in, including a sensory courtyard and activity lawns, where residents can enjoy a variety of activities, such as bowls, croquet and gardening.
- 11.4 It is therefore considered that the proposal would provide sufficiently good, private amenity space to future occupiers of the development.

12 Character, Design and Visual

- 12.1 The NPPF 2023 attaches great importance to the design of the built environment. Paragraph 126 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key

aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

- 12.2 Paragraph 130 of the NPPF 2023 states [inter alia] that developments should 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.
- 12.3 Paragraph 134 of the NPPF 2023 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.
- 12.4 National Design Guidance provides the Government's approach to beautiful, enduring and successful places. It sets out the characteristics of well-designed places and includes context and identity where development integrates and relates well to its surroundings and relates to them in a positive way. Whilst this does not mean to say that the design of the development has to copy its surroundings, it does need to have regard to them because local character is what makes places distinctive
- 12.5 Paragraph 3.7.5 of the Core Strategy 2007 sets out that new development should enhance and complement local character and be capable of integrating well into existing neighbourhoods. Paragraph 3.7.6 states 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.
- 12.6 Policy DM9 of the Development Management Policies Document 2015 states the Council supports development that would make a positive contribution to the Borough's visual character and appearance.
- 12.7 Policy DM10 of the Development Management Policies Document 2015 states [inter alia] that development proposals will be required to incorporate good design. The most essential elements identified as contributing to the character and local distinctiveness of a street or an area which should be respected, maintained or enhanced include, but are not limited, to the following:
- 12.8 Prevailing development typology, including house type, sizes, and occupancy;
 - Prevailing density of the surrounding area;
 - Scale, layout, height, form, massing;
 - Plot width and format which includes spaces between buildings;
 - Building line build up, set back, and front boundary; and
 - Typical details and key features such as roof forms, window format, building materials and design detailing of elevations, existence of grass verges etc.

- 12.9 Policy DM13 of the Development Management Policies Document 2015 states [inter alia] that buildings higher than 12 metres will be inappropriate in all areas of the Borough except the identified areas within the Epsom Town Centre Boundary where buildings up to a maximum height of 16 metres will be allowed in certain locations.
- 12.10 However, in May 2018, the Licensing and Planning Policy Committee took a decision to set aside Policy DM13 of the Development Management Policies Document 2015. This was due to the policy restricting opportunities for growth in the Borough. It should be noted that although this policy remains part of the development plan, it is afforded limited weight in the decision-making process and in regard to the presumption of sustainable development.
- 12.11 Policy E7 of Plan E, Epsom Town Centre Area Action Plan 2011 seeks to restrict buildings outside of identified opportunity sites (of which the current site is not one) to a height of 12 metres.
- 12.12 Policy E17g of Plan E, Epsom Town Centre Area Action Plan 2011 for the redevelopment of the Emergency Services Site will require (inter alia) the design of future proposals to maintain and enhance the character and appearance of Church Street.
- 12.13 Church Street benefits from two distinctive character areas. To the north west of Church Street, from the junction with High Street and Upper High Street, the built form is close knit, with frontages in close proximity to the existing highway. Scale ranges from three to five storeys and architectural style is diverse. The larger scaled buildings in the street scene are located closer to the shared Town Centre junction and as you travel south along Church Street, the close knit pattern starts to erode, the frontage becomes less coherent and low storey residential development starts to intersperse.
- 12.14 An existing car park juxtaposed with a large landscape greenspace and trees introduces the second distinctive character of Church Street. Towards the south east, the built form is predominantly lower in height than that at the north west of Church Street and benefits from generous gaps that gives the area a more spacious feel. There are a number of landscaped strips containing trees that give the area a more verdant and open character. Traveling from north west to south east along Church Street, there is a clear sense of departing from the busy and commercial town centre into the overriding low-rise suburban neighbourhood. This transition is a notable characteristic along Church Street.
- 12.15 The existing buildings on site are of a mixed scale, being part three, two and single storey. Although the buildings are not of any great architectural merit and are unremarkable within the street scene, their layout and scale do respect the sense of openness and landscape

character along this part of Church Street and their simple design prevents them from visually competing with the existing context.

12.16 Following initial concerns raised by Officers, the original scheme had the benefit of a design review by a recognised independent body, which considered that the following amendments to the scheme might further improve the development. These are summarised as:

- A four story building may sit more comfortably on the site;
- A 'simpler and calmer' primary elevation (Church Street) may be more; appropriate within the Conservation Area;
- The south and north elevations could relate more closely;
- Denoting the entrance in a manner more intimate in scale and lighter in feel would appear more appropriately aligned with the buildings function;
- Soften and green the treatment along the frontage to create an active and welcoming edge that prioritises pedestrians;
- Reconfigure the ground floor to incorporate the shop along Church Street to further activate the north-eastern edge

12.17 Following this review, the original scheme has now been reduced by one storey along the Church Street elevation, the Church Street entrance has been redesigned in scale and the hairdressers relocated to the front of the site to further activate the Church Street frontage.

12.18 The proposal would therefore replace the existing built form on site with a part three storey, part four storey building, with the fourth floor comprising a slightly recessed mansard roof. The proposed built form would be arranged on site so as to respect the building line to the south west of Church Street and would continue to provide an active frontage facing onto the highway, whilst retaining the existing street trees.

12.19 The proposal would result in the reduction of one of the existing access to the site and the replacement of existing hard surfacing with new tree planting and soft landscaping, providing a welcomed continuation of the landscaping strip existing to the front of the site.

12.20 Whilst the proposed development would represent an increase the footprint of built form on the site, this increase is minimal. In comparison to the existing situation on site, the proposed footprint would be consolidated, which would allow for meaningful landscaping and functional recreation areas for future residents.

12.21 More importantly, the consolidated footprint would allow for a more considered spatial arrangement between the proposed built form and the surrounding existing built form. Where existing built form had been built up hard to the boundary, the proposed arrangement would provide new gaps between the proposed built form and the shared boundaries.

- 12.22 The proposed built form would therefore sit comfortably within the plot, retaining space between the shared boundaries to prevent a cramp or confined appearance.
- 12.23 The building would partially reduce to three storeys adjacent to the boundary with 12 Church Street and three storeys to the rear boundary with The Parade. This would also help to provide a sense of space around the proposed built form.
- 12.24 With respect to scale and height, the four storey built form, located predominantly along the Church Street frontage, would measure 13.0 - 13.5 metres in overall height from ground level, whilst the three storey elements would measure 10.0 – 10.5 metres in overall height from ground level. Although the proposal would therefore be taller and of a larger scale than any of the existing buildings within its immediate surroundings, as well as conflicting with Policy E7 of Plan E, Epsom Town Centre Area Action Plan 2011, it is acknowledged that the design has incorporate techniques to bring relief to both the horizontal and vertical emphasis of the built form, such as incorporating the mansard roof design, adding small setbacks to the elevations and small set downs from the main roof, as well as providing a regular rhythm of fenestration and utilising differing material finishes, all of which would result in the building reading lower than its height.
- 12.25 It is also welcomed that the design seeks to incorporate features of some of the more traditional elements in the area such as the use of symmetry, banding detail and brickwork. Whilst the bronze material proposed for the mansard roof and winter garden details are not within the material pallet of the surrounding area, Officers are not averse to introducing complementary materials to the area, particularly where it would assist with the breakdown of the impact of the scale of the proposed development. However, to ensure that the sheen of the material is complementary and not a distraction to the surrounds, in the event permission is granted, it is considered reasonable to recommend a condition to secure samples of materials for a full review, prior to development commencing on site.
- 12.26 Whilst there are street trees along Church Street that would provide some screening of the proposed development from some local medium and longer distance viewpoints in summer months, the height and scale of the proposed development would be highly visible from the immediate Church Street streetscene. However, whilst the presence of the development would be experienced, it would not dominate views of the street scene. Subject to securing high quality materials, the proposed development would integrate with the surroundings and would respect the local character of the area.
- 12.27 In light of the above, the proposal would accord with Policies CS1 and CS5 of the Epsom and Ewell Core Strategy 2007, the key design

requirement of Policy 17g of Plan E, Epsom Town Centre Area Action Plan 2011 and Policies DM9 and DM10 of the of Epsom and Ewell Development Management Policies 2015.

13 Neighbour Amenity

- 13.1 Policy CS5 of the Core Strategy 2007 and Policy DM10 of the Development Management Policy Document 2015 sets out that development proposals will be required to incorporate principles of good design. Development proposals should also have regard to the amenities of occupants and neighbours, including in terms of privacy, outlook, sunlight/daylight, and noise and disturbance.
- 13.2 As a result of the height and form of the proposed development, it is key to consider the impact upon surrounding residents from the built form in terms of outlook, daylight/sun lighting and privacy
- 13.3 The neighbouring properties most likely to have their amenities impacted upon by the proposed development are the residential properties at 33 - 39 The Parade and 45 Church Street (The Hermitage). The remaining properties surrounding the site are commercial/leisure uses or medical practitioners, all of which are uses that would have an acceptable relationship with the proposed development.
- 13.4 The proposal features a number of balconies on the north east and south west elevation that provide new opportunities for prolonged overlooking towards surrounding neighbouring properties.
- 13.5 The Hermitage is located to the east of the site, beyond the highway. As a result of a distance of 32 metres from the built form and the north east facing balconies of the proposed development, Officers are satisfied that the proposal would not result in any issues of being overbearing or causing any issues of overlooking that would cause harm to the occupiers within.
- 13.6 Similarly, the properties to the south west of the site, 33-39 The Parade, would be at a distance of over 21 metres from the built form and the south west facing balconies of the proposed development. Such a distance would prevent any clear and direct issues of overlooking into the internal private accommodation associated with these neighbouring properties.
- 13.7 The application is supported by a Daylight, Sunlight and Overshadowing Analysis, prepared by XCO2 and dated April 2022. The methodology use in the analysis accords with BRE good practice and computer modelling was used to carry out the assessments.

- 13.8 The Daylight Assessment was carried out on 176 windows from buildings surrounding the site, with the results confirming that daylight levels into the majority of these windows would remain at acceptable levels in the event permission was granted for the proposed development.
- 13.9 However, the assessment carried out on Epsom Clinic found that 12 windows associated with this property would have daylight reduced slightly below the BRE recommended level. However, given the non-residential nature of the building and its dependence on artificial lighting, Officers are satisfied that this reduced daylight would not significantly harm the operation within.
- 13.10 Notwithstanding this, Epsom Lodge is a site coming forward for residential development under the Council's emerging Local Plan (Policy SA2). Although limited weight is afforded to the Local Plan as a material consideration in this application, Epsom Lodge is a brownfield site in a sustainable location and is therefore highly likely to come forward in the future. The results of the Daylight Assessment and the overshadowing of windows therefore has the potential to sterilise future residential development coming forward on the Epsom Lodge site.
- 13.11 The Sunlight Assessment was carried out on a total of 84 window from buildings surrounding the site. All windows satisfied the BRE criteria and if permission was to be granted the proposed development would have no notable impact on sunlight access to the windows on the of the surrounding properties.
- 13.12 The Overshadowing Assessment tested all surrounding amenity spaces and found no reduction on sunlight as a result of the proposed development when compared to the existing scenario. The proposed development would therefore not have any significant impact on sunlight access to amenity spaces in the surrounding area.
- 13.13 The application is also supported by an External Lighting Strategy and Lighting Assessment which considered the impact of the proposed internal and external artificial lighting associated with the proposed development upon the surrounding residential properties. The Lighting Assessment has concluded that the impact of the spill from artificial lighting associated with the proposed development would be extremely low.
- 13.14 In terms of general amenity, whilst the proposed development is likely to generate a greater level of domestic noise through pedestrians arriving and leaving the site than the current situation, as well as general activity within the site, this level would not be to an extent that would be incongruous within the surrounding residential context.

13.15 The construction phase of the development has the potential to cause disruption and inconvenience to nearby occupiers and users of the local highway network. However, these issues are transient and are minimised through the requirements of planning conditions.

13.16 In light of the above, Officers are satisfied that the proposed development would not cause harm to the amenities of the occupiers of neighbouring properties, in accordance with Policy DM10 of the Development Management Policy Document 2015 and the guidance set out in the Council's Residential Infill Development SPG 2003.

14 Parking and Access

14.1 Paragraph 111 of the NPPF 2023 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

14.2 Policy CS16 of the Core Strategy 2007 encourages development proposals that foster an improved and integrated transport network and facilitate a shift of emphasis to non-car modes as a means of access to services and facilities.

14.3 This policy further emphasises that development proposals should provide safe, convenient, and attractive accesses for all, including the elderly, disabled, and others with restricted mobility and be appropriate for the highways network in terms of the volume and nature of traffic generated, provide appropriate and effective parking provision, both on and off-site, and vehicular servicing arrangements.

14.4 Furthermore, this policy stipulates that development proposals must ensure that vehicular traffic generated does not create new, or exacerbate existing, on street parking problems, not materially increase other traffic problems.

14.5 The application is supported by a Transport Assessment, prepared by SLR, reference 402.12442.00002 Rev 1.0 and dated May 2022 and a Technical Memorandum dated July 2023.

14.6 The Transport Assessment gives an account of the existing local highway network and local accidental data, as well as highlighting the accessibility benefits of the site. There was a total of 9 collisions in the vicinity between 2017/2021, all of which can be attributed to driver error, rather than any deficiencies with the layout or condition of the local highway network.

14.7 The two existing access junctions to the site are to be retained and redeveloped to accommodate a new one way system within the site. The northern access junction will be the entrance to the site and will lead

to a one-way system fronting the building which contains a disabled parking bay, drop off area and service area for servicing vehicles and deliveries. This route also extends to a basement car park which is accessed from the southern end of the site.

- 14.8 Access to the basement car park would be through the northern access and via the one way system. A basement control point will be implemented due to the narrow nature of the basement access ramp, which only allows a single car to traverse it at a time.

Traffic Generation

- 14.9 In considering the traffic generation, the Transport Assessment has predicted the traffic flow associated with the proposed development and advises that to achieve this, the TRICS (Trip Rate Information Computer System) database has been used. This has calculated that the proposed use would generate 151 daily trip movements. This calculation includes the movements of an expected 90 full time equivalent staff members. As the site will operate shift patterns, it is expected that there would be 10 peak AM movements and 11 peak PM movements. Notwithstanding this, it is anticipated that 50% of staff would be working at the same time, and with the good public transport options and sustainable travel infrastructure in the local area, it is more than likely that not all staff members will travel to the site via private vehicle.
- 14.10 In assessing the impact of the additional traffic generation upon the local highway network, the Transport Assessment has reviewed existing traffic flows obtained from a traffic survey completed in 2019 which has then had a growth factor applied to estimate 2022 traffic levels.
- 14.11 Using trip rates obtained by the TRICS data base, the proposal will result in an additional 136 vehicles on the local roads each day. Given the highly sustainable location of the site, which is likely to encourage travel to the site using modes of transport other than the private car, the 136 trips is considered a worst case scenario; trips include servicing and delivery vehicles and would be spread out across the day, with a maximum of 11 two way trips in the park hour. The assessment demonstrates that the additional vehicles generated by the proposed care home will result in a 2.25% increase to the base traffic flows along Church Street.
- 14.12 The Transport Assessment advises that the Institute of Environmental Management Association guidance suggests that projected traffic flow increases of less than 10% would create no discernible impacts and therefore increases in traffic levels below 10% are considered to be insignificant.
- 14.13 The County Highway Authority is satisfied that the TRICS assessment and the method of calculating existing traffic flows undertaken and

reported within the Transport Assessment provides a robust and realistic assessment of the likely impact of the proposed development on the highway network and that the residual cumulative impacts of the development would not have a material impact on the capacity of the surrounding network.

Sustainable Transport Measures

14.14 Notwithstanding this, in light of the anticipated increase in trip generation associated with the proposal, and given the need to encourage sustainable transport and offer high quality, accessible infrastructure for future occupiers, the County Highway Authority have requested that the applicant commit to providing offsite highway improvements as follows:

- A new uncontrolled pedestrian crossing point to allow for access to both sides of Church Street following appropriate desire lines.
- Improvements to the local bus infrastructure
- Amendments to the local signage and road markings to remove redundant information.

14.15 The County Highway Authority consider these improvements to be necessary and reasonable given the scale of the proposed development and its subsequent impact on the local highway network, which requires appropriate mitigation. Such works can be secured through a Section 278 Agreement with the County Highway Authority, in the event that permission is granted.

14.16 The proposal is also supported by a Travel Plan, which seeks to increase travel awareness and promote sustainable travel behaviour and promote such initiatives as staff changing facilities for pedestrians and cyclists, providing material identifying suitable routes, as well as promoting public transport and car sharing initiatives.

14.17 The proposal seeks to provide 7 no. active Electric Vehicle Charging Bays with a further 7 no, passive Electric Vehicle Charging Bays, where the infrastructure is in place for future upgrade when demand exists.

Access/Internal Road System

14.18 The County Highway Authority have assessed the detailed design of the modified vehicle accesses and is satisfied that they would improve visibility onto Church Street and improve the swept path of vehicles turning in and out of the site. No concern has been raised to the design of the proposed one way system, or the basement access/parking.

14.19 The County Highway Authority requires the remaining access that currently serves the Ambulance Station that will become redundant as part of the proposed scheme to have the kerb/ verge and footway must be fully reinstated within the frontage. Furthermore, redundant signage

and keep clear marking for the Ambulance Station will need to be removed in consultation with the County Highway Authority. Further relocation of any fire station infrastructure such as the wigwags in the grass verge, will need to be carried out in consultation with Surrey Fire and Rescue and the County Highway Authority through the Section 278 Agreement.

- 14.20 The County Highway Authority have raised no objection against the proposal in terms of impact on the operation of the network or highway safety, subject to conditions, in the event permission is granted, to secure a Construction Transport Management Plan, a Travel Plan, Electric Vehicle Charging Points, kerb reinstatement, sustainable transport mitigation methods and directional signs and to ensure that the proposed access, visibility splays and parking are constructed in accordance with any approved plans.

Car Parking Provision

- 14.21 Policy DM37 of the Development Management Policies Document 2015 seeks to ensure that new schemes provide an appropriate level of off-street parking to avoid an unacceptable impact on on-street parking conditions and local traffic conditions.
- 14.22 Policy E17g of Plan E, Epsom Town Centre Area Action Plan 2011 for the redevelopment of the Emergency Services Site will require (inter alia) onsite parking provision for future residents, employees and visitors to be calculated to a maximum standard and appropriately adjust to take account of the high levels of accessibility to alternative transport modes.
- 14.23 The Council's Parking Standards for Residential Development SPD 2015 defers to the Surrey County Council Vehicular and Cycle Parking Guidance 2021 in matters relating to development outside of Class C3 (residential dwellings) use.
- 14.24 For Class C2 use, the County Guidance requires a minimum of one car space per two residents or an individual assessment/justification. The proposal would provide 30 parking spaces, two of which will be dedicated for disabled use. This is a shortfall of 13 vehicle parking spaces from the minimum requirement.
- 14.25 The Transport Assessment acknowledges the shortfall and provides justification for this loss, concluding that due to the type of care home to be developed, it is unlikely that any of the residents will own a vehicle, and so the car parking will be utilised by staff members and visitors. Furthermore, the Transport Assessment highlights that there are also multiple pay and display car parks within walking distance of the site which could be used by staff and visitors should the parking demand on site exceed the provision.

- 14.26 The County Highway Authority have considered this justification for the shortfall of parking provision on site and have raised no objection to this on highway safety and operation grounds, given that the application site is within a very sustainable location, close to the amenities of the town centre, and with good access to public transport. Furthermore, the County Highway Authority note that there are adequate parking restrictions within the vicinity of the application site to prevent parking occurring on street in a location likely to cause a highway safety issue.
- 14.27 In most cases, where a proposal fails to meet either County or Council parking standards, the Council would expect it to be robustly demonstrated that the level of on-site parking associated with the proposal would have no harmful impact on the surround area in terms of street scene or the availability of on-street parking. However, in the particular case, given that the proposed use is unlikely to accommodate residents with car ownership, in considering that the staff will be working in shift patterns and considering that the site is in a highly sustainable location with adequate on street parking restrictions and provision for overspill vehicle parking, Officers are satisfied that the proposed development is unlikely to have a harmful impact on the surround area in terms of street scene or the availability of on-street parking to the extent that would warrant a reason for refusal on this matter.
- 14.28 Furthermore, this approach is consistent with the care home development granted permission at 65 London Road, where a shortfall in vehicle parking spaces for a Class C2 care home was also considered acceptable.

Cycle Parking Provision

- 14.29 For Class C2 use, the County Guidance requires an individual assessment for the minimum cycle parking on site. The proposal would provide covered and secure cycle facilities to accommodate for the parking of 10 bicycles. The demand for cycle parking will be monitored under the travel plan and adjusted accordingly. The County Highway Authority have not raised any objection to the level of cycle storage provided.
- 14.30 In light of the above and subject to conditions and a Section 106 Agreement to secure the necessary sustainable transport mitigation methods, should permission be granted, the proposal is considered to accord with Policy CS16 of the Core Strategy 2007, the parking key requirement of Policy 17g of Plan E, Area Action Plan 2011, Policy DM37 of the Development Management Policies Document 2015 and the Council's Parking Standards for Residential Development SPD 2015.

15 Refuse and Recycling Facilities

- 15.1 Policy CS6 of the Core Strategy 2007 sets out [inter alia] that proposals for development should result in a sustainable environment and to conserve natural resources, waste should be minimised and recycling encouraged. Development should incorporate waste management processes.
- 15.2 Annex 2 of the Council's Revised Sustainable Design SPD 2016 sets out the refuse and recycling requirements for flatted development. It states [inter alia] that storage areas for communal development, wheeled bins and recycling needs to allow sufficient room for both refuse and recycling containers to be stored and manoeuvred and be within 6 metres of the public highway. It further states that if more than four 240 litre bins are to be emptied, then the collection vehicle should be able to enter the development to avoid the risk of obstructing traffic.
- 15.3 The proposal would provide an internal refuse store to the front of the building, that can be accessed by the refuse/recycling vehicle within the site, thereby avoiding the risk of obstructing vehicular traffic on the highway.
- 15.4 Having reviewed the refuse/recycling arrangements proposed, the Council's Transport and Waste Services Manager considers them to be acceptable in terms of capacity and storage. However, there is a concern regarding the collection from the site. As demonstrated by the supporting tracking plans, due to the one way vehicular system proposed on site, refuse & recycling vehicles will be required to cross from the other side of the road when entering, and then cross back to the other side of the road again when leaving. The Council's Transport and Waste Services Manager is concerned there are safety implications of low-moving refuse & recycling vehicles crossing traffic on this approach to the town centre, which can be busy with both vehicles and pedestrians.
- 15.5 Furthermore, the Council's Transport and Waste Services Manager notes that collections at the properties opposite (The United Reform Church, the Epsom Club and 45 Church Street) would be compromised because either bins will need to be pulled along to the waiting vehicle which would be outside no.47 after exiting the development or the vehicle will need reversing back to make those collections, which could have health & safety implications.
- 15.6 Officers note the concerns raised by the Council's Transport and Waste Services Manager and are aware that whilst the servicing of the site would not be the most efficient for the route as a result of the orientation of the one way system, the proposal meets the requirements set out in Appendix 2 (Guidance on the Storage and Collection of Household Waste) of the Sustainable Design Supplementary Planning Document. It

would therefore be unreasonable for the proposal to be refused for this reason.

- 15.7 As such, Officers are satisfied that the proposed development would meet Policy CS6 of the Core Strategy 2007 and the requirements of Annex 2 of the Council's Revised Sustainable Design SPD 2016.

16 Ecology and Biodiversity

- 16.1 The Local Planning Authority have a duty of care under Section 41 of the Natural Environment and Rural Communities Act 2006 to ensure that planning permission is not granted for any development that has potential to unlawfully impact on protect species identified under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended).
- 16.2 Paragraph 180 of the NPPF 2023 states (inter alia) that opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity.
- 16.3 Policy CS3 of the Core Strategy 2007 sets out that development that is detrimental to the Borough's biodiversity will be minimised, and where it does take place, adequate mitigating measures should be provided. Wherever possible, new development should contribute positively towards the Borough's biodiversity.
- 16.4 Policy DM4 of the Development Management Policies Document 2015 seeks to ensure that new development takes every opportunity to enhance the nature conservation potential of a site and secure a net benefit to biodiversity. It sets out that development affecting any site or building that supports species protected by Law including their habitats, will only be permitted if appropriate mitigation and compensatory measures are agreed to facilitate the survival of the identified species, keep disturbance to a minimum and provide adequate alternative habitats to ensure no net loss of biodiversity.
- 16.5 The application is supported by a Preliminary Ecology Appraisal and Bat Preliminary Roost Assessment, prepared by Surrey Wildlife Trust, reference 3217-1 1.0 dated 15/02/19, an Updated Bat Roost Assessment, prepared by Surrey Wildlife Trust, reference 3217- 5 dated 08/10/21, Updated Bat Survey Report, prepared by Surrey Wildlife Trust, reference 3217-6 1.0 dated 19/08/22, Bat Emergence/Re-Entry Surveys, prepared by Surrey Wildlife Trust, reference 3217-2 2.1 dated 28/10/19 and a Biodiversity Net Gain Assessment, prepared by SLR, reference 402.12442.00001, dated May 2022.

- 16.6 The Assessment identifies that four buildings on the site are capable of providing suitable habitat for bat roosts, although subsequent emergency surveys carried out in 2019, 2020 and August 2022 recorded no bats emerging or returning to the buildings, indicating an absence of roosting bats.
- 16.7 The Council's Ecology Officer has reviewed all the reports and considers it to be appropriate in scope and methodology and recommends a condition to secure the mitigation measures as set out in Section 6.3.1 of the Updated Bat Survey Report, prepared by Surrey Wildlife Trust, reference 3217-6 1.0 dated 19/08/22,
- 16.8 The Biodiversity Net Gain Assessment identifies that the proposal would increase the habitat units on site, equivalent to a 49.63% gain. This is the result of an increase in ground level planters, modified grasslands, native mixed species hedgerow and new trees, as well as the proposed extensive green roof.
- 16.9 As Biodiversity Net Gain is not mandatory until January 2024, this significant net gain on the site is a benefit of the scheme to be weighed in the planning balance. To ensure the establishment and maintenance of the features that secure this biodiversity net gain, the Biodiversity Net Gain Assessment outlines a Management Plan that would be secured by way of condition, in event permission is granted
- 16.10 Subject to the abovementioned conditions should permission be granted; the Local Planning Authority are satisfied that they have carried out their duty of care under Section 41 of the Natural Environment and Rural Communities Act to protect the species identified under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017.
- 16.11 The proposal would not prejudice the existing ecological value of the site and would enhance the conservation potential of a site in accordance with Policy CS3 of the Core Strategy 2007, Policy DM4 of the Development Management Policies Document 2015 and the requirements of the NPPF 2023.

17 Flooding and Drainage

- 17.1 Paragraph 167 of the NPPF 2023 states that when determining any planning applications, LPAs should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.
- 17.2 Paragraph 169 of the NPPF 2023 sets out that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- take account of advice from the lead local flood authority;
 - have appropriate proposed minimum operational standards;
 - have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
 - where possible, provide multifunctional benefits.
- 17.3 Policy CS6 of the Core Strategy 2007 states that proposals for development should result in a sustainable environment and reduce, or have a neutral impact upon, pollution and climate change. In order to conserve natural resources, minimise waste and encourage recycling, the Council will ensure that new development [inter alia] avoids increasing the risk of, or from flooding.
- 17.4 Policy DM19 of the Development Management Policies Document 2015 states that the Council will expect development 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.
- 17.5 The application is supported by a Flood Risk and Surface Water Management Statement, prepared by SLR, reference 402.12442.00002 Version 2 and dated May 2022.
- 17.6 In terms of fluvial flooding, the site is located in an area of low flood risk, outside of Flood Zone 2 and 3 as identified on the Environment Agency Flood Risk Maps and therefore the proposed development, would be wholly in Flood Zone 1. As such the development has low risk of fluvial flooding. Furthermore, the access to the site is also located within Flood Zone 1 and would continue unimpeded to provide safe access to and from the residential developments in the event of a flood
- 17.7 As the proposed development would lie within Flood Zone 1, neither the sequential test or the exceptions test, as set out in the Governments guidance 'Flood risk assessment: the sequential test for applicants' 2017 needs to be carried out.
- 17.8 With respect to pluvial flooding, parts of the site falls within a Critical Drainage Area and is located upon a Principal aquifer overlain by a Secondary aquifer and in Source Protection Zone 1. The site is currently developed, therefore generating a high proportion of run off, although, outside of large storms, this is mainly managed by existing draining systems that discharge via pipework connections into foul sewers beneath Church Lane and The Parade. The land to the south and south west of the site is at a higher level than the site, creating a low topographic centre within the site that experiences shallow surface water flooding.

- 17.9 The site is underlain by permeable geology, capable of containing and conveying large amounts of groundwater. There are no records held by the Lead Local Flood Authority to demonstrate incidents of groundwater flooding in this area and groundwater monitoring at the site in winter 21/22 demonstrates a low probability of flooding from groundwater although there is an acknowledgement that groundwater levels could rise significantly during severe and prolonged wet periods.
- 17.10 The planning history of the site demonstrates that the site has been subjected to several sources of contamination, which has been confirmed through a preliminary site investigation.
- 17.11 The proposed development features basement vehicle parking. The Flood Risk and Surface Water Management Statement acknowledges that the ramp leading down to the basement is at risk from surface water flooding, but that the retaining wall proposed on the south side of the ramp would help provide protection from surface water getting onto the ramp and the raised hump at the top of the slope would also capture any surface water progressing down the ramp into the basement. Within the base of the ramp there would also be a surface water drain, which would drain surface water from the ramp to a sump, where it would be pumped back into the wider surface water systems.
- 17.12 The Flood Risk and Surface Water Management Statement acknowledges there is a low possibility that groundwater flooding could reach the base of the proposed basement in during severe and prolonged wet periods and makes provision for such occurrences. Groundwater flooding occurs when the water table in permeable rock rises to enter basements/cellars or come above ground level.
- 17.13 The correspondence from third parties demonstrates that there are incidences of known groundwater flooding, that have affected basements. To protect the proposed basement from the risk of groundwater flooding, it is proposed to 'tank' the basement – which involves sealing the basement with a waterproof membrane to prevent water from entering. The Flood Risk and Surface Water Management Statement acknowledges that the tanking would result in a 'slight increase in groundwater levels to the southern side of the building', but suggests that the 'chevron shape of the building would help groundwater flow around the basement to the east and the west, minimising the impact of the impedance'
- 17.14 There are third party concerns that the tanking of the proposed basement would increase the ground water levels, particularly to the south, which could increase the risk of ground water flows that would exacerbate the groundwater flooding situation, in comparison to the existing situation.

- 17.15 In this matter, the Lead Local Flood Authority have advised that SLR have appeared to have extensively reviewed and considered any potential groundwater impacts that could result from the development. I
- 17.16 The Lead Local Flood Authority are clear in that design solutions can mitigate the risk of groundwater flooding. It is therefore considered reasonable to place a Grampian condition/condition to secure a scheme to mitigate the increased groundwater risk of flooding from the proposed the proposed basement. The Council would then secure the professional services of a third party to scrutinise the mitigation scheme, prior to development commencing on site.
- 17.17 With regards to the most appropriate SuDS disposal method to support the proposed development, whilst the underlying geology of the site demonstrates sufficient permeability to support infiltration drainage techniques, given the site is in a groundwater source protection zone and the presence of potentially contaminates, infiltration drainage could mobilise into the underlying principle aquifer and contaminating the groundwater quality. Therefore, this drainage method is discounted.
- 17.18 Given that infiltration is unsuitable for the site, attenuation provision is proposed in the form of geocellular tanks to be located beneath the garden areas in the south of the site. Permeable paving around the site would drain surface water into these tanks, which would then be released at a controlled rate into connection to the existing nearby surface water public sewer network.
- 17.19 For surface water run off on the proposed built form, green roof areas are proposed on both wings, which would be routed to the geocellular tanks via raised garden planters and/or filter drains.
- 17.20 The Lead Local Flood Authority have confirmed that the drainage proposal satisfies the requirements of the NPPF 2023 and has recommended that should permission be granted, suitable conditions are required to secure the details of the design of the surface water drainage scheme and to ensure that it is properly implemented and maintained throughout the lifetime of the development.
- 17.21 As such, it is considered that the flood risk and surface water flooding have been addressed in accordance with Policy CS6 of the Core Strategy 2007, Policy DM19 of the Development Management Policies Document 2015 and the requirements of the NPPF 2023.

18 Contamination and Remediation

- 18.1 Paragraph 183 of the NPPF 2023 states that decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

- 18.2 Paragraph 184 of the NPPF 2023 continues where a site is affected by contamination issues, responsibility for securing a safe development rests with the developer and/or landowner in accordance with paragraph 179 of the NPPF 2023
- 18.3 Policy DM17 of the Development Management Policies Document 2015 states [inter alia] that where it is considered that land may be affected by contamination, planning permission will only be granted if it is demonstrated that the developed site will be suitable for the proposed use without the risk from contaminants to people, buildings, services or the environment including the apparatus of statutory undertakers.
- 18.4 The application is supported by a Preliminary Land Quality Risk Assessment Report, prepared SLR, reference 402.12442.0002 dated May 2022. This document indicates that there are potential harm to both human health and controlled waters from potential ground contamination and recommends an intrusive investigation to further assess this.
- 18.5 Both the Environment Agency and the Council's Contaminated Land Officer has reviewed this document and have recommended conditions to secure a site investigation scheme, as well as conditions to prevent infiltration drainage and piling, to protect the groundwater source, which in this case a Primary aquifer overlain by a secondary aquifer within Ground Source Protection Zone 1 (SPZ1)
- 18.6 These conditions would ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors.
- 18.7 The proposal is therefore considered to accord with Policy DM17 (of the Development Management Policies Document (2015) and the requirements of the NPPF 2023.

19 Noise

- 19.1 Paragraph 185 of the NPPF 2023 states that planning decisions should ensure that new development is appropriate for its location by taking into account the effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
- 19.2 This includes, inter alia, mitigating and reducing to a minimum the potential adverse impacts resulting from noise from new development and to avoid noise giving rise to significant adverse impacts on health and the quality of life.

- 19.3 As a result of the proposed development creating a new noise source from mechanical plant in close proximity to existing residential properties, the application is supported by a Noise Assessment, prepared by SLR, reference 402.12442.00002_Noise, dated May 2022.
- 19.4 The Noise Assessment identifies the nearest noise sensitive receptors to the site to be the residential properties on Worple Road, The Parade and Church Street. Although the exact details of operational plant associated with the proposed development is unknown at this stage, the Noise Assessment has assumed a typical background sound level. Provided that the total noise emission levels from all static plant does not exceed the rating level limit identified in the Noise Assessment, the result would be a low level impact at the nearest sensitive receptor. Furthermore, final noise mitigation measures can include acoustic louvers or acoustic screens as required.
- 19.5 Also assessed within the report is the effect of the noise associated with the road traffic on the surrounding local network upon the proposed internal and external areas of the proposed development and its impact upon future residents. The assessment identifies that the external areas, such as the gardens and patio area, would meet the required noise levels. The final design of the internal areas would include mitigation in respect of window specifications and where necessary additional means of window ventilation, in order to be compliant with building regulations, which can be secured under Building Control legislation if permission was to be granted.
- 19.6 Noise and vibration impacts during the demolition and construction phases of the development can be controlled by way of a Construction Management Plan to ensure that the impacts upon neighbouring amenities can be minimised and monitored, in the event permission is granted.
- 19.7 Subject to the relevant safeguarding conditions should permission be granted, that there would be no detectable effect on health or quality of life for the future occupiers of the site or neighbouring occupiers due to noise, in accordance with and the NPPF 2023.

20 Archaeology

- 20.1 Paragraph 194 of the NPPF 2023 states that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 20.2 Policy CS5 of the Core Strategy 2007 sets out that the Council will protect and seek to enhance the Borough's heritage assets including

(inter alia) archaeological remains. The settings of these assets will be protected and enhanced.

- 20.3 Policy DM8 of the Development Management Policies Document 2015 seeks to resist the loss of Heritage Assets and instead promote the opportunity to conserve and enhance these. Specifically, on any major development site of 0.4ha or greater, applicants are required to undertake prior assessment of the possible archaeological significance of a site and the implications of the proposals.
- 20.4 The site is located within an Area of High Archaeological Potential, designated around the historic core of Epsom. The application is supported by an Archaeological Desk Based Assessments, prepared by RPS group, Version 1 and dated April 2022 which concludes the site has a low to high potential for historic finds or features on the site and recommends further archaeological mitigation methods.
- 20.5 The County Archaeological Officer has reviewed the archaeological desk based assessment submitted and considers it to be of good quality and suitable to support the development application. In view of the nature and scale of the development and the low to high likelihood of the potential archaeology, the County Archaeological Officer recommends a condition to secure a programme of archaeological work, in order to mitigate the impacts of development, in the event permission is granted
- 20.6 In light of the above, and subject to the recommended condition as set out by the County Archaeologist, Officers are satisfied that there would be no adverse archaeological implications and the proposal would accord with Policy CS5 of the Core Strategy 2007, Policy DM8 of the Development Management Policies Document 2015 and the requirements of the NPPF 2023.

21 Environmental Sustainability

- 21.1 The NPPF 2023 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. Paragraph 9 of the Framework 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 requirements of construction and incorporates waste management processes.
- 21.2 Consideration of sustainability and climate change are embedded within the Council's current adopted Core Strategy and Development Management Policies Document. Specifically, Policy CS1 sets out that the Council will expect the 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 sets out that development should result in a sustainable environment and reduce, or have a neutral impact upon, pollution and climate change

- 21.3 The application is supported by an Energy and Sustainability Assessment, prepared by SLR, reference 401.12442.00002 version 1 and dated May 2022. The Assessment identifies that air source heat pumps, mechanical ventilation and solar panels are considered to be the most appropriate on site renewable resources for the proposed development.
- 21.4 For the construction phase, all timber and timber products used would be from legally harvested and traded sources. Renewable materials will be sought from sustainable sources wherever possible and the potential for material reuse from the buildings to be demolished will also be considered. Construction Waste Management would also be considered during the post planning stage, should permission be granted, to ensure that site waste can be reduced, reused, recycled or recovered wherever possible.
- 21.5 Subject to a condition to secure these sustainable measures as part of a detailed design in the event permission is granted, the proposal would be able to secure a sustainable development outcome and would therefore accord with Policies CS1 and CS6 of the Core Strategy.

22 Accessibility and Equality

- 22.1 Policy CS16 of the CS and Policy DM12 of the DMPD requires safe, convenient, and attractive access to be incorporated within the design of the development. Being a care home, the scheme would be fully accessible.
- 22.2 The Council is required to have regard to its obligations under the Equality Act 2010, including protected characteristics of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There would be no adverse impacts as a result of the development.

23 Fire Safety

- 23.1 On The Surrey Fire Safety Inspecting Officer and has reviewed this proposal and confirmed that it demonstrates compliance with the Fire Safety Order in respect of means of warning and escape in case of fire.

24 Planning Obligations

24.1 The following site specific and financial contribution are required to mitigate the highway impacts of the proposed development:

- RTPI display linked to Surrey County Council's RTPI system to be installed within a communal area of the development,
- Provision of an uncontrolled pedestrian crossing point on Church Street
- Improvements to the two bus stops on Church Road closest to the site to consist of real time passenger information, shelter provision, lighting, raised kerbing and seating
- Travel Plan Auditing fee of £6150

24.2 The Community Infrastructure Levy Charging Schedule 2014 indicates that the application is liable for CIL payments because it involves additional floor area in excess of 100m². Class C2 care homes are charged at a rate of £20/m².

CONCLUSION BALANCE

25 Planning Balance

25.1 As the Council cannot demonstrate a five-year supply of deliverable housing sites, paragraph 11 (d) of the NPPF is engaged as the policies which are most important for determining the application are out-of-date. There are no footnote 8 policies which would provide a clear reason for refusing permission and which would prevent the tilted balance from being applied.

25.2 Footnote 7 to paragraph 11d (ii) indicate that policies relating to designated heritage assets are relevant to its application. In undertaking the balanced exercise set out in paragraph 202 of the Framework, whilst the proposal would result in less than substantial harm to the significance of the heritage assets, it has been demonstrated that the benefits of the scheme would outweigh that harm, whilst giving considerable importance and weight preservation of the designated heritage asset. Therefore, as there is no clear heritage reason for refusing the proposal, the tilted balance in paragraph 11d (ii) remains engaged.

25.3 The presumption is therefore to grant permission for sustainable development unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or where specific policies in the Framework indicate that development should be restricted.

Social Benefits

- 25.4 The proposed development would make a significant contribution towards delivering the Council's housing target and would therefore be consistent with the Framework and Council policy in so far as it seeks to significantly boost the supply of homes. Given the pressing need for housing in the Borough, as demonstrated by the extent of the Council's housing shortfall and how long the deficit is likely to persist, this benefit is given significant weight.
- 25.5 The proposal would provide a care home facility that would meet a defined need and provide a choice of housing for the community. The proposal care accommodation would have benefits for future occupiers in terms of improved wellbeing and health outcomes. Moreover, the proposal could reduce need for existing GP and hospital services. It is also sustainability located close to public transport and the town centre, allowing ease of movement. Having regard to identified need, this benefit is given significant weight.

Economic Benefits

- 25.6 The proposal would provide economic benefits through employment during the construction phase, the additional employment generated by the completed proposal and the additional expenditure in the local economy at both construction and following occupation. The construction phase is temporary and therefore this would amount to a limited benefit.
- 25.7 It is estimated that the operation phase of the development would generate 70 to 80 direct jobs, that is subject to increase as the scheme matures. This benefit is given significant weight.
- 25.8 There is no evidence to suggest that the local economy would be disadvantaged without the expenditure generated from the proposed development and therefore this would amount to a limited benefit.

Environmental Benefit

- 25.9 The proposal would achieve a substantial biodiversity net gain on the site. This benefit is given significant weight.
- 25.10 The proposal would provide considerable landscaping and tree planting on the site and sustainability measures that extend beyond minimum policy compliance. This would amount to a moderate benefit.

Other Matters

- 25.1 The proposal would cause less than substantial harm to the setting of Hermitage (Grade II Listed), Ashley Cottages (Grade II Listed), The

Cedars (Grade II* Listed) and Church Street Conservation Area. Whilst Officers have given great weight to the desirability of preserving the setting of the surrounding heritage assets, in this case, the public benefits would outweigh the less than substantial harm identified.

- 25.1 The proposal would conflict with a key criterion of Policy 17g of Plan E 2011 by failing to provide at least 20 affordable houses on the site. However, as there is no requirement under Policy C9 of the Core Strategy 2007 to secure affordable housing for a Class C2 development, Officers attach limited weight to this conflict.
- 25.2 The proposal would conflict with Policy DM13 of the Development Management Policies Document 2015 and Policy E7 of Plan E 2011, both of which sets the maximum height limit of 12m outside of locations identified within the Proposals Map in Plan E 2011. However, Policy DM13 of the Development Management Policies Document 2015 is currently set aside in order to promote opportunities for growth. Although this policy remains part of the development plan, it is afforded limited weight in the decision-making process and in regard to the presumption of sustainable development. Although not similarly set aside, Policy E7 of Plan 2011 also seeks to restrict opportunities for growth and therefore Officers attach limited weight to these policy conflicts.
- 25.3 The proposal has the potential to sterilise future development from coming forward on the Epsom Lodge site as a result of partial overshadowing, thereby conflicting with Policy 17g of Plan E 2011. However, as any future development can be designed around the constraints of the site, Officers attach limited weight to this conflict.
- 25.4 The shortfall of on-site car parking spaces would not be compliant with DM37 of the Development Management Policies Document 2015. However, there is robust justification for the shortfall, given that residents of the development themselves are unlikely to own vehicles due to the nature of the care provided and that the site is located within a highly sustainable location with good public transport accessibility.

Overall Balance

- 25.5 Overall, whilst there are adverse effects in respect of this application, these would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or where specific policies in the Framework indicate that development should be restricted. The application is therefore recommended for approval.

RECOMMENDATION

PART A: To grant planning permission subject to the S106 Legal Agreement by 09 February 2024 with the following Heads of Terms

- a) RTPI display
- b) Pedestrian crossing point on Church Road
- c) Improvements to bus stops on Church Road
- d) Travel Plan Auditing fee

and the following conditions and informatives

PART B: In the event that the Section 106 Agreement referred to in Part A is not completed by 09 February 2024, the Head of Planning is authorised to refuse the application for the following reason:

In the absence of a completed legal obligation under Section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CS16 of the Core Strategy 2007 and Policies DM36 and DM37 of the Development Management Policies Document 2015.

Conditions:

1. Time limit

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. Approved details

The development hereby permitted shall be carried out in accordance with the following approved plans and reports:

- Drawing Number APL001 Site Location Plan Rev B
- Drawing Number APL002 Topographical Plan Rev B
- Drawing Number APL004 Proposed Site Plan Rev G
- Drawing Number APL005 Proposed Landscape Plan Rev H
- Drawing Number APL006 Proposed Basement Plan Rev E
- Drawing Number APL007 Proposed Ground Floor Plan Rev D
- Drawing Number APL008 Proposed First Floor Plan Rev D
- Drawing Number APL009 Proposed Second Floor Plan Rev D
- Drawing Number APL010 Proposed Third Floor Plan Rev D
- Drawing Number APL012 Proposed Roof Plan Rev D
- Drawing Number APL013 Proposed Church St. Elevation A-A' Rev D

- Drawing Number APL014 Proposed South Elevation B-B' Rev D
- Drawing Number APL015 Proposed West Elevation C-C' Rev D
- Drawing Number APL016 Proposed Elevations D-D' to G-G' Rev D
- Drawing Number APL017 1:100 Proposed Elevation H-H' Rev D
- Drawing Number APL018 1:250/1:500 Proposed Street Elevations Rev D
- Drawing Number APL019 1:200 Proposed Site Sections Rev D
- Drawing Number APL029 1:100 Basement Fire Strategy Plan Rev C
- Drawing Number APL030 1:100 Ground Floor Fire Strategy Plan Rev C
- Drawing Number APL031 1:100 First Floor Fire Strategy Plan Rev B
- Drawing Number APL032 1:100 Second Floor Fire Strategy Plan Rev B
- Drawing Number APL033 1:100 Third Floor Fire Strategy Plan Plan Rev B

Reason: For the avoidance of doubt and in the interests of proper planning as required by Policy CS5 of the Core Strategy 2007.

Pre Commencement Conditions

3. Materials

No development shall commence until details of all external materials to be used for the development have been 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 Document 2015.

4. Construction Transport Management Plan

No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) 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) on-site turning for construction vehicles

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: In order for the development not to prejudice highway safety nor cause inconvenience to other highway users in accordance with the objectives of the NPPF 2023, and to satisfy policies DM35 and DM36 of the Development Management Policies Document 2015 and Policy CS16 of the Core Strategy 2007.

5. Ground Contamination

Following demolition and prior to the commencement of any further development, the following shall be undertaken in accordance with current best practice guidance:

- (a) A desk study, site investigation and risk assessment to determine the existence, extent and concentrations of any made ground/fill, ground gas (including hydrocarbons) and contaminants (including asbestos and PFAS) with the potential to impact sensitive receptors on and off-site. The results of the investigation and risk assessment shall be submitted to and approved by the Local Planning Authority; and
- (b) if ground/groundwater contamination, filled ground and/or ground gas is found to present unacceptable risks, a detailed scheme of risk management measures shall be designed and submitted to the Local Planning Authority for approval.

Prior to any occupation of the site, an approved remediation scheme prepared in accordance with the above, must be carried out in accordance with its terms. Following completion, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

Reason: To control significant harm from land contamination to human beings, controlled waters, buildings and ecosystems as required by Policy DM10 of the Development Management Policies Document 2015.

6. Groundwater Site Investigation

No development shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall include the following components:

- (a) A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors; and
 - potentially unacceptable risks arising from contamination at the site.

- (b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- (c) The results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved prior to any occupation of the development

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in accordance with Policy DM17 of the Development Management Policies Document 2015 with paragraph 174 of the National Planning Policy Framework.

7. Groundwater Flooding Details

Prior to the commencement of any below ground development at the site, a Groundwater Screening Assessment shall be submitted to, and approved in writing by, the Local Planning Authority. The Assessment shall confirm the location, extent and depth of the proposed basement and include detailed assessments of the nature and extent of impacts on groundwater flows, levels and flooding on and to properties immediately adjacent to the site (including allowance for seasonal variations). If the assessment identifies significant adverse impacts, then the document should also set out a scheme of mitigation and ongoing maintenance measures to reduce the risks to the application site and adjoining properties to an acceptable level. The approved details, including mitigation and ongoing maintenance shall therefore be maintained for the life of the development.

Reason: To ensure the design makes adequate provision for flood protection and does not increase flood risk on or off site in accordance with Policy CS6 of the Epsom and Ewell Core Strategy 2007 and Policy DM19 Development Management Policies Document 2015.

8. SuDS Details

The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and

approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- (a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels or confirmation from a geotechnical engineer that ground contamination precludes the use of infiltration.
- (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. The final solution should follow the principles set out in the approved drainage strategy. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 1.0 l/s, discharged to the surface water sewer.
- (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.). Including proposed green roof, rain garden planters, permeable paving and filter drains.
- (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 from increased flood risk.
- (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.

The surface water drainage scheme shall be implemented as approved prior to any occupation of the development.

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 Epsom and Ewell Core Strategy 2007 and Policy DM19 Development Management Policies Document 2015.

9. Environmental Construction Plan

The development hereby permitted shall not commence until an Environmental Construction Management Plan 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 to safeguard the amenities of the occupiers of neighbouring properties in accordance with Policy DM10 of the Development Management Policies Document 2015.

10. Tree Protection Plan

No development (including demolition and all preparatory work) shall take place until a detailed tree protection plan and arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority, which are to be in accordance with Method Statement 1845KCXXYTREE REV D and Tree Protection Plan 1845 KCXX YTREE TOO01 REV D. Specific issues to be dealt with in the enhanced Tree Protection Plan and Arboricultural Method Statement shall include:

- a) Methods of demolition within the root protection areas of retained trees numbered 3-5 and 9-14;
- b) Location and installation of services/ utilities/ drainage in particular adjacent to the frontage verge trees numbered 3-8 and side flank trees numbered 9-14;
- c) Details of construction for foundations or other structures which require excavation within the RPAs of retained trees;
- d) A full specification for the construction of any, basement, roads, parking areas, hard surfacing, hard landscaping and driveways which are constructed within the RPA's of retained trees, including details of the tree protection measures and no-dig specifications;
- e) An enhanced specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing;
- f) A specification for scaffolding and ground protection within RPAs of construction exclusion zones, where total protection cannot be achieved due to access and construction requirements;
- g) Details of site access, temporary contractor parking, on site welfare facilities and services, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires;
- h) Methodology and detailed assessment of root pruning within RPAs;
- i) Arboricultural supervision and inspection by a suitably qualified arboricultural consultant;
- j) Reporting to the LPA of inspection and supervision;
- k) Methods to improve the rooting environment for retained and proposed trees;

The development thereafter shall be implemented in strict accordance with the approved details.

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. Tree Working Procedures

Before any development or construction work begins, a pre-commencement meeting shall be held on site and attended by the developers appointed arboricultural consultant, the site manager/foreman and a representative from the Local Planning Authority to discuss details of the working procedures and agree either the precise position of the approved tree protection measures to be installed or that all tree protection measures have been installed in accordance with the approved tree protection plan. To include a reasonable supervision and monitoring programme with the LPA for the duration of development. The development shall thereafter be carried out in accordance with the approved details or any variation as may subsequently be agreed in writing by the LPA. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by a suitably qualified and pre-appointed tree specialist.

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

12. Archaeology details

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, to be conducted in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority. The scheme shall be implemented as approved prior to any occupation of the development.

Reason: To ensure archaeological investigation recording in accordance with Policy DM8 of the Development Management Policies Document 2015

Pre-Above Ground Level Condition

13. No development above ground level shall take place until a detailed Scheme of Hard and Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority, which are to be in accordance with the hard and soft landscaping plan APL005 revision F. The detailed scheme shall include.

- a) Details of the design and external appearance of all hard surface, fences, gates, walls, bollards and any other hard landscaping features
- b) The location, species and size of plants and trees to be planted on the site;

- c) Details of underground tree planting pits and/or crate systems, planting and tree surround specifications
- d) Schedules of landscape maintenance and aftercare

All planted materials shall be maintained for five years and any trees or planting that is removed, damaged, dying or diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.

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

Pre-Occupation Conditions

14. Modified Access

No part of the development shall be first occupied unless and until the proposed modified accesses to Church Street have 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 for the development not to prejudice highway safety nor cause inconvenience to other highway users in accordance with the objectives of the NPPF 2023, and to satisfy policies DM35 and DM36 of the Development Management Policies Document 2015 and Policy CS16 of the Core Strategy 2007.

15. Access and Egress

No part of the development shall be occupied until 'No Entry' signing and 'No Entry' markings have been provided at the site egress and 'Entry' signing, and 'One Way' markings have been provided within the site ingress in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, and thereafter shall be permanently retained and maintained.

Reason: In order for the development not to prejudice highway safety nor cause inconvenience to other highway users in accordance with the objectives of the NPPF 2023, and to satisfy policies DM35 and DM36 of the Development Management Policies Document 2015 and Policy CS16 of the Core Strategy 2007.

16. Kerb/Verge/Footway Reinstatement

The development hereby approved shall not be first occupied unless and until all existing redundant accesses have been permanently removed or closed, and all kerbs, verge, footway, adjacent to the frontage of the site have been fully reinstated and all redundant Ambulance station signage and roadmarkings and the fire station wig wags have been relocated to the satisfaction of Surrey Fire and Rescue and Surrey County Council.

Reason: In order for the development not to prejudice highway safety nor cause inconvenience to other highway users in accordance with the objectives of the NPPF 2023, and to satisfy policies DM35 and DM36 of the Development Management Policies Document 2015 and Policy CS16 of the Core Strategy 2007.

17. Parking and Turning

The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for 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 for the development not to prejudice highway safety nor cause inconvenience to other highway users in accordance with the objectives of the NPPF 2023, and to satisfy policies DM35 and DM36 of the Development Management Policies Document 2015 and Policy CS16 of the Core Strategy 2007.

18. Sustainable Transport Measures

The development hereby approved shall not be first occupied unless and until the following facilities 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, this shall be secure, covered and lit and at-grade to allow for accessible cycle parking,
- (b) Facilities within the development site for cyclist to change into and out of cyclist equipment/ shower,
- (c) RTPI display linked to Surrey County Council's RTPI system to be installed within a communal area of the development,
- (d) Provision of an uncontrolled pedestrian crossing point on Church Street
- (e) Improvements to the two bus stops on Church Road closest to the site to consist of real time passenger information, shelter provision, lighting, raised kerbing and seating

and thereafter shall be kept permanently 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 to meet the objectives of the NPPF 2023, and to satisfy policies DM35 and DM36 of the Development Management Policies Document 2015

19. Travel Plan

Prior to the occupation of the development, a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide", and in general accordance with the 'Workplace Travel Plan (Framework)' document. The approved Travel Plan shall be implemented prior to occupation and for each and every subsequent occupation of the development to the satisfaction of the Local Planning Authority.

Reason: In recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2019 to meet the objectives of the NPPF 2023, and to satisfy policies DM35 and DM36 of the Development Management Policies Document 2015

20. Ground Contamination Verification Report

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. In that event, an investigation and risk assessment must be undertaken and where remediation is deemed necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing by the Local Planning Authority. The scheme shall be implemented as approved prior to any occupation of the development.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete, in accordance with Policy DM17 of the Development Management Policies Document 2015 with paragraph 174 of the National Planning Policy Framework.

21. Groundwater Verification Report

Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in

accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in accordance with Policy DM17 of the Development Management Policies Document 2015 with paragraph 174 of the National Planning Policy Framework.

22. Landscape Management Plan

A landscape management plan covering a period of no less than 5 years, including long term design objectives, management responsibilities, maintenance and inspection schedules for all landscape areas shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or any completed phase of the development, whichever is the sooner. Should Cedar T4 fail during development or during the 5 year maintenance period the details of a compensatory tree planting scheme with aftercare showing tree species, number, stock size and planting specification shall be submitted to and approved in writing by the local planning authority. Any trees or plants which, within a period of five years after planting, are removed, die or in the opinion of the local planning authority become seriously damaged or diseased, shall be replaced in the next available planting season with others of similar size, species and number, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

23. Compliance with Flood Risk Assessment

Prior to the first occupation of the development, the development hereby permitted shall be constructed in accordance with the Flood Risk and Surface Water Management Statement, prepared by SLR, reference 402.12442.00002 Version 2 and dated May 2022. The development is to be maintained in accordance with the recommendations of the Flood Risk Assessment for the life of the development.

Reason: To ensure the design makes adequate provision for flood protection and does not increase flood risk on or off site in accordance with Policy CS6 of the Epsom and Ewell Core Strategy 2007 and Policy DM19 Development Management Policies Document 2015.

24. Compliance with Noise Assessment

Prior to the first occupation of the development, the development hereby permitted shall be constructed in accordance with the identified mitigation

outlined in the submitted Noise Assessment, prepared by SLR, reference 402.12442.0000_Noise Version 1 and dated May 2022. Prior to occupation of the site, the applicant shall submit evidence to the Local Planning Authority that this mitigation has been installed and/or commissioned as necessary.

Reason: To ensure the occupiers of the development are not unduly affected by noise disturbance in accordance with Policy DM10 of the Development Management Policies 2015.

25. Compliance with Sustainable Design Measures

Prior to the first occupation of the development, the sustainable design measures shall be carried out in strict accordance with the Energy and Sustainability Assessment, prepared by SLR, reference 401.12442.00002 version 1 and dated May 2022, and shall be maintained as such thereafter unless otherwise agreed in writing by 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

26. Compliance with External Lighting Strategy and Lighting Impact Assessment

Prior to the first occupation of the development, the mitigation methods recommended in the External Lighting Strategy and Lighting Impact Assessment, prepared by DPA and dated 16 May 2023, shall be carried out in strict accordance and shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the occupiers of the development and surrounding properties are not unduly affected by light pollution in accordance with Policy DM10 of the Development Management Policies 2015.

27. Compliance with Ecology Report

Prior to the first occupation of the development, the development hereby permitted shall be carried out in strict accordance with the recommendations and ecology enhancements set out in the Preliminary Ecological Appraisal and Bat Preliminary Roost Assessment, prepared by Surrey Wildlife Trust, reference 3717-1 Version 1.0 and dated 07 March 2019 and the recommendations and ecology enhancements set out in the Updated Bat Survey Report, prepared by Surrey Wildlife Trust, reference 3717-6 Version 1.0 and dated 16 September 2022.

Reason: To preserve and enhance biodiversity and habitats in accordance with Policy CS3 of the Core Strategy 2007 and Policy DM4 of the Development Management Policies 2015.

Other

28. Hours of work

Works related to the construction of the development hereby permitted, including works of demolition or preparation prior to building operations shall not take place other than between the hours of 08.00 to 18.00 hours Mondays to Fridays; 08.00 to 13.00 hours Saturdays; with no work on Saturday afternoons (after 13.00 hours), Sundays, Bank Holidays or Public Holidays

Reason: To safeguard the amenities of the occupiers of neighbouring properties in accordance with Policy DM10 of the Development Management Policies 2015

29. Compliance with Arboricultural Report

The development shall be carried out strictly in accordance with the Arboricultural Method Statement produced by Keen Consultants dated September 2022, the Tree Protection Plan produced by Keen Consultants and dated April 2022 and the Tree Survey and Impact Assessment produced by Keen Consultants and dated September 2023.

The development shall be carried out in accordance with the agreed details and no equipment, machinery, or materials shall be brought onto the site for the purposes of the development until fencing and ground protection has been erected in accordance with the Method Statement and Tree Protection Plan. Within any exclusion or fenced area in accordance with this condition, nothing shall be stored, placed, or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit, without the prior written consent of the local planning authority. The tree protection measures shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

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

30. Groundwater Remediation Strategy

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in accordance with Policy DM17 of the Development Management Policies Document 2015 with paragraph 174 of the National Planning Policy Framework.

31. Ground Surface Water Drainage

No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. Where consent is approved, the development shall be carried out in accordance with the approved details prior to any occupation of the development.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in accordance with Policy DM17 of the Development Management Policies Document 2015 with paragraph 174 of the National Planning Policy Framework.

32. Piling

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in accordance with Policy DM17 of the Development Management Policies Document 2015 with paragraph 174 of the National Planning Policy Framework.

Informatives:

1. In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.
2. Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change

of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced.

3. The 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;
 - in some circumstances, carry out groundwork's 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 permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.
5. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice.
6. 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).

7. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
8. 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.
9. The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.
10. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
11. A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.
12. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
13. 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.
14. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on the Lead Local Flood Authority website

15. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standard
16. Sub ground structures should be designed so they do not have an adverse effect on groundwater.
17. Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus, it should be demonstrated that any proposed piling will not result in contamination of groundwater. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73".
18. The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:
 - excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
 - treated materials can be transferred between sites as part of a hub and cluster project formally agreed with the EA
 - some naturally occurring clean material can be transferred directly between sites.
19. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.
20. The Environment Agency recommends that developers should refer to the Position statement on the Definition of Waste: Development Industry Code of Practice The Environmental regulations page on GOV.UK
21. A build over agreement is required with Thames Water before commencing works, as the proposed development is within 3 metres of a public sewer (of which, the internal diameter is less than or equal to 150mm). Further information can be found at <https://www.thameswater.co.uk/help/home-improvements/building-over-sewers-or-public-drains>
22. Thames Water do not permit driven piles within 15m of a public sewer. Technical guidance can be found at <https://www.thameswater.co.uk/media-library/home/help/home-improvements/building-near-our-pipes/build-over-technical-specs.pdf>

23. The proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy, carried out by a competent person in line with paragraph 178 of the NPPF. The Planning Practice Guidance defines a "Competent Person (to prepare site investigation information): A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.
<http://planningguidance.planningportal.gov.uk/blog/policy/achieving-sustainable-development/annex-2-glossary/>

24. Compliance with the Building Regulations 2010 will normally ensure compliance with the Fire Safety Order in respect of means of warning and escape in case of fire. However, the responsible person is advised to carry out a fire risk assessment of the proposals at this stage, to identify any risks that might require remedial measures when the premises is occupied, as a result of the nature of the occupancy and/or processes carried on there. Any such measures that are identified should be incorporated into the current design.

Your attention is drawn to the series of publications produced by the Department for Communities and Local Government (CLG), which provides information for the responsible person about the Fire Safety Order. These publications are available from Government Services and Information website at: <https://www.gov.uk/workplace-fire-safety-your-responsibilities/fire-safety-advice-documents>.

Responsibility for ensuring that a building is provided with appropriate fire safety arrangements rests with the responsible person, once the building is occupied. The responsible person should, therefore, ensure that the fire safety arrangements in place are adequate and comply fully with the requirements of the Fire Safety Order.

25. Fire safety information in accordance with Regulation 38 of the Building Regulations 2010 should be provided to the responsible person at the completion of the project or when the building or extension is first occupied. This information should take the form of a fire safety manual and form part of the information package that contributes to the fire risk assessment that will need to be carried out under the Regulatory Reform (Fire Safety) Order 2005
26. Passive fire protection measures, particularly fire stopping, fire barriers and fire resisting compartmentation, restricts the spread of smoke and fire through a building through hidden areas such as voids. We recommend that careful attention is given to this detail during construction. Certification of this work can be beneficial to confirm the suitability of the structure to meet its performance requirement lay out in this design application.

27. Surrey Fire and Rescue Service (SFRS) would strongly recommend that consideration is given to the installation of AWSS (ie; Sprinklers, Water Mist etc) as part of a total fire protection package to:

protect life;
protect property, heritage, the environment and our climate;
help promote and sustain business continuity; and
permit design freedoms and encourage innovative, inclusive and sustainable architecture.

The use of AWSS can add significant benefit to the structural protection of buildings in the event of a fire. Other benefits include supporting business recovery and continuity if a fire happens

Planning Appeals Report - September Quarter

Ward	All Wards
Proposal	Summary of all Planning Appeal Decisions between June and September 2023
Contact Officer	Simon Taylor
Title	Interim Manager, Planning and Enforcement

SUMMARY

	Address	LPA Ref	Appeal Reference	Proposal	Decision
1	The Whym, Windmill Lane, Epsom	22/01508/ FLH	APP/P3610/D/23/ 3317582	Two storey extension	Dismissed
2	37 Higher Green, Ewell KT17 3BB	22/01872/ FLH	APP/P3610/D/23/ 3317412	First floor rear extension	Dismissed
3	52A Park Avenue East, Stoneleigh KT17 2NY	22/01086/ FUL	APP/P3610/W/22 /3312598	Additional storey and subdivision of the bungalow to a pair of semi- detached dwellings and single storey dwelling in rear garden	Dismissed
3	52A Park Avenue East, Stoneleigh KT17 2NY	22/01085/ FUL	APP/P3610/W/22 /3312765		Upheld
4	39 Manor Green Road, Epsom KT19 8RN	22/00695/ FUL	APP/P3610/W/22 /3312147	Change of use of gym/yoga studio to 1 bed dwelling with garden and parking	Upheld
5	124 Hook Road, Epsom KT19 8TX	22/00817/ FLH	APP/P3610/D/23/ 3314322	Vehicular access and dropped kerb	Dismissed
6	32 Scotts Farm Road, West Ewell KT19 9LJ	23/00166/ FLH	APP/P3610/D/23/ 3321891	New access	Upheld
7	Land Adjacent to Hollycroft, Epsom Road, Ewell KT17 1JR	21/01167/ FUL	APP/P3610/W/22 /3301362	Two storey detached dwelling.	Dismissed
7	Land Adjacent to Hollycroft, Epsom Road, Ewell KT17 1JR	21/01254/ FLH	APP/P3610/W/22 /3301360	Part single/two storey extension and detached garage	Dismissed

	Address	LPA Ref	Appeal Reference	Proposal	Decision
7	Hollycroft, Epsom Road, Ewell KT17 1JR	21/01255/ LBA	APP/P3610/Y/22/ 3301359		Dismissed
8	140-142 Ruxley Lane, West Ewell KT19 9JS	21/01406/ FUL	APP/P3610/W/22/ /3291215	20 flats within two blocks with car parking and landscaping.	Dismissed
9	Epsom Lodge, 1 Burgh Heath Road, Epsom KT17 4LW	22/00431/ FUL	APP/P3610/W/22/ /3313773	Change of use of Care Home to create 6 flats and two storey side extension	Dismissed
10	The Stoneleigh Inn, Stoneleigh Broadway. Stoneleigh KT17 2JA	21/00790/ FUL 21/00791/ LBA	APP/P3610/W/22/ /3301980 APP/P3610/Y/22/ /3301981	Upgrade of base station with two replacement antennas and three replacement cabinets	Upheld
11	57 Church Road, Epsom KT17 4DN	23/00361/ FLH	APP/P3610/D/23/ 3324370	Side extension	Dismissed

* Appeal success rate: 71%

* Major appeal success rate: 100%

SUMMARY OF ISSUES

1 The Whym, Windmill Lane, Epsom - Dismissed

- 1.1 The appeal relates to two storey front extension and dormer windows to a backland bungalow. The appeal turned on overlooking grounds.
- 1.2 In their decision, the Inspector noted that there would be no material increase in overlooking when measured against the 2018 fallback consideration of a previous permission. However, paragraph 6 notes that "It is not clear from the plans whether or not it is the intention of the appellant to obscurely glaze any of (the four) windows within this dormer and therefore I consider that by being in such close proximity to the boundary shared with no 42, that the proposal would give rise to an unreasonable level of overlooking of its private amenity space."

2 37 Higher Green, Ewell KT17 3BB – Dismissed

- 2.1 The appeal relates to a first-floor side dormer extension, first floor rear extension and loft conversion. The sole issue is whether the proposal would preserve or enhance the character or appearance of the Higher Green/Longdown Lane North Conservation Area.

- 2.2 The appeal decision notes “one particularly striking element of the host dwelling is the fact that it has significant cat-slide roofs to either side with there currently being a good visual gap at first floor level to the south east elevation and over the attached single storey garage of 39 Higher Green adjacent.” (para 3). The proposal would erode views of a magnificent Cedar tree (para 4), the extension is incongruous, ill thought out, over scaled, and bolted on (para 4) and it is of “a bulky appearance that would form a disproportionate and conspicuous extension to the host dwelling”. It was dismissed on these grounds, having regard to very limited public benefit.

3 52A Park Avenue East, Stoneleigh KT17 2NY – One dismissed, one upheld

- 3.1 The appeal related to a linked appeal against the refusal of two applications for (a) the creation of two semi-detached dwellings within an existing dwelling and a single bungalow in the rear garden and (b) the creation of two semi-detached dwellings within an existing dwelling and (b). Appeal (a) turned on issues of adequate parking. Appeal turned on issues of parking and impact upon the character of the area.
- 3.2 On parking grounds, there was a shortfall of four car spaces and the Inspector agreed with the appellant, recognising that the site was sustainably located close to modes of transport and day to day facilities. As this was the sole issue, Appeal B was allowed.
- 3.3 On character grounds in Appeal A, the Inspector noted that “The area also has a characteristic sense of spaciousness arising from the distance between roads and the deep back plots of the houses” (para 13). The conclusions were that the development complied with policy for backland development (Policy DM16) but failed to adhere to policies relating to good design (Policy DM9 and DM10. In the tilted balance, the harm outweighed the character harm, and the appeal was dismissed.

4 39 Manor Green Road, Epsom KT19 8RN - Upheld

- 4.1 The appeal related to the change of use of an existing outbuilding on a corner plot and incidental in nature to the existing dwelling (used as a gym/yoga studio) to create a 1 bed dwelling. No building works were proposed but the land was subdivided to create two plots. The Inspector acknowledges several previous applications and a 2020 dismissed appeal for a similar proposal. The main issues are whether the principle of residential development is acceptable within the proposed location, and the effect of the proposal on the character and appearance of the area. The latter turned on the formal subdivision of the plot and therefore the effect on the characteristic grain, density, and plot sizes of the area

- 4.2 The Inspector allowed the appeal, noting the following at paragraphs 14 and 15:

“The appeal proposal would split the original garden size of the existing dwelling by just under half to provide a plot for the proposed dwelling (thereby overcoming the living conditions issue at the previous appeal). The resultant plots would be much smaller in depth than the gardens which serve the surrounding houses and, as the Inspector for the previous appeal noted, starkly at odds with the existing pattern of development.

However, this would not be particularly perceptible at ground level from within the various street scenes due to the corner plot location and relatively enclosed boundary treatments. As such, whilst the appeal proposal would introduce an out of scale dwelling and disproportionate plots; it would not appear intrusive or discordant within the public realm. Therefore, it would not unacceptably adversely impact the character and appearance of the area...”

5 124 Hook Road, Epsom KT19 8TX - Dismissed

- 5.1 The appeal related to the creation of a crossover, refused because of highway safety concerns on a B road and harm arising from the loss of a street tree.
- 5.2 The Inspector agreed with the Council in acknowledging that pedestrian safety is compromised as visibility splays can only be obtained across neighbouring land. The loss of any trees was noted as regrettable but acceptable on account of them not being TPO protected.

6 32 Scotts Farm Road, West Ewell KT19 9LJ - Upheld

- 6.1 The appeal related to the creation of a crossover, refused because of harm to the character of the area and effects on highway safety, being the reversing of vehicles onto the highway.
- 6.2 The Inspector acknowledges a finely balanced consideration at paragraph 8. There is identified conflict with policy, but the appeal was allowed on account of the appellant being a registered disabled driver. They also noted that a 3-point manoeuvre could be achieved on site thus eliminating highway safety concerns.

7 Land Adjacent to Hollycroft, Epsom Road, Ewell KT17 1JR and Hollycroft, Epsom Road, Ewell KT17 1JR – 3 appeals dismissed

- 7.1 These relate to three linked appeals for a single storey and two storey extension to the existing dwelling (householder application and listed building consent) known as Hollycroft, which is a mid C18, Grade II listed building within the Ewell Village Conservation Area. The third appeal related to a new infill, two storey dwelling (full application). The issues were conservation and heritage related.
- 7.2 The Inspector's decision notice recognises the evolution of the site, including subdivision in 1964 and more mature vegetation in recent years. The setting is therefore more restricted than when it was first listed. The conservation area in which it is located is extensive and mixed and Hollycroft occupies the southern edge.
- 7.3 The Inspector identified various issues with the extensions to the existing dwelling, noting that "Collectively, the proposed extensions would dominate and overwhelm the existing host property. Rather than being subservient and subordinate, they would be disproportionate in scale, width, depth, and height, adding excessive bulk to this modest-sized historic dwelling. The entrance to the house and principal living areas would be within the extensions, relegating the existing ground floor reception rooms to small secondary spaces. This would significantly diminish the value of the original historic elements of the house." (para 17). Public benefits such as improved thermal efficiency did not outweigh the harm and the appeals against the householder application and listed building consent were dismissed.
- 7.4 The appeal for the infill dwelling was also dismissed, with an increased bulk closer to the rear elevation of the listed building giving "rise to an increased sense of enclosure to Hollycroft, eroding its spacious, garden setting, which is one of its distinguishing features as a historic building" (para 28) and "The loss of a section of the wall, combined with the construction of the dwelling and its associated parking area, (harming) the appearance, and (diminishing) the character of this part of the EVCA." (para 29)

8 140-142 Ruxley Lane, West Ewell KT19 9JS - Dismissed

- 8.1 The appeal related to the demolition of two dwelling houses and the erection of two flat buildings with a total of 20 flats in an area predominated by two storey dwellings and some commercial development. The issues related to the impact upon the character of the area, provision of internal and external amenity space and neighbour amenity impacts.

- 8.2 On the first issue, the Inspector noted that “It would also be a wide building overall and as such at the height and scale proposed it would both tower over No 144 and unduly contrast with the prevailing pattern of development in the vicinity” (para 7), “a considerable proportion of the frontage of the site would consist of a parking area and an access way, with minimal areas within that part of the site provided for soft landscaping” (para 8), “a considerable proportion of the site would still consist of either hardstanding or built form” (para 10) and the “assortment of dormer window styles, roof forms, and balconies which would undermine the visual coherence of the building” (para 11).
- 8.3 There was also agreement on internal amenity requirements, with almost half of the units having departures from the space standards and some bedrooms provided with obscure windows or rooflights only. This is exacerbated by the fact that there is no private amenity space. The siting and number of windows within both flat buildings presented overlooking concerns to the rear and front and there was also an undue loss of sunlight and daylight. The titled balance acknowledged the shortfall in the housing land supply and the significant weight applied to the benefits but also recognised very substantial weight to the adverse impacts and dismissed the appeal (para 34-36).

9 Epsom Lodge, 1 Burgh Heath Road, Epsom KT17 4LW – Dismissed

- 9.1 The appeal related to the change of use of a vacant care home to create six flats. It included associated alterations and additions. The primary issue was whether the building and site could accommodate six flats, namely private amenity space, harm to neighbour amenity, impact upon an existing Pine tree and lack of car parking. The site lies within the Burgh Heath Road Conservation Area. The principle of the change of use was not contested.
- 9.2 In dismissing the appeal, the Inspector agreed with the Council on all counts. They found in the balancing exercise that the benefits did not outweigh the harm, noting:
- Whilst I note the absence of an objection to the proposed parking provision from the Local Highway Authority, this would appear to be essentially based on the site being in a ‘sustainable’ location, with the town centre assuming significance in this regard. However, although I have noted the appellant’s views, I remain unconvinced that this is a suitable site as regards both character and location for a 50% reduction in on-site provision from the Council’s minimum standard (para 8)

- I regard the Council's arboricultural statement as setting out a convincing case that the pine tree would come under an unacceptable level of threat were the development to proceed on the basis of including the two parking spaces shown on the submitted plans as being near the tree (para 9)
- I am of the view that the design and scale of the rear elevation's fenestration would not adequately reflect the constraints imposed by the site's limited capacity for increases in the overall scale of the development and number of residents likely to take advantage of the aspect when compared to the recent use as a Care Home and original use as a single dwelling. (para 10)
- The submitted Daylight and Sunlight Assessment is in my view sufficient evidence of an unacceptable effect, as confirmed by the occupiers of the dwelling in their objection, and I am not persuaded otherwise by the appellant's view to the contrary. (para 10)
- I share the Council's view that it is reasonably likely that some or all of the 2-bedroom flats would each be occupied by a family with a child. And whilst it is correct that this is partly a consideration for the prospective occupiers themselves to decide, it is also true that the affordability of both rented and purchased properties is such that in reality future occupiers have a very limited choice. (para 11)

10 The Stoneleigh Inn, Stoneleigh Broadway. Stoneleigh KT17 2JA - Upheld

- 10.1 The appeal related to the upgrade of an existing base station with two new antennas, replacement of 3 no cabinets and ancillary development including structural steelwork. It was a linked appeal relating to the planning application and listed building consent. The primary issue is the harm to the Grade II listed Stoneleigh Inn, a C20 public house which was listed after the existing telecommunications equipment was installed.
- 10.2 The Inspector's assessment notes that the net removal of one antenna weighs in favour but that the two replacement antenna would be bulkier, with attachment to the existing chimneys adding clutter and causing harm to the building's appearance. Limited harm is accepted because of replacement of existing structures and the public benefits associated with 5G technology tipped in favour of upholding both appeals. Pre commencement conditions required structural details and materials details to assist in camouflaging the equipment.

11 57 Church Road, Epsom KT17 4DN - Dismissed

- 11.1 The appeal related to the replacement of a timber store with a garage/store room outbuilding with off street parking at the front of the site and partial replacement of the boundary wall. The primary issues related to the impact to the character of the existing dwelling and the Church Street and Pikes Hill Conservation Areas.

- 11.2 Parking and fencing changes were acceptable, but the Inspector identified sufficient harm without adequate benefit in relation to the outbuilding, noting at paragraphs 6 and 7:

“... In contrast, the appeal scheme would be substantially higher than the shed, with a greater footprint and overall scale and extent. The existing views of the double chimney breasts would be obliterated, obscuring an important feature within the context of the property and the wider CSCA and PHCA, and thereby injurious to the significance of the heritage assets.

Being situated on the junction of Church Road, Grove Road and St Martin's Close, the appeal site is prominently located. The development would immediately abut the public footpath of St Martin's Close, creating an imposing and discordant blank wall that would appear dominant within the context of the streetscene. When seen together with 59 Church Road, the scheme would add significant bulk to one side of the semi-detached pair. Even accounting for the set back from the front elevation, this would alter the architectural character of the properties and cause a harmful imbalance in the symmetry of the units.”

SUMMARY OF PENDING APPEALS

Address	LPA Ref	Appeal Reference	Proposal	Received	Status
8 Grafton Road, Worcester Park KT4 7QP	22/00316/ TPO	APP/P3610/W/2 2/3310516	T1 Pine: Fell to ground level	07/11/2022	No start letter
12 Dartford Court, Glanville Way, Epsom KT19 8HQ	22/01522/ FUL	APP/P3610/W/2 3/3315065	Outbuilding (garden office)	19/01/2023	No start letter
72 Chesterfield Road West Ewell KT19 9QP	22/01698/ FUL	APP/P3610/W/2 3/3318006	Demolition of garage and construction of bungalow	06/03/2023	Dismissed Review in Q4
Land To Rear of Burnside, Vernon Close, West Ewell Epsom KT19 9LF	22/00385/ TPO	TBC	Felling of Oak at Danetree Close	29/03/2023	No start letter
49 Lower Hill Road Epsom KT19 8LS	23/00036/ FLH	APP/P3610/D/2 3/3320972	Use of outbuilding for ancillary residential	25/04/2023	Decision pending
20 Mount Pleasant Epsom KT17 1XE	23/00122/ FLH	APP/P3610/D/2 3/3322276	Loft and raising of ridge	18/05/2023	Decision pending
18 Mount Pleasant Epsom KT17 1XE	23/00026/ FLH	APP/P3610/D/2 3/3322403	Loft and raising of ridge	18/05/2023	Decision pending
Land at 1 Limecroft Close, Ewell KT19 9RE	23/00266/ FUL	APP/P3610/W/2 3/3324358	Infill dwelling house	20/06/2023	Statement of Case due

Address	LPA Ref	Appeal Reference	Proposal	Received	Status
Majestic Wine Warehouses, 31 - 37 East Street, Epsom	22/01518/ FUL	APP/P3610/W/23/3324830	Self-storage facility	28/06/2023	Hearing 21 November
176 East Street, Epsom KT17 1ES	22/01814/ FUL	APP/P3610/W/23/3325967	Hip to gable extension	19/07/2023	No start letter
8A Ewell Downs Road, Epsom KT17 3BP	23/00357/ FLH	APP/P3610/D/23/3326068	Rear extension to dwelling	19/07/2023	Decision pending
84 Hookfield, Epsom	23/00568/ FLH	APP/P3610/D/23/3328899	Erection of relocated boundary fence and extension of residential curtilage	07/09/2023	No start letter
12 Ashford Court, Epsom KT19 8LR	22/01522/ FUL	APP/P3610/W/23/3315065	Detached outbuilding	19/01/2023	Decision pending
Brackenlee, Woodcote Side, Epsom,	23/00457/ FLH	APP/P3610/D/23/3328554	Granny annexe outbuilding	08/09/2023	Decision pending
Hobbledown, Horton Lane, Epsom	22/00010/ FUL	APP/P3610/W/23/3329486	Fencing and gates	14/09/2023	No start letter
41 Manor Green Road, Epsom	23/00352/ CLP	APP/P3610/X/23/3330057	Widening of dropped kerb	23/09/2023	No start letter
58 The Kingsway Ewell	23/00702/ FLH	APP/P3610/D/23/3330304	Extensions to convert house into a part two, part single storey house	27/09/2023	No start letter
5 Rutherwyke Close, Stoneleigh	23/00716/ FLH	APP/P3610/D/23/3330379	Side and rear extensions	28/09/2023	No start letter
Glyn Hall, Cheam Road, Ewell	23/00013/ FUL	APP/P3610/W/23/3330544	Demolition of community hall	02/10/2023	No start letter
Linden Cottage, 44 Christchurch Mount, Epsom	23/00487/ FUL	TBC	Three new dwellings	03/10/2023	No start letter
8 Bevan Park Road Ewell	23/00706/ TPO	APP/P3610/W/23/3330614	TPO for Ash tree	02/10/2023	No start letter
Verona, Horton Lane, Epsom KT19 8NX	22/01560/ FUL	APP/P3610/D/23/3319108	Outbuilding	09/06/2023	Decision pending
26- 28 Stoneleigh Broadway, Stoneleigh KT17 2HU	22/01757/ FUL	APP/P3610/W/23/3326613	Two semi-detached houses with access	25/07/2023	No start letter
21 Chartwell Place, Epsom KT18 5JH	22/01810/ TPO	TBC	Felling of Ash tree	25/07/2023	No start letter

Address	LPA Ref	Appeal Reference	Proposal	Received	Status
8 Woodcote Hall, Woodcote Road, Epsom	22/01862/ FLH	APP/P3610/D/2 3/3331340	Roof extension	17/10/2023	No start letter
15 Amis Avenue, Epsom	23/00176/ FUL	APP/P3610/W/2 3/3331410	Infill two storey dwelling	17/10/2023	No start letter
5 Poplar Farm Close, West Ewell	23/00302/ TPO	TBC	Part tree removal	18/10/2023	No start letter