



## LICENSING AND PLANNING POLICY COMMITTEE

Thursday 11 July 2024 at 7.30 pm

**Place: Council Chamber, Epsom Town Hall**

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

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

Councillor Peter O'Donovan (Chair)  
Councillor Neil Dallen (Vice-Chair)  
Councillor Robert Leach  
Councillor Rob Geleit  
Councillor Shanice Goldman

Councillor Julie Morris  
Councillor Phil Neale  
Councillor Kieran Persand  
Councillor Humphrey Reynolds  
Councillor Clive Woodbridge

Yours sincerely

Chief Executive

For further information, please contact [democraticservices@epsom-ewell.gov.uk](mailto:democraticservices@epsom-ewell.gov.uk) or tel: 01372 732000

### **EMERGENCY EVACUATION PROCEDURE**

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- 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.

## Public information

**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](mailto: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](mailto:democraticservices@epsom-ewell.gov.uk).

## 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.

## Questions and statements from the Public

Up to 30 minutes will be set aside for questions and statements from members of the public at meetings of this Committee. Any member of the public who lives, works, attends an educational establishment or owns or leases land in the Borough may ask a question or make a statement on matters within the Terms of Reference of the Committee.

All questions must consist of one question only and cannot consist of multiple parts. Questions and statements cannot relate to planning or licensing committees matters, the personal affairs of an individual, or a matter which is exempt from disclosure or confidential under the Local Government Act 1972. Questions which in the view of the Chair are defamatory, offensive, vexatious or frivolous will not be accepted. Each question or statement will be limited to 3 minutes in length.

If you wish to ask a question or make a statement at a meeting of this Committee, please contact Democratic Services at: [democraticservices@epsom-ewell.gov.uk](mailto:democraticservices@epsom-ewell.gov.uk)

Questions must be received in writing by Democratic Services by noon on the third working day before the day of the meeting. For this meeting this is **Noon, Monday 8 July**.

A written copy of statements must be received by Democratic Services by noon on the working day before the day of the meeting. For this meeting this is **Noon, Wednesday 10 July**.

For more information on public speaking protocol at Committees, please see [Annex 4.2](#) of the Epsom & Ewell Borough Council Operating Framework.

## Filming and recording of meetings

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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.

## **AGENDA**

### **1. QUESTIONS AND STATEMENTS FROM THE PUBLIC**

To take any questions or statements from members of the Public.

### **2. DECLARATIONS OF INTEREST**

To receive declarations of any Disclosable Pecuniary Interests or other registrable or non-registrable interests from Members in respect of any item to be considered at the meeting.

### **3. MINUTES OF THE PREVIOUS MEETING (Pages 5 - 10)**

The Committee is asked to confirm as a true record the Minutes of the Meeting of the Committee held on 18 January 2024 (attached) and to authorise the Chair to sign them.

### **4. MINUTES OF LICENSING SUB-COMMITTEES (Pages 11 - 50)**

To receive the Minutes of the meetings of the Licensing Sub-Committees held on 12 February 2024, 18 March 2024, and 10 April 2024.

### **5. COMMUNITY INFRASTRUCTURE LEVY MEMBER WORKING GROUP (Pages 51 - 60)**

Following the approval of the Community Infrastructure Levy Spending Protocol in January 2024, this report recommends approval of updated Terms of Reference for the CIL Member Working Group and agreement to the establishment and membership of the group.

### **6. LOCAL VALIDATION REQUIREMENTS LIST 2024 (Pages 61 - 162)**

The Local Validation Requirements List outlines the information that Epsom and Ewell Borough Council requires to be submitted to enable validation of the planning related application, including mandatory national requirements as set out in national planning policy, guidance and legislation and the local information requirements specific for Epsom and Ewell Borough Council.

The List was consulted from 25 April to 26 May 2024. Four submissions were received relating to the requirements for tree works applications and in relation to Flood Risk Assessments.

The draft List is attached at Appendix 1. it is intended as a wholesale review of the current List, including to incorporate legislative changes and to provide further detail about what and when information is required, primarily to minimise invalidation of applications and to speed up the validation process.

## **7. PLANNING ENFORCEMENT PLAN 2024** (Pages 163 - 216)

The Council's Planning Enforcement Plan outlines and explains how the enforcement service is delivered. It includes such matters as the definition of development, the principles of the enforcement service, how to report a breach, processing and prioritisation of cases, how it deals with breaches and the service standards it intends to meet.

The current Planning Enforcement Plan was approved by LPPC November 2021 and published in 2022. It includes a statement that it will be reviewed regularly, but review has been delayed to take into account additional enforcement measures which have been adopted in the Levelling Up and Regeneration Act 2023, an external audit of the Council's enforcement service which was undertaken in November 2023 and identified various recommendations for improvements, and the creation of a permanent Planning Enforcement Officer post to deal with planning enforcement following removal of the post in 2021.

The draft Planning Enforcement Plan is attached at Appendix 1. It is intended as a wholesale review of the current Enforcement Plan, including to incorporate legislative changes and audit recommendations and simplify the flow of the plan and better articulate how the council will deliver the service.

## **8. URGENT DECISIONS** (Pages 217 - 220)

To report to the committee the decisions taken by the Chief Executive and Directors on the grounds of urgency, in compliance with the requirements of the Constitution.

**Minutes of the Meeting of the LICENSING AND PLANNING POLICY COMMITTEE  
held at the Council Chamber, Epsom Town Hall on 18 January 2024**

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**PRESENT -**

Councillor Steven McCormick (Chair); Councillor Peter O'Donovan (Vice-Chair);  
Councillors Steve Bridger, Julie Morris, Phil Neale, Kieran Persand and  
Clive Woodbridge

Absent: Councillor Shanice Goldman

Officers present: Sue Emmons (Chief Accountant), Ian Mawer (Planning Policy  
Manager), Anna Clements (Senior Accountant), Michelle Meskell (Developer  
Contributions Lead Officer) and Phoebe Batchelor (Democratic Services Officer)

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**57 QUESTIONS AND STATEMENTS FROM THE PUBLIC**

The Committee received one written statement from a member of the public which was delivered verbally at the meeting.

**58 DECLARATIONS OF INTEREST**

No declarations of any Disclosable Pecuniary Interests in respect of any item of business to be considered at the meeting were made by Members.

**59 MINUTES OF THE PREVIOUS MEETING**

The Committee confirmed as a true record the Minutes of the Special Meeting of the Committee held on **22 November 2023** and authorised the Chair to sign them.

**60 MINUTES OF LICENSING SUB-COMMITTEES**

The Committee received the Minutes of the meetings of the Licensing Sub-Committees held on 24 August 2023, 11 December 2023, and 18 December 2023.

Following consideration, the Committee unanimously resolved to:

- (1) Receive the Minutes of the meetings of the Licensing Sub-Committees held on 24 August 2023, 11 December 2023, and 18 December 2023, and authorise the Chair of the Sub-Committee meeting to sign them as a true record of that meeting.**

**61 REVENUE BUDGET 2024/25**

The Committee received a report setting out budget estimates for income and expenditure for Licensing & Planning Policy services in 2024/25.

The following matters were considered:

- a) **Licensing Income Variance.** A Member of the Committee asked why there is not money being made from Licensing if there are several new taxi operators that have been licensed by the Council. The Chief Accountant responded to explain to the Committee that the central recharges had been revisited to account for the additional work created and extra staff required to process the influx of new taxi licences. The Chief Accountant informed the Committee that Licensing is a statutory service and the Council should not be making a profit out of it.

Following consideration, the Committee unanimously resolved to:

- (1) Recommend the 2024/25 service estimates for approval at the budget meeting of Full Council in February 2024.**
- (2) Support in principle the future savings as set out in section 5 for inclusion in the Medium Term Financial Strategy.**

**62 FEES AND CHARGES 2024/25**

The Committee received a report recommending the Fees and Charges for which this Committee is responsible, with the new charges being effective from 1 April 2024.

The following matters were considered:

- a) **Implementation Date.** The Vice Chair asked when the online vehicle licence application and renewals system, mentioned in paragraph 3.12, would be implemented and in use. The Chief Accountant informed the Committee that the system currently being worked on will hopefully be live during the 2024/25 financial year. The Chair informed the Committee that a more specific start date would be communicated to Members after the meeting.
- b) **Planning Fees and Charges.** A Member of the Committee asked if the report took into consideration the increase in Planning Fees and Charges. The Chief Accountant responded to explain that since the Committee does not have a say in the setting or influencing of Planning Application Fees, it has not been included in the report, but it has been taken into account in regard to the budget setting.

Following consideration, the Committee resolved to;

(5 for, 1 abstaining and the Chair not voting)

- (1) Agree the Fees and Charges for 2024/25 as set out at Appendices 1 and 2.**

### 63 REVISED COMMUNITY INFRASTRUCTURE LEVY INSTALEMENTS POLICY

Epsom and Ewell Borough Council adopted its Community Infrastructure Levy (CIL) charging schedule on 29 April 2014 to take effect from the 1 July 2014. This introduced a CIL charge for each square metre of floor area in new developments of eligible residential, convenience retail, student accommodation and care homes granted planning permission.

The Council's Community Infrastructure Levy Instalment Policy came into effect on 1 July 2014. The policy is now over nine years old and has therefore been reviewed following a benchmarking process with neighbouring local planning authorities.

It is recommended that the CIL instalment policy is updated to increase the thresholds for when CIL liable developments pay in instalments.

The following matters were considered:

- a) **Developer CIL release.** A Member of the Committee asked when CIL is supposed to be released by the developer. The Developer Contributions Lead Officer replied to inform the Committee that the CIL Chargeable Development is triggered on commencement of development, following planning permission being granted.
- b) **Defaulting Developers.** A Member of the Committee asked if a record is kept of defaulting developers and outstanding CIL payments. The Developer Contributions Lead Officer replied to explain that a record is kept, and the Council is currently using Exacom to monitor the collection and enforcement of monies that are due to the Local Authority. The Member asked if a ballpark figure could be provided of the funds that should be coming in compared to what has actually been collected. The Developer Contributions Lead Officer informed the Committee that it is difficult to forecast the amount of money coming in. The Chair informed the Committee that a follow-up information report on CIL could come back to the Committee at a future meeting if there is the appetite for it. The Chief Accountant explained that outstanding receipts for CIL are set out in the Audit & Scrutiny Committee's quarterly Capital Budget Monitoring Report, and the outstanding amount as of the 31<sup>st</sup> of December 2023 is £260,000, against the £14million which has been charged since the commencement of CIL, which is a good rate of collection. The Chief Account went on to explain that some of the £260,000 is made up of instalments that are not due yet but are expected to be paid on time. The

Chair informed the Committee that the next Audit and Scrutiny Committee will take place on the 1<sup>st</sup> of February and the papers will be published shortly.

- c) **Payment Instalments.** The Vice Chair asked if an application must be submitted in order to pay CIL in instalments. The Developer Contributions Lead Officer informed the Committee that regulation 69b of the CIL regulations, it is set already in our instalments policy, it does not need to be requested or applied for by developers, the system automated trigger on the total chargeable amount will automatically put in the instalments.
- d) **Projects.** A Member of the Committee asked what projects the £14 million CIL charges have been used on in the last financial year. The Planning Policy Manager informed the Committee that for approximately the last 18 months, no CIL funds have been spent, the money has been coming in, but there was not the process in place for spending those funds.

Following consideration, the Committee unanimously resolved to:

- (1) **Adopt the Epsom and Ewell CIL Instalment Policy (November 2023) attached as Appendix 1 to come into effect on the 1 April 2024 and supersede the current CIL Instalment Policy on this date.**

## 64 COMMUNITY INFRASTRUCTURE LEVY (CIL) SPENDING PROTOCOL

The Committee received a report seeking the approval of a CIL spending protocol which will provide a framework for how the council allocates Community Infrastructure Levy funding that has been received from eligible developments in the borough to contribute towards the delivery of infrastructure.

The following matters were considered:

- a) **Neighbourhood CIL bidding.** A Member of the Committee asked for clarity regarding the financial range that Neighbourhood CIL bids should fall within. The Chair responded to inform the Committee that there used to be an allocated pot of 250k for the Neighbourhood CIL scheme, but this upper limit no longer exists. The Planning Policy Manager confirmed that there was a range for the Neighbourhood CIL scheme, but both the minimum and maximum spend limits have been removed, as there were not compliant with the regulations.
- b) **Bidding Process Key Changes.** A Member of the Committee asked what the key changes to the bidding process are in the new protocol document, and if there will be an officer able to help provide support and information during the bidding process. The Chair informed the Committee that the updates will hopefully streamline and make the process more effective and efficient, and assured the Committee that the process can be reviewed once it is in place to ensure it is working as it should. The Chair informed the Committee that there is not a direct compare and



contrast between the old and new protocol as the new protocol has been written from scratch. The Planning Policy Manager confirmed that the new protocol had been a full rewrite and previous issues with transparency and robustness have been addressed to create a clear spending protocol with various reporting mechanisms. The Planning Policy Manager continued to explain that there is a member working group that will report to the Licensing and Planning Policy Committee to approve any spend below £50,000, with larger spends also going to Strategy & Resources Committee for approval. The Planning Policy Manager confirmed that there is 12-month review period built into the new protocol so any issues or shortcomings can be reviewed and resolved down the line.

- c) **New Spending Protocol.** A Member of the Committee asked for confirmation that only one year of CIL spending has been missed and queried why the old protocol was not used whilst the new protocol was being written. The Chair confirmed that the money had not been spent for a year whilst the new protocol was being written and reviewed and confirmed that the new protocol would be reviewed in 12 months and any necessary changes actioned.
- d) **CIL Working Group Membership.** A Member of the Committee asked what the membership of the CIL working group would be. The Chair informed the Committee that the membership is set out on page 113 of the agenda and page 25 of the protocol document, with the core membership comprising of one representation from each Policy Committee, one representative from the Member Climate change action group and one member from the opposition. The Chair explained that the CIL working group will examine the applications and give a view whether they meet the requirements set out in the protocol.
- e) **Borough Infrastructure Oversight.** A Member of the Committee asked for examples of infrastructure that the Local Council have control over. The Planning Policy Manager informed the Committee that Strategic CIL has a very tight definition and explained that a school expansion is an example of a Strategic CIL project that could have a bid submitted by the County Council as the education authority.
- f) **Timetable.** A Member of the Committee raised that Neighbourhood CIL bids over £50,000 would need the approval of both Licensing and Planning Policy Committee and Strategy & Resources Committee, which would affect and delay the anticipated timetable set out on page 107 of the agenda and page 19 of the protocol. The Member continued to state that due to the high potential of bids being over £50,000, the timeline will be extended to include going to a S&R Committee for approval following approval being granted by LPP Committee, and therefore the table in protocol should reflect that.
- Councillor Clive Woodbridge proposed an addition to the table under paragraph 6.29 of Agenda item 8, Appendix 1, on page 107;

*\*bids over £50,000, agreed by Licensing and Planning Policy Committee will be referred to the Strategy and Resources Committee for ratification which could impact the anticipated timetables for decision making.*

The proposal was seconded by Councillor Julie Morris.

The Committee unanimously agreed to the addition of the proposed amendment.

- g) **Notification of Outcome.** A Member of the Committee raised the combining of the Spending Decision made by LPPC and the Notification of Outcome, set out in the anticipated timetables on page 107, should be combined as the information of who has successfully won their bids will become public upon the publishing of the Committee agenda and therefore, the applicants should be notified of the outcome of their bid at that point rather than later on.
- Councillor Steve Bridger proposed an amendment to the table under paragraph 6.29 of Agenda item 8, Appendix 1, on page 107;

*The Spending Decision made by LPPC (November), and the Notification of the Outcome (December) should happen concurrently and therefore, these two events listed in the table should be merged to both take place in November.*

The proposal was seconded by Councillor Phil Neale.

The Committee unanimously agreed to the addition of the proposed amendment.

Following consideration, the Committee unanimously resolved to:

- (1) **Approve the proposed framework for determining CIL spending (Spending Protocol) attached at Appendix 1, subject to the agreed amendments.**

*The meeting began at 7.30 pm and ended at 8.22 pm*

COUNCILLOR STEVEN MCCORMICK (CHAIR)

## MINUTES OF LICENSING SUB-COMMITTEES

<b>Head of Service:</b>	Piero Ionta, Head of Legal and Monitoring Officer
<b>Report Author</b>	Phoebe Batchelor
<b>Wards affected:</b>	(All Wards);
<b>Urgent Decision?(yes/no)</b>	No
<b>If yes, reason urgent decision required:</b>	N/A
<b>Appendices (attached):</b>	<b>Appendix 1</b> – Public Minutes, Licensing (Hearing) Sub-Committee, 12 February 2024 <b>Appendix 2</b> – Public Minutes, Licensing (General) Sub-Committee, 18 March 2024 <b>Appendix 3</b> – Private Minutes, Licensing (General) Sub-Committee, Agenda Item 4, 18 March 2024 <b>Appendix 4</b> – Private Minutes, Licensing (General) Sub-Committee, Agenda Item 5, 18 March 2024 <b>Appendix 5</b> – Private Minutes, Licensing (General) Sub-Committee, Agenda Item 6, 18 March 2024 <b>Appendix 6</b> – Public Minutes, Licensing (General) Sub-Committee, 10 April 2024 <b>Appendix 7</b> – Private Minutes, Licensing (General) Sub-Committee, Agenda Item 4, 10 April 2024 <b>Appendix 8</b> – Private Minutes, Licensing (General) Sub-Committee, Agenda Item 5, 10 April 2024

### Summary

To receive the Minutes of the meetings of the Licensing Sub-Committees held on 12 February 2024, 18 March 2024, and 10 April 2024.

### Recommendation (s)

**The Committee is asked to:**

- (1) Receive the Minutes of the meetings of the Licensing Sub-Committees held on 12 February 2024, 18 March 2024, and 10 April 2024, and authorise the Chair of the Sub-Committee meeting to sign them as a true record of that meeting.**

## **1 Reason for Recommendation**

- 1.1 The Draft Minutes of meetings of the Licensing Sub-Committees are presented to the Committee for information and to authorise their signature by the Sub-Committee Chair as a true record of the meeting.

## **2 Background**

- 2.1 CPR 10.4 of Appendix 5 of the Constitution (Standing Orders relating to the Conduct of Committees, Sub-Committees, and Advisory Panels) sets out a procedure for the signature of minutes should a committee, subcommittee or advisory panel not be scheduled or likely to meet again in the foreseeable future.
- 2.2 In such instances the minutes are presented to the parent committee or Full Council to authorise their signature as a true record, subject to the resolution of all questions of accuracy raised by members who were present at the meeting.
- 2.3 As meetings of the Licensing (Hearings) Sub-Committee and Licensing (General) Sub-Committee do not have an annual schedule (they are arranged as required) or static membership, it is necessary to present their Minutes to the Licensing and Planning Policy Committee (as parent Committee) for approval.
- 2.4 The below procedure is followed for Minutes of Licensing (Hearings) Sub-Committee and Licensing (General) Sub-Committees:
  - 2.4.1 Following each meeting of the Licensing (Hearings) Sub-Committee and Licensing (General) Sub-Committee the draft minutes will be provided by officers to all three sub-committee members for comment and agreement via email. Any questions of accuracy will be resolved to the agreement of all three members.
  - 2.4.2 Once all three members have expressed their agreement to the minutes, a copy will be provided to the next ordinary meeting of the Licensing and Planning Policy Committee to receive and authorise signature.
  - 2.4.3 Following receipt and authorisation by the Licensing and Planning Policy Committee, a hard copy of the Minutes will be provided to the Chair of the Sub-Committee for signature.
- 2.5 This report presents the draft Minutes from the meetings of the Licensing Sub-Committees held on:
  - 12 February 2024
  - 18 March 2024

- and 10 April 2024

- 2.6 All members of each Sub-Committee meeting have expressed their agreement to the draft minutes, and any questions of accuracy raised by members of the Sub-Committee have been resolved to the satisfaction of all members of that meeting.

### 3 Risk Assessment

Legal or other duties

#### 3.1 Equality Impact Assessment

3.1.1 None arising from this report.

#### 3.2 Crime & Disorder

3.2.1 None arising from this report.

#### 3.3 Safeguarding

3.3.1 None arising from this report.

#### 3.4 Dependencies

3.4.1 None arising from this report.

#### 3.5 Other

3.5.1 None arising from this report.

### 4 Financial Implications

4.1 None for the purposes of this report.

4.2 **Section 151 Officer's comments:** None for the purposes of this report.

### 5 Legal Implications

5.1 None for the purposes of this report.

5.2 **Legal Officer's comments:** None for the purposes of this report.

### 6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities:** Not relevant to this report.

6.2 **Service Plans:** Not relevant to this report.

6.3 **Climate & Environmental Impact of recommendations:** None.

6.4 **Sustainability Policy & Community Safety Implications:** None.

6.5 **Partnerships:** None.

## 7 **Background papers**

7.1 The documents referred to in compiling this report are as follows:

### **Other papers:**

- [Appendix 5 – Standing Orders relating to the Conduct of Committees, Sub-Committees, and Advisory Panels](#)

**Minutes of the Meeting of the LICENSING (HEARING) SUB-COMMITTEE held at the Council Chamber, Epsom Town Hall on 12 February 2024**

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**PRESENT -**

Councillors Kieran Persand (Chair), Steve Bridger and Phil Neale

In Attendance: Niall McCann (Solicitor, Keystone Law) (Applicant's Representative) and Beau Thompson (Area Manager, B & M) (Applicant's Representative)

Officers present: Lidia Harrison (Principal Solicitor), Nicholas Tapping (Licensing Officer) and Dan Clackson (Democratic Services Officer)

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**5 APPOINTMENT OF THE CHAIR**

The Sub-Committee unanimously elected to appoint Councillor Kieran Persand as Chair of the meeting.

**6 DECLARATIONS OF INTEREST**

No Disclosable Pecuniary Interests were declared by Members with respect to any item of business to be considered at the meeting.

**7 GRANT OF PREMISES LICENCE - B & M STORE, 78-80 HIGH STREET, EPSOM KT19 8BA**

The Licensing (Hearing) Sub-Committee ("the Sub-Committee") was asked to determine an application for a premises licence made under the Licensing Act 2003.

The Licensing Officer introduced the report.

The Applicant had no questions to ask of the Licensing Officer.

The Sub-Committee had no questions to ask of the Licensing Officer.

The received an opening submission from the Applicant's representative (Solicitor, Keystone Law):

- a) He stated that the vast majority of B & M stores have a premises licence for the sale of alcohol. He stated that B & M considers the sale of alcohol at its stores an important part of its business philosophy of providing a 'one-stop-shop' for its customers that enables people to buy all their

shopping needs at one store rather than having to shop across multiple shops.

- b) He addressed the objector's concern, found at page 29 of the agenda. He stated that the greatest consideration in relation to crime for B & M was shop lifting – an issue he explained is prevalent throughout the retail sector. With respect to the sale of alcohol, He stated that B & M had addressed the issue of shoplifting by positioning the alcohol aisle far within the store, as seen on the plan found at page 27 of the agenda. He went on to explain that the store would operate a one-way system for aisle navigation, which would facilitate easier supervision by staff. He explained that, as and when deemed necessary, B & M would also employ undercover security staff.
- c) He addressed the objector's concern, found at page 30 of the agenda. He stated that, in terms of the number of deliveries made to the site, estimating it to be 4-5 per week for the B & M store, residents would likely see little change from when the site was previously occupied by Wilko. With respect to the hours applied for, he explained that B & M did not intend to operate the full hours for the vast majority of the year and intended only to operate until 23:00 at certain times of the year, such as at Christmas time.
- d) He confirmed that B & M recognised and had read the Council's licensing act 2003 policy, which stated that "Off licences and stores with off sales up to 11pm will generally be granted, unless it can be shown that the application would undermine the licensing objectives".
- e) The highlighted to the Sub-Committee the conditions written as part of the application, found at pages 24-25 of the report.

The Applicant's representatives responded to questions from the Sub-Committee:

- a) A Member of the Sub-Committee voiced a concern with the applied-for starting time for the sale of alcohol at 07:00, suggesting that the sale of alcohol at that time could increase the risk of children becoming exposed to alcohol as and when they enter the store on their way to school. The Member enquired as to whether the Applicant would be happy to accept a condition requiring a starting time of 09:30 for the sale of alcohol.

In response, the Applicant's representative (Solicitor, Keystone Law) explained that B & M had applied for a starting time for the sale of alcohol at 07:00 in order to cater to people who, due to their work patterns, wish to, or are only be able to, do their weekly/bi-weekly shopping early in the morning, and who may otherwise be unable to, or not wish to, do their shopping later in the day. He explained to the Sub-Committee that the section of the store dedicated to the sale of alcohol would be minimal, that none of the alcohol sold at the premises would be pre-chilled, and that no alcohol would be available to pick up near the storefront. He stated that B



& M stores experience few issues nationwide in relation to the sale of alcohol.

- b) A Member of the Sub-Committee enquired as to whether there would be any product protection on any of the alcohol sold at the store, and whether there be an alarm system in operation at the front of the store.

In response, the Applicant's Representative (Area Manager, B & M) explained that electronic tagging system gates would be in operation at the front of the store. He explained that normally everything upwards of £5.99 is security tagged, and that bottle locks for spirits are kept at the tills. He stated that B & M staff receive training on 'challenge 25' products and resit the training every three months.

- c) A Member of the Sub-Committee enquired as to the camera coverage of the alcohol aisle.

In response, the Applicant's Representative (Area Manager, B & M) stated that the store would have sufficient camera coverage onto the aisle, with one view facing down the aisle and one facing away, in order to allow security staff to monitor that area of the store. He explained that the area of the shop containing the alcohol aisle would be regularly patrolled by security staff. He explained that all staff are asked at the start and end of their shifts, and upon leaving the tills, to walk down the alcohol aisle in order to check the area.

- d) A Member of the Sub-Committee enquired as to what was meant by "Plain clothes security staff shall be employed at the premises '*as and when deemed necessary*' by the licence holder", as written at section 'Mb' of the application form.

In response, the Applicant's Representative (Area Manager, B & M) explained that B & M hold weekly conference calls in relation to the number of incidents that have occurred in-store, all of which are reported on a daily basis. From those reports, it is then deemed whether or not is necessary to employ plain clothes security staff. He stated that B & M will station uniformed staff at higher risk areas of the store to act as a visual deterrent, and that security staff will monitor the camera feed and make announcements over the speaker system when necessary in order to deter and make people aware that the aisles are being monitored.

The Sub-Committee received a closing submission from the Applicant's representative (Solicitor, Keystone Law):

- a) He stated that the vast majority of B & M's previous applications had granted as applied for. He stated that he could not recall any issues that had arisen in relation to the sale of alcohol at any B & M stores within the area.

The Sub-Committee adjourned the meeting at 11:56 and retired from the Council Chamber their legal advisor to consider the application.

The Sub-Committee and their legal advisor returned to the Council Chamber and resumed the meeting at 12:23. The Chair relayed the Sub-Committee's decision (as detailed below).

Having read all the material presented in the agenda and all of the written representations made, having listened to all the evidence and submissions presented at the hearing, and having regard to the Statutory Guidance and to the Licensing Policy of the Council, the Sub-Committee resolved to:

**Grant the application as applied for.** However, the Sub-Committee would like to seek assurances that the fire exits in the premises are fully compliant with the law. The Sub-Committee has noted fully the objections received regardless of the fact that the objectors did not turn up to give further representations today.

The Chair announced that the sub-Committee's decision would be followed up by written confirmation in due course and that the Applicant had a right of appeal against the decision of the Sub-Committee, within 21 days of the notification in writing to the Applicant, to the Magistrates Court.

Seeking clarity, the Applicant's representative (Solicitor, Keystone Law) enquired as to whether the Sub-Committee required any action to be taken by the Applicant with respect to the fire exits on the site. The Sub-Committee explained that they wished for the Applicant to assure compliance with respect to the fire exits as there had been previous issues with respect to fire exit non-compliance with previous occupiers of the site. The Applicant's Representative (Area Manager, B & M) confirmed that fire exits would be checked four times a day and would be part of the manager's sign-off in the morning. He stated that he did not know of any issues to have arisen in relation to fire exits at any B & M stores in the area, and that disciplinary action would be taken in the event of any reported fire exit non-compliance.

*The meeting began at 11.35 am, was adjourned between 11:56 – 12:23, and ended at 12.25 pm*

COUNCILLOR KIERAN PERSAND (CHAIR)

**Minutes of the Meeting of the LICENSING (GENERAL) SUB-COMMITTEE held at the Council Chamber, Epsom Town Hall on 18 March 2024**

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**PRESENT -**

Councillor Julian Freeman (Chair); Councillors Steve Bridger and Neil Dallen

In Attendance: Applicant (Items 18-21 only), Applicant and their Representative (Item 22 only), and Applicant's Representative (Item 23 only)

Officers present: Kate Gillman (Solicitor), Paul Holliday (Principal Licensing Officer), Nicholas Tapping (Licensing Officer) (Items 18-22 only) and Dan Clackson (Democratic Services Officer)

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**18 APPOINTMENT OF THE CHAIR**

The Sub-Committee unanimously elected to appoint Councillor Julian Freeman as Chair of the meeting.

**19 DECLARATIONS OF INTEREST**

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

**20 EXCLUSION OF PRESS AND PUBLIC**

The Sub-Committee resolved to exclude the Press and Public from the meeting in accordance with Section 100A (4) of the Local Government Act 1972 on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A to the Act (as amended) and that pursuant to paragraph 10 of Part 2 of the said Schedule 12A the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

**21 DETERMINATION OF RENEWAL APPLICATION FOR PRIVATE HIRE DRIVER LICENCE**

The decision for this item is recorded in a separate (not for publication) restricted minute.

**22** DETERMINATION OF GRANT APPLICATION FOR HACKNEY CARRIAGE DRIVER LICENCE

The decision for this item is recorded in a separate (not for publication) restricted minute.

**23** DETERMINATION OF APPLICATION FOR PRIVATE HIRE OPERATOR LICENCE

The decision for this item is recorded in a separate (not for publication) restricted minute.

*The meeting began at 10.02, was adjourned between the times 10.17-10.30, 10.32-12.31, 12.37-13.11, 13.59-14.38, 14.44-14.57 and 15.22-15.36, and ended at 15.40*

COUNCILLOR JULIAN FREEMAN (CHAIR)

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**Minutes of the Meeting of the LICENSING (GENERAL) SUB-COMMITTEE held at  
the Council Chamber, Epsom Town Hall on 10 April 2024**

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**PRESENT -**

Councillor Neil Dallen (Chair); Councillors Steven McCormick and Phil Neale

In Attendance: (Applicant) (Items 24-27 only) and (Applicant) (Item 28 only)

Officers present: Kate Gillman (Solicitor), Paul Holliday (Principal Licensing Officer) (Item 28 only), Nicholas Tapping (Licensing Officer) (Items 24-27 only) and Phoebe Batchelor (Democratic Services Officer)

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**24 APPOINTMENT OF THE CHAIR**

The Sub-Committee unanimously elected to appoint Councillor Neil Dallen as Chair of the meeting.

**25 DECLARATIONS OF INTEREST**

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

**26 EXCLUSION OF PRESS AND PUBLIC**

The Sub-Committee resolved to exclude the Press and Public from the meeting in accordance with Section 100A (4) of the Local Government Act 1972 on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A to the Act (as amended) and that pursuant to paragraph 10 of Part 2 of the said Schedule 12A the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

**27 APPLICATION FOR GRANT OF PRIVATE HIRE DRIVERS LICENCE**

The decision for this item is recorded in a separate (not for publication) restricted minute.

**28 DETERMINATION OF PRIVATE HIRE OPERATOR LICENCE APPLICATION**

The decision for this item is recorded in a separate (not for publication) restricted minute.

*The meeting began at 11.22, was adjourned between the times 11.47 - 12.12, 12.14 - 13.06, 13.19 - 13.52, and ended at 13.53*

COUNCILLOR NEIL DALLEN (CHAIR)

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## **COMMUNITY INFRASTRUCTURE LEVY MEMBER WORKING GROUP**

<b>Head of Service:</b>	Justin Turvey, Head of Place Development
<b>Report Author</b>	Ian Mawer
<b>Wards affected:</b>	(All Wards);
<b>Urgent Decision?</b>	No
<b>If yes, reason urgent decision required:</b>	
<b>Appendices (attached):</b>	Appendix 1 – Terms of Reference of CIL Member Working Group

### **Summary**

Following the approval of the Community Infrastructure Levy Spending Protocol in January 2024, this report recommends approval of updated Terms of Reference for the CIL Member Working Group and agreement to the establishment and membership of the group.

### **Recommendation (s)**

#### **The Committee is asked to:**

- (1) Agree to the establishment of the CIL Member Working Group.**
- (2) Approve the Terms of Reference for the CIL Member Working Group as set out in Appendix 1.**
- (3) Agree the Membership of the CIL Member Working Group for 2024/25 as set out in Section 3.**

## **1 Reason for Recommendation**

- 1.1 The terms of reference have been amended from those adopted by this Committee in January 2024 to reflect new membership details (specifically that a member of each opposition party will have representation on the working group) and that this is a newly constituted working group.

## **2 Background**

- 2.1 On the 18 January 2024 this committee approved a CIL Spending Protocol for the Borough to provide a framework for how the council allocates Community Infrastructure Levy funding that has been received from eligible developments in the borough to contribute towards the delivery of infrastructure.
- 2.2 Following this decision, the annual funding rounds opened between 7 May and 18 June 2024 for both strategic and neighbourhood funding enabling organisations to bid for CIL funding. During the funding round 3 Strategic and 22 Neighbourhood CIL bids were received.
- 2.3 In accordance, with the CIL Spending Protocol, there is an agreed process in place for the consideration of bids received by the Council for CIL funding. The core stages are detailed below:
- Officers undertake an initial technical assessment of all bids received against the criteria contained in the CIL Spending Protocol (January 2024). Strategic CIL bids will be assessed against the criteria detailed in Section 4 of the Spending Protocol and Neighbourhood bids assessed against the criteria detailed in Section 7.
  - Bids that have not passed the stage 1 assessment and have not been shortlisted will be reported to the CIL Member Working Group.
  - Shortlisted bids will be presented to the CIL Member Working Group for prioritisation with advice being provided by the CIL Team.
  - The proposed funding allocation will be presented by the CIL Member Working group to the Licensing and Planning Policy Committee for approval.
  - Any spend over £50,000 approved by the Licensing and Planning Policy Committee will then be referred to Strategy and Resources Committee for ratification in line with the Council's Financial Regulations.
- 2.4 In order to approve CIL funding, the CIL Member Working Group membership needs to be agreed in accordance with the revised Terms of Reference (Appendix 1).
- 2.5 It is important to note that the Terms of Reference attached as Appendix 1 have been amended since those approved by this Committee in January 2024. The amendments:
- increase the membership to include one member of each opposition group and clarifies the policy committees that will be represented on the group.

- confirm that working group members can designate another councillor as their substitute when they are unable to attend meetings.
- Provide clarity on the remit of the Member Working Group.

### **3 CIL Working Group Membership**

3.1 The following membership will be appointed to the Working Group:

- Chair of Group - Licencing and Planning Policy Committee Representative - Residents Association – TBC
- Community and Wellbeing Committee Representative - Residents Association – TBC
- Environment Committee Representative - Residents Association – TBC
- Strategy and Resources Committee Representative - Residents Association – TBC
- Climate Change Action Group Representative - Residents Association – TBC
- Liberal Democrat Representative – Cllr Julie Morris
- Labour Representative – TBC
- Conservative Representative – TBC

### **4 Risk Assessment**

Legal or other duties

4.1 Equality Impact Assessment

4.1.1 No issues arising from this report.

4.2 Crime & Disorder

4.2.1 No issues arising from this report.

4.3 Safeguarding

4.3.1 No issues arising from this report.

4.4 Dependencies

4.4.1 None.

4.5 Other

4.5.1 None.

## 5 Financial Implications

- 5.1 The establishment of the CIL working group and update to the group's terms of reference will not impact the amount of CIL income received by the Council as it does not alter the CIL charging schedule. The introduction of the CIL Member Working Group forms part of the process detailed in the approved Spending Protocol which will enable the Council to release CIL funding to deliver strategic infrastructure projects and neighbourhood projects.
- 5.2 **Section 151 Officer's comments:** None arising from the contents of this report.

## 6 Legal Implications

- 6.1 The collection and spending of CIL is governed by The Community Infrastructure Levy Regulations 2010 as amended ("the CIL Regulations"). Part 7 of the CIL Regulations sets out how CIL may be applied and in particular Regulation 59(1) places a duty on the Council to apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area. The adopted CIL spending protocol meets these requirements.
- 6.2 The Working Group has no decision-making powers on the use of CIL funds, but it will report its recommendations and views to the Licensing and Planning Policy Committee.
- 6.3 **Legal Officer's comments:** None arising from the contents of this report.

## 7 Policies, Plans & Partnerships

- 7.1 **Council's Key Priorities:** The following Key Priorities are engaged:
- Work with partners to develop and improve transport and infrastructure with particular emphasis on sustainable travel options. Promote Epsom & Ewell as a great place to live, work and study, and encourage inward investment.
- 7.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

- 7.3 **Climate & Environmental Impact of recommendations:** There are no climate or environmental implications from this report. However, CIL funding could be utilised to deliver projects that benefit the environment.
- 7.4 **Sustainability Policy & Community Safety Implications:** None
- 7.5 **Partnerships:** The Community Infrastructure Levy is to fund infrastructure to support development in the borough. External partners can bid for CIL funding to deliver infrastructure schemes in the borough.

## 8 Background papers

- 8.1 The documents referred to in compiling this report are as follows:

### **Previous reports:**

- Licencing and Planning Policy Committee - 18 January 2024 - Item 8 - Community Infrastructure Levy (CIL) Spending Protocol.

<https://democracy.epsom-ewell.gov.uk/documents/s30087/Community%20Infrastructure%20Levy%20CIL%20Spending%20Protocol.pdf>

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## **CIL Member Working Group – Terms of Reference**

### **1. Remit**

The MWG is a Councillor group set up to consider bids for Community Infrastructure (CIL) funding and submit recommendations to the Licensing and Planning Policy Committee for allocation of the funds. If the LPP Committee chooses not to approve a particular recommendation, then it shall provide an explanation setting out the reasons.

The Working Group scrutinises each project for strategic fit (Strategic CIL), community benefit (Neighbourhood CIL) and compliance with CIL requirements.

The Working Group is additionally accountable for the oversight and governance of awards with the support of the CIL officer team. The CIL officer team will provide updates to the Working Group on the delivery of CIL funded projects.

### **2. Membership of the MWG**

Core membership:

- One representative from the Licensing and Planning Policy Committee
- One representative from the Community and Wellbeing Committee
- One representative from the Environment Committee
- One representative from the Strategy and Resources Committee
- One representative from the Member Climate change action group
- One member from each of the opposition parties (3)

A member of the working group may, for the whole of a specified meeting, designate as their substitute another councillor. The substitute may attend the meeting on behalf of, but not in addition to, the nominating member.

Optional – for information purposes only (none voting):

- Delegations invited along such as an SCC divisional member
- Relevant Ward members (Neighbourhood CIL only)

The LPPC representative will Chair the Group.

Membership will be reviewed annually in line with constitution and preferences.

Officer attendance (advisory capacity)

Officers are responsible for advising Members and ensuring that proper protocol is followed

throughout. They will act in an advisory role to the Members regarding the suitability of each project, including carrying out the scoring process.

- Director of Environment, Housing and Regeneration
- Head of Place Development
- Planning Policy Manager

### **3. Conflicts of interest**

Members must declare and note any conflicts of interest or other personal interests prior to review of a project and this information should be recorded. Should a Member be conflicted, they will be asked to step down during the final decision-making process regarding any recommendation towards which they are conflicted however, they are able to form part of any discussion that leads up to a decision. Where the Chair of the Working Group is conflicted, the other members will be responsible for appointing a Chair to take their place for the item in question.

### **4. Quorum**

No business shall be transacted at any meeting of the Working Group unless at least four non-conflicted members are present and voting.

A majority vote will be accepted and where a consensus majority is not possible the Chair shall have a casting vote.

### **5. Meetings**

As required to advise LPPC and ensure effective and timely allocation of CIL monies. It is anticipated that there will be a minimum of 2 meetings for the group per year.

### **6. Objectives**

The MWG Group objectives are:

- To take an objective and impartial view of applications
- To advise and recommend to LPPC schemes that will have maximum benefits to the community.
- To ensure overall programming of infrastructure projects agreed by LPPC
- To monitor receipts and expenditure of CIL monies.

The MWG will be responsible for:

- Recommending projects to LPPC which require CIL funding, following assessment in accordance with the agreed criteria.



- Regular monitoring and reporting to LPPC on the delivery of projects including revisions to timescales and expenditure.
- Reporting to LPPC after completion of each project.
- Identification of other current and future infrastructure expenditure and funding streams.
- Ensuring a fair and transparent process is followed in the scrutiny and subsequent recommendation of fundings awards.

### **7. Transparency**

Working Group papers and minutes are to be published in the public domain. Papers may include redacted information when commercially sensitive or confidential.

### **8. Output**

Regular project progress updates to LPPC on CIL priorities and funding of projects

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## LOCAL VALIDATION REQUIREMENTS LIST FOR PLANNING APPLICATIONS 2024

<b>Head of Service:</b>	Justin Turvey, Interim Head of Place Development
<b>Report Author</b>	Simon Taylor
<b>Wards affected:</b>	All Wards
<b>Urgent Decision</b>	No
<b>If yes, reason urgent decision required</b>	N/A
<b>Appendices (attached):</b>	Appendix 1 - Draft Local Validation Requirements List 2024 Appendix 2 – Local Validation Requirements List 2015

### Summary

The Local Validation Requirements List outlines the information that Epsom and Ewell Borough Council requires to be submitted to enable validation of the planning related application, including mandatory national requirements as set out in national planning policy, guidance and legislation and the local information requirements specific for Epsom and Ewell Borough Council.

The List was consulted from 25 April to 26 May 2024. Four submissions were received relating to the requirements for tree works applications and in relation to Flood Risk Assessments.

The draft List is attached at Appendix 1. it is intended as a wholesale review of the current List, including to incorporate legislative changes and to provide further detail about what and when information is required, primarily to minimise invalidation of applications and to speed up the validation process.

### Recommendation

**The Committee is asked to:**

- (1) Adopt the Local Validation Requirements List at Appendix 1**

#### 1 Reason for Recommendation

- 1.1 The Council is obliged to review its Local Validation List every two years and the current review is overdue. The Local Validation List has been updated to adopt recent legislative changes.

#### 2 Background

- 2.1 When an application is submitted, a local planning authority will require supporting information to validate the application. The information that is required makes up the Local Validation Requirements List.
- 2.2 The Local Validation Requirements List at Appendix 1 outlines the information that Epsom and Ewell Borough Council requires to be submitted to enable validation of the application, including mandatory national requirements as set out in national planning policy, guidance and legislation and the local information requirements specific for Epsom and Ewell Borough Council.
- 2.3 The Local Requirements List complies with the statutory tests as set out in the:
  - a) Town and County Planning Act 1990 (TCPA)
  - b) Town and County Planning (Development Management Procedure) (England) Order 2015 (DMPO)
  - c) Planning (Listed Buildings & Conservation Areas) Act 1990
  - d) National Planning Policy Framework 2023 (NPPF)
  - e) National Planning Practice Guidance (NPPG)
- 2.4 The information requested accords with legislative requirements in that it is:
  - a) Reasonable having regard to the nature and scale of the development
  - b) About a matter which it is reasonable to think will be a material consideration in the determination of the application
- 2.5 The information required with an application depends upon the type of application. All applications are included in this List. To be made valid, each application must contain all the National requirements and the Local requirements, where relevant. If the required information is not submitted, the application will be made invalid.
- 2.6 The Local Validation lists expands on the existing Validation List which is outdated. It includes the following changes:
  - Clarification of preferences for how plans and documentation are provided to the Council at submission stage
  - Further clarification of when applications are made invalid
  - Details of when an applicant can dispute the invalidation of an application
  - Separation of requirements into all types of applications, including the addition of permission in principle applications, EIA development, non-material amendments, tree works applications, alterations to planning obligations and hazardous waste applications
  - Inclusion of details for pre applications
  - The addition of a description of all application types

- Provision of further details relating to specific information required with each application and addition of further information to support this, including the provision of links to Council and external websites
- Addition of further details on when an Arboricultural Report is required
- Expansion of the supporting information that is required to include Green Belt Statements, surveys, photomontages, Travel Plan, Delivery Management Plan, Construction Management Plan, plans relating to car parking and refuse management, Air Quality Assessment, Glare Assessment, Basement Impact Assessment, Accessibility Plan, Statement of Community Involvement and HMO licenses
- Inclusion of details relating to Biodiversity Net Gain and Community Infrastructure Levy requirements which have been implemented since the adoption of the 2015 Local Validation List

2.7 Additionally, the requirements for when a preliminary ecology assessment, or more particularly, a Phase 1 and 2 bat survey, have been updated to ensure that the Council is fulfilling its obligations with respect to 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. The requirement for a bat survey now extends to any householder application where works are proposed to roofs or eaves.

### **3 Submissions**

3.1 The application was consulted from 25 April 2024 to 26 May 2024 via public notification on the Council's website. Four submissions were received relating to the following:

- The Flood Risk Assessment section does not comply with the NPPF and NPPG. It should be updated to ensure full compliance

Officer comment: It is unclear what part of the NPPF and NPPG is alleged to be non-complaint and no changes were required. This document relates to validation requirements for applications, not how the actual applications will be assessed.

- Information submitted with tree works applications is often substandard and often healthy trees are felled with scant key information. Measures relating to the following would secure the future good management of tree protection:
  - Greater clarity with the specification of the works
  - Clearer identification of trees on the sketch plan
  - Indexing of photos
  - Permission should be obtained from owners of the tree and provided on the form

- A mandatory order to plant an appropriate tree in the same location should be made on the application form
- Provision of advice from arborists or Council's trees officer

Officer comment: The above measures have been added to the relevant parts of the List, with the exception of permission being required from the owner or the mandatory tree replacement. There is no legislative requirement for either though the Council would notify owners of the tree as part of the consultation process and where permission is granted for TPO protected trees, the approval is usually subject to a condition requiring replacement planting.

Minor changes to the List have been incorporated into the document following consideration of the points above.

#### 4 Risk Assessment

Legal or other duties

##### 4.1 Equality Impact Assessment

4.1.1 None.

##### 4.2 Crime & Disorder

4.2.1 None.

##### 4.3 Safeguarding

4.3.1 None.

##### 4.4 Dependencies

4.4.1 None.

##### 4.5 Other

4.5.1 None.

#### 5 Financial Implications

- 5.1 **Section 151 Officer's comments:** None arising from the contents of this report.

#### 6 Legal Implications

- 6.1 **Legal Officer's comments:** Approval of a local list follows the guidance within the National Planning Policy Framework and the National Planning Practice Guidance

## 7 Policies, Plans & Partnerships

- 7.1 **Council's Key Priorities:** The following Key Priorities are engaged:
- 7.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.
- 7.3 **Climate & Environmental Impact of recommendations:** None arising from the contents of this report.
- 7.4 **Sustainability Policy & Community Safety Implications:**
- 7.5 **Partnerships:** None.

## 8 Background papers

- 8.1 The documents referred to in compiling this report are as follows:

### **Previous reports:**

- Draft Local Validation Requirements List 2024 (Appendix 1)

### **Other papers:**

- Local Validation Requirements List 2015 (Appendix 2)

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# **Epsom&Ewell** **Local Validation** **Requirements** **List** 2024



**Local Requirements List for the Validation of Applications**

**April 2024**

Page 67

### The Local Requirements List

1. When an application is submitted, a local planning authority will require supporting information to validate the application. The information that is required makes up the Local Validation Requirements List.
2. This Local Validation Requirements List outlines the information that Epsom and Ewell Borough Council requires to be submitted to enable validation of the application, including mandatory national requirements as set out in national planning policy, guidance and legislation and the local information requirements specific for Epsom and Ewell Borough Council.
3. The Local Requirements List complies with the statutory tests as set out in the:
  - a) Town and County Planning Act 1990 (TCPA)
  - b) Town and County Planning (Development Management Procedure) (England) Order 2015 (DMPO)
  - c) Planning (Listed Buildings & Conservation Areas) Act 1990
  - d) National Planning Policy Framework 2023 (NPPF)
  - e) National Planning Practice Guidance (NPPG)
4. The information requested accords with legislative requirements in that it is:
  - a) Reasonable having regard to the nature and scale of the development
  - b) About a matter which it is reasonable to think will be a material consideration in the determination of the application

### Adoption of the Local Requirements List

5. This Local Requirements List is a wholesale review of Epsom and Ewell's Local Requirements List dated April 2015. It was consulted from 25 April to 26 May 2024 and adopted by the Council's Licensing and Planning Policy Committee on 11 July 2024.

### Submitting Applications

6. All applications should be submitted via the [planning portal](#). You will need to register with the planning portal to submit an application. Paper submissions can be submitted in person to the Council offices though expect registration and validation of these applications to take longer.
7. When submitting an application, the preference is that all documentation is submitted in pdf file format and that all plans are submitted as one single document. It is not necessary to submit individual pdf documents. To assist with accessibility, naming of pdf files should be consistent and adopt the following convention - plan type, plan number, revision number e.g., 'Location Plan 0001 Rev A'. It is not necessary to include the address of the site in the file description.
8. All drawings should include a plan number and date within the plan to enable identification when being determined. Where revised/amended plans are submitted, they should adopt a new revision number to distinguish from previous versions of the same plan.
9. Any surveys required with the application (e.g., bat surveys, marketing reports or viability assessments) should be no older than 12 months at the time of submission.

## Validation of Applications

10. The information required with an application depends upon the type of application. All applications are included in this List. Further details of the different types of application are available via the online [National Planning Practice Guidance](#) and the [Planning Portal](#).
11. To be made valid, each application must contain all the National requirements and the Local requirements, where relevant. If the required information is not submitted, the application will be made invalid. The allocated agent or applicant will be advised by letter, giving 21 days for the details to be submitted, unless otherwise negotiated. After this time, your invalid application will be returned.
12. If you believe that the validation requirements for your application are too onerous, you must follow the validation dispute process as set out in [Section 12 of the DMPO](#).
13. This List is intended as a complete list but in some cases, further information may be required by the Council during determination of the application. Government legislation is regularly updated and so the requirements are correct at the time of adoption of this List.
14. The [National Planning Policy Guidance](#) also provides useful guidance on making an application. To further assist, the Council's planning policies are available on the [Council's website](#). [Pre application advice](#) can also be obtained for a fee.

## Types of Applications

15. The table below outlines the types of applications that can be submitted with the Council. The title of each type of application contains a link that directs to further advice on the [Planning Portal website](#). The page number contains a link through to the section of the Council's Local Requirements List for that application, which outlines the validation requirements of each application.
16. Each table explains when the information would be required, the type of information required and where further information can be sourced. There are also hyperlinks within the text that assist with compiling the relevant information. These links are correct at the time of adoption.

Type	Page	Description
<a href="#">Householder Permission</a>	<a href="#">5</a>	For alterations to an existing single residential dwelling, including any works within the curtilage
<a href="#">Full Planning Permission</a>	<a href="#">14</a>	For all other works not specified below, including a change of use of land or a building or a new dwelling/building
<a href="#">Outline Planning Permission</a>	<a href="#">35</a>	For in principle permission that is limited to matters such as appearance, access, landscaping, layout, and scale
<a href="#">Approval of Reserved Matters</a>	<a href="#">35</a>	For the remaining matters not dealt with at outline planning permission stage
<a href="#">Permission in Principle</a>	<a href="#">37</a>	For separating the assessment into two stages – the principle and technical details consent
<a href="#">Listed Building Consent</a>	<a href="#">38</a>	For any works to a listed building, including internal and external works and within the curtilage and works to structures that have been within the curtilage prior to 1 July 1948
<a href="#">Advertisement Consent</a>	<a href="#">42</a>	For any advertising signage (and illumination) that is not express or deemed consent
<a href="#">Lawful Development Certificate (Existing)</a>	<a href="#">45</a>	For establishing whether any existing development is lawful, including that immune from enforcement action

Type	Page	Description
<a href="#">Lawful Development Certificate (Proposed)</a>	<a href="#">48</a>	For establishing whether a development would be lawful under the General Permitted Development Order or to ascertain if a development has been lawfully commenced
<a href="#">Lawful Development Certificate for a Listed Building (Proposed)</a>	<a href="#">52</a>	For establishing whether a development to a listed building would be lawful
<a href="#">Prior Approval</a>	<a href="#">55</a>	<p>For establishing whether a development would be permitted development but where the prior approval of the local planning authority is required for certain considerations such as highways and neighbour amenity impacts. These can include:</p> <ul style="list-style-type: none"> <li>• Larger home extensions including rear extensions and upward extensions</li> <li>• Additional floors to existing buildings</li> <li>• New dwellings</li> <li>• Changes of use of buildings</li> <li>• Electronic communications equipment, including masts</li> <li>• Renewable energy development, including heat pumps and solar panels</li> <li>• Demolition of buildings</li> <li>• Agricultural and forestry development</li> <li>• Click and collect lockers</li> </ul>
<a href="#">Removal/Variation of Conditions</a>	<a href="#">61</a>	Also known as a section 73 variation, for making material amendments to conditions within an existing planning permission
<a href="#">Non-Material Amendment</a>	<a href="#">62</a>	For varying an existing planning permission in a non-material manner
<a href="#">Approval of Conditions</a>	<a href="#">65</a>	Also known as a discharge application, for discharging post consent requirements of conditions in a permission
<a href="#">Consent under Tree Preservation Orders</a>	<a href="#">66</a>	For the granting of works to protected trees
<a href="#">Conservation Area Tree Works</a>	<a href="#">68</a>	For giving notice of intended works to a tree that is protected by virtue of its location within a conservation area
Screening Opinion	<a href="#">69</a>	For determining whether the development is Environmental Impact Assessment development
Scoping Assessment	<a href="#">69</a>	For determining the extent of issues to be considered in the assessment and reported in the Environmental Statement
<a href="#">Hazardous Substances Consent</a>	<a href="#">70</a>	For the storage of use of hazardous substances at or above defined limits at a site
Amending Planning Obligations	<a href="#">72</a>	For amending planning obligations within a legal agreement under Section 106 of the Town and Country Planning Act 1990
<a href="#">Pre-Applications</a>	<a href="#">73</a>	For advice via the Council's paid pre application service for prior to the submission of an application.

## HOUSEHOLDER APPLICATIONS

Where planning permission is required for proposals relating to extensions and alterations to an existing single residential dwelling, including any works within the curtilage (which usually includes anything within the boundaries of the site). Householders do not apply to flat buildings.

Note: There is separate guidance for applications to vary existing permissions.

Requirement	When required	Guidance	Further information
Application Form	All applications	<ul style="list-style-type: none"> <li>An application form should be completed via the <a href="#">planning portal</a> website. Printable forms are available. Only one form is required</li> <li>You do not need to employ a planning agent or architect to complete the form</li> <li>All sections must be answered, and the declaration must be signed and dated</li> <li>The description of the development should be concise but reflect all aspects of the proposal</li> <li>Where there is a boundary encroachment or the development is across two properties, the address should reflect both properties</li> </ul>	<a href="#">Article 7 of the DMPO</a>
Ownership Certificate/ Agricultural Land Declaration (as part of application form)	All applications	<p>The application form will include a section about ownership (or agricultural land declaration). This must be completed, with the appropriate notice served and/or published on any other owners (and agricultural tenants) as specified. By law, you must notify all people who have an interest in the site. The certificate should be signed and dated, and this date must not be more than 21 days before the submission and receipt of the application by the local planning authority. The completion of the agricultural holdings certificate is required whether the site includes an agricultural holding. All agricultural tenants must be notified prior to the submission of the application.</p> <p>There are four options:</p> <ol style="list-style-type: none"> <li>Certificate A: If the applicant is the sole owner, or has leasehold interest which has at least 7 years to run, and the site is not part of an agricultural holding</li> <li>Certificate B: If the applicant is not the sole owner (or only owns part of the site) and the applicant knows the other owner(s) or there is an agricultural tenant on any part of the land/building</li> <li>Certificate C if there is more than one owner and the applicant knows some but not all the owners of the site</li> <li>Certificate D if the application does not know any of the owners of the site.</li> </ol> <p>Certificate B, C or D should be completed where the proposal involves:</p> <ul style="list-style-type: none"> <li>The demolition or construction of any existing or proposed boundary encroachment such as guttering or foundations</li> </ul>	<a href="#">Article 13 of the DMPO</a>

Requirement	When required	Guidance	Further information
		<ul style="list-style-type: none"> <li>Where access to the public highway is via a private road</li> <li>A crossover or dropped kerb and the adopted highway is owned by Surrey CC Highways</li> </ul>	
Fee	All applications, with some concessions	<p>The application fee (with concessions or exemptions) incurs a planning portal service charge of £70 inclusive of VAT (current at publication). Payment is via:</p> <ul style="list-style-type: none"> <li>The <a href="#">planning portal</a>, which is the quickest and easiest way</li> <li>Cheque, made payable to Epsom and Ewell Borough Council, with the application number stated on the back</li> <li>Over the telephone with the Council's Customer Service Team on 01372 732000</li> </ul> <p>Concessions include:</p> <ul style="list-style-type: none"> <li>No fee, where the subsequent application is submitted within 12 months of a previous withdrawal, refusal, or non-determination (where the 12-month period started no later than 5 December 2023), and it is the same applicant, site and of a similar character</li> <li>No fee, where the proposal involves a means of disabled access or facilities of facilities, subject to relevant documentation being submitted to support this claim</li> <li>50% fee for an alternative proposal on the same site and day by the same applicant</li> <li>A reduced total fee where the site is within two local authorities</li> </ul>	<p><a href="#">Schedule 1 of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended)</a></p> <p>Details are also included on the <a href="#">planning portal</a></p>
Location Plan	All applications	<p>A plan identifying the exact location of the application site, which must:</p> <ul style="list-style-type: none"> <li>Be based on an up-to-date map with surrounding buildings, roads, and footpaths</li> <li>Include named roads and numbered properties sufficient to identify the site location</li> <li>Contain a metric scale bar at 1:1250 or 1:2500 and a north point</li> <li>Include the entire site with a continuous, unbroken red line around all the land necessary to carry out the development (including land required for access from a public highway, visibility splays and car parking, if appropriate). Do not colour in the site</li> <li>If applicable, a blue line around all other land owned or controlled by the applicant</li> </ul> <p>Copyright legislation requires us to only accept plans which are based either on a site survey or which use Ordnance Survey information. Ordnance Survey plans must bear a valid licence number from Ordnance Survey which allows the applicant/agent to use that information. Illegal use of Ordnance Survey information can lead to legal proceedings and a fine.</p>	<p><a href="#">Article 7 of the DMPO</a></p> <p>Information is available on the <a href="#">planning portal</a>.</p> <p>Details of OS suppliers can be found <a href="#">here</a>.</p>
Site or Block plan	All applications	<p>A plan that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) layouts of the application site and must:</p> <ul style="list-style-type: none"> <li>Be based on an up-to-date map with the subject building, any outbuildings and trees on the subject site and buildings and trees on adjoining sites</li> </ul>	<p><a href="#">Article 7(c)(ii) of DMPO</a></p> <p><a href="#">Policy DM10 of Development</a></p>



Requirement	When required	Guidance	Further information
		<ul style="list-style-type: none"> <li>Contain a metric scale bar at 1:200 or 1:500 and a north point (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Include that part of the site necessary to carry out the development (including access and visibility splays) and define it with a continuous, unbroken red line around all the land</li> <li>Show existing walls and/or buildings to be removed and to be retained and proposed additions by differentiating the footprint of the proposed from the existing by hatching, greying, or colouring</li> <li>Show existing and proposed car parking spaces, access and turning areas and visibility splays (where amendments are made to the access)</li> <li>Show boundary treatments, where works to the boundary are proposed</li> <li>Show the materiality of any hardstanding</li> <li>Show any decks, patios or terraces</li> </ul>	<a href="#">Management Policies Document 2015 (DMPD)</a>
Floor plans	All applications where extensions or alterations to a dwelling or outbuilding or a new outbuilding are proposed. Not required for crossovers	<p>A plan that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) floor plans of the dwelling and must:</p> <ul style="list-style-type: none"> <li>Contain a metric scale bar at 1:50 or 1:100 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Show existing walls and/or buildings to be removed/demolished and to be retained and proposed additions by differentiating the footprint of the proposed from the existing by hatching, bolding, greying, or colouring</li> <li>Show the entire floor, and preferably all floors</li> <li>Show openings, ensuring they match elevations</li> <li>Show any decks, patios, or terraces</li> <li>Match that shown on the site plan and roof plan, including orientation of the plan</li> </ul>	<a href="#">Article 7(c)(ii) of DMPO</a>  <a href="#">Policy DM10 of DMPD</a>
Roof plan	All applications where alterations are proposed to above ground floors of a dwelling and for all outbuildings. Where there are ground floor works only, the roof can be shown on the first-floor plan	<p>A plan that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) roof of the dwelling and must:</p> <ul style="list-style-type: none"> <li>Contain a metric scale bar at 1:50 or 1:100 and a north point (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Show existing roof to be removed/demolished and to be retained and proposed additions by differentiating the footprint of the proposed from the existing by hatching, bolding, greying, or colouring</li> <li>Show roof features, such as eaves, rooflights, chimneys and pipes</li> <li>Match that shown on the site plan and floor plans, including orientation of the plan</li> </ul>	

Requirement	When required	Guidance	Further information
Elevations	All applications for extensions to dwellings and to boundary treatments. Not required for crossovers	<p>An elevation drawing that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) elevations of the dwelling or outbuilding and must:</p> <ul style="list-style-type: none"> <li>• Contain a metric scale bar at 1:50 or 1:100 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>• Show existing walls to be removed/demolished and to be retained and proposed additions by differentiating the walls of the proposed from the existing by hatching, bolding, greying, or colouring</li> <li>• Show window and door openings and materials of walls</li> <li>• Show the height of boundary fencing to assist with consideration of ground levels and relationship with adjoining properties</li> <li>• Show the whole elevations rather than part thereof</li> <li>• Show all elevations (if the proposal is limited to the rear and not visible from the front, the front elevation is not required (and vice versa)), including joined or party elevations</li> <li>• Match that shown on the site plan and floor plans</li> </ul>	
Sections	Loft conversions and basements, where there are significant slopes between or within properties and for works affecting Listed Buildings	<p>An elevation that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) sections through a dwelling or outbuilding and must:</p> <ul style="list-style-type: none"> <li>• Contain a metric scale bar at 1:50 or 1:100 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>• Show existing walls to be removed/demolished and to be retained and proposed additions by differentiating the walls of the proposed from the existing by hatching, bolding, greying, or colouring</li> <li>• Include the section point(s) on the site plan and floor plans</li> <li>• Show foundations, existing site levels and neighbouring buildings (with levels related to a fixed datum point)</li> </ul>	
Streetscene	Where there is an increase in ridge height and/or substantial change in the scale and appearance of a dwelling	<p>A drawing that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) front elevation of the dwelling within the streetscene and must:</p> <ul style="list-style-type: none"> <li>• Contain a metric scale bar at 1:100 or 1:200 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>• Include at least one building either side</li> <li>• Show window and door openings of the subject property and at least both adjoining properties</li> <li>• Include front boundary treatments, if appropriate</li> <li>• Match all other drawings, including the existing and proposed elevations</li> <li>• Clearly show the gaps between buildings.</li> </ul>	



Requirement	When required	Guidance	Further information
Design and Access Statement	Where the total floorspace being created is >100m <sup>2</sup> and the site is within a <a href="#">conservation area</a>	<p>A report that explains the design principles and concepts that have been applied to the proposed development and how issues relating to access to the development have been addressed.</p> <p>The report should refer to the characteristics of the site and its wider setting and explain the design principles that have been applied to the proposed development, demonstrate the steps taken to appraise the context, and how the design of the development takes that context into account. They should also explain the approach to access and how any specific issues which might affect access to the proposed development have been addressed. The level of detail required will depend on the scale and complexity of the proposal so the lengths of the statements will vary. Refer to the <a href="#">planning portal</a> and <a href="#">legislation</a> for further information.</p>	<a href="#">Article 9 of the DMPO</a>
Arboricultural Impact Assessment	Where works are likely to affect mature trees on or adjacent to the site (including street trees, TPO and conservation area protected trees and veteran trees, hedges, or orchards) or where the site has a sylvan character.	<p>A report and accompanying plans that outline and assess the impact of works upon a nearby tree(s) and hedge(s).</p> <p>The statement must be prepared by a qualified arboriculturist (refer to <a href="#">the Arboricultural Association</a>), accord with British Standard 5837:2012, and include:</p> <ul style="list-style-type: none"> <li>• Tree Survey in table format showing the tree quality assessment (including species, size, age, condition, height, spread, life expectancy and category)</li> <li>• Tree Constraints Plan (drawn to a recognisable scale) showing root protections areas, canopy/crown spread, canopy shading arcs across proposed gardens and habitable buildings on the site and across site boundaries and trees to be removed, retained, and pruned</li> <li>• A Tree Protection Plan (drawn to a recognisable scale) showing retained trees, removed trees, tree protection barriers and construction and exclusion zones for both demolition and construction phases. Harmful encroachments can include, raising soil levels and compaction (asphyxiation), root severance from lowering levels or excavations for foundation construction, service installation, hard surfaces or other landscape construction, water stress from waterlogging and drought stress from impervious surfacing.</li> <li>• Details of trees that will be affected by the proposed development (including those located on adjacent sites) and what measures will be taken to protect them during construction</li> <li>• Canopy cover loss assessment</li> <li>• The plans should identify the A and B category in the tree quality assessment as well as C category trees (groups of C category trees may collectively provide good landscape and environmental benefit)</li> <li>• The plans should be to the same orientation and scale and use the same tree numbering</li> </ul>	<p>British Standard 5837:2012 – Trees in relation to design, demolition, and construction – Recommendations</p> <p><a href="#">Section 15 of the NPPF</a>, <a href="#">Policy CS3 of the Core Strategy</a> and <a href="#">Policy DM5 of the DMPD</a></p> <p>Details of TPO and veteran trees can be found on the <a href="#">Council's mapping system</a>, <a href="#">MAGIC Environmental Data</a> and National Tree Map.</p>

Requirement	When required	Guidance	Further information
Arboricultural Method Statement	Where one is not included in the Arboricultural Impact Assessment, but the Arboricultural Impact Assessment concludes that one is required	<p>An Arboricultural Method Statement details how the development will be implemented whilst protecting trees that are to be retained. It can be provided post consent if preferred.</p> <p>The statement must be prepared by a qualified arboriculturist (refer to <a href="#">the Arboricultural Association</a>), accord with British Standard 5837:2012, and include:</p> <ul style="list-style-type: none"> <li>• Tree Protection Plan showing finalised layout proposals, tree retention and landscape protection measures</li> <li>• Specifications of tree protection measures within the root protection area and crown spread of retained trees to demonstrate viable tree protection</li> <li>• An Arboricultural Supervision Programme to ensure tree protection measures are implemented and enforced</li> </ul>	
Preliminary Ecological Assessment	<p>Where the site is on, within or adjacent to a SSSI, or where priority habitat is affected</p> <p>(Phase 1 Bat Survey) Where development will alter an unaltered roof, hanging tiles or under eaves, where trees are removed or in locations such as underground structures</p> <p>(GCNs) Where the development falls within a <a href="#">GCN risk zone</a></p>	<p>When a proposal is identified as likely to affect protected species, an up-to-date (no more than 12 months old) Preliminary Ecological Appraisal or Phase 1 Habitat Survey will provide an initial assessment of the impact of the proposed development on wildlife.</p> <p>Depending on the results of the initial survey, further protected species surveys may be required. Proposals for mitigation or compensation measures including the protection of habitats, and provision of new habitats, should be included where appropriate. Where harm is likely, evidence must be submitted to show how alternative designs have been considered, how adverse effects will be avoided and how unavoidable impacts will be mitigated and/or compensated.</p> <p>Ecological surveys must be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available. A Phase 1 Bat Survey will establish whether there are any potential roosting features within the building to be demolished that are capable of housing bats. A GCN survey will establish the potential presence of great crested newts.</p>	<p><a href="#">Section 15 of the NPPF</a>, <a href="#">Policy CS3 of the Core Strategy</a> and <a href="#">Policy DM4 of the DMPD</a> alongside <a href="#">Schedule 2 and Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017</a> and <a href="#">Schedule 5 of the Wildlife and Countryside Act 1981</a></p> <p>Advice is available from <a href="#">Natural England</a> or <a href="#">Surrey Wildlife Trust</a> and referring to <a href="#">Circular 06/05: Biodiversity and Geological</a></p>

Requirement	When required	Guidance	Further information
Phase 2 Emergence Survey	(Bats) Where the Phase 1 Bat Survey concludes that there is potential for bat roosts in the building	<p>If the Phase I Survey identifies potential roosting potential and the proposed works would result in disturbance of these areas of the building, a Phase II Emergence/Re-entry Survey(s) must be undertaken during the active survey season (May - September). The number of surveys depends on the suitability of the roosting potential and is based on the recommendations of the Phase 1 survey.</p> <p>The local planning authorities have a statutory obligation to consider the conservation of biodiversity when determining planning applications. It is also important that the presence or otherwise of protected species and the extent that they may be affected by the proposed development is established before planning permission is granted. Therefore, bat surveys will not be conditioned to a post consent matter.</p>	<a href="#">Conservation – Statutory Obligations</a>
Heritage Statement	Works to a <a href="#">Listed Building</a> or <a href="#">Locally Listed Building</a> or works within a <a href="#">Conservation Area</a> (a conservation area is classified as a heritage asset)	<p>A statement that assesses the significance of heritage assets and/or their settings affected by a development, and of the impacts of that development upon them. It allows an understanding of the heritage asset and its important features of that the project can then be designed to protect and conserve those features whilst minimising harmful impacts. Except for very small projects, the Statement should be completed by a heritage consultant, which can be sourced from the <a href="#">Historic Environment Service Provider Recognition</a>, <a href="#">Historic England</a> or the <a href="#">Building Conservation Directory</a>.</p> <p>The level of detail should be proportionate to the asset's importance and the extent of work being undertaken and cover all aspects of the proposed works. You do not need to submit information on parts of the building that are not being altered but the statement must include:</p> <ul style="list-style-type: none"> <li>• The address, designation (Grade I, II* or II, or conservation area or local listing) and date of building (this may be in the Historic England <a href="#">list description</a> or the <a href="#">EEBC conservation area appraisals</a>)</li> <li>• Photograph of the front elevation and all affected elements, including high quality photos of all historic features proposed to be altered, with explanations of changes</li> <li>• A description of the heritage significance of the building and details about the character and architectural/historical interest and setting</li> <li>• An analysis of how the special character and fabric of the statutorily listed asset would be affected</li> <li>• An explanation of the principles behind and the justification for the proposal</li> <li>• An outline of the steps taken to avoid or minimise the loss of historic fabric/significance</li> <li>• Public and/or heritage benefits to mitigate harm or loss of historic features, if applicable, such as reinstatement of lost historic features</li> <li>• An explanation of the sources considered, and the expertise consulted in the formulation of the application</li> </ul>	<p><a href="#">Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990</a>, <a href="#">Section 16 of the NPPF</a>, <a href="#">Policy CS5 of the Core Strategy</a> and <a href="#">Policy DM8 of the DMPD</a></p> <p>Further guidance is found in the <a href="#">National Planning Policy Guidance</a>, and in Historic England's <a href="#">Statements of Heritage Significance: Analysing Significance in Heritage Assets</a>, <a href="#">The Setting of Heritage Assets</a>, <a href="#">Historic Environment Good Practice Advice in Planning</a>.</p>

Requirement	When required	Guidance	Further information
		Details of relevant information from historic or expert sources such as but not limited to <a href="#">Epsom and Ewell Local and Family History Centre</a> , <a href="#">Epsom and Ewell History Explorer</a> , <a href="#">The Surrey Historic Environment Record</a> , <a href="#">Historic England's archives</a> , the <a href="#">Domestic Buildings Research Group (Surrey)</a> and <a href="#">previous listed building consents</a> .	
Parking and Access Plan	Required where amendments are proposed to access or parking arrangements, where there is a loss of onsite car parking or there is an increase in the number of bedrooms	<p>Parking and access details are required to ensure there is sufficient on-site car parking provision and so that there would not be adverse pressure on on-street car parking. This must show the following (either as a separate plan or part of the site/block plan):</p> <ul style="list-style-type: none"> <li>• Parking spaces, measuring 4.8m length x 2.4m width, to satisfy the minimum parking standards (and justification where there is a departure)</li> <li>• Show turning areas, with a swept path analysis required for properties fronting a <a href="#">classified road</a> to demonstrate that vehicles can exit the site in a forward gear</li> <li>• Visibility splays within the red line site to ensure adequate pedestrian and vehicle sightlines (further guidance should be obtained from Surrey County Council)</li> <li>• Because of technical specifications, plans must include a scale bar and be drawn to a metric scale of 1:100 or 1:200</li> </ul>	<a href="#">Section 9 of the NPPF</a> , <a href="#">Policy DM10, DM35, DM36, DM37 of the DMPD</a> and <a href="#">Parking Standards for Residential Developments SPD 2015</a>
Flood Risk Assessment	<p>Where ground floor development falls within <a href="#">Flood Zones 2 or 3 or in a Critical Drainage Area</a>.</p> <p>For sites in Flood Zone 1 where the site is &gt;1 hectare.</p>	<p>A site-specific flood risk assessment should demonstrate how off and on site flood risk will be managed now and over the development's lifetime, taking climate change into account, and having regard to the vulnerability of its users, as specified in <a href="#">Table 2 – Flood Risk Vulnerability</a> of the NPPG and <a href="#">Annexe 3 of the NPPF</a>. The FRA should be proportionate to the scale of the proposal and identify opportunities to reduce the probability and consequences of flooding and include mitigation and recommendations, which such measures incorporated into the submitted plans. It should include the design of surface water management systems including Sustainable Drainage Systems (SUDs) wherever possible. The FRA should provide evidence that demonstrates, where required, the Sequential and Exception Test of NPPF have been met and include details of safe egress from the site in case of flooding.</p> <p>Further details for preparing an FRA can be found on the <a href="#">checklist on Site-Specific Flood Risk Assessments</a> and <a href="#">Surrey County Council</a> as the lead local flood authority.</p>	<p><a href="#">NPPG, Section 15 of the NPPF</a>, <a href="#">Policy CS6 of the Core Strategy</a> and <a href="#">Policy DM19 of the DMPD</a></p> <p>SCC advice is found at <a href="#">(SuDS) Surrey County Council</a></p>
Daylight and Sunlight Assessment	Where there is an above ground floor extension	Where there is a potential impact upon the sunlight/daylight enjoyed by adjoining properties, including buildings and amenity space, applications should be accompanied by a site plan that accords with the minimum requirements for a site plan and shows a 45-degree line from or to the corners of the proposed extension and the centre of the nearest habitable window to the rear elevation of both adjoining properties.	<a href="#">Policy DM10 of the DMPD</a> and <a href="#">Householder Applications:</a>

Requirement	When required	Guidance	Further information
			<a href="#">Supplementary Planning Guidance</a>
Green Belt Statement	Any extension to a building or any new outbuilding (or extension to it) within the Green Belt	<p>Policy indicates that additions to dwellings in the Green Belt should not be disproportionate and to assist in whether the proposal accords with policy, calculations of the volume of the original, existing, and proposed buildings are required. If relevant, reference to any Very Special Circumstances (see para 153 of the NPPF) will also be required.</p> <p>Calculations must be measured against the original building (as it existed on 1 July 1948 or when first built if later than 1948). Referencing the calculations to the plans can occur on the submitted plans or on a separate plan. Other calculations including footprint, area, height, width, and depth are beneficial but optional. The statement can form part of the Design and Access Statement or Planning Statement if submitted.</p>	<a href="#">Section 13 of the NPPF</a> , <a href="#">Policy CS2 of the Core Strategy</a> and <a href="#">Policy DM3 of the DMPD</a>
Contaminated Land Assessment	When the site is <a href="#">known to be contaminated or there is a reasonable possibility of contamination</a>	A report for detailing the existence and nature of contamination, the risks for construction and future occupants and remediation/decontamination. The scope of the assessment is proportionate to the scope of contamination. It need not be required if the site is contaminated but the scope of the works is well removed from the contamination. It can be desktop but should be carried out by a suitably qualified person. Typical contaminated sites include landfill, railway land, waste disposal sites, scrapyards, and petrol stations. Often, a preliminary assessment will require future reports following the granting of planning permission.	<a href="#">Section 15 of the NPPF</a> and <a href="#">Policy DM17 of the DMPD</a>
CIL Additional Information Form (Form 1)	All applications	The Community Infrastructure Levy (CIL) is a tool for local authorities to help deliver infrastructure to support development of the area. All questions must be answered, and it must be signed and dated on the same date as the planning application form.	<a href="#">Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019</a>
CIL Assumption of Liability Form (Form 2)	Where there is >100m2 of additional floor space in the proposal	CIL liable development must be accompanied by a CIL Assumption of Liability Form. All questions must be answered, and it must be signed and dated on the same date as the planning application form. Planning agents submitting on behalf of applicants must include an email address. There is more information on the <a href="#">Council's website</a> and forms are available at the <a href="#">planning portal</a> .	
Permission from Copyright holder	All applications, if applicable	Planning application plans, drawings and accompanying material are protected by the copyright acts. The Council is required to publish such information on their website. Under the Designs and Patents Act 1988, proof of the copyright owner's consent must be provided where drawings or statements, which state they are subject to copyright or not for third party use, are submitted in support of a planning application.	<a href="#">Designs and Patents Act 1988</a>

## FULL PLANNING APPLICATIONS

Where planning permission is required for most other development including changes of use of buildings, new buildings (including dwelling houses and flat buildings) but not involving applications specified elsewhere in the Local Validation List.

Requirement	When required	Guidance	Further information
Application Form	All applications	<ul style="list-style-type: none"> <li>An application form should be completed via the <a href="#">planning portal</a> website. Printable forms are available. Only one form is required</li> <li>You do not need to employ a planning agent or architect to complete the form</li> <li>All sections must be answered, and the declaration must be signed and dated</li> <li>The description of the development should be concise but reflect all aspects of the proposal</li> <li>Where there is a boundary encroachment or the development is across two properties, the address should reflect both properties</li> </ul>	<a href="#">Article 7 of the DMPO</a>
Ownership Certificate/ Agricultural Declaration (as part of application form)	All applications	<p>The application form will include a section about ownership (or agricultural land declaration). This must be completed, with the appropriate notice served and/or published on any other owners (and agricultural tenants) as specified. By law, you must notify all people who have an interest in the site. The certificate should be signed and dated, and this date must not be more than 21 days before the submission and receipt of the application by the local planning authority. The completion of the agricultural holdings certificate is required whether the site includes an agricultural holding. All agricultural tenants must be notified prior to the submission of the application.</p> <p>There are four options:</p> <ol style="list-style-type: none"> <li>5) Certificate A: If the applicant is the sole owner, or has leasehold interest which has at least 7 years to run, and the site is not part of an agricultural holding</li> <li>6) Certificate B: If the applicant is not the sole owner (or only owns part of the site) and the applicant knows the other owner(s) or there is an agricultural tenant on any part of the land/building</li> <li>7) Certificate C if there is more than one owner and the applicant knows some but not all the owners of the site</li> <li>8) Certificate D if the application does not know any of the owners of the site.</li> </ol> <p>Certificate B, C or D should be completed where the proposal involves:</p> <ul style="list-style-type: none"> <li>The demolition or construction of any existing or proposed boundary encroachment such as guttering or foundations</li> <li>Where access to the public highway is via a private road</li> </ul>	<a href="#">Article 13 of the DMPO</a>



Requirement	When required	Guidance	Further information
		<ul style="list-style-type: none"> <li>A crossover or dropped kerb and the adopted highway is owned by Surrey CC Highways</li> </ul>	
Fee	All applications, with some concessions	<p>The <a href="#">application fee</a> varies based on the floorspace increase and application type (with concessions or exemptions) and incurs a planning portal service charge of £70 inclusive of VAT (current at publication). Payment is via:</p> <ul style="list-style-type: none"> <li>The <a href="#">planning portal</a>, which is the quickest and easiest way</li> <li>Cheque, made payable to Epsom and Ewell Borough Council, with the application number stated on the back</li> <li>Over the telephone with the Council's Customer Service Team on 01372 732000</li> </ul> <p>Concessions include:</p> <ul style="list-style-type: none"> <li>No fee, where the subsequent application is submitted within 12 months of a previous withdrawal, refusal, or non-determination (where the 12-month period started no later than 5 December 2023), and it is the same applicant, site and of a similar character</li> <li>No fee, where the proposal involves a means of disabled access or facilities of facilities, subject to relevant documentation being submitted to support this claim</li> <li>50% fee for an alternative proposal on the same site and day by the same applicant</li> <li>A reduced total fee where the site is within two local authorities</li> </ul>	<p><a href="#">Schedule 1 of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended)</a></p> <p>Details are included on the <a href="#">planning portal</a></p>
Location Plan	All applications	<p>A plan identifying the exact location of the application site, which must:</p> <ul style="list-style-type: none"> <li>Be based on an up-to-date map with surrounding buildings, roads, and footpaths</li> <li>Include named roads and numbered properties sufficient to identify the site location</li> <li>Contain a metric scale bar at 1:1250 or 1:2500 and a north point</li> <li>Include the entire site with a continuous, unbroken red line around all the land necessary to carry out the development (including land required for access from a public highway, visibility splays and car parking, if appropriate). Do not colour in the site</li> <li>If applicable, a blue line around all other land owned or controlled by the applicant</li> </ul> <p>Copyright legislation requires us to only accept plans which are based either on a site survey or which use Ordnance Survey information. Ordnance Survey plans must bear a valid licence number from Ordnance Survey which allows the applicant/agent to use that information. Illegal use of Ordnance Survey information can lead to legal proceedings and a fine.</p>	<p><a href="#">Article 7 of the DMPO</a></p> <p>Information is available on the <a href="#">planning portal</a></p> <p>Details of OS suppliers can be found <a href="#">here</a></p>
Site or Block plan	All applications	<p>A plan that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) layouts of the application site and must:</p> <ul style="list-style-type: none"> <li>Be based on an up-to-date map with the subject building, any outbuildings and trees on the subject site and buildings and trees on adjoining sites</li> </ul>	<p><a href="#">Article 7(c)(ii) of the DMPO</a></p> <p><a href="#">Policy DM10 of the DMPD</a></p>

Requirement	When required	Guidance	Further information
		<ul style="list-style-type: none"> <li>Contain a metric scale bar at 1:200 or 1:500 and a north point (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Include that part of the site necessary to carry out the development (including access and visibility splays) and define it with a continuous, unbroken red line around all the land</li> <li>Differentiate the existing walls and/or buildings from the proposed by hatching, greying, or colouring</li> <li>Show existing and proposed car parking spaces, access and turning areas and visibility splays (where amendments are made to the access)</li> <li>Show boundary treatments, where works to the boundary are proposed</li> <li>Show the materiality of any hardstanding</li> <li>Show any external structures, including but not limited to decks, patios, or terraces</li> </ul>	
Floor plans	All applications where extensions or alterations are proposed. Not required for crossovers	<p>A plan that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) floor plans of the dwelling and must:</p> <ul style="list-style-type: none"> <li>Contain a metric scale bar at 1:50 or 1:100 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Differentiate the existing walls and/or buildings from the proposed by hatching, greying, or colouring</li> <li>Show the entire floor, and preferably all floors</li> <li>Show openings, ensuring they match elevations</li> <li>Show any external structures, including but not limited to decks, patios, or terraces</li> <li>Match that shown on the site plan and roof plan, including orientation of the plan</li> </ul>	<a href="#">Article 7(c)(ii) of the DMPO</a>  <a href="#">Policy DM10 of DMPD</a>
Roof plan	All applications where alterations are proposed to above ground floors and for all outbuildings. Where there are ground floor works only, the roof can be shown on the first-floor plan	<p>A plan that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) roof of the dwelling and must:</p> <ul style="list-style-type: none"> <li>Contain a metric scale bar at 1:50 or 1:100 and a north point (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Differentiate the existing roof from the proposed by hatching, greying, or colouring</li> <li>Show roof features, such as eaves, rooflights, chimneys, solar panels, green roofs and pipes</li> <li>Match that shown on the site plan and floor plans, including orientation of the plan</li> </ul>	
Elevations	All applications. Not required for crossovers	An elevation drawing that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) elevations of the dwelling or outbuilding and must:	



Requirement	When required	Guidance	Further information
		<ul style="list-style-type: none"> <li>Contain a metric scale bar at 1:50 or 1:100 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Differentiate the existing walls and/or buildings from the proposed by hatching, greying, or colouring</li> <li>Show window and door openings and materials of walls</li> <li>Show the height of boundary fencing to assist with consideration of ground levels and relationship with adjoining properties</li> <li>Show the whole elevations rather than part thereof</li> <li>Show all elevations (if the proposal is limited to the rear and not visible from the front, the front elevation is not required (and vice versa)), including joined or party elevations</li> <li>Match that shown on the site plan and floor plans</li> </ul>	
Sections	Loft conversions and basements, where there are significant slopes between, major development and for works affecting Listed Buildings	<p>An elevation that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) sections through a dwelling or outbuilding and must:</p> <ul style="list-style-type: none"> <li>Contain a metric scale bar at 1:50 or 1:100 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Differentiate the existing walls and/or buildings from the proposed by hatching, greying, or colouring</li> <li>Include the section point(s) on the site plan and floor plans</li> <li>Show foundations, existing site levels and neighbouring buildings (with levels related to a fixed datum point)</li> </ul>	
Streetscene	Where there is an increase in ridge height and/or substantial change in the scale and appearance of a building, new buildings and for major development	<p>A drawing that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) front elevation of the dwelling within the streetscene and must:</p> <ul style="list-style-type: none"> <li>Contain a metric scale bar at 1:100 or 1:200 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Include at least one building either side</li> <li>Show window and door openings of the subject property and at least both adjoining properties</li> <li>Include front boundary treatments, if appropriate</li> <li>Match all other drawings, including the existing and proposed elevations</li> <li>Clearly show the gaps between buildings.</li> </ul>	
Design and Access Statement	All applications, consolidated into a Planning Statement is necessary	A report that explains the design principles and concepts that have been applied to the proposed development and how issues relating to access to the development have been addressed. The Statement can be combined with the Planning Statement (and any other supporting documentation).	<a href="#">Article 9 of the DMPO</a>  <a href="#">Policies DM8, DM9 and DM10 of DMPD</a>

Requirement	When required	Guidance	Further information
		The report should refer to the characteristics of the site and its wider setting and explain the design principles that have been applied to the proposed development, demonstrate the steps taken to appraise the context, and how the design of the development takes that context into account. They should also explain the approach to access and how any specific issues which might affect access to the proposed development have been addressed. The level of detail required will depend on the scale and complexity of the proposal so the lengths of the statements will vary. Refer to the <a href="#">planning portal</a> and <a href="#">legislation</a> for further information.	
Planning Statement	All applications, consolidated into a Design and Access Statement if necessary	<p>A planning statement identifies the context, need for a proposed development, and includes an assessment of how the proposed development accords with relevant national, regional, and local planning policies.</p> <p>The level of detail is proportionate to the scale of the development. It will usually describe the proposal and site, the relevant policies, consideration of the principle of the development and may also include details of any pre-application consultation. Photographs are beneficial. It can include other statements (Design and Access Statement, Heritage Statement, Archaeological Statement, etc) and other information (hours of use/trading hours, number of staff, volume calculations and Very Special Circumstances etc).</p>	<a href="#">NPPF</a> , <a href="#">Core Strategy</a> and <a href="#">DMPD</a>
Arboricultural Impact Assessment	For <a href="#">major development</a> and where works are likely to affect mature trees on or adjacent to the site (including street trees, TPO and conservation area protected trees and veteran trees, hedges or orchards) or where the site has a sylvan character	<p>A report and accompanying plans that outline and assess the impact of works upon a nearby tree(s) and hedge(s).</p> <p>The statement must be prepared by a qualified arboriculturist (refer to <a href="#">the Arboricultural Association</a>), accord with British Standard 5837:2012, and include:</p> <ul style="list-style-type: none"> <li>• Tree Survey in table format showing the tree quality assessment (including species, size, age, condition, height, spread, life expectancy and category)</li> <li>• Tree Constraints Plan (drawn to a recognisable scale) showing root protections areas, canopy/crown spread, canopy shading arcs across proposed gardens and habitable buildings on the site and across site boundaries and trees to be removed, retained, and pruned</li> <li>• A Tree Protection Plan (drawn to a recognisable scale) showing retained trees, removed trees, tree protection barriers and construction and exclusion zones for both demolition and construction phases. Harmful encroachments can include, raising soil levels and compaction (asphyxiation), root severance from lowering levels or excavations for foundation construction, service installation, hard surfaces or other landscape construction, water stress from waterlogging and drought stress from impervious surfacing.</li> </ul>	<p>British Standard 5837:2012 – Trees in relation to design, demolition and construction – Recommendations, <a href="#">Section 15 of the NPPF</a>, <a href="#">Policy CS3 of the Core Strategy</a> and <a href="#">Policy DM5 of the DMPD</a></p> <p>Details of TPO and veteran trees can be found on the <a href="#">Council's mapping system</a>, <a href="#">MAGIC Environmental Data</a></p>

Requirement	When required	Guidance	Further information
		<ul style="list-style-type: none"> <li>Details of trees that will be affected by the proposed development (including those located on adjacent sites) and what measures will be taken to protect them during construction</li> <li>Canopy cover loss assessment</li> <li>The plans should identify the A and B category in the tree quality assessment as well as C category trees (groups of C category trees may collectively provide good landscape and environmental benefit)</li> <li>The plans should be to the same orientation and scale and use the same tree numbering</li> </ul>	and National Tree Map.
Arboricultural Method Statement	For <a href="#">major development</a> and where one is not included in the Arboricultural Impact Assessment but the Arboricultural Impact Assessment concludes that one is required	<p>An Arboricultural Method Statement details how the development will be implemented whilst protecting trees that are to be retained. It can be provided post consent if preferred.</p> <p>The statement must be prepared by a qualified arboriculturist (refer to <a href="#">the Arboricultural Association</a>), accord with British Standard 5837:2012, and include:</p> <ul style="list-style-type: none"> <li>Tree Protection Plan showing finalised layout proposals, tree retention and landscape protection measures</li> <li>Specifications of tree protection measures within the root protection area and crown spread of retained trees to demonstrate viable tree protection</li> <li>An Arboricultural Supervision Programme to ensure tree protection measures are implemented and enforced</li> </ul>	
Hard and Soft Landscape Plan	For <a href="#">major development</a> , where development will affect a designated heritage asset or sensitive landscape (such as the Area of Great Landscape Value) (or conditioned on some non-major development where the site	<p>A Landscape Plan outlines the hard and soft landscaping features of a site to complement the proposed development. They are integral to good design and considered at the earliest stage of the design process.</p> <p>Existing trees and other vegetation should be retained where possible in new developments and protected during construction of the development. They should also contribute to nature conservation - Biodiversity Net Gain, Local Nature Recovery Networks and Landscape Recovery Schemes. The scheme should include:</p> <ul style="list-style-type: none"> <li>Site survey and analysis</li> <li>Planting plans</li> <li>Written specifications (including cultivation and other operations associated with tree, plant, or grass establishment)</li> <li>Schedule of plants, noting species, plant size and proposed numbers/planting densities where appropriate</li> <li>Written and schematic plans on soft and hard landscaping</li> <li>Existing vegetation to be retained together with measures for its protection during construction</li> </ul>	<p><a href="#">Section 15 of the NPPF</a>, <a href="#">Policy CS3 of the Core Strategy</a> and <a href="#">Policy DM4, DM5 and DM9 of the DMPD</a></p> <p>Further information is available from the <a href="#">Landscape Institute</a> and <a href="#">Natural England</a></p>

Requirement	When required	Guidance	Further information
	constraints dictate)	<ul style="list-style-type: none"> <li>• Details of levels, gradients and any earthwork required for the proposed development</li> <li>• Means of enclosure</li> <li>• Hard surfacing materials</li> <li>• Structures and ancillary objects (refuse bins, lighting columns, cycle stores etc)</li> <li>• Proposals for the long-term maintenance and management of landscaped areas (if not included in a separate Landscape Management Plan)</li> <li>• Biodiversity enhancements</li> <li>• Information on implementation timescales</li> </ul> <p>If the development proposal would impact on sensitive landscapes such as the Area of Great Landscape Value (AGLV), a pre application with the Surrey County Council Landscape Architect is recommended.</p>	
Landscape Management Plan	For <a href="#">major development</a> (or conditioned on some non-major development where the site constraints dictate)	A Landscape Management Plan (LMP) outlines the management and maintenance schedule and operations of a site following occupation of the development. It would include but not be limited to management and maintenance of landscaping and trees (including watering in summer months), common areas, play areas, ecological and biodiversity features and drainage systems including the party responsible for such management and maintenance.	
Landscape and Visual Impact Assessment	For <a href="#">major development</a> within the Green Belt	A Landscape and Visual Impact Assessment (LVIA) assists with understanding possible effects of the development on the character and appearance of the landscape or heritage asset when viewed from various vantage points. Viewpoints would usually be agreed in advance (normally via a pre application process).	
Preliminary Ecological Assessment	For <a href="#">major development</a> , and all development where priority habitat is affected or where the site is on, within or adjacent to a SSSI, or (Phase 1 Bat Survey) Where development will	<p>When a proposal is identified as likely to affect protected species, an up-to-date (no more than 12 months old) Preliminary Ecological Appraisal or Phase 1 Habitat Survey will provide an initial assessment of the impact of the proposed development on wildlife.</p> <p>Depending on the results of the initial survey, further protected species surveys may be required. Proposals for mitigation or compensation measures including the protection of habitats, and provision of new habitats, should be included where appropriate. Where harm is likely, evidence must be submitted to show how alternative designs have been considered, how adverse effects will be avoided and how unavoidable impacts will be mitigated and/or compensated.</p>	<a href="#">Section 15 of the NPPF</a> , <a href="#">Policy CS3 of the Core Strategy</a> and <a href="#">Policy DM4 of the DMPD</a> alongside <a href="#">Schedule 2 and Regulation 9(3) of the Conservation Habitats and Species Regulations 2017</a> , <a href="#">Schedule 5 of the Wildlife and</a>

Requirement	When required	Guidance	Further information
	<p>alter an unaltered roof, hanging tiles or under eaves, where trees are removed or in locations such as underground structures</p> <p>(GCNs) Where the development falls within a <a href="#">GCN risk zone</a></p>	<p>Ecological surveys must be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available. A Phase 1 Bat Survey will establish whether there are any potential roosting features within the building to be demolished that are capable of housing bats. A GCN survey will establish the potential presence of great crested newts. Other protected species including badgers, reptiles, breeding birds and water voles.</p>	<p><a href="#">Countryside Act 1981</a></p> <p>Advice is available from <a href="#">Natural England</a> or <a href="#">Surrey Wildlife Trust</a> and by referring to <a href="#">Circular 06/05: Biodiversity and Geological Conservation – Statutory Obligations</a></p>
<p>Biodiversity Net Gain Statement and Metric</p> <p>Page 87</p>	<p>All development, except for householders, where the development affects &lt;25m2 of on-site habitat or 5m of linear habitat and self and custom builds where it comprises &lt;10 dwellings on a site of &lt;0.5 hectares</p>	<p>Biodiversity net gain aims to leave the natural environment in a measurably better state (in this case, a 10% gain) than it was beforehand. The % is calculated by assessing changes in biodiversity value (losses or gains) brought about by development by the <a href="#">Biodiversity Metric</a> as developed by Natural England.</p> <p>All development (with some exemptions) must secure a 10% uplift in habitat biodiversity, calculated using the Biodiversity Metric with the submission of a biodiversity gain plan and statement. Where an exemption is sought, this must be clearly stated on the application form.</p>	<p><a href="#">NPPG</a></p> <p><a href="#">Section 15 of the NPPF</a>, <a href="#">Policy CS3 of the Core Strategy</a> and <a href="#">Policy DM4 of the DMPD</a></p>
Lighting Assessment	Where the proposal includes external lighting (including sports floodlighting) that is adjacent to residential properties or woodland	<p>The Lighting Assessment will enable an assessment of expected impact on neighbouring properties, roads, and protected species (e.g., birds and foraging bats) and any required mitigation (e.g., light cowl, restricted hours of use, planting of trees or hedges). The Assessment should include:</p> <ul style="list-style-type: none"> <li>• Specifications of the external lighting levels and column heights</li> <li>• Hours of use and intended usage, including any community use</li> <li>• A scaled plan (including isolux levels) showing the layout of the proposed lighting scheme with beam orientation and lighting spill:</li> <li>• Details of the expected impact on neighbouring properties and roads</li> </ul>	<p><a href="#">Sections 12 and 15 of the NPPF</a>, <a href="#">Policy CS1 and CS3 of the Core Strategy</a> and <a href="#">Policy DM4, DM5, DM9 and DM10 of the DMPD</a> alongside <a href="#">Schedule 2 and Regulation 9(3) of</a></p>

Requirement	When required	Guidance	Further information
		<ul style="list-style-type: none"> <li>A statement of any proposed measures to mitigate or compensate for the possible impacts</li> </ul>	<a href="#">the Conservation of Habitats and Species Regulations 2017, Schedule 5 of the Wildlife and Countryside Act 1981</a>
Heritage Statement	Works to a <a href="#">Listed Building</a> or <a href="#">Locally Listed Building</a> or works within a <a href="#">Conservation Area</a> (a conservation area is classified as a heritage asset)	<p>A statement that assesses the significance of heritage assets and/or their settings affected by a development, and of the impacts of that development upon them. It allows an understanding of the heritage asset and its important features of that the project can then be designed to protect and conserve those features whilst minimising harmful impacts. Except for very small projects, the Statement should be completed by a heritage consultant, which can be sourced from the <a href="#">Historic Environment Service Provider Recognition</a>, <a href="#">Historic England</a> or the <a href="#">Building Conservation Directory</a>.</p> <p>The Statement should also include:</p> <ul style="list-style-type: none"> <li>A copy of the <a href="#">list description</a></li> <li>Dates of elements which are proposed to be altered or removed,</li> <li>Dated plans if building extended at different dates</li> <li>Structural report providing details of how any retained building elements would be supported (where substantial alterations are proposed)</li> </ul> <p>Accompanying plans should include heritage specific plans including:</p> <ul style="list-style-type: none"> <li>Schedule of works and detailed drawings showing the location, extent, and character of items, such as ceilings, partitions, fixtures and fittings, service runs and external additions (vents and pipework)</li> <li>Specification of methods and materials, including windows</li> </ul> <p>The Statement for a Listed Building Consent would need to be more detailed.</p> <p>Details of relevant information from historic or expert sources such as but not limited to <a href="#">Epsom and Ewell Local and Family History Centre</a>, <a href="#">Epsom and Ewell History Explorer</a>, <a href="#">The Surrey Historic Environment Record</a>, <a href="#">Historic England's archives</a>, the <a href="#">Domestic Buildings Research Group (Surrey)</a> and <a href="#">previous listed building consents</a>.</p>	<p><a href="#">Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the NPPF, Policy CS5 of the Core Strategy and Policy DM8 of the DMPD</a></p> <p>Further guidance is found in the <a href="#">National Planning Policy Guidance</a>, and in Historic England's <a href="#">Statements of Heritage Significance: Analysing Significance in Heritage Assets</a> or <a href="#">The Setting of Heritage Assets, Historic Environment Good Practice Advice in Planning</a></p>
Archaeological Assessment	When the site is within an area of	An Archaeological Assessment of a desk-based assessment to assemble the available information about the archaeological interest of the site such as that contained in national and	<a href="#">Section 16 of the NPPF</a> and <a href="#">Policy</a>



Requirement	When required	Guidance	Further information
	<a href="#">Archaeological Potential</a> or the site is >0.4 hectares and the ground is disturbed	<p>local records, site-specific information, and geophysical and geotechnical surveys. It will then assess what, if any, further expert investigation and on-site evaluation may be needed.</p> <p>Where the results of the desk-based assessment indicate the likelihood of archaeological remains being present, or are inconclusive, a field evaluation should be undertaken. An archaeological field evaluation will determine, as far as is reasonably possible, the nature of the archaeological resource within a specified area using appropriate methods and practices, including geophysical survey, physical appraisal of visible structures and/or trial trenching for buried remains. The need for, and scope of, any archaeological assessment can be discussed with the Surrey CC Archaeologist with information available at the SCC <a href="#">website</a>.</p>	<a href="#">DM8 of the Epsom and Ewell Development Management Policies Document 2015</a>
Green Belt Statement	Any development in the Green Belt, including extensions, new buildings, and changes of use	<p>Policy indicates that additions to dwellings in the Green Belt should not be disproportionate and to assist in whether the proposal accords with policy, calculations of the volume of the original, existing, and proposed buildings are required. If relevant, reference to any Very Special Circumstances (see para 153 of the NPPF) will also be required.</p> <p>Calculations must be measured against the original building (as it existed on 1 July 1948 or when first built if later than 1948). Referencing the calculations to the plans can occur on the submitted plans or on a separate plan. Other calculations including footprint, area, height, width, and depth are beneficial but optional. The statement can form part of the Design and Access Statement or Planning Statement if submitted.</p>	<a href="#">Section 13 of the NPPF, Policy CS2 of the Core Strategy and Policy DM3 of the DMPD</a>
Survey plan	For <a href="#">major development</a> and larger minor schemes	Topographical surveys help to understand the existing site and neighbouring context and should be undertaken by a suitably qualified person.	<a href="#">Policy DM10 of the DMPD</a>
Photomontage	For <a href="#">major development</a> and larger minor schemes	Photomontages assist decision makers in understanding how a scheme will appear within its surroundings. These can be provided in the accompanying Design and Access Statement or Planning Statement.	<a href="#">Section 12 of the NPPF and Policy DM10 of the DMPD</a>
Accommodation Schedule	For <a href="#">major development</a> and larger minor schemes	An Accommodation Schedule will outline the dwelling mix and type, along with a breakdown of affordable housing mix and tenure and use classes in a non-residential scheme. It is sufficient to provide this in a table format in the Planning Statement or Design and Access Statement	<a href="#">Section 5 of the NPPF, Policy CS2 and CS9 of the Core Strategy and Policy DM21 and 22 of the DMPD</a>
Transport Assessment or	For all <a href="#">major development</a> and minor	Larger major and non-major schemes have the potential to impact the transportation system, including the road network. A Transport Statement would be required for smaller schemes and a Transport Assessment is required for larger minor and major schemes. The need for	<a href="#">Section 9 of the NPPF and Policies</a>

Requirement	When required	Guidance	Further information
Transport Statement	applications that will generate significant transport movements	<p>and the level of assessment should be determined in advance in consultation with the <a href="#">SCC Highway Authority's pre application service</a>.</p> <p>As a baseline, a Transport Assessment should include:</p> <ul style="list-style-type: none"> <li>• A description of the existing site characteristics and baseline transport data consisting of the existing transport conditions</li> <li>• Details of the expected (economic, environmental, and social) impact of the proposed development on the local transportation system</li> <li>• Details of the proposed approach to limit the expected impact of the proposed development on the local transportation system including highway works</li> <li>• Details of existing and proposed journeys to and from the proposed development site by all modes of transport (both vehicular and pedestrian)</li> <li>• A construction management plan</li> <li>• Justification of the level of parking proposed for cars, bicycles, and delivery/service vehicles</li> <li>• A travel plan outlining the measures that will be put in place to improve access to public transport and reduce the need for parking at the proposed development site</li> <li>• Details of proposed loading areas, arrangements for manoeuvring, servicing, and parking should cross reference any scale drawings and plans</li> </ul>	<p><a href="#">DM35 and DM36 of the DMPD</a></p> <p>Further guidance within the <a href="#">NPPG</a>.</p>
Travel Plan	For all <a href="#">major development</a> and minor applications that will generate significant transport movements, or conditioned on smaller schemes, where not provided in the Transport Assessment	A travel plan outlines the measures that will be put in place to improve access to public transport and reduce the need for parking at the proposed development site.	<p><a href="#">Section 9 of the NPPF</a> and <a href="#">Policies DM35 and DM36 of the DMPD</a></p> <p>Further guidance within the <a href="#">NPPG</a>.</p>
Stage 1 Road Safety Audit	For larger <a href="#">major developments</a> that will alter the	A road safety audit (RSA) is a procedure adopted as part of the design process for roads that allows an independent overview of the proposal for safety issues. The document should be prepared in accordance with <a href="#">GG 119</a> and prior discussion with the <a href="#">SCC Highway Authority's pre application service</a> .	<p><a href="#">Section 9 of the NPPF, Policy CS16 of the Core Strategy</a></p>



Requirement	When required	Guidance	Further information
	existing public highway		and <a href="#">Policies DM35 of the DMPD</a>
Delivery Management Plan	For major commercial developments	<p>A Delivery Management Plan should set out management of deliveries and the servicing of the development to minimise impact on amenity and operation of highways and transport infrastructure. This would include:</p> <ul style="list-style-type: none"> <li>• The location of loading and unloading</li> <li>• The hours of loading and unloading</li> <li>• The frequency and size of vehicles</li> <li>• Routing, including swept paths where relevant</li> <li>• Consolidation of deliveries</li> <li>• Control measures e.g., Low/zero emission vehicles, direct vision vehicles, accreditation etc</li> <li>• Waste management and segregated wastes, temporary storage, transfer, and servicing arrangements</li> </ul>	<a href="#">Section 9 of the NPPF, Policy CS16 of the Core Strategy</a> and <a href="#">Policies DM38 of the DMPD</a>
Construction Management Plan	For <a href="#">major development</a> where not provided in the Transport Assessment	<p>The Construction Management Plan will comprise a site plan and accompanying statement that outlines management of the site during the construction phase. It shall provide for:</p> <ul style="list-style-type: none"> <li>• The parking of vehicles of site operatives and visitors</li> <li>• Loading, unloading and storage of plant and materials</li> <li>• Routing of deliveries on the highway network</li> <li>• Hours of work and deliveries having regard to the site surroundings</li> <li>• Erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate,</li> <li>• Tree protection measures</li> <li>• Wheel washing facilities</li> <li>• Measures to control the emission of dust and dirt during construction,</li> <li>• A scheme for recycling/disposing of waste resulting from demolition and construction works</li> <li>• Forward movement of vehicles to and from the site, unless unachievable</li> <li>• Banksmen, where necessary</li> </ul>	<a href="#">Section 9 of the NPPF, Policy CS16 of the Core Strategy</a> and <a href="#">Policies DM35 of the DMPD</a>
Car Park Management Plan	For all <a href="#">major development</a> and larger new residential developments, or as a post consent	A car parking management plan assists in an understanding of how the car parking will operate and to ensure safe and equitable movement and parking of vehicles. It should address matters such as allocation of parking spaces, measures to ensure visitor spaces remain available for visitors, any traffic management systems, signage, and ongoing management responsibilities. It should be accompanied by a scaled site plan and can be incorporated into a Parking and Access Plan.	<a href="#">Section 9 of the NPPF, Policies DM10, DM35, DM36, DM37 of the DMPD</a> and <a href="#">Parking Standards for</a>

Requirement	When required	Guidance	Further information
	condition in the event of an approval		<a href="#">Residential Developments SPD 2015</a> and <a href="#">Surrey Guidance</a>
Parking and Access Plan	For minor and major schemes, and where there are amendments to access or parking arrangements or operational changes such as changes to student or staffing numbers, or conditioned on non-major schemes	<p>Parking and access details are required to ensure there is sufficient on-site car parking provision, so that there would not be adverse pressure on on-street car parking and that safe movement of vehicles can be achieved within and to and from the site. Pedestrian access through car parks and into the site should also be considered. The Plan must show the following as a separate Access Plan:</p> <ul style="list-style-type: none"> <li>• Parking spaces, measuring 4.8m length x 2.4m width, to satisfy the minimum parking standards (and justification where there is a departure)</li> <li>• Allocation of car parking spaces where proposed</li> <li>• Aisle widths within car parking courts</li> <li>• Provision of disabled blue badge parking and motorcycle parking</li> <li>• Turning areas, with a swept path analysis sufficient for refuse and emergency vehicles (where required), to demonstrate that vehicles can exit the site in a forward gear</li> <li>• Visibility splays within the red line site to ensure adequate pedestrian and vehicle sightlines (further guidance should be obtained from Surrey County Council)</li> <li>• An Electric Vehicle Charging Strategy, including provision to meet policy requirements and specifications of charging points</li> <li>• Because of technical specifications, plans must include a scale bar and be drawn to a metric scale of 1:100 or 1:200</li> </ul>	<a href="#">Section 9 of the NPPF</a> , <a href="#">Policies DM10, DM35, DM36, DM37 of the DMPD</a> and <a href="#">Parking Standards for Residential Developments SPD 2015</a> and <a href="#">Surrey Guidance</a>
Refuse and Recycling Plan	For all applications comprising of additional floorspace, and/or dwellings	If not shown on the Site Plan, an additional plan, drawn to scale, must be submitted showing the location of refuse and recycling bins. If the refuse and recycling provision is housed in any type of enclosure, then scaled elevations must also be submitted. The plan must incorporate all the land up to and including the collection point and must demonstrate how it will meet the waste and recycling requirements set out in <a href="#">Epsom's Guidance on the storage and collection of Household Waste</a> , including that a collection point being no more than 6m from the public highway and that residents not move bins more than 30m from their storage point. It is important to show waste storage and collection points for town centre locations.	<a href="#">Sections 12 and 15 of the NPPF</a> , <a href="#">Policy CS6 of the Core Strategy</a> , <a href="#">Policy DM10 of the DMPD</a> and <a href="#">Revised Sustainable SPD 2016</a>
Cycle Plan	Required for all new developments	If not shown on the Site Plan, an additional plan, drawn to scale, must be submitted showing the location of the cycle provision. If an enclosure is proposed, scaled elevations must also be submitted. The proposal is expected to meet the requirements of the <a href="#">Surrey County Council Vehicular and Cycle Parking Guidance 2018</a> and be accessible, convenient and secure.	<a href="#">Section 9 of the NPPF</a> , <a href="#">Policies DM10, DM35, DM36, DM37 of the DMPD</a> and <a href="#">SCC Vehicular and Cycle</a>

Requirement	When required	Guidance	Further information
			<a href="#">Parking Guidance 2018</a>
Public Rights of Way Statement	Where construction or storage of items would be immediately adjacent to or interrupt a <a href="#">public footpath</a>	Surrey County Council are responsible for public footpaths and development should be undertaken in a manner that allows continued use of the footpaths. A PROW Statement should demonstrate how the construction phase, including deliveries, storage of items and dust, is undertaken without unduly disrupting the passage of users along the rights of way. The Statement can form part of the Planning Statement.	<a href="#">Section 8 of the NPPF</a> and <a href="#">Policies DM9 and DM7 of the DMPD</a>
Daylight and Sunlight Assessment	For major development or where there is potential adverse impact on nearby properties, including gardens or amenity space, or where there will be potentially low light levels for new dwellings	Where there is a potential impact upon the sunlight/daylight enjoyed by adjoining properties, including buildings and amenity space, applications should be accompanied by a site plan that accords with the minimum requirements for a site plan and shows a 45 degree line from or to the corners of the proposed extension and the centre of the nearest habitable window to the rear elevation of both adjoining properties.  A more detailed desk-based assessment will be required for major development and some larger minor developments and should include impacts on neighbouring properties and on future occupants within the proposed development. This assessment should be carried out in accordance with the British Research Establishment (BRE) document Site Layout Planning for Daylight and Sunlight – A guide to Good Practice 2nd edition. It may be necessary to consider Vertical Sky Component and annual probable sunlight hours.	<a href="#">Section 15 of the NPPF</a> and <a href="#">Policies DM9 and DM10 of the DMPD</a>
Air Quality Assessment	For <a href="#">major development</a> , sites adjacent to or within an <a href="#">Air Quality Management Area</a> , where there would be a significant increase in vehicular traffic or emissions	An Air Quality Assessment would allow a full consideration of the impact of the proposal on the air quality of the area including impacts and mitigation measures where necessary. For more information, please visit the <a href="#">Institute of Air Quality Management</a> .	<a href="#">Section 15 of the NPPF</a> and <a href="#">Air Quality (England) (Amendment) Regulations 2002</a>
Noise, Odour and Vibration Assessment	For <a href="#">major development</a> , and where the proposal will give	Where the proposed development has the potential to impact the quality of life for people who live or work within the surrounding area due to excessive noise, a noise impact and sound insulation assessment will need to accompany your planning application. A noise impact and sound insulation assessment should include the following information:	<a href="#">Section 15 of the NPPF</a> and <a href="#">Policy DM10 of the DMPD</a>

Requirement	When required	Guidance	Further information
	rise to or suffer from excess noise and or vibration such as in town centres, major roadways or railway corridors	<ul style="list-style-type: none"> <li>Existing background noise levels measured over a 24-hour period (including the cumulative noise levels of all existing units)</li> <li>Proposed noise levels (including the cumulative noise levels of all proposed units)</li> <li>Any proposed measures to reduce noise from the proposed development</li> <li>The system manufacturers specification of any proposed equipment to be installed, altered, or replaced</li> <li>Details of the method used to compile the report and examples of the calculations and assumptions made</li> <li>Respond to local and national guidance</li> <li>Where there is potential odour (e.g., from commercial kitchens) or vibration (e.g., from railway corridors) impacts, the scope of the assessment should be expanded to include these matters</li> </ul> <p>The Assessment must be prepared by a suitably qualified person and member of the <a href="#">Institute of Acoustics</a> or <a href="#">Association of Noise Consultants</a>.</p>	<a href="#">Noise Policy Statement for England</a>  <a href="#">Environmental Protection Act 1990</a>
Operational Management Plan	For schools, day care centres and care homes	To assist in the understanding of traffic and neighbour amenity issues through the life of the development, an Operational Management Plan would outline operational aspects of the use of the development. This would include but not be limited to staffing and student/child numbers, operating hours, parking capacity, delivery and drop off/pick up arrangements, visiting hours, timing and sequencing of daily activities, use of outdoor spaces and complaints handling. This should normally be a separate document that would enable conditioning of the Plan in any future permission.	<a href="#">Sections 9 and 15 of the NPPF and Policies DM10, DM35, DM36, DM37 of the DMPD</a>
Glare Assessment	For large scale solar schemes or where large expanses of glazing are proposed	Where glare may present a traffic or neighbour hindrance, a Glare Assessment would enable a better understanding of the impacts.	
Detailed Specifications	For applications including AC units, heat pumps, commercial exhaust, or other similar facilities	To assist with an understanding of visual and amenity impacts, the specifications of mechanical ventilation, exhaust systems for commercial kitchen operations or heat pumps, specifications of the intended brand and model of the system should be submitted with an application.	<a href="#">Section 15 of the NPPF and Policy DM10 of the DMPD</a>

Requirement	When required	Guidance	Further information
Contaminated Land Assessment	When the site is <a href="#">known to be contaminated or there is a reasonable possibility of contamination</a>	A report for detailing the existence and nature of contamination, the risks for construction and future occupants and remediation/decontamination. The scope of the assessment is proportionate to the scope of contamination. It need not be required if the site is contaminated but the scope of the works is well removed from the contamination. It can be desktop but should be carried out by a suitably qualified person. Typical contaminated sites include landfill, railway land, waste disposal sites, scrapyards, and petrol stations. Often, a preliminary assessment will require future reports following the granting of planning permission. The Assessment should be carried out by a suitably qualified person.	<a href="#">Section 15 of the NPPF</a> and <a href="#">Policy DM17 of the DMPD</a>
Flood Risk Assessment	For <a href="#">major development</a> , and where development falls within <a href="#">Flood Zones 2 or 3 or in a Critical Drainage Area</a> and for all new buildings or the change of vulnerability use of existing buildings, or for sites in Flood Zone 1 where the site is >1 hectare.	<p>A site-specific flood risk assessment should demonstrate how off and on site flood risk will be managed now and over the development's lifetime, taking climate change into account, and having regard to the vulnerability of its users, as specified in <a href="#">Table 2 – Flood Risk Vulnerability</a> of the NPPG and <a href="#">Annexe 3 of the NPPF</a>.</p> <p>The FRA should be proportionate to the scale of the proposal and identify opportunities to reduce the probability and consequences of flooding and include mitigation and recommendations, which such measures incorporated into the submitted plans. It should include the design of surface water management systems including Sustainable Drainage Systems (SUDs) wherever possible. The FRA should provide evidence that demonstrates, where required, the Sequential and Exception Test of NPPF have been met and include details of safe egress from the site in case of flooding.</p> <p>Further details for preparing an FRA can be found on the <a href="#">checklist on Site-Specific Flood Risk Assessments</a> and <a href="#">Surrey County Council</a> as the lead local flood authority.</p>	<a href="#">NPPG. Section 15 of the NPPF</a> , <a href="#">Policy CS6 of the Core Strategy</a> and <a href="#">Policy DM19 of the DMPD</a>
Drainage Statement (including SCC <a href="#">SuDS Pro-Forma</a> )	For new buildings (retail, residential, commercial, offices) and for <a href="#">major development</a>	<p>A drainage statement and accompanying drainage plan, incorporating Sustainable Drainage Systems (SuDS), will need to demonstrate that for the life of the development, the proposal would not have an unacceptable impact on the local area though no net change in infiltration or overland flows from the site.</p> <p>SuDS scheme proposed accord with the <a href="#">DEFRA SuDS National Standards</a>. The <a href="#">Surrey County Council SuDS Pro-forma</a> should also be completed.</p>	<a href="#">Section 15 of the NPPF</a> , <a href="#">Policy CS6 of the Core Strategy</a> and <a href="#">Policy DM19 of the DMPD</a> and the <a href="#">Surrey SuDS Guidance</a>
Hydrogeological Report	Where a groundwater issue is known or identified in the preparation of an	A Hydrogeological Report will supplement a Flood Risk Assessment where there is potential for interruption to groundwater flows through the site, often because of the construction of a basement or large soakaways. It is difficult to confirm where a high groundwater table may be encountered however, the British Geological Survey have an archive of <a href="#">borehole records</a> .	<a href="#">NPPG. Section 15 of the NPPF</a> , <a href="#">Policy CS6 of the Core Strategy</a> and <a href="#">Policy DM19 of the DMPD</a>

Requirement	When required	Guidance	Further information
	FRA or drainage plan	Given the specialised nature of this report, the author should be able to demonstrate appropriate qualifications.	
Basement Impact Assessment	Where a basement is proposed in an area of known flood risks or close to neighbouring properties	<p>A Basement Impact Assessment will ensure that the construction of a basement is undertaken without undue damage to neighbouring properties or interrupting groundwater flows. The level of information is proportionate to the scale of the basement but should include:</p> <ul style="list-style-type: none"> <li>• Stage 1 – Screening</li> <li>• Stage 2 – Scoping</li> <li>• Stage 3 - Site investigation and study</li> <li>• Stage 4 - Impact assessment</li> <li>• Stage 5 - Review and decision making</li> </ul> <p>Given the specialised nature of this report, the author should be able to demonstrate appropriate qualifications.</p>	<a href="#">NPPG, Section 15 of the NPPF, Policy CS6 of the Core Strategy and Policy DM19 of the DMPD</a>
Confirmation from Utilities Provider	For <a href="#">major development</a>	For larger residential housing schemes, it will be necessary to show evidence that pre submission discussions have occurred with utilities providers to demonstrate that the provider is satisfied that there is existing or predicted capacity in their infrastructure network to accommodate the increased demand arising from the development. This could include gas, electricity, water, wastewater, or broadband providers.	<a href="#">Policy CS1 of the Core Strategy and Policy DM10 of the DMPD</a>
Drainage Assessment	For <a href="#">major development</a> where disposal of sewage, effluent or trade waste is not through a mains connection to a public sewer	A non-mains drainage assessment would be required to demonstrate that non-mains drainage, either a new system or connection to an existing system, would be acceptable. The assessment should include storage, treatment and disposal methods, an assessment of site suitability and a demonstration of why connect to the mains sewer is not feasible. It should be accompanied by the <a href="#">Environment Agency's pro-forma</a> .	<a href="#">Section 15 of the NPPF, Policy CS6 of the Core Strategy and Policy DM19 of the DMPD and the Surrey SuDS Guidance</a>
Energy Statement	For <a href="#">major development</a> , or conditioned in any future permission	An Energy Statement will document how energy efficiency has been considered at each stage of the process from early design stage to submission and outline measures within the construction and operation of the development to meet a targeted reduction in energy emissions. In the absence of concrete policy specifying a % reduction, the Council would welcome proactive delivery of reductions.	<a href="#">Section 15 of the NPPF and Policy CS6 of the Core Strategy</a>
Sustainability Statement	All non-major development	Development proposals should reflect the principles of sustainable development and consider the issues of accessibility, environmental impact, and the use of resources during construction and use. A Sustainability Statement should incorporate measures to minimise waste, ensure the efficient use of minerals using recycled and secondary aggregates,	<a href="#">Section 15 of the NPPF and Policy CS6 of the Core Strategy and</a>



Requirement	When required	Guidance	Further information
		alleviate flood risk and introduce renewable energy or carbon savings. Reference should be made to the EcoHomes, BREEAM and Code for Sustainable Homes guidance and Council policy.	<a href="#">Sustainable Design SPD.</a>
Affordable Housing Statement	For schemes where there is a net increase of 10 more dwellings	The Affordable Housing Statement should explain how the proposed development will delivery of policy compliant amount of affordable housing, either on site or via a commuted sum. This can be incorporated as part of the Planning Statement.	<a href="#">Section 5 of the NPPF, Policy CS9 of the Core Strategy, Policy DM21 of the DMPD and the Revised Developer Contributions SPD 2014</a>
Viability Assessment	When the viability of a scheme would suggest that the requirements for Affordable Housing cannot be met	<p>Where the Affordable Housing Statement indicates that the delivery of policy compliant affordable housing cannot be delivered, a Viability Assessment must explain why the full affordable contributions cannot be met. The Assessment would be expected to include:</p> <ul style="list-style-type: none"> <li>• Executive summary</li> <li>• Basis on which S106 costs have been calculated</li> <li>• Built costs</li> <li>• Cash flow projections</li> <li>• Market evidence</li> <li>• Benchmark Land Value or Alternative Use Value</li> <li>• Any other evidence</li> </ul> <p>The Council does not have in-house expertise for the review of the Viability Assessment and will instead use an independent consultant. The cost of this assessment will need to be paid by the applicant/agent.</p>	
Economic Statement	For <a href="#">major development</a> , where there is a loss of employment land or a commercial element, development located within employment land (retail centres, town and village centres)	<p>An economic statement would outline the economic case for the proposal and include an assessment of:</p> <ul style="list-style-type: none"> <li>• Any jobs that might be created or lost</li> <li>• The net change in employment</li> <li>• Any community benefits or impacts</li> <li>• Marketing information for at least 12 months</li> <li>• Any other justification</li> </ul>	<a href="#">Section 6 of the NPPF and Policy CS11 of the Core Strategy and Policies DM24, DM25, DM28 and DM31 of the DMPD</a>
Needs Assessment	Where specialist accommodation	The Planning Needs Assessment undertakes a quantitative assessment for the needs for the type of use being proposed within the development to ensure that it is addressing a need,	<a href="#">Section 5 of the NPPF and Policies</a>

Requirement	When required	Guidance	Further information
	such as student homes or care homes or traveller pitches are proposed	provides a suitable mix of accommodation and does not lead to an oversupply of a certain type of accommodation. Consideration should be against the findings of the <a href="#">Housing and Economic Development Needs Assessment 2023</a> .	<a href="#">CS9 and CS10 of the Core Strategy</a> and <a href="#">Policy DM21 of the DMPD</a>
Retail Impact Statement	For retail and leisure development in edge or out of town centre locations	A retail impact assessment will consider the retail impacts on the vitality and viability of existing centres in Epsom and Ewell, including cumulative effect of recent permissions, development under construction and complete developments. The scope and scale of the assessments and whether a sequential test is required (see <a href="#">paras 91-93 of the NPPF</a> ) to be undertaken depends on the location and scale of the development, considered against the retail policies at DM28-DM31 of the Development Management Policies Document 2015.	<a href="#">NPPG, Section 7 of the NPPF</a> and <a href="#">Policy CS14 and CS15 of the Core Strategy</a> and <a href="#">Policy DM28, DM29, DM30 and DM31 of the DMPD</a>
Disabled Access Statement and Plan	For new buildings (retail, residential, commercial, offices) and major development	To ensure safe, convenient, and equitable access within the design of the development and to ensure that the approved scheme would meet building regulations requirements, an Accessibility Plan and Statement should show equitable access across the development, including level access through the site, to the entrance and within buildings and adaptable dwellings to <a href="#">meet M4(1), M4(2) or M4(3)</a> , blue badge parking. This should be accompanied by a statement, which can be included in the Design and Access Statement or Planning Statement.	<a href="#">Section 8 of the NPPF, Policy CS16 of the Core Strategy, Policy DM12 of the DMPD</a> and the <a href="#">Equalities Act 2010</a>
Crime Impact Statement	For <a href="#">major development</a>	A Crime Impact Statement will review the design features and solutions to reduce the development's vulnerability to crime in accordance with the principles of <a href="#">Secured by Design</a> . This can be incorporated into the Design and Access Statement or submitted as a separate document.	<a href="#">Section 12 of the NPPF, Policy DM10 of the DMPD</a> and <a href="#">Secured by Design</a>
Fire Risk Assessment	All applications for buildings > 7 storeys/18m (or net increase of 2+ dwellings or educational accommodation within existing building), or development within the curtilage of such buildings	Following the Building Safety Bill and amendments to the DMPO. Fire Statements must be submitted on a standard form published by the Secretary of State which requires information including the applicant's approach to fire safety, site layout and access for emergency vehicles and water supplies for firefighting. Exemptions include change of use applications that result in the building no longer being a 'relevant building'.	<a href="#">Building Safety Act 2022</a>



Requirement	When required	Guidance	Further information
Statement of Community Involvement	Where there are sensitive issues, usually identified through the pre application process including telecommunications masts	Where the proposal is likely to generate local interest, it is advisable to consult with residents, resident associations, and ward members prior to finalisation of any scheme. The statement should include details of the public consultations carried and, the results of the consultations and how they have been considered within the proposal.  Where the proposal includes a telecommunications mast near a school or nursery, details of consultation are required.	<a href="#">Section 1 of the Statement of Community Involvement 2022</a>
HMO Licence	Optional, but for applications comprising a change of use to a large HMO (>6 occupants)	A copy of an existing House of Multiple Occupancy (HMO) licence as issued by EEBC should be provided to assist in the assessment of an application where an existing HMO is being enlarged. If one is not provided, an informative will be attached to any permission.	<a href="#">Section 5 of the NPPF</a>
Draft Legal Agreement	Optional, but usually on major developments, where transport initiatives are required or where affordable housing is delivered	Planning permission may be subject to the completion of a Section 106 agreement or Unilateral Undertaking to deal with planning obligations, including for Public Transport Improvements, Travel Plan Auditing fee, Pedestrian Improvements and Infrastructure, BNG delivery and monitoring, Delivery of Affordable Housing (and late-stage review) or Commuted Sum, street planting, Car club provision or to ensure use of an outbuilding for incidental use. Providing a draft agreement with a planning application will expedite the determination of an application.	<a href="#">Section 106 of the Town and Country Planning Act 1990</a> alongside the <a href="#">NPPF</a> , <a href="#">the Core Strategy</a> , and the <a href="#">DMPD</a>
ICPRN declaration	All telecommunications applications	A declaration that the proposal, when operational, will meet the <b>ICNIRP</b> (International Commission on Non-Ionizing Radiation Protection) with respect to health standards.	<a href="#">Code of Practice for Wireless Network Development in England</a>
Alternative Sites Statement	All telecommunications applications	A document which assesses the suitability of alternative sites for the telecommunications mast.	<a href="#">Code of Practice for Wireless Network Development in England</a>
CIL Additional Information Form (Form 1)	All applications	The Community Infrastructure Levy (CIL) is a tool for local authorities to help deliver infrastructure to support development of the area. All questions must be answered, and it must be signed and dated on the same date as the planning application form.	<a href="#">Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019</a>
CIL Assumption of Liability Form (Form 2)	Where there is >100m2 of additional floor	CIL liable development must be accompanied by a CIL Assumption of Liability Form. All questions must be answered, and it must be signed and dated on the same date as the planning application form. Planning agents submitting on behalf of applicants must include an	

Requirement	When required	Guidance	Further information
	space in the proposal	email address. There is more information on the <a href="#">Council's website</a> and forms are available at the <a href="#">planning portal</a> .	
Permission from Copyright holder	All applications, if applicable	Planning application plans, drawings and accompanying material are protected by the copyright acts. The Council is required to publish such information on their website. Under the Designs and Patents Act 1988, proof of the copyright owner's consent must be provided where drawings or statements, which state they are subject to copyright or not for third party use, are submitted in support of a planning application.	<a href="#">Designs and Patents Act 1988</a>

## OUTLINE PLANNING PERMISSION

For in principle permission that is limited to matters such as appearance, access, landscaping, layout, and scale. An applicant can choose to submit details of any or all the reserved matters. Unless the applicant has indicated that those details are submitted for illustrative purposes only (or has otherwise indicated that they are not formally part of the application), the Council must treat them as part of the development in respect of which the application is being made.

## APPROVAL OF RESERVED MATTERS

For the remaining matters not dealt with at outline planning permission stage, submitted as one or separate reserved matters applications.

The following table outlines the likely validation requirements based on which matters are included in the outline application and which matters are reserved. Information about the proposed use, the amount of development and access points and other matters go the principle of the scheme and are required under outline planning permission even if they are reserved.

Outline	Appearance	Access	Landscaping	Layout	Scale
<a href="#">Application Form</a>	<a href="#">Application Form</a>	<a href="#">Application Form</a>	<a href="#">Application Form</a>	<a href="#">Application Form</a>	<a href="#">Application Form</a>
<a href="#">Ownership Certificate</a>	<a href="#">Ownership Certificate</a>	<a href="#">Ownership Certificate</a>	<a href="#">Ownership Certificate</a>	<a href="#">Ownership Certificate</a>	<a href="#">Ownership Certificate</a>
<a href="#">Fee (varies)</a>	<a href="#">Fee (varies)</a>	<a href="#">Fee (varies)</a>	<a href="#">Fee (varies)</a>	<a href="#">Fee (varies)</a>	<a href="#">Fee (varies)</a>
<a href="#">Location Plan</a>	<a href="#">Photomontage</a>	<a href="#">Delivery Management Plan</a>	<a href="#">Hard and Soft Landscape Plan</a>	<a href="#">Daylight and Sunlight Assessment</a>	<a href="#">Floor plans</a>
<a href="#">Site or Block plan</a>	<a href="#">Lighting Assessment</a>	<a href="#">Construction Management Plan</a>	<a href="#">Landscape Management Plan</a>	<a href="#">Accommodation Schedule</a>	<a href="#">Roof plan</a>
<a href="#">Design and Access Statement</a>	<a href="#">Landscape and Visual Impact Assessment</a>	<a href="#">Car Park Management Plan</a>	<a href="#">Arboricultural Method Statement</a>	<a href="#">Lighting Assessment</a>	<a href="#">Elevations</a>
<a href="#">Planning Statement</a>	<a href="#">Glare Assessment</a>	<a href="#">Parking and Access Plan</a>	<a href="#">Lighting Assessment</a>	<a href="#">Energy Statement</a>	<a href="#">Sections</a>
<a href="#">Arboricultural Impact Assessment</a>	<a href="#">Detailed Specifications</a>	<a href="#">Refuse and Recycling Plan</a>	<a href="#">Drainage Statement</a>	<a href="#">Sustainability Statement</a>	<a href="#">Streetscene</a>
<a href="#">Preliminary Ecological Assessment</a>	<a href="#">Planning Statement</a>	<a href="#">Cycle Plan</a>	<a href="#">Planning Statement</a>	<a href="#">Planning Statement</a>	<a href="#">Air Quality Assessment</a>
<a href="#">Biodiversity Net Gain Statement and Metric</a>		<a href="#">Public Rights of Way Statement</a>			<a href="#">Hydrogeological Report</a>
<a href="#">Transport Assessment or Transport Statement</a>		<a href="#">Travel Plan</a>			<a href="#">Noise, Odour and Vibration Assessment</a>
<a href="#">Heritage Statement</a>		<a href="#">Stage 1 Road Safety Audit</a>			<a href="#">Operational Management Plan</a>

<a href="#">Archaeological Assessment</a>		<a href="#">Operational Management Plan</a>			<a href="#">Basement Impact Assessment</a>
<a href="#">Green Belt Statement</a>		<a href="#">Planning Statement</a>			<a href="#">Confirmation from Utilities Provider</a>
<a href="#">Survey plan</a>					<a href="#">Foul Drainage Assessment</a>
<a href="#">Flood Risk Assessment</a>					<a href="#">Disabled Access Statement and Plan</a>
<a href="#">Drainage Statement</a>					<a href="#">Crime Impact Statement</a>
<a href="#">Contaminated Land Assessment</a>					<a href="#">Fire Risk Assessment</a>
<a href="#">Affordable Housing Statement</a>					<a href="#">Energy Statement</a>
<a href="#">Viability Assessment</a>					<a href="#">Sustainability Statement</a>
<a href="#">Economic Statement</a>					<a href="#">Planning Statement</a>
<a href="#">Needs Assessment</a>					
<a href="#">Retail Impact Statement</a>					
<a href="#">Statement of Community Involvement</a>					
<a href="#">Draft Legal Agreement</a>					
<a href="#">CIL Additional Information Form (Form 1)</a>					
<a href="#">CIL Assumption of Liability Form (Form 2)</a>					
<a href="#">Permission from Copyright holder</a>					

## PERMISSION IN PRINCIPLE

The permission in principle consent route separates the consideration of matters of principle for proposed development from the technical detail of the development. The scope of permission in principle is limited to location, land use and amount of development (stage 1). Other matters should be considered at the technical details consent stage (stage 2). The following documents deal with the stage 1.

Procedural	Location	Land Use	Amount
<a href="#">Application Form</a>	<a href="#">Location Plan</a>	<a href="#">Economic Statement</a>	<a href="#">Design and Access Statement</a>
<a href="#">Ownership Certificate</a>	<a href="#">Site or Block plan</a>	<a href="#">Needs Assessment</a>	<a href="#">Planning Statement</a>
<a href="#">Fee (varies)</a>	<a href="#">Design and Access Statement</a>	<a href="#">Retail Impact Statement</a>	<a href="#">Accommodation Schedule</a>
<a href="#">CIL Additional Information Form (Form 1)</a>	<a href="#">Planning Statement</a>		<a href="#">Confirmation from Utilities Provider</a>
<a href="#">CIL Assumption of Liability Form (Form 2)</a>	<a href="#">Arboricultural Impact Assessment</a>		<a href="#">Affordable Housing Statement</a>
<a href="#">Permission from Copyright holder</a>	<a href="#">Preliminary Ecological Assessment</a>		<a href="#">Viability Assessment</a>
<a href="#">Statement of Community Involvement</a>	<a href="#">Biodiversity Net Gain Statement and Metric</a>		<a href="#">Drainage Statement</a>
<a href="#">Draft Legal Agreement</a>	<a href="#">Transport Assessment or Statement</a>		
	<a href="#">Heritage Statement</a>		
	<a href="#">Archaeological Assessment</a>		
	<a href="#">Green Belt Statement</a>		
	<a href="#">Flood Risk Assessment</a>		
	<a href="#">Contaminated Land Assessment</a>		

The following matters deal with stage 2:

<a href="#">Application Form</a>	<a href="#">Photomontage</a>	<a href="#">Cycle Plan</a>	<a href="#">Lighting Assessment</a>	<a href="#">Basement Impact Assessment</a>
<a href="#">Ownership Certificate</a>	<a href="#">Lighting Assessment</a>	<a href="#">Public Rights of Way Statement</a>	<a href="#">Drainage Statement</a>	<a href="#">Foul Drainage Assessment</a>
<a href="#">Fee</a>	<a href="#">Landscape and Visual Impact Assessment</a>	<a href="#">Travel Plan</a>	<a href="#">Daylight and Sunlight Assessment</a>	<a href="#">Disabled Access Statement and Plan</a>
<a href="#">Location Plan</a>	<a href="#">Glare Assessment</a>	<a href="#">Stage 1 Road Safety Audit</a>	<a href="#">Lighting Assessment</a>	<a href="#">Crime Impact Statement</a>
<a href="#">Site or Block plan</a>	<a href="#">Detailed Specifications</a>	<a href="#">Operational Management Plan</a>	<a href="#">Energy Statement</a>	<a href="#">Fire Risk Assessment</a>
<a href="#">Floor plans</a>	<a href="#">Delivery Management Plan</a>	<a href="#">Planning Statement</a>	<a href="#">Sustainability Statement</a>	<a href="#">Energy Statement</a>
<a href="#">Roof plan</a>	<a href="#">Construction Management Plan</a>	<a href="#">Hard and Soft Landscape Plan</a>	<a href="#">Air Quality Assessment</a>	<a href="#">Sustainability Statement</a>
<a href="#">Elevations</a>	<a href="#">Car Park Management Plan</a>	<a href="#">Landscape Management Plan</a>	<a href="#">Hydrogeological Report</a>	
<a href="#">Sections</a>	<a href="#">Refuse and Recycling Plan</a>	<a href="#">Arboricultural Method Statement</a>	<a href="#">Noise, Odour and Vibration Assessment</a>	
<a href="#">Streetscene</a>			<a href="#">Operational Management Plan</a>	
<a href="#">Design and Access Statement</a>				
<a href="#">Planning Statement</a>				
<a href="#">Survey plan</a>				

## LISTED BUILDING CONSENT

For any internal or external works to a listed building and works to structures that have been within the curtilage prior to 1<sup>st</sup> July 1948. Listed buildings can be confirmed [here](#). There is no fee for a listed building consent application.

Requirement	When required	Guidance	Further information
Heritage Statement	All applications	<p>A statement that assesses the significance of heritage assets and/or their settings affected by a development, and of the impacts of that development upon them. It allows an understanding of the heritage asset and its important features of that the project can then be designed to protect and conserve those features whilst minimising harmful impacts. Except for very small projects, the Statement should be completed by a heritage consultant, which can be sourced from the <a href="#">Historic Environment Service Provider Recognition</a>, <a href="#">Historic England</a> or the <a href="#">Building Conservation Directory</a>.</p> <p>The level of detail should be proportionate to the asset's importance and the extent of work being undertaken and cover all aspects of the proposed works. You do not need to submit information on parts of the building that are not being altered but the statement must include:</p> <ul style="list-style-type: none"> <li>• The address, listing (Grade I, II* or II and date of building (this may be in the Historic England <a href="#">list description</a>)</li> <li>• A copy of the <a href="#">list description</a></li> <li>• Photograph of the front elevation for identification</li> <li>• Photographic survey of all affected elements, including high quality photos of all historic features proposed to be altered, with explanations of each change</li> <li>• A description of the heritage significance of the building and details about the character and architectural/historical interest and setting</li> <li>• Dates of elements which are proposed to be altered or removed,</li> <li>• Dated plans if building extended at different dates</li> <li>• An analysis of how the special <del>character</del> architectural or historic interest (or "significance") and historic fabric of the statutorily listed building/structure would be affected</li> <li>• An explanation of the principles behind and the justification for the proposal</li> <li>• An outline of the steps taken to avoid or minimise the loss of historic fabric and significance</li> <li>• Public and/or heritage benefits to mitigate harm or loss of historic features, if applicable, such as reinstatement of lost historic features</li> <li>• An explanation of the sources considered, and the expertise consulted in the formulation of the application</li> </ul>	<p><a href="#">Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990</a>, <a href="#">Section 16 of the NPPF</a>, <a href="#">Policy CS5 of the Core Strategy 2007</a> and <a href="#">Policy DM8 of the Development Management Policies Document 2015</a></p> <p>Further guidance is found in the <a href="#">National Planning Policy Guidance</a>, and in Historic England's <a href="#">Statements of Heritage Significance: Analysing Significance in Heritage Assets</a> or <a href="#">The Setting of Heritage Assets</a>, <a href="#">Historic Environment Good Practice Advice in Planning</a></p>

		Details of relevant information from historic or expert sources such as but not limited to <a href="#">Epsom and Ewell Local and Family History Centre</a> , <a href="#">Epsom and Ewell History Explorer</a> , <a href="#">The Surrey Historic Environment Record</a> , <a href="#">Historic England's archives</a> , the <a href="#">Domestic Buildings Research Group (Surrey)</a> and <a href="#">previous listed building consents</a> .	
Design and Access Statement	All applications involving external works to a listed building	The Design and Access Statement must explain how access, including alternative means of access, have been addressed, how relevant Local Plan policies have been considered and any consultation. Where a planning application is submitted in parallel, a single Statement should address the requirements of both. For listed buildings, the Design & Access Statement can be combined with the Heritage Statement.	
Location Plan	All applications	<p>A plan identifying the exact location of the application site, which must:</p> <ul style="list-style-type: none"> <li>• Be based on an up-to-date map with surrounding buildings, roads, and footpaths</li> <li>• Include named roads and numbered properties sufficient to identify the site location</li> <li>• Contain a metric scale bar at 1:1250 or 1:2500 and a north point</li> <li>• Include the entire site with a continuous, unbroken red line around all the land necessary to carry out the development (including land required for access from a public highway, visibility splays and car parking, if appropriate). Do not colour in the site</li> <li>• If applicable, a blue line around all other land owned or controlled by the applicant</li> </ul> <p>Copyright legislation requires us to only accept plans which are based either on a site survey or which use Ordnance Survey information. Ordnance Survey plans must bear a valid licence number from Ordnance Survey which allows the applicant/agent to use that information. Illegal use of Ordnance Survey information can lead to legal proceedings and a fine.</p>	<p><a href="#">Article 39 of The Town and Country Planning Development Management Procedure (England) (Order) 2015</a></p> <p>Information is available on the <a href="#">planning portal</a>.</p> <p>Details of OS suppliers can be found <a href="#">here</a>.</p>
Site or Block plan	All applications	<p>A plan that shows the existing and proposed layouts of the application site and must:</p> <ul style="list-style-type: none"> <li>• Be based on an up-to-date map with the subject building, any outbuildings and trees on the subject site and buildings and trees on adjoining sites</li> <li>• Contain a metric scale bar at 1:200 or 1:500 and a north point (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>• Include that part of the site necessary to show the works (including access and visibility splays) and define it with a continuous, unbroken red line around all the land</li> <li>• Show preexisting walls and/or buildings and additions sought under the certificate by differentiating the footprint by hatching, greying, or colouring</li> </ul>	<a href="#">Policy DM10 of Development Management Policies Document 2015 (DMPD)</a>
Floor plans	All applications where the certificate relates	<p>A plan that shows the floor plans of the dwelling and must:</p> <ul style="list-style-type: none"> <li>• Contain a metric scale bar at 1:50 or 1:100 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> </ul>	<a href="#">Policy DM10 of DMPD</a>

	to operational development	<ul style="list-style-type: none"> <li>Show pre-existing walls and/or buildings and additions sought under the certificate by differentiating the footprint by hatching, greying, or colouring</li> <li>Show all floors where alterations are proposed</li> <li>Show openings, ensuring they match elevations</li> <li>Match that shown on the site plan and roof plan, including orientation of the plan</li> </ul>	
Roof plan	All applications where the certificate relates to operational development	<p>A plan that shows the roof of the dwelling and must:</p> <ul style="list-style-type: none"> <li>Contain a metric scale bar at 1:50 or 1:100 and a north point (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Show pre-existing roofs and additions sought under the certificate by differentiating the footprint by hatching, greying, or colouring</li> <li>Show roof features, such as eaves, rooflights, chimneys and pipes</li> <li>Match that shown on the site plan and floor plans, including orientation of the plan</li> </ul>	
Elevations	All applications where the certificate relates to operational development	<p>An elevation drawing that shows the elevations of the dwelling or outbuilding and must:</p> <ul style="list-style-type: none"> <li>Contain a metric scale bar at 1:50 or 1:100 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Show pre-existing walls and additions sought under the certificate by differentiating the footprint by hatching, greying, or colouring</li> <li>Show window and door openings and materials of walls</li> <li>Show the whole elevations rather than part thereof</li> <li>Match that shown on the site plan and floor plans</li> </ul>	
Detailed Plans	All applications, relative to the proposed alterations	<p>In addition to plans given above, your application should include the following where applicable. These items could also be shown on your existing and proposed plans rather than separate documents where possible.</p> <ul style="list-style-type: none"> <li>Conservation specification of methods and materials</li> <li>Plans showing location and retention of historic features with photographs</li> <li>Ceiling plans, including where relevant, including insertion or removal of lights or any other item on the ceiling</li> <li>Door schedule (existing and proposed) with photographs</li> <li>Detail drawings for new fixtures, e.g., fireplaces, cornices, partitions, fixtures, fittings, windows, external additions, etc at 4:50 appropriate scale</li> <li>Service runs (internally and externally)</li> <li>Details of any external additions such as alarms, ventilators, CCTV, etc</li> <li>Mechanical ventilation, air conditioning including service runs, size and appearance of units and their locations</li> </ul>	



Specialist reports	All applications, relative to the proposed alterations	Specialist reports could include fire strategies, structural engineering reports, conservation management plans, etc to justify the works you are proposing.	
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## ADVERTISEMENT CONSENT

For any advertising signage that is not [express or deemed consent](#) alongside any illumination of the signage.

Requirement	When required	Guidance	Further information
Application Form	All applications	<ul style="list-style-type: none"> <li>An application form should be completed via the <a href="#">planning portal</a> website. Printable forms are available. Only one form is required</li> <li>You do not need to employ a planning agent or architect to complete the form</li> <li>All sections must be answered, and the declaration must be signed and dated</li> <li>The details of the signage must be specific, including lighting levels and type, materials, and colours</li> <li>Each individual sign must be indicated</li> <li>Where there is a boundary encroachment or the development is across two properties, the address should reflect both properties</li> </ul>	<a href="#">Town and Country Planning (Control of Advertisements) (England) Regulations 2007</a>
Fee	All applications, with some concessions	<p>The application fee incurs a planning portal service charge of £70 inclusive of VAT (current at publication). Payment is via:</p> <ul style="list-style-type: none"> <li>The <a href="#">planning portal</a>, which is the quickest and easiest way</li> <li>Cheque, made payable to Epsom and Ewell Borough Council, with the application number stated on the back</li> <li>Over the telephone with the Council's Customer Service Team on 01372 732000</li> </ul>	<a href="#">Schedule 2 of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended)</a>  Details are also included on the <a href="#">planning portal</a>
Location Plan	All applications	<p>A plan identifying the exact location of the application site, which must:</p> <ul style="list-style-type: none"> <li>Be based on an up-to-date map with surrounding buildings, roads, and footpaths</li> <li>Include named roads and numbered properties sufficient to identify the site location</li> <li>Contain a metric scale bar at 1:1250 or 1:2500 and a north point</li> <li>Include the entire site with a continuous, unbroken red line around all the land necessary to carry out the development (including land required for access from a public highway, visibility splays and car parking, if appropriate). Do not colour in the site</li> <li>If applicable, a blue line around all other land owned or controlled by the applicant</li> </ul>	<a href="#">Regulation 9 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007</a>

Requirement	When required	Guidance	Further information
		Copyright legislation requires us to only accept plans which are based either on a site survey or which use Ordnance Survey information. Ordnance Survey plans must bear a valid licence number from Ordnance Survey which allows the applicant/agent to use that information. Illegal use of Ordnance Survey information can lead to legal proceedings and a fine.	Information is available on the <a href="#">planning portal</a> .  Details of OS suppliers can be found <a href="#">here</a> .
Site or Block plan	All applications	A plan that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) layouts of the application site and must: <ul style="list-style-type: none"> <li>• Be based on an up-to-date map with the subject building, any outbuildings and trees on the subject site and buildings and trees on adjoining sites</li> <li>• Contain a metric scale bar at 1:200 or 1:500 and a north point (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>• Include that part of the site for the signage and define it with a continuous, unbroken red line around all the land</li> </ul>	<a href="#">Regulation 9 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007</a>  <a href="#">Policy DM10 of Development Management Policies Document 2015 (DMPD)</a>
Elevations	All applications	An elevation drawing that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) signage and must: <ul style="list-style-type: none"> <li>• Contain a metric scale bar at 1:50 or 1:100 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>• Show the location, colour, and lettering for the signage</li> <li>• Show the whole elevations rather than part thereof</li> <li>• Match that shown on the site plan</li> </ul>	
Heritage Statement	Signage or lighting affixed to a <a href="#">Listed Building</a> or <a href="#">Locally Listed Building</a> or within a <a href="#">Conservation Area</a> (a conservation area is classified as a heritage asset)	A statement that assesses the significance of heritage assets and/or their settings affected by a development, and of the impacts of that development upon them. It allows an understanding of the heritage asset and its important features of that the project can then be designed to protect and conserve those features whilst minimising harmful impacts. Except for very small projects, the Statement should be completed by a heritage consultant, which can be sourced from the <a href="#">Historic Environment Service Provider Recognition</a> , <a href="#">Historic England</a> or the <a href="#">Building Conservation Directory</a> .  The level of detail should be proportionate to the asset’s importance and the extent of work being undertaken and cover all aspects of the proposed works. You do not need to submit information on parts of the building that are not being altered but the statement must include:	<a href="#">Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 68 of the NPPF, Policy CS5 of the Core Strategy and Policy DM8 of the DMPD</a>

Requirement	When required	Guidance	Further information
		<ul style="list-style-type: none"> <li>The address, listing (Grade I, II* or II, or conservation area or local listing) and date of building (this may be in the Historic England <a href="#">list description</a> or the <a href="#">EEBC conservation area appraisals</a>)</li> <li>Photograph of the front elevation and all affected elements, including high quality photos of all historic features proposed to be altered, with explanations of changes</li> <li>A description of the heritage significance of the building and details about the character and architectural/historical interest and setting</li> <li>An analysis of how the special character and fabric of the statutorily listed building/structure would be affected</li> <li>An explanation of the principles behind and the justification for the proposal</li> <li>An outline of the steps taken to avoid or minimise the loss of historic fabric</li> <li>Public and/or heritage benefits to mitigate harm or loss of historic features, if applicable, such as reinstatement of lost historic features</li> <li>An explanation of the sources considered, and the expertise consulted in the formulation of the application</li> </ul> <p>For Listed Buildings, the Statement should also include:</p> <ul style="list-style-type: none"> <li>A copy of the <a href="#">list description</a></li> <li>Dates of elements which are proposed to be altered or removed,</li> <li>Dated plans if building extended at different dates</li> </ul> <p>Details of relevant information from historic or expert sources such as but not limited to <a href="#">Epsom and Ewell Local and Family History Centre</a>, <a href="#">Epsom and Ewell History Explorer</a>, <a href="#">The Surrey Historic Environment Record</a>, <a href="#">Historic England's archives</a>, the <a href="#">Domestic Buildings Research Group (Surrey)</a> and <a href="#">previous listed building consents</a>.</p>	<p>Further guidance is found in the <a href="#">National Planning Policy Guidance</a>, and in Historic England's <a href="#">Statements of Heritage Significance: Analysing Significance in Heritage Assets</a> or <a href="#">The Setting of Heritage Assets, Historic Environment Good Practice Advice in Planning</a>.</p>
Photomontage	Optional	Photos or a photomontage would assist with how the advertisement would fit within the streetscape.	
Permission from Copyright holder	All applications, if applicable	Planning application plans, drawings and accompanying material are protected by the copyright acts. The Council is required to publish such information on their website. Under the Designs and Patents Act 1988, proof of the copyright owner's consent must be provided where drawings or statements, which state they are subject to copyright or not for third party use, are submitted in support of a planning application.	<a href="#">Designs and Patents Act 1988</a>

## LAWFUL DEVELOPMENT CERTIFICATE (EXISTING)

For establishing whether any existing development is lawful, including that it is immune from enforcement action.

Requirement	When required	Guidance	Further information
Application Form	All applications	<ul style="list-style-type: none"> <li>An application form should be completed via the <a href="#">planning portal</a> website. Printable forms are available. Only one form is required</li> <li>You do not need to employ a planning agent or architect to complete the form</li> <li>All sections must be answered, and the declaration must be signed and dated</li> <li>The description of the development being sought should be concise but reflect all aspects of the proposal</li> <li>Supporting information can be provided on the form or under separate documents</li> <li>Where there is a boundary encroachment or the development is across two properties, the address should reflect both properties</li> </ul>	<a href="#">Article 39 of The Town and Country Planning Development Management Procedure (England) (Order) 2015</a>
Fee	All applications, with some concessions	<p>The application fee varies depending on the proposal and incurs a planning portal service charge of £70 inclusive of VAT (current at publication). Payment is via:</p> <ul style="list-style-type: none"> <li>The <a href="#">planning portal</a>, which is the quickest and easiest way</li> <li>Cheque, made payable to Epsom and Ewell Borough Council, with the application number stated on the back</li> <li>Over the telephone with the Council's Customer Service Team on 01372 732000</li> </ul>	<p><a href="#">Article 11 of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended)</a></p> <p>Details are also included on the <a href="#">planning portal</a></p>
Location Plan	All applications	<p>A plan identifying the exact location of the application site, which must:</p> <ul style="list-style-type: none"> <li>Be based on an up-to-date map with surrounding buildings, roads, and footpaths</li> <li>Include named roads and numbered properties sufficient to identify the site location</li> <li>Contain a metric scale bar at 1:1250 or 1:2500 and a north point</li> <li>Include the entire site with a continuous, unbroken red line around all the land necessary to carry out the development (including land required for access from a public highway, visibility splays and car parking, if appropriate). Do not colour in the site</li> <li>If applicable, a blue line around all other land owned or controlled by the applicant</li> </ul>	<a href="#">Article 39 of The Town and Country Planning Development Management Procedure (England) (Order) 2015</a>

Requirement	When required	Guidance	Further information
		Copyright legislation requires us to only accept plans which are based either on a site survey or which use Ordnance Survey information. Ordnance Survey plans must bear a valid licence number from Ordnance Survey which allows the applicant/agent to use that information. Illegal use of Ordnance Survey information can lead to legal proceedings and a fine.	Information is available on the <a href="#">planning portal</a> .  Details of OS suppliers can be found <a href="#">here</a> .
Site or Block plan	All applications	A plan that shows the existing and proposed layouts of the application site and must: <ul style="list-style-type: none"> <li>• Be based on an up-to-date map with the subject building, any outbuildings and trees on the subject site and buildings and trees on adjoining sites</li> <li>• Contain a metric scale bar at 1:200 or 1:500 and a north point (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>• Include that part of the site necessary to show the development (including access and visibility splays) and define it with a continuous, unbroken red line around all the land</li> <li>• Show preexisting walls and/or buildings and additions sought under the certificate by differentiating the footprint by hatching, greying, or colouring</li> </ul>	<a href="#">Policy DM10 of Development Management Policies Document 2015 (DMPD)</a>
Floor plans	All applications where the certificate relates to operational development	A plan that shows the floor plans of the dwelling and must: <ul style="list-style-type: none"> <li>• Contain a metric scale bar at 1:50 or 1:100 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>• Show pre-existing walls and/or buildings and additions sought under the certificate by differentiating the footprint by hatching, greying, or colouring</li> <li>• Show all floors where alterations are proposed</li> <li>• Show openings, ensuring they match elevations</li> <li>• Match that shown on the site plan and roof plan, including orientation of the plan</li> </ul>	<a href="#">Policy DM10 of DMPD</a>
Roof plan	All applications where the certificate relates to operational development	A plan that shows the roof of the dwelling and must: <ul style="list-style-type: none"> <li>• Contain a metric scale bar at 1:50 or 1:100 and a north point (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>• Show pre-existing roofs and additions sought under the certificate by differentiating the footprint by hatching, greying, or colouring</li> <li>• Show roof features, such as eaves, rooflights, chimneys and pipes</li> <li>• Match that shown on the site plan and floor plans, including orientation of the plan</li> </ul>	
Elevations	All applications where the certificate relates	An elevation drawing that shows the elevations of the dwelling or outbuilding and must: <ul style="list-style-type: none"> <li>• Contain a metric scale bar at 1:50 or 1:100 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> </ul>	

Requirement	When required	Guidance	Further information
	to operational development	<ul style="list-style-type: none"> <li>Show pre-existing walls and additions sought under the certificate by differentiating the footprint by hatching, greying, or colouring</li> <li>Show window and door openings and materials of walls</li> <li>Show the whole elevations rather than part thereof</li> <li>Show all elevations (if the proposal is limited to the rear and not visible from the front, the front elevation is not required (and vice versa)), including joined or party elevations</li> <li>Match that shown on the site plan and floor plans</li> </ul>	
Supporting Documentation	Optional	<p>There is no minimum standard for evidence submitted in support of an application. Where a statutory declaration(s) is submitted, it should be precise, signed, dated, and witnessed by an authorised person such as a solicitor. Information could include:</p> <ul style="list-style-type: none"> <li>Sworn affidavit(s) from people with personal knowledge of the existing use or works</li> <li>Suppliers who had had dealings with the business in the past</li> <li>Contractors who had had dealings with the business in the past</li> <li>Receipts of invoices for goods and services</li> <li>Vehicle registration documents</li> <li>VAT receipts for commercial businesses or residential premises</li> <li>Previous rates, such as council tax, community charge bills</li> <li>Any dated photos indicating the previous use of the site or buildings</li> <li>Original property sales details relating to the land or buildings</li> <li>Utility bills.</li> </ul>	<a href="#">NPPG</a>
Planning Statement or Cover Letter	Optional, depending on the description outlined in the application form	A planning statement or cover letter would outline and summarise the application and the supporting documentation.	<a href="#">Article 39 of The Town and Country Planning Development Management Procedure (England) (Order) 2015</a>
Permission from Copyright holder	All applications, if applicable	Planning application plans, drawings and accompanying material are protected by the copyright acts. The Council is required to publish such information on their website. Under the Designs and Patents Act 1988, proof of the copyright owner's consent must be provided where drawings or statements, which state they are subject to copyright or not for third party use, are submitted in support of a planning application.	<a href="#">Designs and Patents Act 1988</a>



## LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED)

For establishing whether a development would be lawful under the [General Permitted Development Order 2015](#) or to ascertain if a development has been lawfully commenced

Requirement	When required	Guidance	Further information
Application Form	All applications	<ul style="list-style-type: none"> <li>An application form should be completed via the <a href="#">planning portal</a> website. Printable forms are available. Only one form is required</li> <li>You do not need to employ a planning agent or architect to complete the form</li> <li>All sections must be answered, and the declaration must be signed and dated</li> <li>The description of the development should be concise but reflect all aspects of the proposal</li> <li>Where there is a boundary encroachment or the development is across two properties, the address should reflect both properties</li> </ul>	<a href="#">Article 39 of The Town and Country Planning Development Management Procedure (England) (Order) 2015</a>
Fee	All applications, with some concessions	<p>The application fee depends on the proposal and is more for non-householders. It incurs a planning portal service charge of £70 inclusive of VAT (current at publication). Payment is via:</p> <ul style="list-style-type: none"> <li>The <a href="#">planning portal</a>, which is the quickest and easiest way</li> <li>Cheque, made payable to Epsom and Ewell Borough Council, with the application number stated on the back</li> <li>Over the telephone with the Council's Customer Service Team on 01372 732000</li> </ul>	<p><a href="#">Article 11 of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended)</a></p> <p>Details are also included on the <a href="#">planning portal</a></p>
Location Plan	All applications	<p>A plan identifying the exact location of the application site, which must:</p> <ul style="list-style-type: none"> <li>Be based on an up-to-date map with surrounding buildings, roads, and footpaths</li> <li>Include named roads and numbered properties sufficient to identify the site location</li> <li>Contain a metric scale bar at 1:1250 or 1:2500 and a north point</li> <li>Include the entire site with a continuous, unbroken red line around all the land necessary to carry out the development. Do not colour in the site</li> <li>If applicable, a blue line around all other land owned or controlled by the applicant</li> </ul>	<a href="#">Article 39 of The Town and Country Planning Development Management Procedure (England) (Order) 2015</a>



Requirement	When required	Guidance	Further information
		Copyright legislation requires us to only accept plans which are based either on a site survey or which use Ordnance Survey information. Ordnance Survey plans must bear a valid licence number from Ordnance Survey which allows the applicant/agent to use that information. Illegal use of Ordnance Survey information can lead to legal proceedings and a fine.	Information is available on the <a href="#">planning portal</a> .  Details of OS suppliers can be found <a href="#">here</a> .
Site or Block plan	All applications	A plan that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) layouts of the application site and must: <ul style="list-style-type: none"> <li>• Be based on an up-to-date map with the subject building, any outbuildings and trees on the subject site and buildings and trees on adjoining sites</li> <li>• Contain a metric scale bar at 1:200 or 1:500 and a north point (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>• Include that part of the site necessary to carry out the development and define it with a continuous, unbroken red line around all the land</li> <li>• Show existing walls and/or buildings to be removed and to be retained and proposed additions by differentiating the footprint of the proposed from the existing by hatching, greying, or colouring</li> <li>• Show the materiality of any hardstanding (if applicable)</li> <li>• Show any decks, patios, or terraces</li> </ul>	<a href="#">Policy DM10 of Development Management Policies Document 2015 (DMPD)</a>
Floor plans	All applications where extensions or alterations are proposed. Not required for crossovers	A plan that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) floor plans of the dwelling and must: <ul style="list-style-type: none"> <li>• Contain a metric scale bar at 1:50 or 1:100 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>• Show existing walls and/or buildings to be removed/demolished and to be retained and proposed additions by differentiating the footprint of the proposed from the existing by hatching, bolding, greying, or colouring</li> <li>• Show the entire floor, and preferably all floors</li> <li>• Show openings, ensuring they match elevations</li> <li>• Show any decks, patios, or terraces</li> <li>• Match that shown on the site plan and roof plan, including orientation of the plan</li> </ul>	<a href="#">Policy DM10 of DMPD</a>
Roof plan	All applications where alterations are proposed to above ground floors of a	A plan that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) roof of the dwelling and must: <ul style="list-style-type: none"> <li>• Contain a metric scale bar at 1:50 or 1:100 and a north point (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> </ul>	

Requirement	When required	Guidance	Further information
	dwelling and for all outbuildings. Where there are ground floor works only, the roof can be shown on the first-floor plan	<ul style="list-style-type: none"> <li>Show existing roof to be removed/demolished and to be retained and proposed additions by differentiating the footprint of the proposed from the existing by hatching, bolding, greying, or colouring</li> <li>Show roof features, such as eaves, rooflights, chimneys and pipes</li> <li>Match that shown on the site plan and floor plans, including orientation of the plan</li> </ul>	
Elevations	All applications for extensions to dwellings and to boundary treatments. Not required for crossovers	<p>An elevation drawing that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) elevations of the dwelling or outbuilding and must:</p> <ul style="list-style-type: none"> <li>Contain a metric scale bar at 1:50 or 1:100 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Show existing walls to be removed/demolished and to be retained and proposed additions by differentiating the walls of the proposed from the existing by hatching, bolding, greying, or colouring</li> <li>Show window and door openings and materials of walls</li> <li>Show the whole elevations rather than part thereof</li> <li>Show all elevations (if the proposal is limited to the rear and not visible from the front, the front elevation is not required (and vice versa)), including joined or party elevations</li> <li>Show the floor and ceiling levels</li> <li>Match that shown on the site plan and floor plans</li> </ul>	
CIL Additional Information Form (Form 1)	All applications	The Community Infrastructure Levy (CIL) is a tool for local authorities to help deliver infrastructure to support development of the area. All questions must be answered, and it must be signed and dated on the same date as the planning application form.	<a href="#">Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019</a>
CIL Assumption of Liability Form (Form 2)	Where there is >100m2 of additional floor space in the proposal	CIL liable development must be accompanied by a CIL Assumption of Liability Form. All questions must be answered, and it must be signed and dated on the same date as the planning application form. Planning agents submitting on behalf of applicants must include an email address. There is more information on the <a href="#">Council's website</a> and forms are available at the <a href="#">planning portal</a> .	
Notice of Chargeable Development Form (Form 5)	Where the additional floorspace is >100m2	Development under ‘General Consent’ (i.e., permitted development) is CIL liable. In this case, you are responsible to notify the council, using Form 5: Notice of Chargeable Development before commencement starts.	

Requirement	When required	Guidance	Further information
Permission from Copyright holder	All applications, if applicable	Planning application plans, drawings and accompanying material are protected by the copyright acts. The Council is required to publish such information on their website. Under the Designs and Patents Act 1988, proof of the copyright owner's consent must be provided where drawings or statements, which state they are subject to copyright or not for third party use, are submitted in support of a planning application.	<a href="#">Designs and Patents Act 1988</a>

## LAWFUL DEVELOPMENT CERTIFICATE FOR A LISTED BUILDING (PROPOSED)

For establishing whether a development to a listed building would be lawful (it would not require listed building consent as it would not affect the character of the listed building).

Requirement	When required	Guidance	Further information
Application Form	All applications	<ul style="list-style-type: none"> <li>An application form should be completed via the <a href="#">planning portal</a> website. Printable forms are available. Only one form is required</li> <li>You do not need to employ a planning agent or architect to complete the form</li> <li>All sections must be answered, and the declaration must be signed and dated</li> <li>The description of the development should be concise but reflect all aspects of the proposal</li> <li>Where there is a boundary encroachment or the development is across two properties, the address should reflect both properties</li> </ul>	<a href="#">Sections 26H and 26I of the Planning (Listed Buildings and Conservation Areas) Act 1990</a>
Location Plan	All applications	<p>A plan identifying the exact location of the application site, which must:</p> <ul style="list-style-type: none"> <li>Be based on an up-to-date map with surrounding buildings, roads, and footpaths</li> <li>Include named roads and numbered properties sufficient to identify the site location</li> <li>Contain a metric scale bar at 1:1250 or 1:2500 and a north point</li> <li>Include the entire site with a continuous, unbroken red line around all the land necessary to carry out the development. Do not colour in the site</li> <li>If applicable, a blue line around all other land owned or controlled by the applicant</li> </ul> <p>Copyright legislation requires us to only accept plans which are based either on a site survey or which use Ordnance Survey information. Ordnance Survey plans must bear a valid licence number from Ordnance Survey which allows the applicant/agent to use that information. Illegal use of Ordnance Survey information can lead to legal proceedings and a fine.</p>	<p><a href="#">Sections 26H and 26I of the Planning (Listed Buildings and Conservation Areas) Act 1990</a></p> <p>Information is available on the <a href="#">planning portal</a>.</p> <p>Details of OS suppliers can be found <a href="#">here</a>.</p>
Site or Block plan	All applications	<p>A plan that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) layouts of the application site and must:</p> <ul style="list-style-type: none"> <li>Be based on an up-to-date map with the subject building, any outbuildings and trees on the subject site and buildings and trees on adjoining sites</li> <li>Contain a metric scale bar at 1:200 or 1:500 and a north point (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Include that part of the site necessary to carry out the development and define it with a continuous, unbroken red line around all the land</li> </ul>	<a href="#">Policy DM10 of Development Management Policies Document 2015 (DMPD)</a>

Requirement	When required	Guidance	Further information
		<ul style="list-style-type: none"> <li>Show existing walls and/or buildings to be removed and to be retained and proposed additions by differentiating the footprint of the proposed from the existing by hatching, greying, or colouring</li> <li>Show the materiality of any hardstanding (if applicable)</li> <li>Show any decks, patios, or terraces</li> </ul>	
Floor plans	All applications	<p>A plan that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) floor plans of the dwelling and must:</p> <ul style="list-style-type: none"> <li>Contain a metric scale bar at 1:50 or 1:100 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Show existing walls and/or buildings to be removed/demolished and to be retained and proposed additions by differentiating the footprint of the proposed from the existing by hatching, bolding, greying, or colouring</li> <li>Show the entire floor, and preferably all floors</li> <li>Show openings, ensuring they match elevations</li> <li>Show any decks, patios, or terraces</li> <li>Match that shown on the site plan and roof plan, including orientation of the plan</li> </ul>	<a href="#">Policy DM8 of DMPD</a>
Roof plan	Where external works are proposed	<p>A plan that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) roof of the dwelling and must:</p> <ul style="list-style-type: none"> <li>Contain a metric scale bar at 1:50 or 1:100 and a north point (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Show existing roof to be removed/demolished and to be retained and proposed additions by differentiating the footprint of the proposed from the existing by hatching, bolding, greying, or colouring</li> <li>Show roof features, such as eaves, rooflights, chimneys and pipes</li> <li>Match that shown on the site plan and floor plans, including orientation of the plan</li> </ul>	
Elevations	Where external works are proposed	<p>An elevation drawing that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) elevations of the dwelling or outbuilding and must:</p> <ul style="list-style-type: none"> <li>Contain a metric scale bar at 1:50 or 1:100 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Show existing walls to be removed/demolished and to be retained and proposed additions by differentiating the walls of the proposed from the existing by hatching, bolding, greying, or colouring</li> <li>Show window and door openings and materials of walls</li> <li>Show the whole elevations rather than part thereof</li> </ul>	

Requirement	When required	Guidance	Further information
		<ul style="list-style-type: none"> <li>Show all elevations (if the proposal is limited to the rear and not visible from the front, the front elevation is not required (and vice versa)), including joined or party elevations</li> <li>Show the floor and ceiling levels</li> <li>Match that shown on the site plan and floor plans</li> </ul>	
Supporting Statement	All applications	<p>The supporting statement should outline the following:</p> <ul style="list-style-type: none"> <li>The details of the <a href="#">list description</a></li> <li>Evidence to show that the proposed works do not require listed building consent</li> <li>The applicant's interest in the listed building(s)</li> <li>Description of the proposed works</li> </ul>	<a href="#">Policy DM8 of DMPD</a>
CIL Additional Information Form (Form 1)	All applications	The Community Infrastructure Levy (CIL) is a tool for local authorities to help deliver infrastructure to support development of the area. All questions must be answered, and it must be signed and dated on the same date as the planning application form.	<a href="#">Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019</a>
CIL Assumption of Liability Form (Form 2)	Where there is >100m2 of additional floor space in the proposal	CIL liable development must be accompanied by a CIL Assumption of Liability Form. All questions must be answered, and it must be signed and dated on the same date as the planning application form. Planning agents submitting on behalf of applicants must include an email address. There is more information on the <a href="#">Council's website</a> and forms are available at the <a href="#">planning portal</a> .	
Notice of Chargeable Development Form (Form 5)	Where the additional floorspace is >100m2	Development under 'General Consent' (i.e., permitted development) is CIL liable. In this case, you are responsible to notify the council, using Form 5: Notice of Chargeable Development before commencement starts.	
Permission from Copyright holder	All applications, if applicable	Planning application plans, drawings and accompanying material are protected by the copyright acts. The Council is required to publish such information on their website. Under the Designs and Patents Act 1988, proof of the copyright owner's consent must be provided where drawings or statements, which state they are subject to copyright or not for third party use, are submitted in support of a planning application.	<a href="#">Designs and Patents Act 1988</a>

## PRIOR APPROVALS

For establishing whether a development would be permitted development but where the prior approval of the local planning authority is required for certain considerations such as highways and neighbour amenity impacts.

Requirement	When required	Guidance	Further information
Application Form	All applications	<ul style="list-style-type: none"> <li>An application form should be completed via the <a href="#">planning portal</a> website. Printable forms are available. Only one form is required</li> <li>You do not need to employ a planning agent or architect to complete the form</li> <li>All sections must be answered, and the declaration must be signed and dated</li> <li>The description of the development should be concise but reflect all aspects of the proposal</li> <li>The class under which the prior approval is being sought should be specified</li> <li>The developer's address and email address</li> <li>Where the proposal involves a telecommunications mast (and cabinets) on highway land, evidence of giving notice to Surrey County Council</li> <li>Where there is a boundary encroachment or the development is across two properties, the address should reflect both properties</li> </ul>	<a href="#">Relevant part of the GPDO</a>
Fee	All applications, with some concessions	<p>The application fee varies (with concessions or exemptions) and incurs a planning portal service charge of £70 inclusive of VAT is applied (current at publication). Payment is via:</p> <ul style="list-style-type: none"> <li>The <a href="#">planning portal</a>, which is the quickest and easiest way</li> <li>Cheque, made payable to Epsom and Ewell Borough Council, with the application number stated on the back</li> <li>Over the telephone with the Council's Customer Service Team on 01372 732000</li> </ul> <p>Concessions include:</p> <ul style="list-style-type: none"> <li>No fee, where the proposal involves a means of disabled access or facilities of facilities, subject to relevant documentation being submitted to support this claim</li> <li>50% fee for an alternative proposal on the same site and day by the same applicant</li> <li>A reduced total fee where the site is within two local authorities</li> </ul>	<p><a href="#">Article 14 of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended)</a></p> <p>Details are also included on the <a href="#">planning portal</a></p>
Location Plan	All applications	<p>A plan identifying the exact location of the application site, which must:</p> <ul style="list-style-type: none"> <li>Be based on an up-to-date map with surrounding buildings, roads, and footpaths</li> <li>Include named roads and numbered properties sufficient to identify the site location</li> <li>Contain a metric scale bar at 1:1250 or 1:2500 and a north point</li> </ul>	<a href="#">Relevant part of the GPDO</a>



		<ul style="list-style-type: none"> <li>Except for telecommunications development where a red line is not mandatory, include the entire site with a continuous, unbroken red line around all the land necessary to carry out the development (including land required for access from a public highway, visibility splays and car parking, if appropriate). Do not colour in the site</li> </ul> <p>Copyright legislation requires us to only accept plans which are based either on a site survey or which use Ordnance Survey information. Ordnance Survey plans must bear a valid licence number from Ordnance Survey which allows the applicant/agent to use that information. Illegal use of Ordnance Survey information can lead to legal proceedings and a fine.</p>	<p>Information is available on the <a href="#">planning portal</a>.</p> <p>Details of OS suppliers can be found <a href="#">here</a>.</p>
Site or Block plan	All applications	<p>A plan that shows the existing and proposed layouts of the application site and must:</p> <ul style="list-style-type: none"> <li>Be based on an up-to-date map with the subject building, any outbuildings and trees on the subject site and buildings and trees on adjoining sites</li> <li>Contain a metric scale bar at 1:200 or 1:500 and a north point (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Include that part of the site necessary to carry out the development (including access and visibility splays) and define it with a continuous, unbroken red line around all the land</li> <li>Show existing walls and/or buildings to be removed and to be retained and proposed additions by differentiating the footprint of the proposed from the existing by hatching, greying, or colouring</li> <li>Show existing and proposed car parking spaces, access and turning areas and visibility splays (where amendments are made to the access)</li> </ul>	<p><a href="#">Relevant part of the GPDO</a></p> <p><a href="#">Policy DM10 of DMPD</a></p>
Floor plans	All applications where extensions or alterations to a building. Not required for telecommunications development, demolition, and renewable energy development	<p>A plan that shows the existing and proposed (or pre-existing and current/proposed for retrospective applications) floor plans of the dwelling and must:</p> <ul style="list-style-type: none"> <li>Contain a metric scale bar at 1:50 or 1:100 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Show existing walls and/or buildings to be removed/demolished and to be retained and proposed additions by differentiating the footprint of the proposed from the existing by hatching, bolding, greying, or colouring</li> <li>Show the entire floor, and preferably all floors</li> <li>Show internal floor area (where the proposal involves the creation of dwellings)</li> <li>Show openings, ensuring they match elevations</li> <li>Show any decks, patios, or terraces</li> <li>Match that shown on the site plan and roof plan, including orientation of the plan</li> </ul>	<p><a href="#">Relevant part of the GPDO</a></p> <p><a href="#">Policy DM10 of DMPD</a></p>
Roof plan	All applications where alterations are proposed to	<p>A plan that shows the existing and proposed roof of the dwelling and must:</p> <ul style="list-style-type: none"> <li>Contain a metric scale bar at 1:50 or 1:100 and a north point (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> </ul>	



	the roof, including renewable energy development	<ul style="list-style-type: none"> <li>Show existing roof to be removed/demolished and to be retained and proposed additions by differentiating the footprint of the proposed from the existing by hatching, bolding, greying, or colouring</li> <li>Show roof features, such as eaves, rooflights, chimneys and pipes</li> <li>Match that shown on the site plan and floor plans, including orientation of the plan</li> </ul>	
Elevations	All applications except for changes of use under Part 3 not involving any external changes	<p>An elevation drawing that shows the existing and proposed elevations of the dwelling or outbuilding and must:</p> <ul style="list-style-type: none"> <li>Contain a metric scale bar at 1:50 or 1:100 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Show existing walls to be removed/demolished and to be retained and proposed additions by differentiating the walls of the proposed from the existing by hatching, bolding, greying, or colouring</li> <li>Show window and door openings and materials of walls</li> <li>Show the whole elevations rather than part thereof</li> <li>Show all elevations (if the proposal is limited to the rear and not visible from the front, the front elevation is not required (and vice versa)), including joined or party elevations</li> <li>For telecommunications development, show surrounding vegetation</li> <li>Match that shown on the site plan and floor plans</li> </ul>	
Sections	Where residential accommodation is proposed within a roof space	<p>An elevation that shows the existing and proposed sections through a dwelling or outbuilding and must:</p> <ul style="list-style-type: none"> <li>Contain a metric scale bar at 1:50 or 1:100 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Show existing walls to be removed/demolished and to be retained and proposed additions by differentiating the walls of the proposed from the existing by hatching, bolding, greying, or colouring</li> <li>Include the section point(s) on the site plan and floor plans</li> <li>Show foundations, existing site levels and neighbouring buildings (with levels related to a fixed datum point)</li> </ul>	
CIL Additional Information Form (Form 1)	All applications	The Community Infrastructure Levy (CIL) is a tool for local authorities to help deliver infrastructure to support development of the area. All questions must be answered, and it must be signed and dated on the same date as the planning application form.	<a href="#">Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019</a>
CIL Assumption of Liability Form (Form 2)	Where there is >100m2 of additional floor	CIL liable development must be accompanied by a CIL Assumption of Liability Form. All questions must be answered, and it must be signed and dated on the same date as the planning application form. Planning agents submitting on behalf of applicants must include an	

	space in the proposal	email address. There is more information on the <a href="#">Council's website</a> and forms are available at the <a href="#">planning portal</a> .	
Notice of Chargeable Development Form (Form 5)	Where the additional floorspace is >100m2	Development under 'General Consent' (i.e., permitted development) is CIL liable. In this case, you are responsible to notify the council, using Form 5: Notice of Chargeable Development before commencement starts.	

Additional documentation is required dependant on the type of prior approval and the considerations under that prior class. The level of detail is proportional to the scale of the development and the likely issues.

Prior approval	Class	Considerations	Documentation required
Larger home extension	Class A of Part 1	<ul style="list-style-type: none"> <li>Neighbour amenity impacts</li> </ul>	<a href="#">Daylight and Sunlight Assessment</a>
Additional floors to existing buildings	Class AA of Part 1	<ul style="list-style-type: none"> <li>Neighbour amenity impacts</li> <li>External appearance and design</li> <li>Air traffic and defence asset impacts</li> <li>Impact upon protected views</li> </ul>	May need to include: <a href="#">Planning Statement</a> <a href="#">Preliminary Ecological Assessment</a> <a href="#">Detailed Specifications</a>
Changes of use of buildings	Class G of Part 3 Class M of Part 3 Class MA of Part 3 Class N of Part 3 Class P of Part 3 Class PA of Part 3 Class Q of Part 3 Class R of Part 3 Class T of Part 3	<ul style="list-style-type: none"> <li>Transport and highways impacts</li> <li>Safe site access</li> <li>Contamination risks</li> <li>Flooding risks</li> <li>Noise Impacts</li> <li>Conservation area impacts from ground floor change of use</li> <li>Whether the change of use could be used as a laundrette</li> <li>Loss of nursery or health centre</li> <li>Loss of storage and distribution</li> <li>Loss of agricultural uses</li> <li>Design and external appearance</li> <li>Adequate natural light</li> <li>Noise from commercial premises</li> <li>Impact from heavy industry on future occupiers</li> <li>Fire safety risks</li> <li>impacts of air quality</li> <li>Relevant clauses of the NPPF</li> </ul>	May need to include: <a href="#">Planning Statement</a> <a href="#">Accommodation Schedule</a> <a href="#">Transport Assessment</a> <a href="#">Delivery Management Plan</a> <a href="#">Cycle Plan</a> <a href="#">Refuse and Recycling Plan</a> <a href="#">Parking and Access Plan</a> <a href="#">Car Park Management Plan</a> <a href="#">Heritage Statement</a> <a href="#">Flood Risk Assessment</a> <a href="#">Drainage Statement</a> <a href="#">Contaminated Land Assessment</a> <a href="#">Economic Statement/Retail Impact Statement</a> <a href="#">Fire Risk Assessment</a> <a href="#">Air Quality Assessment</a> <a href="#">Noise, Odour and Vibration Assessment</a> <a href="#">Detailed Specifications</a> <a href="#">Preliminary Ecological Assessment</a>

Prior approval	Class	Considerations	Documentation required
Temporary buildings	Class BB of Part 4 Class CA of Part 4 Class E of Part 4	<ul style="list-style-type: none"> <li>• Siting of moveable structure</li> <li>• Method of installation</li> <li>• Transport and highways impacts</li> <li>• Noise impacts</li> <li>• Contamination risks</li> <li>• Flooding risks</li> <li>• Siting and design</li> <li>• Light impacts</li> <li>• Filming scheduling dates</li> <li>• Relevant clauses of the NPPF</li> </ul>	May need to include: <a href="#">Planning Statement</a> <a href="#">Transport Assessment</a> <a href="#">Delivery Management Plan</a> <a href="#">Cycle Plan</a> <a href="#">Refuse and Recycling Plan</a> <a href="#">Parking and Access Plan</a> <a href="#">Car Park Management Plan</a> <a href="#">Heritage Statement</a> <a href="#">Flood Risk Assessment</a> <a href="#">Drainage Statement</a> <a href="#">Contaminated Land Assessment</a> <a href="#">Noise, Odour and Vibration Assessment</a>
Agricultural and forestry development	Class A of Part 6 Class B of Part 6 Class E of Part 6	<ul style="list-style-type: none"> <li>• Siting, design, and external appearance</li> <li>• Siting and means of construction of the private way</li> <li>• Relevant clauses of the NPPF</li> </ul>	May need to include: <a href="#">Planning Statement</a> <a href="#">Detailed Specifications</a> <a href="#">Heritage Statement</a> <a href="#">Preliminary Ecological Assessment</a>
Non-domestic extensions	Class C of Part 7 Class M of Part 7	<ul style="list-style-type: none"> <li>• Siting, design, and external appearance</li> <li>• Transport and highways impacts</li> <li>• Design and external appearance</li> <li>• Impact on heritage and archaeology</li> <li>• Relevant clauses of the NPPF</li> </ul>	May need to include: <a href="#">Planning Statement</a> <a href="#">Transport Assessment</a> <a href="#">Delivery Management Plan</a> <a href="#">Cycle Plan</a> <a href="#">Refuse and Recycling Plan</a> <a href="#">Parking and Access Plan</a> <a href="#">Car Park Management Plan</a> <a href="#">Heritage Statement</a> <a href="#">Archaeological Assessment</a> <a href="#">Detailed Specifications</a> <a href="#">Preliminary Ecological Assessment</a>
Demolition of buildings	Class B of Part 11	<ul style="list-style-type: none"> <li>• Method of demolition</li> <li>• Restoration of the site</li> <li>• Demolition notice</li> </ul>	May need to include: <a href="#">Preliminary Ecological Assessment</a> <a href="#">Contaminated Land Assessment</a> <a href="#">Hard and Soft Landscape Plan</a>
Renewable energy development	Class J of Part 14	<ul style="list-style-type: none"> <li>• Design and external appearance</li> <li>• Impact of glare</li> <li>• Relevant clauses of the NPPF</li> </ul>	May need to include: <a href="#">Glare Assessment</a> <a href="#">Heritage Statement</a>

Prior approval	Class	Considerations	Documentation required
			<a href="#">Detailed Specifications</a> <a href="#">Preliminary Ecological Assessment</a>
Electronic communications equipment	Class A of Part 16	<ul style="list-style-type: none"> <li>Siting and appearance</li> <li>Relevant clauses of the NPPF</li> </ul>	May need to include: <a href="#">Heritage Statement</a> <a href="#">Preliminary Ecological Assessment</a> <a href="#">Detailed Specifications</a> <a href="#">ICPRN declaration</a> <a href="#">Alternative Sites Assessment</a> <a href="#">Statement of Community Involvement</a>
New dwellings	Class A of Part 20 Class AA of Part 20 Class AA of Part 20 Class AC of Part 20 Class AD of Part 20	<ul style="list-style-type: none"> <li>Transport and highways impacts</li> <li>Impact on air traffic and defence assets</li> <li>Contamination risks</li> <li>Flooding risks</li> <li>External appearance</li> <li>Adequate natural light</li> <li>Neighbour amenity</li> <li>Impact on protected views</li> <li>Fire Safety (&gt;18m)</li> <li>Noise from commercial premises</li> <li>Impacts on existing trades</li> <li>Relevant clauses of the NPPF</li> </ul>	May need to include: <a href="#">Planning Statement</a> <a href="#">Accommodation Schedule</a> <a href="#">Preliminary Ecological Assessment</a> <a href="#">Transport Assessment</a> <a href="#">Delivery Management Plan</a> <a href="#">Cycle Plan</a> <a href="#">Refuse and Recycling Plan</a> <a href="#">Parking and Access Plan</a> <a href="#">Car Park Management Plan</a> <a href="#">Heritage Statement</a> <a href="#">Archaeological Assessment</a> <a href="#">Flood Risk Assessment</a> <a href="#">Drainage Statement</a> <a href="#">Contaminated Land Assessment</a> <a href="#">Economic Statement/Retail Impact Statement</a> <a href="#">Fire Risk Assessment</a> <a href="#">Noise, Odour and Vibration Assessment</a> <a href="#">Detailed Specifications</a>

## REMOVAL/VARIATION OF CONDITIONS

Also known as a section 73 variation, an application under [Section 73 of the Town and Country Planning Act 1990](#) can be used to make a material amendment by varying or removing conditions associated with a planning permission. There is no statutory limit on the degree of change, but the change must only relate to conditions and must not alter the description of the proposal.

- There is a separate form for a [section 73 application](#)
- The documentation to be submitted with a section 73 application would be the same as that required for a householder planning permission or a full planning permission though only those documents that are being amended would need to be submitted e.g., where modifications are made to access or parking arrangements, revised transport documentation would be required
- Plans should include the approved scheme, alongside the existing and proposed plans

## NON-MATERIAL AMENDMENT

For varying an existing planning permission in a non-material manner. There is no statutory definition of ‘non-material’ and is dependent on the context of the overall scheme. The Council must be satisfied that the amendment sought is non-material to grant an application under [Section 96A of the Town and Country Planning Act 1990](#).

Requirement	When required	Guidance	Further information
Application Form	All applications	<ul style="list-style-type: none"> <li>An application form should be completed via the <a href="#">planning portal</a> website. Printable forms are available. Only one form is required</li> <li>You do not need to employ a planning agent or architect to complete the form</li> <li>All sections must be answered, and the declaration must be signed and dated</li> <li>The description of the original approval and the amendments should be concise but reflect all aspects of the proposal</li> <li>Where there is a boundary encroachment or the development is across two properties, the address should reflect both properties</li> </ul>	<a href="#">Article 10 of The Town and Country Planning Development Management Procedure (England) (Order) 2015</a>
Fee	All applications	<p>The application fee depends on whether it is a householder) or not (with concessions or exemptions) but both incur a planning portal service charge of £70 inclusive of VAT (current at publication). Payment is via:</p> <ul style="list-style-type: none"> <li>The <a href="#">planning portal</a>, which is the quickest and easiest way</li> <li>Cheque, made payable to Epsom and Ewell Borough Council, with the application number stated on the back</li> <li>Over the telephone with the Council’s Customer Service Team on 01372 732000</li> </ul> <p>Concessions include:</p> <ul style="list-style-type: none"> <li>No fee, where the proposal involves a means of disabled access or facilities of facilities, subject to relevant documentation being submitted to support this claim</li> <li>A reduced total fee where the site is within two local authorities</li> </ul>	<p><a href="#">Article 17 of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended)</a></p> <p>Details are also included on the <a href="#">planning portal</a></p>
Location Plan	All applications	<p>A plan identifying the exact location of the application site, which must:</p> <ul style="list-style-type: none"> <li>Be based on an up-to-date map with surrounding buildings, roads, and footpaths</li> <li>Include named roads and numbered properties sufficient to identify the site location</li> <li>Contain a metric scale bar at 1:1250 or 1:2500 and a north point</li> <li>Include the entire site with a continuous, unbroken red line around all the land necessary to carry out the development (including land required for access from a public highway, visibility splays and car parking, if appropriate). Do not colour in the site</li> <li>If applicable, a blue line around all other land owned or controlled by the applicant</li> </ul>	<a href="#">Article 10 of The Town and Country Planning Development Management Procedure (England) (Order) 2015</a>

Requirement	When required	Guidance	Further information
		Copyright legislation requires us to only accept plans which are based either on a site survey or which use Ordnance Survey information. Ordnance Survey plans must bear a valid licence number from Ordnance Survey which allows the applicant/agent to use that information. Illegal use of Ordnance Survey information can lead to legal proceedings and a fine.	Information is available on the <a href="#">planning portal</a> .  Details of OS suppliers can be found <a href="#">here</a> .
Site or Block plan	All applications	A plan that shows the existing and proposed layouts of the application site and must: <ul style="list-style-type: none"> <li>• Be based on an up-to-date map with the subject building, any outbuildings and trees on the subject site and buildings and trees on adjoining sites</li> <li>• Contain a metric scale bar at 1:200 or 1:500 and a north point (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>• Include that part of the site necessary to carry out the development and define it with a continuous, unbroken red line around all the land</li> <li>• Show existing walls and/or buildings to be removed and to be retained and proposed additions by differentiating the footprint of the proposed from the existing by hatching, greying, or colouring</li> </ul>	<a href="#">Article 10 of The Town and Country Planning Development Management Procedure (England) (Order) 2015</a>  <a href="#">Policy DM10 of the DMPD</a>
Floor plans	All applications where amendments are proposed	A plan that shows the existing and proposed floor plans of the dwelling and must: <ul style="list-style-type: none"> <li>• Contain a metric scale bar at 1:50 or 1:100 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>• Show existing walls and/or buildings to be removed/demolished and to be retained and proposed additions by differentiating the footprint of the proposed from the existing by hatching, bolding, greying, or colouring</li> <li>• Show openings, ensuring they match elevations</li> <li>• Match that shown on the site plan and roof plan, including orientation of the plan</li> </ul>	<a href="#">Article 10 of The Town and Country Planning Development Management Procedure (England) (Order) 2015</a>  <a href="#">Policy DM10 of the DMPD</a>
Roof plan	All applications where amendments are proposed	A plan that shows the existing and proposed roof of the dwelling and must: <ul style="list-style-type: none"> <li>• Contain a metric scale bar at 1:50 or 1:100 and a north point (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>• Show existing roof to be removed/demolished and to be retained and proposed additions by differentiating the footprint of the proposed from the existing by hatching, bolding, greying, or colouring</li> <li>• Show roof features, such as eaves, rooflights, chimneys and pipes</li> <li>• Match that shown on the site plan and floor plans, including orientation of the plan</li> </ul>	
Elevations	All applications where	An elevation drawing that shows the existing and proposed elevations of the dwelling or outbuilding and must:	

Requirement	When required	Guidance	Further information
	amendments are proposed	<ul style="list-style-type: none"> <li>Contain a metric scale bar at 1:50 or 1:100 (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Show existing walls to be removed/demolished and to be retained and proposed additions by differentiating the walls of the proposed from the existing by hatching, bolding, greying, or colouring</li> <li>Show window and door openings and materials of walls</li> <li>Match that shown on the site plan and floor plans</li> </ul>	



## APPROVAL OF CONDITIONS

Also known as a discharge application, for discharging post consent requirements of conditions as imposed in a permission

Requirement	When required	Guidance	Further information
Application Form	All applications	<ul style="list-style-type: none"> <li>An application form should be completed via the <a href="#">planning portal</a> website. Printable forms are available. Only one form is required</li> <li>You do not need to employ a planning agent or architect to complete the form</li> <li>All sections must be answered, and the declaration must be signed and dated</li> <li>More than one condition can be discharged for each application</li> <li>Where there is a boundary encroachment or the development is across two properties, the address should reflect both properties</li> </ul>	<a href="#">Article 27 of the DMPO</a>  <a href="#">Policy DM10 of the DMPD</a>
Fee	All applications	<p>The application fee depends on whether it is a householder) or not (with concessions or exemptions) but both incur a planning portal service charge of £70 inclusive of VAT (current at publication). Payment is via:</p> <ul style="list-style-type: none"> <li>The <a href="#">planning portal</a>, which is the quickest and easiest way</li> <li>Cheque, made payable to Epsom and Ewell Borough Council, with the application number stated on the back</li> <li>Over the telephone with the Council's Customer Service Team on 01372 732000</li> </ul> <p>Concessions include:</p> <ul style="list-style-type: none"> <li>No fee, where the proposal involves a means of disabled access or facilities of facilities, subject to relevant documentation being submitted to support this claim</li> <li>A reduced total fee where the site is within two local authorities</li> </ul>	<a href="#">Article 16 of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended)</a>  Details are also included on the <a href="#">planning portal</a>
Documentation to support discharge of condition	All applications	<p>Conditions attached to a planning permission will outline the documentation required to discharge the requirements of the condition and when it is required to be submitted. The documentation will be in accordance with those details as required under the <a href="#">Full application list</a>.</p>	

## CONSENT UNDER TREE PRESERVATION ORDERS

For any tree works to any tree that is subject to a Tree Preservation Order. This can include felling, pollarding, pruning or works to the crown. To confirm whether a tree is protected, visit the [Council's mapping system](#). There is no fee for a tree works application.

Requirement	When required	Guidance	Further information
Application Form	Mandatory for all applications	<ul style="list-style-type: none"> <li>An application form should be completed via the <a href="#">planning portal</a> website. Printable forms are available</li> <li>You do not need to employ an arborist or architect to complete the form</li> <li>Only one form is required if submitted online, otherwise two forms are required</li> <li>All sections must be answered, including clearly identifying the tree and species, the full specification of the proposed works and reasons for the work and details of replanting (if the proposal is for felling)</li> <li>Indicating you wish to cut back, lop, or trim the tree is insufficient. Rather, it should identify the work e.g., crown thin, crown reduction, crown lift or fell. Crown thinning should be by percentage removed. Crown reduction should be specified in linear measurements removed and remaining. Crown lifting should either identify the height above ground level to which you wish to lift the crown</li> <li>If the ownership of the tree (s) is not specified, full contact details are required</li> <li>Where replating is proposed, species and location should be specified</li> </ul>	<a href="#">Article 16 of the Town and Country (Tree Preservation) (England) Regulations 2012</a>  <a href="#">NPPG</a>
Sketch Plan	Mandatory for all applications	<p>A sketch plan will identify the tree on the site. It need not be to scale or prepared by a qualified arborist but must be sufficient to clearly identify the trees in relation to other features within the plot such as boundaries, buildings or public rights of way. It should:</p> <ul style="list-style-type: none"> <li>Show the entire site and the location of the tree(s) within the site. A north point is helpful</li> <li>Where works are proposed to more than one tree, trees should be clearly labelled as T1, T2 etc and cross referenced to the details on the application form</li> <li>Include the name of at least one nearby road and names/numbers of adjoining properties, especially where the works are proposed to a tree on an adjoining property</li> </ul> <p>Details of Ordnance Survey suppliers can be found <a href="#">here</a>.</p>	<a href="#">Article 16 of the Town and Country (Tree Preservation) (England) Regulations 2012</a>  <a href="#">NPPG</a>
Subsidence or Structural Report	Where the works to the tree are required because of damage relating to	A Subsidence or Structural Report will outline the existing and future likely damage posed to adjoining buildings by the tree that is the subject of the proposed tree works. This report will assist in weighing the harm posed by the tree works against the identified issues.	<a href="#">Article 16(1)(c)(iv) of the Town and Country (Tree Preservation)</a>

Requirement	When required	Guidance	Further information
	subsidence or other structural damage	The structural report must be prepared by a suitably qualified specialist, usually a structural engineer or chartered surveyor, and provided alongside an arboricultural report supporting the tree work proposals and options for the avoidance or remediation of indirect tree related damage.	<a href="#">(England) Regulations 2012</a>  <a href="#">NPPG</a>
Arboricultural Statement	Where the works are because of the presence and impact of pests, diseases, or fungi or the tree has defects that may be of concern to the current or future safe retention of the tree or parts of the tree	An Arboricultural Statement details the reasons for the proposed tree works and how it will ensure the continued health of the tree. The statement must be prepared by a qualified arboriculturist (refer to <a href="#">the Arboricultural Association</a> ), accord with British Standard 5837:2012.	<a href="#">Article 16 of the Town and Country (Tree Preservation) (England) Regulations 2012</a>  <a href="#">NPPG</a>
Insurance Claim	Where a Subsidence or Structural Report is submitted	If an insurance claim has been submitted against a policy, details of the claim should form part of the application.	<a href="#">Article 16(1)(c)(iv) of the Town and Country (Tree Preservation) (England) Regulations 2012</a>
Supporting letter	Optional	Where professional (arboriculturist) advice is obtained, details of advice and correspondence should be included. Where discussion with the a Council officer occurs, this should be provided (or alternatively in the application form).	<a href="#">Policy DM5 of the DMPD</a>
Photographs	Optional	Photographs are helpful to assist in identifying trees and impact of the proposed tree works. If provided, identification is required as cross referenced to the numbering on the sketch plan.	<a href="#">Policy DM5 of the DMPD</a>

## CONSERVATION AREA TREE WORKS

A notice of intention is required to undertake tree works to any tree that is protected by virtue of its location within a conservation area. Works can include felling, pollarding, pruning or works to the crown. To confirm whether a tree is within a conservation area, visit the [Council's mapping system](#). There is no fee for a tree works application.

Requirement	When required	Guidance	Further information
Application Form (or Written Notification if sent by letter)	Mandatory for all applications	<ul style="list-style-type: none"> <li>An application form should be completed via the <a href="#">planning portal</a> website. Printable forms are available. Alternatively, the request may be made by letter sent to the Council</li> <li>You do not need to employ an arborist or architect to complete the form or letter</li> <li>Only one form is required</li> <li>The form or letter must clearly identifying the tree and species, the full specification of the proposed works and reasons for the work and details of replanting (if the proposal is for felling)</li> <li>Indicating you wish to cut back, lop, or trim the tree is insufficient. Rather, it should identify the work e.g. crown thin, crown reduction, crown lift or fell. Crown thinning should be by percentage removed. Crown reduction should be specified in linear measurements removed and remaining. Crown lifting should either identify the height above ground level to which you wish to lift the crown</li> <li>If the ownership of the tree (s) is not specified, full contact details are required</li> <li>Where replating is proposed, species and location should be specified</li> </ul>	<a href="#">Article 211(3) of the TCPA</a>  <a href="#">NPPG</a>
Sketch Plan	Mandatory for all applications	<p>A sketch plan will identify the tree on the site. It need not be to scale or prepared by a qualified arborist but must be sufficient to clearly identify the trees in relation to other features within the plot such as boundaries, buildings or public rights of way. It should:</p> <ul style="list-style-type: none"> <li>Show the entire site and the location of the tree(s) within the site. A north point is helpful</li> <li>Where works are proposed to more than one tree, trees should be clearly labelled as T1, T2 etc and cross referenced to the details on the application form</li> <li>Include the name of at least one nearby road and names/numbers of adjoining properties, especially where the works are proposed to a tree on an adjoining property</li> </ul>	<a href="#">Article 211(3) of the TCPA</a>  <a href="#">NPPG</a>
Supporting letter	Optional	Where professional (arboriculturist) advice is obtained, details of advice and correspondence should be included. Where discussion with the a Council officer occurs, this should be provided (or alternatively in the application form).	<a href="#">Policy DM5 of the DMPD</a>
Photographs	Optional	Photographs are helpful to assist in identifying trees and impact of the proposed tree works. If provided, identification is required as cross referenced to the numbering on the sketch plan.	<a href="#">Policy DM5 of the DMPD</a>

## SCREENING OPINION

A Screening Opinion is an application to the Council to determine whether a development requires an Environmental Impact Assessment (EIA). An EIA must be undertaken for proposals that fall under the types listed in [Schedule 2 of the Town and Country \(Environmental Impact Assessment\) Regulations 2011](#).

Requirement	When required	Guidance	Further information
Location Plan	All applications	A plan identifying the exact location of the application site, which must: <ul style="list-style-type: none"> <li>• Be based on an up-to-date map with surrounding buildings, roads and footpaths</li> <li>• Include named roads and numbered properties sufficient to identify the site location</li> <li>• Contain a metric scale bar at 1:1250 or 1:2500 and a north point</li> <li>• Include the entire site with a continuous, unbroken red line around all the land necessary to carry out the development (including land required for access from a public highway, visibility splays and car parking, if appropriate). Do not colour in the site</li> </ul>	<a href="#">Part 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017</a>  <a href="#">NPPG</a>
Cover Letter or Planning Statement	All applications	A planning statement or cover letter identifies the context and need for a proposed development and will usually describe the proposal and site. Photographs are beneficial.	

## SCOPING ASSESSMENT

For determining the extent of issues to be considered in the assessment and reported in the Environmental Impact Assessment (see Screening Opinion)

Requirement	When required	Guidance	Further information
Location Plan	All applications	A plan identifying the exact location of the application site, which must: <ul style="list-style-type: none"> <li>• Be based on an up-to-date map with surrounding buildings, roads, and footpaths</li> <li>• Include named roads and numbered properties sufficient to identify the site location</li> <li>• Contain a metric scale bar at 1:1250 or 1:2500 and a north point</li> <li>• Include the entire site with a continuous, unbroken red line around all the land necessary to carry out the development (including land required for access from a public highway, visibility splays and car parking, if appropriate). Do not colour in the site</li> </ul>	<a href="#">Part 4 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017</a>  <a href="#">NPPG</a>
Cover Letter or Planning Statement	All applications	The cover letter or planning statement will include full explanation of the anticipated issues with reference to relevant national, regional, and local planning policies.	

## HAZARDOUS SUBSTANCES CONSENT

Where there is a proposal for the storage of use of hazardous substances at or above defined limits at a site.

Requirement	When required	Guidance	Further information
Application form	All applications	<ul style="list-style-type: none"> <li>An application form can be obtained by contacting <a href="mailto:planningsupport@epsom-ewell.gov.uk">planningsupport@epsom-ewell.gov.uk</a>. Only one form is required</li> <li>All sections must be answered, and the declaration must be signed and dated</li> <li>Details must include the description of each hazardous substance for which consent is sought ("relevant substance") and the maximum quantity of each relevant substance proposed to be present</li> </ul>	<a href="#">Regulation 5 of the Planning (Hazardous Substances) Act 1990</a>
Ownership Certificate	All applications	<p>The owner of the land must be served the <a href="#">appropriate notice</a> served and/or published on any other owners. By law, you must notify all people who have an interest in the site. The certificate should be signed and dated, and this date must not be more than 21 days before the submission and receipt of the application by the local planning authority. The completion of the agricultural holdings certificate is required whether the site includes an agricultural holding. All agricultural tenants must be notified prior to the submission of the application.</p> <p>There are four options:</p> <ol style="list-style-type: none"> <li>1) Certificate A: If the applicant is the sole owner, or has leasehold interest which has at least 7 years to run, and the site is not part of an agricultural holding</li> <li>2) Certificate B: If the applicant is not the sole owner (or only owns part of the site) and the applicant knows the other owner(s) or there is an agricultural tenant on any part of the land/building</li> <li>3) Certificate C if there is more than one owner and the applicant knows some but not all the owners of the site</li> <li>4) Certificate D if the application does not know any of the owners of the site.</li> </ol>	<a href="#">Regulation 7 of the Planning (Hazardous Substances) Act 1990</a> and <a href="#">Schedule 3 of the Planning (Hazardous Substances) Regulations 2015</a>
Publication Notice	All applications	A notice in the local newspaper is required 21 days prior to the application being made and a copy of this notice should form part of the application to the Council.	<a href="#">Regulation 6 of the Planning (Hazardous Substances) Act 1990</a>
Site Map	All applications	<p>A plan identifying the exact location of the application site, which must:</p> <ul style="list-style-type: none"> <li>Be based on an up-to-date Ordnance Survey map with National Grid Lines and reference numbers, surrounding buildings, roads, and footpaths</li> <li>Include named roads and numbered properties sufficient to identify the site location</li> <li>Contain a metric scale bar at not less than 1:10,000 and a north point</li> </ul>	<a href="#">Regulation 5 of the Planning (Hazardous Substances) Act 1990</a>

Requirement	When required	Guidance	Further information
		<ul style="list-style-type: none"> <li>Include the entire site with a continuous, unbroken red line around all the land necessary to carry out the development (including land required for access from a public highway, visibility splays and car parking, if appropriate). Do not colour in the site</li> </ul>	<a href="#">NPPG</a>
Substance Location Plan	All applications	<p>A site plan that must:</p> <ul style="list-style-type: none"> <li>Be based on an up-to-date map with the subject building, any outbuildings and trees on the subject site and buildings and trees on adjoining sites</li> <li>Contain a metric scale bar of not less than 1:2500 and a north point (plans marked with “do not scale”, “approximate” or any similar phrases will not be accepted)</li> <li>Include that part of the site necessary to carry out the development (including access) and define it with a continuous, unbroken red line around all the land</li> </ul>	
Survey plan	Optional	Topographical surveys help to understand the existing site should be undertaken by a suitably qualified person.	<a href="#">Policy DM10 of the DMPD</a>
Planning Statement	All applications	<p>The cover letter should support the site map and substance location plan and must indicate:</p> <ul style="list-style-type: none"> <li>Each hazardous substance for which consent is sought (“relevant substance”), including the maximum quantity of each relevant substance proposed to be present</li> <li>The main activities carried out or proposed to be carried out</li> <li>How and where each relevant substance is to be kept and used</li> <li>How each relevant substance is proposed to be transported to and from the land</li> <li>The vicinity of the land, where such details are relevant to the risks or consequences of a major accident</li> <li>The measures taken or proposed to be taken to limit the consequences of a major accident</li> </ul>	<a href="#">Regulation 5 of the Planning (Hazardous Substances) Act 1990</a> <a href="#">NPPG</a>



## AMENDING PLANNING OBLIGATIONS

Where one or more signatories to a legal agreement that forms part of a planning permission under Section 106 of the Town and Country Planning Act 1990 seek to amend any of the obligations, this may be done under [Section 106A of the Town and Country Planning Act 1990](#). You should contact the planning officer that dealt with the original application prior to submission.

Requirement	When required	Guidance	Further information
Fee	All applications	There is no set fee structure for amending a planning obligation. This will be negotiated with the Council at the time of submission and will depend on the Council's legal costs.	
Application form	All applications	<ul style="list-style-type: none"> <li>An application form should be completed by downloading a <a href="#">form from the Council's website</a> and emailing it to <a href="mailto:planningsupport@epsom-ewell.gov.uk">planningsupport@epsom-ewell.gov.uk</a>. Printable forms are available. Only one form is required</li> <li>The application form should include the name and address of the applicant, the site address and the applicant's interest in the site</li> <li>You do not need to employ a planning agent or architect to complete the form, but you should have engaged the services of a legal professional</li> <li>The description of the development should be concise but reflect all aspects of the proposal</li> </ul>	<a href="#">Article 3 of the Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992</a>
Cover Letter	All applications	A cover letter from a legal professional explaining the scope of the changes and the justification for these changes. It shall include reference to the planning obligation being amended, the reasons for the amendment and any other such information.	
Location Plan	All applications	A plan identifying the exact location of the application site, which should match the location plan submitted with the original application.	
Supporting documentation	Depends on scope of changes sought	Whether the amendment request is supported by supporting documentation will depend on the scope of the change. For instance, where a proposal seeks to amend the affordable housing obligations of a scheme, this will usually require updated viability evidence in the form of a viability statement.	<a href="#">NPPF</a> , <a href="#">Core Strategy</a> and <a href="#">DMPD</a>
Draft Deed of Variation	Optional	The legal agreement attached to the original planning permission will be available by searching the <a href="#">Council's website</a> . It is recommended that a legal professional undertake the initial draft of the variations sought.	<a href="#">NPPG</a>



## PRE-APPLICATIONS

Where advice is sought via the Council's [paid pre application service](#) for any type of development prior to the submission of an application. The Council will respond with advice within 35 days.

Requirement	When required	Guidance	Further information
Application Form	All applications	<ul style="list-style-type: none"> <li>An application form should be completed by downloading a <a href="#">form from the Council's website</a> and emailing it to <a href="mailto:planningsupport@epsom-ewell.gov.uk">planningsupport@epsom-ewell.gov.uk</a> or completing an <a href="#">online form</a>. Printable forms are available. Only one form is required</li> <li>You do not need to employ a planning agent or architect to complete the form</li> <li>The description of the development should be concise but reflect all aspects of the proposal</li> <li>Where there is a boundary encroachment or the development is across two properties, the address should reflect both properties</li> </ul>	Further advice is obtained <a href="#">here</a>
Fee	All applications	<p>The <a href="#">fee</a> varies depending upon the type of application and whether specialist advice and/or a meeting is requested in addition to written advice. The minimum fee for householder advice is £220 (correct as of 2024/25), increasing for large scale major development. Follow up meetings or advice can be given for a further fee. Payment is via:</p> <ul style="list-style-type: none"> <li>Cheque, made payable to Epsom and Ewell Borough Council, with the address on the back</li> <li>Over the telephone with the Council's Customer Service Team on 01372 732000</li> </ul>	
Location Plan	All applications	<p>A plan identifying the exact location of the application site, which must:</p> <ul style="list-style-type: none"> <li>Be based on an up-to-date map with surrounding buildings, roads, and footpaths</li> <li>Include named roads and numbered properties sufficient to identify the site location</li> <li>Contain a metric scale bar at 1:1250 or 1:2500 and a north point</li> <li>Include the entire site with a continuous, unbroken red line around all the land necessary to carry out the development</li> <li>If applicable, a blue line around all other land owned or controlled by the applicant</li> </ul>	Details of OS suppliers can be found <a href="#">here</a> .
Cover Letter	Optional	<p>There is no minimum level of information to be submitted with a pre application. However, the advice given will be proportionate to the information provided and so it is important to consider what level of detail is provided based on what level of advice you seek. Generally, as a minimum, a cover letter should be provided. The requirements for <a href="#">householders</a> and <a href="#">full planning applications</a> is an appropriate starting point. Epsom and Ewell Council will not give specific highways related advice (e.g., traffic generation, access requirements). Advice should instead be sought via <a href="#">Surrey County Council's pre application service</a>.</p>	<a href="#">NPPF</a> , <a href="#">Core Strategy</a> and <a href="#">DMP</a>
Other plans			
Any other supporting documentation			



July 2024



# Local Requirements List for Planning Applications



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## **1. Introduction**

- 1.1 When a planning application is submitted, a local planning authority may request supporting information in order to validate an application. This is known as the authority's Local Requirements List.
- 1.2 This document outlines Epsom & Ewell Borough Council's local requirements for the validation of planning applications. It also provides an overview of the national requirements for planning applications set out in national planning policy and guidance.
- 1.3 If you are considering submitting a planning application, we advise you to seek officer guidance and advice before you formally submit your application in order to provide full clarity of the expected requirements. You are also advised to view the Council's planning policies on our website.
- 1.4 The Local Requirements List complies with the statutory tests as set out in the Town and County Planning Act 1990 (as inserted by the Growth and Infrastructure Act 2013), and the Town and County Planning (Development Management Procedure) (England) Order 2015 and in the National Planning Policy Framework (NPPF) and National Planning Practice Guidance. In accordance with these tests, information requested with a particular planning application must be:
  - a) reasonable having regard, in particular, to the nature and scale of the proposed development; and
  - b) about a matter which it is reasonable to think will be a material consideration in the determination of the application.
- 1.5 The Local Requirements List gives a summary of the information that will be required to be submitted with different types of application in order to validate them. It also outlines in detail the information to be contained within each of the requirements. For an application to be deemed valid, all of the relevant national and local requirements must be submitted.
- 1.6 Please note that the Local Requirements List is not an exhaustive list of all of the information that may be required in the decision-making process and further information may be required by the Council in the course of determining a planning application.

## 2. Types of Application

- 2.1 There are two main types of application – applications for **full planning permission** and applications for **outline planning permission**. Outline planning permission allows for a decision on the general principles of how a site can be developed, with specific details (reserved matters) requiring further approval. Full planning permission is a decision on the detailed proposals of how a site can be developed.
- 2.2 Applications can also be made for:
- approval of reserved matters;
  - discharge of conditions;
  - amending proposals that have planning permission;
  - amending planning obligations;
  - lawful development certificates;
  - prior approval for some permitted development rights;
  - non-planning consents (such as advertisement consent, listed building consent, consent required under a Tree Preservation Order and hazardous substances consent)
- 2.3 Further details of the different types of application are available via the online [National Planning Practice Guidance](#) and the [Planning Portal](#).
- 2.4 Each application must contain all of the relevant [National](#) and [Local](#) Requirements in order to be deemed valid. The following table gives an overview of the documentation requirements by type of application. Please note that this is not an exhaustive list and you may wish to seek further advice from a planning officer prior to submitting your application in order to ensure your application is deemed valid upon submission.

Type of application	Requirements
Householder application for works or extension to a dwelling	<p>All relevant <a href="#">National Requirements</a> (including <a href="#">Design &amp; Access Statement</a> where a property is located in a Conservation Area or involves work to a listed building).</p> <p>Possible Local Requirements:</p> <ul style="list-style-type: none"> <li>• <a href="#">Biodiversity, Ecological or Geological Survey &amp; Assessment</a></li> <li>• <a href="#">Daylight / Sunlight Assessment</a></li> <li>• <a href="#">Heritage Statement</a> (where listed building consent required)</li> <li>• <a href="#">Sustainability Statement</a></li> <li>• <a href="#">Tree Survey / Arboricultural Statement</a></li> </ul>

Advertisement Consent	<p>All relevant <a href="#">National Requirements</a>, including advertisement drawings.</p> <p>Possible Local Requirements:</p> <ul style="list-style-type: none"> <li>• <a href="#">Photographs</a></li> </ul>
Lawful Development Certificate	<p>All relevant <a href="#">National Requirements</a>, including sufficient factual information/evidence for the local authority to decide the application (e.g. a signed and witnessed declaration).</p> <p>Plans and drawings should show volumetric calculations.</p> <p>Possible Local Requirements:</p> <ul style="list-style-type: none"> <li>• <a href="#">Photographs</a></li> </ul>
Listed Building Consent	<p>All relevant <a href="#">National Requirements</a>, including <a href="#">Design &amp; Access Statement</a>.</p> <p>Possible Local Requirements:</p> <ul style="list-style-type: none"> <li>• <a href="#">Archaeological Assessment</a></li> <li>• <a href="#">Biodiversity, Ecological or Geological Survey &amp; Assessment</a></li> <li>• <a href="#">Heritage Statement</a></li> <li>• <a href="#">Planning Statement</a></li> <li>• <a href="#">Tree Survey / Arboricultural Statement</a></li> <li>• <a href="#">Photographs</a></li> </ul>
Full Planning Permission	<p>All relevant <a href="#">National Requirements</a>.</p> <p>Possible Local Requirements:</p> <ul style="list-style-type: none"> <li>• <a href="#">Affordable Housing Statement</a></li> <li>• <a href="#">Air Quality Assessment</a></li> <li>• <a href="#">Archaeological Assessment</a></li> <li>• <a href="#">Biodiversity, Ecological or Geological Survey &amp; Assessment</a></li> <li>• <a href="#">Contaminated Land Assessment</a></li> <li>• <a href="#">Crime Impact Statement</a></li> <li>• <a href="#">Daylight / Sunlight Assessment</a></li> <li>• <a href="#">Flood Risk Assessment</a></li> <li>• <a href="#">Heritage Statement</a></li> <li>• <a href="#">Landscape and Visual Impact Assessment &amp; Landscaping Scheme</a></li> <li>• <a href="#">Lighting Assessment</a></li> <li>• <a href="#">Noise Impact Assessment</a></li> <li>• <a href="#">Photographs</a></li> <li>• <a href="#">Planning Statement</a></li> <li>• <a href="#">Pre-Application Consultation Statement</a></li> </ul>

Full Planning Permission (continued)	<ul style="list-style-type: none"> <li>• <a href="#">Regeneration Statement</a></li> <li>• <a href="#">Sustainability Statement</a></li> <li>• <a href="#">Sustainable Drainage Statement</a></li> <li>• <a href="#">Town Centre Impact Assessment</a></li> <li>• <a href="#">Transport Assessment</a></li> <li>• <a href="#">Tree Survey / Arboricultural Statement</a></li> </ul>
Outline Planning Permission	As per Full Planning Permission, excluding any details to be approved under reserved matters.
Approval of Reserved Matters	All <a href="#">National</a> & <a href="#">Local</a> Requirements as required to deal with the matters reserved in the outline planning permission.
Variation or removal of conditions	<p>All relevant <a href="#">National Requirements</a>, possibly including a revised <a href="#">Design &amp; Access Statement</a>.</p> <p><a href="#">Local Requirements</a> will be confined to documentation related to the condition to be varied or removed, but may also include a revised <a href="#">Planning Statement</a>.</p>
Approval of details reserved by condition	<p>There are no National Requirements for applications for the approval of details reserved by condition other than that they should be made in writing. However, you may wish to submit:</p> <ul style="list-style-type: none"> <li>• The application form</li> <li>• A plan identifying the land to which the application relates</li> </ul> <p><a href="#">Local Requirements</a> are confined to those matters reserved by condition.</p>
Permitted Development – Prior Notification / Approval	<p>All relevant <a href="#">National Requirements</a>.</p> <p>Possible Local Requirements:</p> <ul style="list-style-type: none"> <li>• <a href="#">Contaminated Land Assessment</a></li> <li>• <a href="#">Flood Risk Assessment</a></li> <li>• <a href="#">Town Centre Impact Assessment</a></li> <li>• <a href="#">Transport Assessment</a></li> </ul>



### 3. National Requirements

#### 3.1 What are the national information requirements?

- 3.1.1 All applications for planning permission are required to be submitted on the standard application form, either electronically or in paper format. Epsom & Ewell Borough Council will only require one copy of the application form if submitted in paper format.
- 3.1.2 In addition, an application for planning permission must be accompanied by:
- The Community Infrastructure Levy Additional Information Form;
  - plans and drawings;
  - Ownership Certificate and Agricultural Land Declaration; and
  - Design and Access Statement (for some planning applications)
- 3.1.3 In addition, there are specific requirements in relation to:
- outline planning applications; or
  - applications that are subject to Environmental Impact Assessment
- 3.1.4 The application must also be accompanied by the correct fee. The [Planning Portal website](#) includes a useful fee calculator.

#### 3.2 Community Infrastructure Levy Additional Information

- 3.2.1 The Council will begin charging the Community Infrastructure Levy on all new liable developments from 1 July 2014. The introduction of the levy means that charging authorities require additional information to determine whether or not a charge is due and to determine the amount. Applicants will therefore be required to answer additional questions to enable authorities to calculate levy liability.
- 3.2.2 All applications for full planning permission, including householder applications and reserved matters following an outline planning permission, and applicants for lawful development certificates are required to provide additional information. The **CIL Additional Information Form** and further guidance is available via the [Planning Portal](#) and the Council's website.

#### 3.3 Plans and drawings

- 3.3.1 All applications must include a **location plan** showing the application site in relation to the surrounding area. This should be at a scale of 1:1250 or 1:2500 and should show at least two named roads and surrounding buildings. The properties shown should be numbered or named to ensure that the exact location of the application site is clear. The application site should be clearly edged with a red line. A blue line should be drawn around any other land owned by the applicant that is close to or adjoins the site.

3.3.2 The **site/block plan** should be drawn at a scale of 1:500 or 1:200. This should show:

- the proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions including those to the boundaries;
- all the buildings, roads and footpaths on land adjoining the site including access arrangements;
- all public rights of way crossing or adjoining the site;
- the position of all trees on the site, and those on adjacent land that could influence or be affected by the development;
- the extent and type of any hard surfacing; and
- boundary treatment including walls or fencing where this is proposed.

3.3.3 **Existing and proposed elevations and existing and proposed floor plans** should be drawn at a scale of 1:50 or 1:100 and should show proposed works in relation to what is already there. Elevations should include the proposed building materials and the style and finish of proposed windows and doors wherever possible. Floor plans should show clearly where existing walls or buildings are to be demolished and show the details of existing buildings. New buildings should be shown in context with adjacent buildings. Floor plans should also contain a calculation of the Gross Internal Area (GIA)<sup>1</sup> of buildings on the site where new floor space is proposed. This should accord with the information provided in the CIL Additional Information Form.

3.3.4 Where a proposal involves a change in site levels, **existing and proposed site sections and finished floor and site levels** should be provided and should show both existing and finished levels to include details of foundations and eaves and how encroachment onto adjoining land is to be avoided. These should be at a scale of 1:50 or 1:100.

3.3.5 All plans and drawings should show the direction of North, be appropriately scaled (including a scale bar), and should show dimensions where required.

### 3.4 Ownership Certificate and Agricultural Land Declaration

3.4.1 An **ownership certificate** must be completed that provides certain details about the ownership of the application site and confirms that an appropriate notice has been served on any other owners (and agricultural tenants). It is an offence to complete a false or misleading certificate, either knowingly or recklessly, with a maximum fine of up to £5,000. Further details of the types of certificate (A, B, C or D) and which to complete are available via the online [National Planning Practice Guidance](#).

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<sup>1</sup> GIA is the area of a building measured to the internal face of the perimeter walls at each floor level, Code of Measuring Practice 6<sup>th</sup> edition by RICS, 2007

3.4.2 An **agricultural land declaration** must be made to certify that applicants have notified any agricultural tenants about their application, or that there are no agricultural tenants on the site. This declaration is required whether or not the site includes an agricultural holding.

3.4.3 Both of these requirements are incorporated into the standard application form.

### 3.5 Design & Access Statement

3.5.1 The following types of application must be accompanied by a Design & Access Statement:

- Applications for major development
- Applications for development in a designated area (e.g. a conservation area) where the proposed development consists of one or more dwellings or a building with a floor space of 100 square metres or more
- Applications for listed building consent

3.5.2 A Design & Access Statement provides a framework for applicants to explain how the proposed development is a suitable response to the site and its setting, and demonstrate that it can be adequately accessed by prospective users.

3.5.3 A Design & Access Statement must:

- a) explain the design principles and concepts that have been applied to the proposed development; and
- b) demonstrate the steps taken to appraise the context of the proposed development, and how the design of the development takes that context into account.

3.5.4 A development's context refers to the particular characteristics of the application site and its wider setting. These will be specific to the circumstances of an individual application and a Design & Access Statement should be tailored accordingly.

3.5.5 Design & Access Statements must also explain the applicant's approach to access and how relevant Local Plan policies have been taken into account. They must detail any consultation undertaken in relation to access issues, and how the outcome of this consultation has informed the proposed development. Applicants must also explain how any specific issues which might affect access to the proposed development have been addressed.

3.5.6 If an application is for listed building consent, the Design & Access Statement must also include an explanation of the design principles and concepts that have been applied to the proposed works, and how they have taken account of:

- a) the special architectural or historic importance of the building;

- b) the particular physical features of the building that justify its designation as a listed building; and
- c) the building's setting.

3.5.7 Unless the proposed works only affect the interior of the building, Design and Access Statements accompanying applications for listed building consent must also explain how issues relating to access to the building have been dealt with. They must explain the applicant's approach to access, including what alternative means of access have been considered, and how relevant Local Plan policies have been taken into account. Statements must also explain how the applicant's approach to access takes account of matters (a)-(c) above.

3.5.8 Design and Access Statements accompanying applications for listed building consent must provide information on any consultation undertaken, and how the outcome of this consultation has informed the proposed works. Statements must also explain how any specific issues which might affect access to the building have been addressed.

3.5.9 Where a planning application is submitted in parallel with an application for listed building consent, a single, combined Design and Access Statement should address the requirements of both. The combined Statement should address the elements required in relation to a planning application and the additional requirements in relation to listed building consent.

### **3.6 Outline Planning Applications**

3.6.1 Information about the proposed use or uses, and the amount of development proposed for each use, is necessary to allow consideration of an application for outline planning permission. An application for outline planning permission must also indicate the area or areas where access points to the development will be situated, even if access has been reserved.

3.6.2 An applicant can choose to submit details of any of the reserved matters as part of an outline application. Unless the applicant has indicated that those details are submitted "for illustrative purposes only" (or has otherwise indicated that they are not formally part of the application), the Council must treat them as part of the development in respect of which the application is being made; the Council cannot reserve that matter by condition for subsequent approval.

3.6.3 The Council can request further details in relation to reserved matters. If the Council considers that an outline application ought to include details of the reserved matters it must notify the applicant no more than one month after the application is received, specifying which further details are required.

### **3.7 Applications subject to Environmental Impact Assessment**

- 3.7.1 For projects requiring an Environmental Impact Assessment, an Environmental Statement (and non-technical summary) must be provided. Further information on the content of Environmental Impact Assessments and Environmental Statements is available [here](#).

## **4 Local Information Requirements**

### **4.1 What are the Local Information Requirements?**

- 4.1.1 The local information requirements for Epsom & Ewell Borough Council are specified in the Council's "local list" as outlined below and clarify what additional information is required in order to make a planning application valid.
- 4.1.2 If you are unsure about any of the requirements or whether or not they apply to your application, please contact the Council's Planning Department for informal advice.

### **4.2 Affordable Housing Statement**

- 4.2.1 An affordable housing statement should contain details of both affordable and market housing, including number of units, mix of unit sizes with numbers of habitable rooms, plans showing the location of units and their number of habitable rooms, and tenure mix. It should also include details of any Registered Social Landlords acting as partners in the development. Full justification should be given if the number of affordable units provided does not comply with the requirements of Core Strategy Policy CS9.
- 4.2.2 The internal floor area of each affordable unit to be provided should also be clearly set out. All affordable homes built in the Borough must at least meet with the Homes and Communities Agency (Housing Quality Indicators) space standards.

### **4.3 Air Quality Assessment**

- 4.3.1 If the site is within or adjacent to an air quality management area (AQMA) or could result in the designation of an AQMA, applications should be supported by such information as is necessary to allow a full consideration of the impact of the proposal on the air quality of the area.

### **4.4 Archaeological Assessment**

- 4.4.1 Within an Area of High Archaeological Potential or on any development site over 0.4ha in size, an Archaeological Assessment may be required. The aim of a desk-based assessment is to assemble the available information about the archaeological interest of the site such as that contained in national and local records, site-specific information and geophysical and geotechnical surveys. It will then assess what, if any, further expert investigation and on-site evaluation may be needed. Applicants are advised to discuss the need for, and scope of, any archaeological assessment or examination of their site with the County Archaeologist. Further information is available on Surrey County Council's [website](#).

- 4.4.2 Where the results of the desk-based assessment indicate the likelihood of archaeological remains being present, or are inconclusive, a field evaluation should be undertaken. An archaeological field evaluation will determine, as far as is reasonably possible, the nature of the archaeological resource within a specified area using appropriate methods and practices, including geophysical survey, physical appraisal of visible structures and/or trial trenching for buried remains.

#### **4.5 Biodiversity, Ecological and Geological Surveys and Assessments**

- 4.5.1 In order to ensure the aim of no net loss of biodiversity in Epsom & Ewell and in order to achieve net gains for nature<sup>2</sup>, a biodiversity assessment is required for all forms of development. This is incorporated into the standard application form. However, where an application is likely to affect a protected species, designated site, priority habitat or geological feature, a full survey and assessment will be required. This should take the form of a Phase 1 Habitat Survey, Protected Species Survey or Preliminary Ecological Appraisal as appropriate.
- 4.5.2 Protected species are those currently (2014) listed under both the European Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 as amended. Any further designations of protected species subsequent to the publication of this document should also be taken into account when conducting an assessment. Designated sites in Epsom & Ewell will include Sites of Special Scientific Interest (SSSI), Local Nature Reserves (LNR), Sites of Nature Conservation Interest/Importance (SNCI) and Ancient Woodland and Veteran Trees (AW&VT). Priority habitats are those set out in the Natural Environment and Rural Communities (NERC) Act 2006. Geological features are those listed under the Earth Science Conservation Classification (ESCC).
- 4.5.3 Other biodiversity features identified in either the Epsom & Ewell Green Infrastructure Strategy, the Surrey Biodiversity Action Plan or the Epsom & Ewell Local Biodiversity Action Plan may also require surveys/assessments if affected by a proposed development and must be considered.
- 4.5.4 To enable Epsom & Ewell Borough Council to assess the development proposal in line with its statutory obligation and to ensure no net loss of biodiversity, the survey and assessment should identify and describe the species and habitats present on the site, potential impacts likely to cause harm to either species or habitats either on the development site or in the wider Borough/Surrey context.

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<sup>2</sup> NPPF, Paragraph 9

- 4.5.5 Where harm is likely, evidence must be submitted to show:
- how alternatives designs or locations have been considered;
  - how adverse effects will be avoided wherever possible;
  - how unavoidable impacts will be mitigated or reduced; and,
  - how impacts that cannot be avoided or mitigated will be compensated.
- 4.5.6 Ecological surveys and assessments must be to an appropriate level of scope and detail and must be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available. Advice on these matters is available from [Natural England](#). Applicants may also wish to consult [Surrey Wildlife Trust](#), [Surrey Biodiversity Information Centre](#) and/or the [Environment Agency](#) when undertaking assessments.

#### **4.6 Contaminated Land Assessment**

- 4.6.1 A contaminated land assessment should accompany applications for developments where the proposed site is known or suspected to be contaminated. These typically include:
- landfill sites
  - railway land
  - waste disposal sites/scrap yards
  - petrol stations
- 4.6.2 The assessment should include information sufficient to determine:
- the existence of any contamination on the development site;
  - the nature of any contamination on the development site;
  - the risks that any contamination may pose for future use and whether the risks can be satisfactorily reduced to an acceptable level; and,
  - the proposed approach for de-contaminating the development site.

#### **4.7 Crime Impact Statement**

- 4.7.1 All major developments should be accompanied by a Crime Impact Statement. This can be incorporated into the Design & Access Statement or submitted as a separate document. The Statement should include information on the impact of the proposal on crime and anti-social behaviour in the local area, and should identify design solutions to reduce the development's vulnerability to crime in accordance with the principles of "[Secured by Design](#)".



#### 4.8 Daylight / Sunlight Assessment

- 4.8.1 Where there is a potential adverse impact upon the current levels of sunlight/daylight enjoyed by adjoining properties or building(s), including associated gardens or amenity space then applications should be accompanied by a daylight/sunlight assessment.
- 4.8.2 For householder applications, this assessment may take the form of an appropriate plan showing that the proposal complies with the requirements of the Council's [Householder Applications Design Guidance](#). For major developments, a more detailed desk-based assessment will be required.

#### 4.9 Flood Risk Assessment

- 4.9.1 A site-specific flood risk assessment is required for proposals of 1 hectare or greater in Flood Zone 1; all proposals for new development (including minor development and change of use) in Flood Zones 2 and 3, or in an area within Flood Zone 1 which has critical drainage problems (as notified to the local planning authority by the Environment Agency); and where proposed development or a change of use to a more vulnerable class may be subject to other sources of flooding.
- 4.9.2 The assessment should demonstrate how flood risk will be managed now and over the development's lifetime, taking climate change into account, and with regard to the vulnerability of its users (see National Planning Practice Guidance [Table 2 – Flood Risk Vulnerability](#)). The objectives of a site-specific flood risk assessment are to establish:
  - a) whether a proposed development is likely to be affected by current or future flooding from any source;
  - b) whether it will increase flood risk elsewhere;
  - c) whether the measures proposed to deal with these effects and risks are appropriate;
  - d) the evidence for the local planning authority to apply (if necessary) the Sequential Test, and;
  - e) whether the development will be safe and pass the Exception Test, if applicable.
  - f) Further information on the detail needed in a flood risk assessment can be found [here](#).
- 4.9.3 You should refer to the National Planning Practice Guidance [checklist on Site-Specific Flood Risk Assessments](#) and contact [Surrey County Council](#) as the lead local flood authority in preparing an FRA. The FRA should also form part of an Environmental Statement when one is required.

#### 4.10 Heritage Statement

- 4.10.1 A heritage statement should accompany planning applications for proposed developments that involve carrying out work on a heritage asset. These assets include statutorily listed buildings and structures, locally listed buildings and structures, or properties located in conservation areas. A conservation area is classified as a heritage asset.
- 4.10.2 A heritage statement should consider the provisions of the [National Planning Policy Framework](#) and the [National Planning Practice Guidance](#).
- 4.10.3 For any proposed development on properties located in a conservation area, a heritage statement should include information on the impact of the proposal on the building, its setting and the conservation area.
- 4.10.4 For statutorily listed buildings/structures, heritage statements should be more detailed and analytical.
- 4.10.5 For all heritage assets, the length of heritage statements and the degree of detail should be proportionate to the proposed extent of change and impact on the character and appearance of the heritage asset.
- 4.10.6 Where the proposed development would involve carrying out work on a statutorily listed building/structure, a heritage statement should include:
- a) details about the character and architectural/historical interest of building/structure and setting;
  - b) an explanation of the principles behind and the justification for the proposed development;
  - c) details of the expected impact that the proposed development would have on the special interest of the statutorily listed building/structure and its setting (and any adjacent heritage assets, including conservation areas);
  - d) if an extension or new structure is proposed, details should be provided about the scale, height, width and length and its relationship to the existing building, together with an analysis of how the special character and fabric of the statutorily listed building/structure would be affected;
  - e) if an extension is proposed, consideration should be made and an analysis provided of its appearance, position and detailing;
  - f) a description should be provided of any proposed materials and the way in which they would relate to the historic character of the statutorily listed building/structure. Consideration should be made of environmentally sustainable materials;
  - g) an outline of the steps taken to avoid or minimise the loss of historic fabric and any adverse impact on the significance of the building; and

- h) an explanation of the sources considered and the expertise consulted in the formulation of the application.

4.10.7 Where the proposed development would involve the demolition or significant alterations/repairs to a statutorily listed building/structure, the following information will also need to be provided:

- a) a structural engineering report, providing details of how any retained building elements would be supported;
- b) a schedule of works indicating the location, extent and character of items, such as ceilings, partitions, fixtures and fittings, that would be removed as part of the proposed development, with details explaining how remaining items would be protected during building works; and
- c) a statement and justification explaining the degree of harm or loss of significance to the statutorily listed building/structure.

#### **4.11 Landscape and Visual Impact Assessment & Landscaping Scheme**

4.11.1 For large scale developments where development would have significant impact on the landscape or townscape, or the setting of any designated heritage asset, a Landscape and Visual Impact Assessment may be required to help demonstrate the possible effect of the development on the character and appearance of the landscape. An assessment is also likely to be required where development is subject to Environmental Impact Assessment (EIA).

4.11.2 The assessment should identify the characteristics of the landscape that forms the context for the site. Reference should be made to any conservation area assessments and to the relevant local character areas identified by the Council's Environmental Character Study, as well as any designations such as statutorily listed buildings, locally listed buildings, registered parks and gardens, scheduled ancient monuments, or Area of Great Landscape Value (AGLV). The assessment should also assess the visual impacts of the development being located within, or viewed from, these sites. Landscape and Visual Impact Assessments should be carried out by an appropriate professional in accordance with *Guidelines for Landscape and Visual Impact Assessment* published by the [Landscape Institute](#).

4.11.3 Many development proposals will require a Landscaping Scheme to ensure that they conserve and enhance the key characteristics of their surroundings with respect to the natural and historic landscape, wildlife and natural features. This is particularly important where development will affect a designated heritage asset or sensitive landscape (such as the Area of Great Landscape Value), or where a Landscape and Visual Impact Assessment is required. Existing trees and other vegetation should be retained where possible in new developments and protected during construction of the development.

#### 4.11.4 Landscaping schemes should include:

- a) planting plans; written specifications (including cultivation and other operations associated with tree, plant or grass establishment); schedule of plants, noting species, plant size and proposed numbers/planting densities where appropriate;
- b) written and schematic plans on soft and hard landscaping;
- c) existing vegetation to be retained together with measures for its protection during the course of construction;
- d) details of levels, gradients and any earthwork required for the proposed development
- e) means of enclosure; hard surfacing materials; structures and ancillary objects (refuse bins, lighting columns etc);
- f) proposals for the long-term maintenance and management of landscaped areas; and,
- g) information on implementation timescales.

4.11.5 Further information and guidance is available from the [Landscape Institute](#) and [Natural England](#). If the development proposal would impact on sensitive landscapes such as the Area of Great Landscape Value (AGLV), the Surrey County Council Landscape Architect can be consulted as part of the pre-application process.

### 4.12 Lighting Assessment

4.12.1 Applications that include the installation of external lighting or floodlighting should include a lighting assessment. The assessment should include the following information:

- a) a description of the proposed hours of operation, light spillage, light levels and column heights;
- b) a layout plan of the proposed development site showing beam orientation;
- c) details of the proposed equipment design;
- d) details of the expected impact on neighbouring properties and roads; and,
- e) a statement of any proposed measures to mitigate or compensate for the possible impacts of the proposed development for example, through the planting of trees, hedges or shrubs.

### 4.13 Noise Impact Assessment

4.13.1 Where the proposed development has the potential to impact the quality of life for people who live or work within the surrounding area due to excessive noise, a noise impact and sound insulation assessment will need to accompany your planning application.

4.13.2 A noise impact and sound insulation assessment should include the following information:

- a) existing background noise levels measured over a 24-hour period (including the cumulative noise levels of all existing units);

- b) proposed noise levels (including the cumulative noise levels of all proposed units);
- c) any proposed measures to reduce noise from the proposed development;
- d) the system manufacturers specification of any proposed equipment to be installed, altered or replaced; and,
- e) details of the method used to compile the report and examples of the calculations and assumptions made.

#### **4.14 Photographs**

4.14.1 Where the proposed development involves the demolition of an existing property or structure, or carrying out work on a listed building or a property located in a conservation area, photographs will need to accompany your planning application. For all other applications, photographs are a useful visual tool to provide the context of the development proposal.

#### **4.15 Planning Statement**

4.15.1 A planning statement identifies the context and need for a proposed development and includes an assessment of how the proposed development accords with relevant national, regional and local planning policies. It may also include details of any pre-application consultation activities that have been undertaken and/or any marketing evidence.

#### **4.16 Pre-Application Consultation Statement**

4.16.1 A Pre-Application Consultation Statement should accompany applications for major developments, or any developments in sensitive areas likely to generate significant public interest. The statement should include:

- a) details of any meetings and consultation activities that have been carried out with the local community to discuss the proposed development; and
- b) details about how the views of the local community have been considered in the formulation of the application.

#### **4.17 Regeneration Statement**

4.17.1 Where a development proposes the comprehensive redevelopment of a site, such as the larger sites identified in Plan E, a regeneration statement will be required. The statement should include:

- a) details of the relative floor space totals for each proposed use (where known);
- b) details of any new jobs that might be created or supported by the proposed development;
- c) details of any intended community benefits that the proposed development will bring; and,

- d) references to any regeneration strategies that might lie behind or support the proposed development.

#### **4.18 Sustainability Statement**

- 4.18.1 Development proposals should reflect the principles of sustainable development and consider the issues of accessibility, environmental impact and the use of resources during construction and use. A Sustainability Statement should incorporate measures to minimise waste, ensure the efficient use of minerals through the use of recycled and secondary aggregates, alleviate flood risk and introduce renewable energy or carbon savings. Reference should be made to the EcoHomes, BREEAM and Code for Sustainable Homes guidance and the statement should be prepared with reference to the Council's [Sustainable Design SPD](#).

#### **4.19 Sustainable Drainage Statement**

- 4.19.1 All proposals for Major Development are required to submit a Sustainable Drainage Statement and complete the Pro Forma attached to the Council's Advice Note on the Contents of a Sustainable Drainage Statement. The Statement and Pro Forma should show how the development proposed will incorporate Sustainable Drainage Systems (SuDS) from the outset in the design of the development in order to manage surface water runoff. The SuDS scheme proposed should accord with the SuDS National Standards as published by DEFRA and any other guidance and advice that the Council adopts.

#### **4.20 Town Centre Impact Assessment**

- 4.20.1 Proposals for town centre uses such as retail and leisure developments should be accompanied by a Town Centre Impact Assessment if they are located in edge-of-centre or out-of-centre locations and not in accordance with the Local Plan. The Assessment should show how the proposals meet the impact and sequential tests outlined in national planning policy and guidance.

#### **4.21 Transport Assessment**

- 4.21.1 Major Developments that have the potential to impact the transportation system in the surrounding area should be accompanied by either a Transport Statement, for developments which have relatively small transport implications; or a Transport Assessment, for development that has significant transport implications. The need for and the level of assessment should be determined in advance in consultation with the County Highway Authority.
- 4.21.2 Transport Statements and Assessments should be produced with reference to the Department for Transport publication [Guidance on Transport Assessment](#) and should broadly include:

- a) a description of the existing site characteristics and baseline transport data consisting of the existing transport conditions;
- b) details of the expected (economic, environmental and social) impact of the proposed development on the local transportation system;
- c) details of the proposed approach to limit the expected impact of the proposed development on the local transportation system including highway works;
- d) details of existing and proposed journeys to and from the proposed development site by all modes of transport (both vehicular and pedestrian);
- e) a construction management plan;
- f) justification of the level of parking proposed for cars, bicycles and delivery/service vehicles;
- g) a travel plan outlining the measures that will be put in place to improve access to public transport and reduce the need for parking at the proposed development site; and,
- h) details of proposed loading areas, arrangements for maneuvering, servicing and parking should cross reference any scale drawings and plans.

#### **4.22 Tree Survey / Arboricultural Statement**

4.22.1 Tree surveys should be carried out for all applications that involve new development on sites that have a significant proportion of tree cover, individual specimen trees, veteran trees, trees within Conservation Areas, or trees protected by a Tree Preservation Order.

4.22.2 A Tree Survey / Arboricultural Statement should include:

- a) details of the existing species, spread, roots and position of trees;
- b) indication of which trees will be felled as part of the proposed development;
- c) details of trees that will be affected by the proposed development (including those located on adjacent sites) and what measures will be taken to protect them during construction;
- d) a Tree Survey Drawing and Schedule relating to species, size, age, condition and useful life expectancy of trees and categorised in terms of their quality and value within their existing context;
- e) an Arboricultural Constraints Plan showing root protection areas and representing the effect of the mature height and spread of retained trees; and,
- f) an Arboricultural Method Statement detailing tree protection measures and incorporating a Tree Protection Plan showing finalised layout proposals, tree retention and landscape protection measures.

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## PLANNING ENFORCEMENT PLAN 2024

<b>Head of Service:</b>	Justin Turvey, Interim Head of Place Development
<b>Report Author</b>	Simon Taylor
<b>Wards affected:</b>	All Wards
<b>Urgent Decision</b>	No
<b>If yes, reason urgent decision required</b>	N/A
<b>Appendices (attached):</b>	Appendix 1 - Draft Enforcement Plan 2024 Appendix 2 – Enforcement Plan 2021

### Summary

The Council's Planning Enforcement Plan outlines and explains how the enforcement service is delivered. It includes such matters as the definition of development, the principles of the enforcement service, how to report a breach, processing and prioritisation of cases, how it deals with breaches and the service standards it intends to meet.

The current Planning Enforcement Plan was approved by LPPC November 2021 and published in 2022. It includes a statement that it will be reviewed regularly, but review has been delayed to take into account additional enforcement measures which have been adopted in the Levelling Up and Regeneration Act 2023, an external audit of the Council's enforcement service which was undertaken in November 2023 and identified various recommendations for improvements, and the creation of a permanent Planning Enforcement Officer post to deal with planning enforcement following removal of the post in 2021.

The draft Planning Enforcement Plan is attached at Appendix 1. It is intended as a wholesale review of the current Enforcement Plan, including to incorporate legislative changes and audit recommendations and simplify the flow of the plan and better articulate how the council will deliver the service.

### Recommendation

The Committee is asked to:

- (1) Adopt the Planning Enforcement Plan at Appendix 1.**

### 1 Reason for Recommendation

- 1.1 The council is obliged to regularly update their Planning Enforcement Plan. This has been carried out to adopt recent legislative changes and the findings of a recent audit of the service.

## **2 Background**

- 2.1 Development is defined within Section 55 of the Town and Country Planning Act 1990 and “means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land”.
- 2.2 Paragraph 171A of the Town and Country Planning Act refers to carrying out development without the required planning permission; or failing to comply with any condition or limitation subject to which planning permission has been granted as constituting a breach of planning control.
- 2.3 Paragraph 59 of the NPPF states that “Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development, and take action where appropriate.”
- 2.4 Epsom and Ewell Borough Council receives, on average, 250 enforcement queries per year. The Council is committed to providing an efficient and effective planning enforcement service.
- 2.5 The purpose of this Enforcement Plan is to outline and explain:
  - 1) The definition of development and the purpose of enforcement of development
  - 2) What the planning enforcement service comprises and how it is delivered
  - 3) How it intends to address deficiencies identified in the audit of the enforcement service
  - 4) How the Council will deliver the enforcement service
  - 5) The principles of planning enforcement
  - 6) The role of the customer and ward Councillors
  - 7) What constitutes a breach of planning control
  - 8) How and when to report a breach
  - 9) Prioritisation of cases for investigation
  - 10) Rights of access onto sites to investigate alleged breaches
  - 11) How the Council undertakes its investigation of a potential breach of planning control
  - 12) When the Council will take appropriate enforcement action
  - 13) The process for closing a potential breach of planning control

- 14) What the council's options are when a breach continues
  - 15) Timescales for delivering an effective enforcement service
  - 16) How and how often the Council will communicate with complainants and owners
  - 17) Monitoring of compliance
  - 18) The procedure for the handling of complaints
  - 19) How the Enforcement Plan will be reviewed
  - 20) Human Rights obligations
- 2.6 The council's Planning Enforcement Service was subject to audit in 2023-24, which highlighted a number of actions required, including in relation to the recording and prioritising of cases, and communication with complainants, which have been incorporated into this version of the Planning Enforcement Plan as part of the council's desire to continually improve the Service.
- 2.7 The Planning Act 2008 (Commencement No. 8) and Levelling-up and Regeneration Act 2023 (Commencement No. 4 and Transitional Provisions) Regulations 2024 were also made on 2 April 2024. These are the regulations that came into force on 25 April 2024.
- 2.8 The current Planning Enforcement Plan is dated November 2021 (published 2022) and includes a statement that it will be reviewed regularly. The review has been delayed to take into account additional enforcement measures which have been adopted in the Levelling Up and Regeneration Act 2023, an external audit of the council's enforcement service was undertaken in November 2023 which identified various deficiencies and shortfalls, and the creation of a Planning Enforcement Officer post to deal with planning enforcement.
- 2.9 The draft Enforcement Plan 2024 incorporates the following changes:
- Including actions identified by the Audit
  - Adopting changes introduced in the Levelling-up and Regeneration Act 2023
  - Wholesale restructuring to reflect the enforcement process
  - Expanding the purposes of the Plan
  - Clarifying when a breach may not exist (to minimise unnecessary cases)
  - Updating the process for reporting a breach to reflect recent changes
  - Simplifying and clarifying the prioritisation process
  - Outlining the Council's rights of entry
  - Including scenarios when breaches will not exist
  - Outlining the options that Council has for when a breach may exist
  - Expanding the detail of what happens when a case is reviewed and closed
  - Incorporating details relating to Enforcement Warning Notices, the public register, withdrawing notices and Human Rights and Equality requirements

- Consolidation and clarification of all service standards with the intention being to ensure a more transparent and consistent service
- Including monitoring obligations, including reporting to Committee
- Clarifying when the Plan will be reviewed
- Including details of how to complain
- Updating the flow chart process and contact details

### 3 Risk Assessment

Legal or other duties

#### 3.1 Equality Impact Assessment

3.1.1 None.

#### 3.2 Crime & Disorder

3.2.1 None.

#### 3.3 Safeguarding

3.3.1 None.

#### 3.4 Dependencies

3.4.1 None.

#### 3.5 Other

3.5.1 None.

### 4 Financial Implications

- 4.1 **Section 151 Officer's comments:** The Planning Enforcement Plan will need to be deliverable within the resources available to the place development service.

### 5 Legal Implications

- 5.1 The taking of enforcement action is discretionary and, as referred to in the body of the Draft Enforcement Plan, is a matter of expediency with government guidance published as to when enforcement action should be considered but must operate within the realms of the relevant Acts and policy guidance. Although government guidance is not legislation, it is advice that local authorities are obliged to have regard to.

- 5.2 Having a plan will help the Council in making the right enforcement decision and reducing the likelihood of successful appeals or challenges. In exercising discretion, the officers will need to consider whether other departments or external agencies have more effective powers e.g. environmental protection, building control and licensing.
- 5.3 A decision to prosecute following enforcement requires prior legal advice on the Code for Crown prosecution that applies to decisions taken by the Council to commence criminal proceedings.
- 5.4 **Legal Officer's comments:** None arising from the contents of this report.

## 6 Policies, Plans & Partnerships

- 6.1 **Council's Key Priorities:** The following Key Priorities are engaged:
- 6.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.
- 6.3 **Climate & Environmental Impact of recommendations:** None for the purposes of this report.
- 6.4 **Sustainability Policy & Community Safety Implications:**
- 6.5 **Partnerships:**

## 7 Background papers

- 7.1 The documents referred to in compiling this report are as follows:

**Previous reports:**

- Enforcement Plan 2021 (Appendix 2)

**Other papers:**

- Draft Enforcement Plan 2024 (Appendix 1)

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# **Epsom and Ewell**

## **Planning**

## **Enforcement**

## **Plan** 2024



**Plan for Dealing with Potential Planning Breaches**

**July 2024**

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## Summary

1. This document sets out how the Council will deal with potential planning breaches. It provides information and guidance for residents, developers and those with other interests, on how complaints about unauthorised development are handled. It seeks to balance the concerns of local residents with the rights of owners and sets out the priorities and timescales for responding to complaints, carrying out investigations and taking appropriate enforcement action where necessary.

## Definition of Development

2. Development is defined within [Section 55 of the Town and Country Planning Act 1990](#) and “means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land”.
3. The development and use of land and buildings is controlled by planning legislation and policies, including but not limited to:
  - [Town and Country Planning Act 1990 \(as amended\)](#)
  - [Planning \(Listed Buildings and Conservation Area\) Act 1990 \(as amended\)](#)
  - [Environment Act 2021](#)
  - [National Planning Policy Framework 2023](#)
  - [National Planning Policy Guidance](#)
  - [Epsom and Ewell Core Strategy 2007](#)
  - [Epsom and Ewell Development Management Policies Document 2015](#)
  - [Epsom Town Centre Area Action Plan 2011](#)

## Effective Enforcement

4. Breaches of planning control are also covered by planning legislation. Most breaches are not criminal offences, with some exceptions including unauthorised works to listed buildings, trees subject to a Tree Preservation Order and unlawful advertisements.
5. [Paragraph 171A of the Town and Country Planning Act](#) refers to carrying out development without the required planning permission; or failing to comply with any condition or limitation subject to which planning permission has been granted as constituting a breach of planning control.
6. [Paragraph 59 of the NPPF](#) states that “Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development, and take action where appropriate.”
7. Epsom and Ewell Borough Council receives, on average, 250 enforcement queries per year. The Council is committed to providing an efficient and effective planning enforcement service.

8. The purpose of this Planning Enforcement Plan is to outline and explain:
- 1) The definition of development and the purpose of enforcement of development
  - 2) What the planning enforcement service comprises and how it is delivered
  - 3) How it intends to address deficiencies identified in the audit of the enforcement service
  - 4) How the Council will deliver the enforcement service
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  - 7) What constitutes a breach of planning control
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  - 17) Monitoring of compliance
  - 18) The procedure for the handling of complaints
  - 19) How the Planning Enforcement Plan will be reviewed
  - 20) Human Rights obligations

**Enforcement Audit**

9. The Council's Planning Enforcement Service was subject to audit in 2023-24, which highlighted a number of actions required, including in relation to recording and prioritising of cases, and communication with complainants, which have been incorporated into this version of the Planning Enforcement Plan as part of the Council's desire to continually improve the Service.

**Adoption of the Local Requirements List**

10. This Planning Enforcement Plan is a wholesale review of the Planning Enforcement Plan 2021. It was adopted by the Council's Licensing and Planning Policy Committee on 11 July 2024.

## The Enforcement Service

11. All complaints received by the Council are investigated by an enforcement officer who, in most instances, in conjunction with the Planning Development and Enforcement Manager and Head of Place, decide what action should be taken.

## Delivery of the Enforcement Service

12. The Council's Planning Enforcement Service can investigate the following:
- Unauthorised building works and/or engineering works or change of use of land/buildings
  - Non-compliance with conditions attached to planning permissions
  - Display of unlawful advertisements
  - Unauthorised internal and external works to listed buildings
  - Listed buildings in serious disrepair
  - Condition and appearance of buildings and/or land that is visually detrimental to the area
  - Unauthorised development that causes detrimental environmental and biodiversity harm
  - Relevant demolition (requiring Planning Permission or Listed Building Consent)
13. Decisions of a case are based on the merits of each individual case, and enforcement action is taken only when it is considered rational, reasonable, proportionate, and expedient.

## Principles of Planning Enforcement

14. Enforcement action is based upon the following five principles:

Principle	Explanation
Proportionality	<ul style="list-style-type: none"> <li>• Applying action that is appropriate to the scale of the alleged breach and the seriousness of the harm caused</li> <li>• Adopting the most efficient and cost-effective approach relative and proportionate to the risks</li> <li>• Prosecuting where there is a failure to comply with any formal notice when it is in public interest to do so</li> <li>• Adopting direct action where appropriate, having regard to harm and public safety</li> </ul>
Consistency	<ul style="list-style-type: none"> <li>• Applying a similar approach in similar circumstances to achieve similar results</li> <li>• Keeping regular contact with complainants</li> </ul>
Transparency	<ul style="list-style-type: none"> <li>• Applying clarity with all parties with respect to Council processes and procedures, rights of complaint and appeal processes</li> <li>• Responding to correspondence in a timely fashion</li> <li>• Accepting feedback to learn and improve.</li> </ul>
Targeted enforcement	<ul style="list-style-type: none"> <li>• Raising awareness to reduce unauthorised works and increase public confidence</li> <li>• Working proactively with stakeholders to ensure that the required checks are met prior to the commencement of development</li> <li>• Retaining open communication channels with residents</li> </ul>
Accountability	<ul style="list-style-type: none"> <li>• Monitoring and reviewing procedures regularly</li> <li>• Delivering an annual performance report to the Council's Planning Committee and the Licensing and Planning Policy Committee</li> <li>• Acknowledging and addressing identified shortfalls</li> </ul>

## Identifying Breaches

15. It is recognised that the primary channel for identifying breaches is via customer involvement and the Council will strive to maintain open and transparent channels to facilitate this. Advice can be found on the [Council's website](#) and the first point of contact is the Council's enforcement officer who can be contacted at [planningenforcement@epsom-ewell.gov.uk](mailto:planningenforcement@epsom-ewell.gov.uk). To avoid enforcement issues altogether, it is accepted good practice that neighbours should talk to each other to attempt to resolve any issue between them.
16. Elected Ward Members are representatives of residents and are available to help resolve issues about planning enforcement. Concerns can be raised with your ward member and if necessary, they will discuss the matter further with the Council's enforcement officer. Your ward member can be found [here](#).

## When a Breach May Not Exist

17. It is not an offence to carry out development without first obtaining planning permission.
18. Permission can be permitted development (provided permitted development rights have not been removed by condition or Article 4 Direction) within the [Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#). The most common forms of permitted development include but are not limited to:
  - Rear or side extensions
  - Loft conversions (with or without hip to gable roof extensions, rear dormers or rooflights)
  - Garage conversions
  - Outbuildings in the rear garden (used in a way that is incidental to the existing dwelling)
  - Front fences
  - Change of use of dwellings to a small HMO (six or fewer unrelated occupants)
19. It may also be that the alleged breach is not development within the scope of [Section 55\(2\) of the Town and Country Planning Act 1990](#) or that planning permission has already been granted. You can review the planning history of a site on the [Council's portal](#).

## Reporting a Breach

20. If you still believe that a breach of planning control has occurred, you can submit a complaint via the [Council's website](#). You will need to register if you are submitting a complaint for the first time. A form can also be mailed out to you by phoning Customer Services on 01372 732000.
21. When submitting the complaint, it is important to be descriptive in terms of the address, location, and the details of the alleged breach. A contact email should be provided. Photographs are effective can be included.
22. The Council will not investigate anonymous complaints as we need to be able to understand the complaint, identify the harm, make a fair assessment, and decline anything that might be malicious and vexatious.

**Prioritisation**

23. Prioritisation of a complaint allows for due consideration of a case based on the significance, urgency, and seriousness of a reported breach. The basis for prioritisation is found at Table 1. In the case of any dispute with prioritisation of a case, officers may re-prioritise cases where the circumstance permit but the final decision rests with the Head of Place.

**Visting the Site (and Rights of Entry)**

24. In most circumstances, a site visit will be required to ascertain the alleged breach, but a desktop assessment may suffice. This could include measuring the dimensions of a building or investigating the internal areas of a building (such as an allegation relating to a building being used as an HMO or a separate dwelling).
25. [Section 196A of the Town and Country Planning Act 1990](#) states that if there are reasonable grounds for entering land, an authorised officer can enter the land at a reasonable hour to ascertain whether there is or has been a breach of planning control and whether and how the Council's powers should be exercised
26. The Council also has powers to enter land and carry out the requirements of the notice themselves under [section 178 of the Town and Country Planning Act 1990](#) in relation to the serving of a notice. It is an offence to wilfully obstruct anyone who is exercising those powers on the local planning authority's behalf. The use of these powers will be adopted in a proportionate manner.

**Table 1: Prioritisation Levels**

Level	Category	Definition	Examples of Breach	Initial Review	Initial Contact
1	High	A serious breach requiring immediate action	<ul style="list-style-type: none"> <li>• Development to a Listed Building</li> <li>• Large scale development over a wide area</li> <li>• Development causing ongoing and immediate harm to the public and/or environment</li> <li>• Illegal encampments</li> <li>• Works to a protected tree</li> <li>• Breaches of working hours</li> </ul>	Within 2 working days	Within 4 working days
2	Medium	Some level of harm but not requiring immediate remedy	<ul style="list-style-type: none"> <li>• Development within a Conservation Area</li> <li>• Development in the Green Belt</li> <li>• Changes of use</li> <li>• Unsafe buildings</li> <li>• Any other development not within Level 1 or 3</li> </ul>	Within 10 working days	Within 15 working days
3	Low	Minimal and easily reversible harm	<ul style="list-style-type: none"> <li>• Untidy land or premises</li> <li>• Fences, walls, and gates</li> <li>• Satellite dishes or flues</li> <li>• Advertising signage</li> </ul>	Within 20 working days	Within 25 working days

Level	Category	Definition	Examples of Breach	Agenda Item Appendix 1	Initial Contact
4	Nil	Not subject to planning enforcement (see note)	<ul style="list-style-type: none"> <li>• Internal works to a non-listed building</li> <li>• Boundary and party wall disputes</li> <li>• Land ownership or civil matters</li> <li>• Legal covenants</li> <li>• Devaluation of property</li> <li>• Parking and traffic enforcement issues</li> <li>• Graffiti and anti-social behaviour</li> <li>• Noise and odour nuisance</li> <li>• Potential future breaches</li> </ul>	Within 30 working days	Within 30 working days

Note: The Council or Partner Agencies have other powers to deal with some matters where it does not relate to the non-compliance of a planning condition.

**Enforcement Options**

27. Once an initial assessment has been carried out, we will notify the owner or occupier of the property that has been complained about as to whether the complaint falls into the category of a breach of planning control. Timeframes for making contact are found at Table 1 above.
28. The Council will either
- Identify no breach and close the case, choosing not to take any further action
  - Identify a breach but take no further action, on account of it not being expedient to do so
  - Identify a breach and take further action, proportionate to the extent of the breach

**No Breach**

29. If no breach is identified, the case will be closed, and both the complainant and owner will be informed and provided with an explanation as to why the case was closed. This should occur within the timeframes identified in Table 1.
30. The Council will generally not take formal action and close a case in the following circumstances:

**Table 2: No Breach Options**

Circumstance	Explanation
Immune from Enforcement Action	<p>Where the Council is unable to take enforcement action because the time limit (as specified in <a href="#">Section 171B of the Town and Country Planning Act</a>) from the date the development is substantially completed has been reached</p> <p>The Council has 10 years to take enforcement action, after which the development becomes lawful. The owner can apply for a Certificate of Lawful Existing Use or Development after this period to regularise the situation. This involves providing evidence that proves, on the balance of probability, that the breach of planning control has occurred continuously for 10 years.</p> <p>Note: The 10-year limit for bringing enforcement action will apply where alleged operational development was substantially completed on or after 25 April 2024, or where the date of an alleged change of use to a single dwellinghouse was on or after 25 April 2024.</p>
Permitted Development	Where the works fall within permitted development tolerances under the terms of the <a href="#">Town and Country Planning (General Permitted Development Order) (England) 2015</a> .
Not Development	Where the works are not defined as development under <a href="#">Section 55 of the Town and Country Planning Act</a> , the change of use is not material within the scope of the <a href="#">Town and Country Planning (Use Classes) Order 1987 (as amended)</a> or it is de minimus (too minor to fall under the scope of planning control).
Breach Has Ceased	Where the breach is temporary and has since ceased (this may or may not involve communication with the owner of the land).

Circumstance	Explanation
Complies with Planning Permission	Where there is an existing planning permission, and it is clear and unambiguous that the development is lawful within the scope of that permission.
Not Planning Related	Where the breach is identified as not being planning related or subject to a condition in a planning permission. This may or may not be redirected to another department.
Advertisement	Where it benefits from express or deemed consent under the <a href="#">Town and Country Planning (Control of Advertisements) (England) Regulations 2007</a> .
Highways Matter	Where the breach falls within the remit or on the land owned by Surrey County Council.
Unable To Contact Complainant	Where the Council makes two consecutive attempts to clarify aspects of the alleged breach and no response is received and it is not possible to further the case.

### Not Expedient to Take Action

31. The Council's planning enforcement powers are discretionary, and we will not take action simply because there has been a breach of planning control.
32. Enforcement action will be taken where the Council is satisfied that it is 'expedient' to do so, having regard to the provisions of the Development Plan and to any other material planning considerations. In making this assessment the Council will gather evidence regarding the nature and scale of the breach, and whether it unacceptably affects public amenity and or the built or historic environment.
33. Planning breaches may be unintentional or be considered technical or very minor. The Council will take action when it is considered fair and reasonable to do so and is proportionate to any harm caused.
34. In some cases, although there is a breach in planning control, the harm caused may be minor, meaning action is not justified and it is not expedient to pursue the case.
35. At this point, an expediency report will be prepared, and this will explain the reasons for why the breach is not expedient to take action against having regard to the relevant planning considerations. The report will be reviewed and signed off by the Manager of Planning and Enforcement. This report is publicly available and can be requested by emailing the enforcement officer or [planningenforcement@epsom-ewell.gov.uk](mailto:planningenforcement@epsom-ewell.gov.uk).
36. The case is closed at this point and the complainant notified

### Expedient to Take Action

37. Although 'harm' is not defined in the Planning Regulations, harm can include an unacceptable impact on:
  - Visual amenities and the character of the area
  - Neighbouring amenities such as privacy, outlook, dominance, and daylight/sunlight
  - Noise, odour and light pollution and contamination
  - Highway safety/access/traffic



- Health and safety
- Undesirable precedent
- Ecology, trees, and landscape
- Amenity standards of users of the development

38. If a breach has occurred, it is open to the Council to take formal action, where it is expedient to do so. This is a matter of discretion, depending on the individual circumstances of the case.
39. The Council will generally take further action by contacting the owner and advising of the action that they will be required to take to remedy the breach. Negotiation is encouraged in all but the most serious cases as the best way to resolve a breach and in some cases can be more expedient than issuing an enforcement notice. In the first instance, the owner will be afforded the opportunity to remedy the breach. This is usually in the form of an initial letter.
40. The processes and outcomes where a breach is identified is outlined in Table 3.

**Table 3: Breach Options**

Circumstance	Explanation
Initial Letter	<p>The owner and/or relevant party will be given a reasonable timeframe, depending on the circumstances of the case but often 20 working days, to comply with the specified requirements. The complainant will also be kept informed.</p> <p>Should this period expire without the breach being remedied, the case officer will carry out a second assessment, taking into account the current intentions and actions of the owner and/or relevant party to this point.</p>
Voluntary Compliance	Where the Council contact the owner to cease the use or remove any unauthorised development and the owner removes or resolves the alleged breach, this is known as voluntary compliance.
Planning Application	<p>Where the Council contact the owner to cease the use or remove any unauthorised development, the owner can choose to regularise a breach by submitting a planning application, whether or not this is invited by the Council.</p> <p>Where the application is approved, this regularises the breach and the case can be closed. Where the application is refused, the process continues.</p>
<a href="#">Enforcement Warning Notice (EWN)</a>	<p>Under Section 172ZA of the Town and Country Planning Act 1990, the Council has the option of issuing an enforcement warning notice (EWN) which formalises the process to invite a retrospective planning application, but only where there is a reasonable prospect of being acceptable in planning terms. The notice will set out the breach and state that, unless an application is made by a specified date, further enforcement action may be taken.</p> <p>Issuing an EWN will constitute the taking of enforcement action, which is relevant to the 'second-bite' provisions. A flow chart is at paragraph 69.</p>
<a href="#">Planning Contravention Notice (PCN)</a>	This is a notice which allows the Council to collect evidence which will help to determine if a breach is taking place and the next steps. The owner and/or person responsible have 15 working days to respond and failure to do this may

Circumstance	Explanation	Agenda Item 7 Appendix 1
	result in prosecution. Upon receipt of the information, the Council will then decide further steps, including whether to close the case.	
<a href="#">Enforcement Notice</a>	<p>Where the Council are unable to negotiate an acceptable solution within a reasonable timescale, the enforcement notice allows the Council to formally require a breach of planning control to be remedied. The notice will outline the breach, the land to which it applies, the commencement date of the notice, the steps required to remedy the breach and the time period for compliance.</p> <p>Government guidance states that enforcement notices should only be served when expedient to do so. Failure to comply within the specified timeframe is a criminal offence which can lead to prosecution proceedings. Enforcement notices can be appealed, and the Planning Inspectorate can decide to uphold the notice, amend it or have it quashed.</p>	
<a href="#">Breach of Condition Notice (BCN)</a>	This requires its recipient to secure compliance with the terms of a planning condition or conditions, specified by the Local Planning Authority in the notice. There is no right to appeal against this notice and prosecution can be brought in the Magistrates' Court for the offence of contravening a breach of condition notice.	
<a href="#">Section 215 Notices</a>	Where the condition of land or a building is adversely affecting the amenity of a neighbourhood, the Council may issue a Section 215 Notice requiring the owner or occupier to remedy the condition of the land or building. Failure to comply with the Notice is a criminal offence. The council has powers, where a Notice has not been complied with, to enter the land and carry out the work itself and recover the cost from the owner.	
<a href="#">Stop Notice</a>	This can be used in conjunction with an enforcement notice where the breach is causing serious harm and should only be used in extreme cases. In such cases where stop notices are issued the Council may be liable to pay compensation if it is later decided that the stop notice was not appropriate.	
<a href="#">Temporary Stop Notice</a>	These are similar to stop notices but take effect immediately from the moment they are displayed on a site and last for up to 28 days. A temporary stop notice would be issued only where it is appropriate that the use or activity should cease immediately because of its effect on (for example) amenity, the environment or public safety. It may be issued even when planning permission has been granted for development, for example, in a case where the developer is not complying with conditions attached to the permission.	
<a href="#">Listed Building Enforcement Notice</a>	Where works occur to listed buildings or the demolition of a building in a conservation area without consent, a notice will require rectification of works. It is a criminal offence and prosecution may occur alongside the enforcement notice, subject to severity/context. There is a right of appeal and no time limit to taking enforcement action. Historic England will be consulted on damage or unauthorised works to Grade I and II* Listed Buildings.	
<a href="#">Urgent Works Notice</a>	This is a notice that applies to unoccupied listed buildings in serious disrepair. It enables the Council to order urgent works to preserve the building, for example to make it weather tight and secure. If the notice is not complied with the Council may carry out the works in default and recover the costs from the owner.	

Circumstance	Explanation	Agenda Item 7 Appendix 1
Planning Enforcement Order	Where a person deliberately conceals unauthorised development, the deception may not come to light until after the time limits for taking enforcement action (Section 171B of the Town and Country Planning Act 1990) have expired. A planning enforcement order enables the Council to take action in relation to an apparent breach of planning control notwithstanding that the time limits may have expired.	
<a href="#">Tree Replacement Notices</a>	It is a criminal offence to cut down, lop, wilfully destroy, or damage a protected tree without the Council's consent. The Council can prosecute for breaching a Tree Preservation Order. There is no time limit to taking enforcement action. Where a tree has been unlawfully felled, it is open to the Council to issue tree replacement notices, requiring trees to be replanted/replaced. The process flowchart for a Tree Replacement Notice is found <a href="#">here</a> .	
<a href="#">Discontinuance Notice</a>	Under <a href="#">Section 97 and 102 of the Town and Country Planning Act 1990</a> , the Council can issue a discontinuance notice to require the discontinuance of the use, impose conditions or require steps to alter or remove the building. This will be imposed where the Council considers it is in the interests of the proper planning of the area. There are rights of appeal and for compensation.	
Removal Notice	Removal of any structure used to display an advertisement will be sought where the notice is not complied, including undertaking the works ourselves and recovering the expenses for doing so.	
Completion Notice	Under <a href="#">Sections 94-96 of the Town and Country Planning Act 1990</a> , the Council may issue a Completion Notice, which requires the owner or occupier to finish a development, if they feel that it is unlikely to be finished in a reasonable period. Failure to comply invalidates the planning permission.	

### Determining Whether it is Expedient

41. A tool to assist in assessing harm is set at Table 4. It accounts for various factors to assist with determining whether formal action should be taken. This is only one of the tools/tests that the Council will use to assess whether formal enforcement action should be taken. For formal enforcement action to be taken, it is likely that the harm score will need to be >6.
42. At this point, an expediency report will be prepared, and this will explain the reasons for why the breach is expedient to take action against having regard to the relevant planning considerations. The report will be reviewed and signed off by the Manager of Planning and Enforcement. This report is publicly available and can be requested by emailing the enforcement officer or [planningenforcement@epsom-ewell.gov.uk](mailto:planningenforcement@epsom-ewell.gov.uk). Where enforcement relates to such matters as illegal encampments, the Council may consult with Police.
43. The accompanying notice, if applicable, will usually be reviewed by the Council's legal officer. Given the legal complexities and importance for serving a watertight Notice, this process is often elongated.
44. Where voluntary compliance is achieved, the case is closed, and the complainant advised. Where a planning application is submitted, the case is closed, and the outcome of the planning application (or any subsequent appeal) is monitored. If the planning application is refused, a new case is opened. If a Notice is served, a new case is opened. Closure will only

occur when the actions within the Notice are completed. The complainant is contacted at the point of closure in all cases.

**Table 4: Tool for Assessing Harm and Expediency**

Question		Answer	Rating	Score
1	Is the breach	Deteriorating	1	
		Stable	0	
2	Highway safety issue	Yes	2	
		No	0	
3	Other safety issue not covered by other legislation	Yes	2	
		No	0	
4	Causing detrimental or irreversible environmental harm	Yes	1	
		No	0	
5	Complainant	Immediate neighbour	2	
		Parish Council/Other	1	
		Anonymous/malicious	0	
6	Age of breach	<6 months of immunity	2	
		< 3 months old	1	
		> 3 months old	0	
7	Is there harm	Widespread	2	
		Local	1	
		None	0	
8	Major planning policy breach	Yes	1	
		No	0	
9	Flood risk	Yes	1	
		No	0	
10	Breach of condition/Article 4 Direction	Yes	1	
		No	0	
11	Conservation Area or adjacent to	Yes	1	
		No	0	
12	Listed Building or affecting the character or setting	Yes	1	
		No	0	
13	Sensitive site (eg SSSI, Ancient Monument, Listed Garden, Archaeological Importance)	Yes	1	
		No	0	
14	Undesirable precedent	Yes	1	
		No	0	
Total				

## Enforcement Warning Notices

45. The Planning Act 2008 (Commencement No. 8) and Levelling-up and Regeneration Act 2023 (Commencement No. 4 and Transitional Provisions) Regulations 2024 were made on 2 April 2024. These are the regulations that came into force on 25 April 2024.
46. As specified at Table 3, the Council can issue an Enforcement Warning Notice (EWN), inviting regularisation applications when it appears that a development has taken place in breach of planning control. It is served when negotiations begin and if the Council consider it necessary to do so. The process for doing so is at paragraph 69.
47. An EWN will need to be suitably authorised and sits alongside a report. Like an enforcement notice, an EWN is served on the owner and occupier and who else has an interest in the land. There is no power to issue to anyone else (eg person merely working on the land).

Service is affected by the methods set out in Section 329 of the Town and Country Planning Act 1990 and must be entered into the Section 188 register. Whilst it applies to all landowners, occupiers or parties, there is nothing to bind a future party.

## Public Register

48. In accordance with [Section 188 of the Town and Country Planning Act 1990](#) and [Article 43 of the Town and Country Planning \(Development Management Procedure \(England\) Order 2015\)](#), the Council maintains a register of notices (including enforcement notices, stop notices, breach of condition notices, planning enforcement orders and enforcement warning notices) at the Council offices. This can be viewed by the public upon request.

## Withdrawing of Notice

49. There may be circumstances where the Council chooses to withdraw an enforcement notice. This is usually where the party on which the notice is served is able to demonstrate that it was unreasonably served, where a new notice would be better suited or the existing notice is no longer relevant. If the notice is withdrawn, the relevant parties are notified and the notice is removed from the public register.

**Failure to Comply with Formal Notices**

50. Where a notice has been served and has not been complied with, there are three options available to the Council to attempt to resolve the breach. Where these measures are undertaken, a new case is opened, and the complainant informed. Closure will only occur when the following actions are completed.
51. It is not an offence to fail to comply with a EWN and there is no right of appeal to the Planning Inspectorate.

**Table 5: Options After the Notice is Served**

Circumstance	Explanation
<a href="#">Direct Action</a>	Where the terms of an enforcement notice or section 215 notice have not been met within the compliance period (other than the discontinuance of the use of land), the Council will consider whether it is expedient to exercise our powers to enter the land and take the steps to remedy the harm. The Council would seek to recover from the person who is the current owner of the land any expenses the Council reasonably incurred by action taken to remedy the harm.
Prosecution	<p>Court action can occur against any person who has failed to comply with the requirement(s) of any enforcement notice, or Breach of Condition Notice where the date for compliance has passed and the requirements have not been complied with. Prior to commencing with any proceedings, the Council will need to be satisfied that there is enough evidence to offer a realistic prospect of conviction and it is in the public interest.</p> <p>Unauthorised adverts and unauthorised works to any tree the subject of a tree preservation order are offences, and we can initiate prosecution without the need to issue a notice.</p>
Injunction	Where an enforcement notice has not been complied with, and the circumstances of the case suggest direct action or prosecution would not be an effective measure, we will consider applying to the Court for an injunction.

**Timescales**

52. There is no set time for the completion of investigations due to the categorisation and complexity of the case/breach, the level of engagement of the relevant parties and varying workloads. Nonetheless, the enforcement service will strive to reach a decision on whether to take action within 40 working days of receipt of the complaint

**Communication**

53. Complainants will be contacted at the following stages:
- Acknowledgement, including priority level, within 3 working days
  - An initial assessment within the timeframes in Table 1
  - When an application is requested or received, within 2 working days
  - When an enforcement notice is served, within 2 working days
  - When closed, including the reasons why
  - If ongoing, at least once every 40 working days
  - Where further details are required
54. If there is a lack of communication from a complainant, the Council will close the enforcement case due to insufficient evidence. As a complainant, you will be advised of this approach in writing beforehand.
55. Owners of the properties that are complained about will be contacted in the following circumstances:
- If a potential breach is identified, to communicate the circumstances of the breach
  - If necessary, to arrange a suitable time for an inspection of the breach
  - To outline what steps are required to resolve any breach and the possible consequences if those steps are not taken
  - To be afforded an opportunity to remedy the breach, through voluntary compliance or regularisation via a planning application
  - When a Planning Contravention Notice (PCN) is served
  - Where formal enforcement action is intended (if attempts to negotiate a remedy fail)
  - When a formal enforcement notice is served, including information on how to appeal
56. An interested party can email [PlanningEnforcement@epsom-ewell.gov.uk](mailto:PlanningEnforcement@epsom-ewell.gov.uk) at any stage and a response will be provided within 5 working days.

**Confidentiality**

57. Details submitted to the Council, including who submitted the complaint, will remain confidential, including when subject to a Freedom of Information request.. You may also be asked provide evidence to assist in legal proceedings.

**Monitoring of Enforcement Delivery**

58. Monitoring of enforcement is important to demonstrate that the enforcement service is operating in a transparent manner; that it adheres to its responsibilities; and that its performance is openly monitored and reviewed.



59. The Council will present a quarterly performance report to the Council's Planning Committee outlining the following quarterly performance measures, including, where appropriate, reference to previous quarters to illustrate changes:
- 1) Number of cases received
  - 2) Number of cases closed
  - 3) Average number of days with which cases are closed
  - 4) Number and outcome of enforcement appeals
  - 5) Number and outcome of prosecutions
  - 6) Number and outcome of injunctions
60. Where shortfalls are identified, measures will be contained in the quarterly report.

## Complaints

61. Epsom and Ewell have limited enforcement resources and are deal with approximately 250 cases each year. It is recognised that it may not always be able to meet the above targets. In the first instance, make contact with the enforcement officer at [PlanningEnforcement@epsom-ewell.gov.uk](mailto:PlanningEnforcement@epsom-ewell.gov.uk) or Planning Support at [PlanningSupport@epsom-ewell.gov.uk](mailto:PlanningSupport@epsom-ewell.gov.uk).

## Review of the Planning Enforcement Plan

62. The Planning Enforcement Plan will be reviewed to reflect changes in legislation and guidance and to address deficiencies and feedback. The review will be tabled to the Licensing and Planning Policy Committee for adoption.

**Table 6: Table of Service Standards**

Stage	Time Period
Initial review of case (Level 1)	2 working days
Initial prioritisation of case	2 working days
Initial acknowledgement of case to complainant	3 working days
Initial contact with complainant/owner (Level 1)	4 working days
Initial review of case (Level 2)	10 working days
Initial contact with complainant/owner (Level 2)	15 working days
Initial review of case (Level 3)	20 working days
Initial contact with complainant/owner (Level 3)	25 working days
Initial review of case (Level 4)	30 working days
Initial contact with complainant/owner (Level 4)	30 working days
Final resolution of case (subject to other factors)	40 working days
Final decision conveyed to parties (subject to final resolution)	40 working days
Periodic update of unclosed case (where possible)	40 working days
Contact with complainant when application invited/submitted	Within 2 working days
Contact with complainant when notice served	Within 2 working days
Period for compliance when owner sent initial letter	20 working days
Period of compliance for Notice/EWN	As specified in notice
Period for response to PCN	Within 15 working days
Length Stop Notice period lasts for	28 days
Response to email received from complainant/owner	5 working days
Response to formal Stage 1 complaint	15 working days
Reporting of enforcement delivery to Planning Committee	Every 3 months
Review of Planning Enforcement Plan	Where required



**Human Rights Act**

63. The [Human Rights Act 1998](#) outlines rights that must be balanced against the public interest in regularising the breach of planning control. These include:
- a) Part 1, Article 8 relates to the right to respect for private and family life, home, and personal correspondence
  - b) Part 2, Article 1 relates to the right to protection of property, including peaceful enjoyment of possessions.

**Equalities Act**

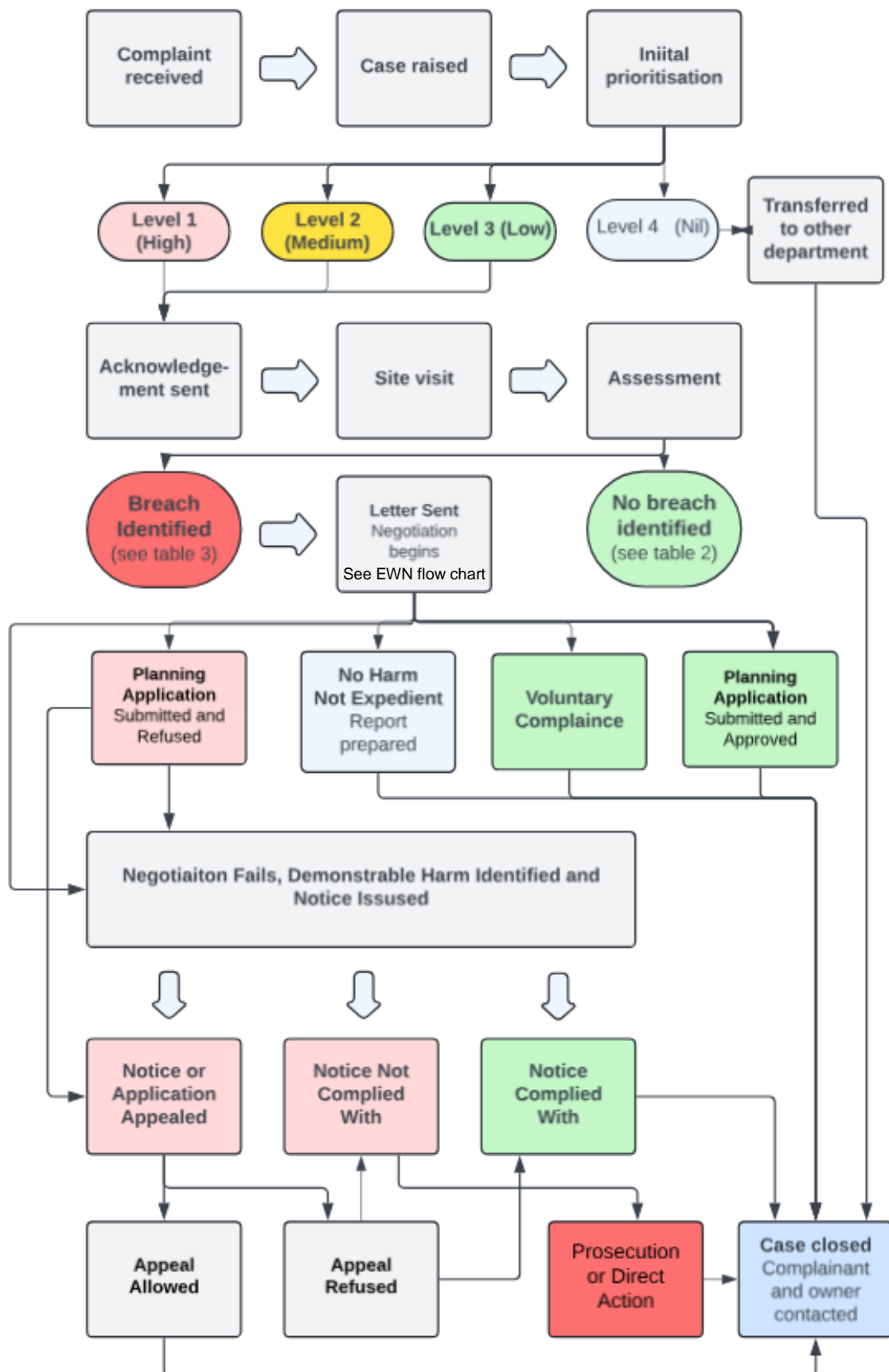
64. The Council must also have regard to its public sector equality duty (PSED) under [Part 11, Section 149 of the Equalities Act](#) relating to race, disability, and sex, age, sexual orientation, religion or belief, pregnancy and maternity, and gender reassignment. The duty is to have due regard to the need (in discharging its functions) to:
- a) Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under this Act
  - b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
  - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it
65. The PSED must be considered as a relevant factor when considering its decision but does not impose a duty to achieve the outcomes in Section 149. The level of consideration required will vary with the decision including such factors as:
- a) The importance of the decision and the severity of the impact on the Council's ability to meet its PSED
  - b) The likelihood of discriminatory effect or that it could eliminate existing discrimination.

**Consideration of Human Rights**

66. The Council should consider decisions that have a disproportionately adverse impact on a protected characteristic and this impact may be unintentional. In appropriate cases, this may involve an understanding of the practical impact on individuals so affected by the decision. Regard should be had to the effect of mitigation taken to reduce any adverse impact.
67. The above Acts form part of the decision-making process and must be balanced against other relevant factors. The Council is also entitled to take account of other relevant factors in respect of the decision, including financial resources and policy considerations. In appropriate cases, such countervailing factors may justify decisions which have an adverse impact on protected groups.

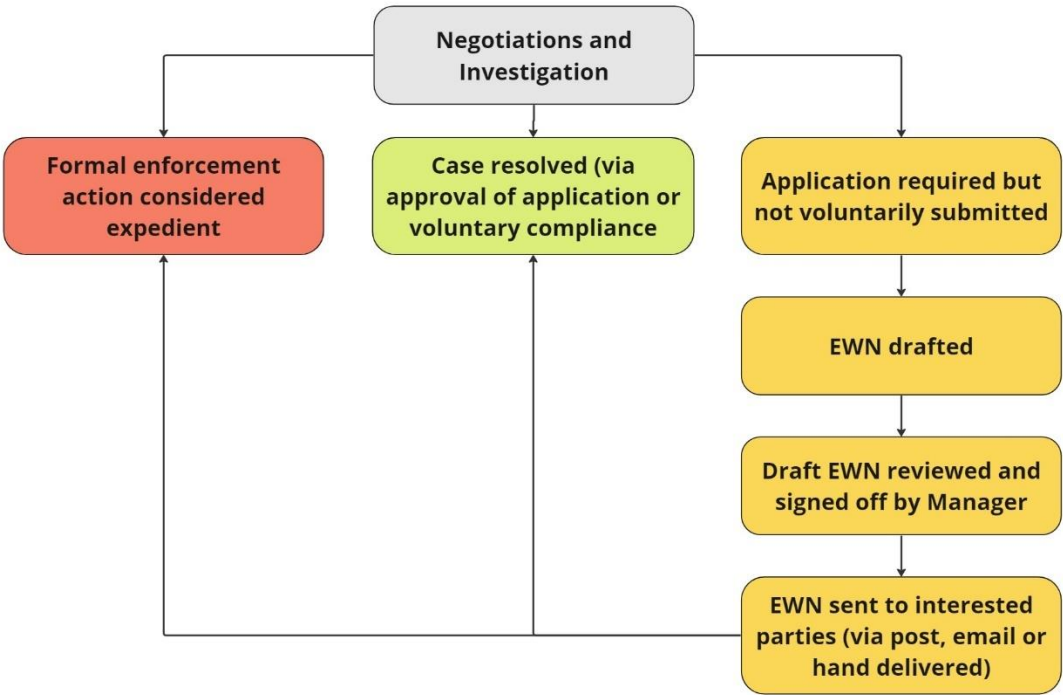
**Enforcement Process Flow Chart**

68. The following flow chart is intended as an illustration of the enforcement process.



Enforcement Warning Notices Flow Chart

69. The following flow chart is intended as an illustration when the Council might consider the service of an Enforcement Warning Notice.



Team	Description	Contact
Building Control	The Building Control is to ensure that all building work complies with the Building Regulations. Building Control also investigate buildings and other structures which may be dangerous.	<a href="mailto:bcadmin@epsom-ewell.gov.uk">bcadmin@epsom-ewell.gov.uk</a> 01372 303145
Enforcement	The Enforcement Officer is the primary contact for all enforcement matters.	<a href="mailto:PlanningEnforcement@epsom-ewell.gov.uk">PlanningEnforcement@epsom-ewell.gov.uk</a>
Empty Homes Team	The Empty Homes team help homeowners, potential investors, and neighbours to ensure empty properties are returned to use.	<a href="mailto:EmptyHomes@epsom-ewell.gov.uk">EmptyHomes@epsom-ewell.gov.uk</a>
Environmental Health	The environmental health team is responsible for protecting and improving public health and the environment including food hygiene, health, and safety inspections, responding to complaints of noise nuisance, pollution control and licensing.	<a href="https://www.epsom-ewell.gov.uk/environment">https://www.epsom-ewell.gov.uk/environment</a> Forms relating to noise and odour nuisance available <a href="#">here</a>
Highways	The Surrey highways team co-ordinates and monitors public highways in the county.	<a href="https://www.surreycc.gov.uk/roads-and-transport">https://www.surreycc.gov.uk/roads-and-transport</a>
Housing	The housing team covers all housing which is not owned by the Council.	<a href="https://www.epsom-ewell.gov.uk/Housing">https://www.epsom-ewell.gov.uk/Housing</a>
Trees	The Trees service deals with most tree-related issues	<a href="https://www.epsom-ewell.gov.uk/tree-information-and-preservation-orders">https://www.epsom-ewell.gov.uk/tree-information-and-preservation-orders</a>
Inspector of Ancient Monuments	The Inspector of Ancient Monuments is responsible for the protection and preservation of Ancient Monuments under the Ancient Monuments and Areas Act 1979.	<a href="https://historicengland.org.uk/services-skills/our-planning-services/greater-london-archaeology-advisory-service/contact/">https://historicengland.org.uk/services-skills/our-planning-services/greater-london-archaeology-advisory-service/contact/</a> Contact jane.sidell@HistoricEngland.org.uk
Partnership for Action Against Wildlife Crime (PAW)	If you witness a suspected wildlife crime in action call 999 immediately and ask for the police. For all other enquires call 101.	<a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/328652/paw-reportingcrime-leaflet.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/328652/paw-reportingcrime-leaflet.pdf</a>

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July 2024



# Epsom & Ewell Borough Council

## Planning Enforcement Plan

Planning Service  
Town Hall  
The Parade  
Epsom  
Surrey  
KT18 5BY

Main Number (01372) 732000  
Minicom (01372) 732732  
[www.epsom-ewell.gov.uk](http://www.epsom-ewell.gov.uk)  
DX 30713 Epsom

November 2021





## **Planning Enforcement Plan**

This document sets out how the Council will deal with potential planning breaches.

It provides information and guidance for residents, developers and those with other interests, on how complaints about unauthorised development are handled. It seeks to balance the concerns of local residents with the rights of owners and sets out the priorities and timescales for responding to complaints, carrying out investigations and taking appropriate enforcement action where necessary.

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## **Introduction**

Epsom & Ewell Borough Council is responsible for dealing with planning enforcement in the Borough.

The statutory basis for planning enforcement is contained in Part VII of the Town and Country Planning Act 1990. Enforcement powers available to the Council include the service of enforcement notices, breach of condition notices and stop notices and the taking of legal proceedings by way of an injunction where appropriate.

The taking of enforcement action is discretionary and, as referred to in the body of the Report, is a matter of expediency with government guidance published as to when enforcement action should be considered.

The use of enforcement powers is guided by the National Planning Policy Framework (2021). The Framework outlines that:

*“Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control.”*

Development without planning consent may cause frustration, upset and or even distress for residents, businesses and visitors to the Borough. Breaches of planning control are covered by planning legislation. Most breaches are not criminal offences, but there are some notable exceptions, such as unauthorised works to listed buildings, unauthorised works to trees subject to a Tree Preservation Order and unlawful advertisements.

All complaints regarding potential breaches of planning regulations are investigated by a professionally qualified officer who, in conjunction with the Planning Development and Enforcement Manager and Head of Place, decide what action should be taken. Decisions are based on the merits of each individual case, and enforcement action is taken only when it is considered rational, reasonable, proportionate and expedient.

## **Expediency**

The Council's planning enforcement powers are discretionary, and we will not take action simply because there has been a breach in planning control.

Enforcement action should only be taken where the Council is satisfied that it is 'expedient' to do so, having regard to the provisions of the development plan and to any other material planning considerations.

In making this assessment the Council will gather evidence regarding the nature and scale of the breach, and whether it unacceptably affects public amenity and or the built or historic environment.

### **Planning enforcement – principles and definitions**

What is development? The meaning of development is defined within the Town and Country Planning Act 1990 Section 55 as: ‘the carrying out of building, engineering, mining or other operations in, on, over, or under land, or the making of any material change in the use of any buildings or other land.’

What is a breach in planning control? A breach of planning control is defined under Section 171A of the Town and Country Planning Act 1990 as: (a) ‘carrying out development without the required planning permission; or (b) failing to comply with any condition or limitation subject to which planning permission has been granted.’

Epsom & Ewell Borough Council undertake a firm but rational and reasoned approach to regulation based upon the following principles:

- Proportionality;
- Consistency;
- Transparency;
- Targeting of enforcement action and raising awareness;
- Accountability.

### **Proportionality**

Enforcement action will be appropriate to the scale of the alleged breach and the seriousness of the harm caused. We will minimise the costs of compliance by ensuring that any action we take is proportionate to the risks. When it is in public interest to do so, we will prosecute individuals or organisations who do not comply with any formal notice served on them. When it is appropriate, we will take direct action, having regard to degree of harm and public safety.

### **Consistency**

Taking a similar approach in similar circumstances, where possible to achieve similar results. We will also be consistent in how we treat customers.

## **Transparency**

We will ensure that everyone involved with cases understands our processes and procedures, including what rights of complaint and appeal may be open to them. We will seek feedback from service users in order to learn and improve.

## **Targeting enforcement action and raising awareness**

Planning enforcement is a high volume, demand based service and resource dependant. As a consequence, targeted enforcement action is very important. Raising awareness of planning management and enforcement will help to reduce unauthorised works and increase public confidence in our service.

## **Accountability**

This Local Enforcement Plan document, agreed by councillors sets our priorities for action. The success of the policy will be monitored and reviewed regularly. In addition, we will provide an annual performance report to the Council's Planning Committee and the Licensing and Planning Policy Committee.

## **Investigations**

The Council's Planning Enforcement Service can investigate the following:

- Development consisting of the change of use of land/buildings without planning consent;
- Internal and external works to listed buildings without consent;
- Unauthorised building works and/or engineering works;
- Non-compliance with conditions attached to planning permissions;
- Display of unlawful advertisements;
- Condition and appearance of buildings and/or land which is visually detrimental to the area
- Unauthorised development that causes detrimental environmental and biodiversity harm
- Listed buildings in serious disrepair; and
- Relevant demolition (requiring Planning Permission or Listed Building Consent).

The Council's Planning Enforcement Service cannot investigate the following where it does not relate to the non-compliance of a planning condition:

- Internal works to a non-listed building
- Boundary wall disputes and other land ownership issues as these are civil matters outside of the planning legislation;

- Legal covenants;
- Devaluation of property;
- Obstructions, parking, traffic enforcement and any other matters affecting the Public Highway \*
- Graffiti and anti-social behaviour\*
- Dangerous structures that are not listed buildings\*
- Noise nuisance\*
- Events/potential breaches that may occur in the future
- Odour issues\*
- Running a business from home where the residential use remains the primary use

\*The Council or Partner Agencies have other powers to deal with these issues where it does not relate to the non-compliance of a planning condition - please see Useful Contacts in Appendix A of this plan.

### **Limits on taking enforcement action**

#### **No Formal Action**

In some cases the Council will not be able to take formal action against developments that are reported by members of the public. For example, when:

- The works or change of use fall within 'permitted development' tolerances under the terms of the Town and Country Planning (General Permitted Development Order) (England) 2015 or the Town and Country Planning (Use Classes) Order 1987 (as amended). Further information on the General Permitted Development Order can be found on the Government Planning Portal at [www.planningportal.co.uk](http://www.planningportal.co.uk)
- An advertisement benefits from 'deemed consent' under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Further information on advertisement consent can be found on the Government Planning Portal at [www.planningportal.co.uk](http://www.planningportal.co.uk)
- Immunity from enforcement action has occurred (as outlined below)
- The works are considered 'de minimis' i.e. too minor to fall under the scope of planning control.

#### **Timescales**

Section 171B of the Town and Country Planning Act (as amended) sets out time limits for taking enforcement action. The Council can take enforcement action against unauthorised operational development up to four years from the date the development is substantially completed.

Operational development includes for example (this list is not intended to include all works):

- Erection of a front, side or rear extension;
- Alterations to the roof;
- Alterations to commercial buildings;
- Certain engineering works.

(This list does not include all works.)

The Council usually has four years to take enforcement action against developments where a building has been changed to a single dwelling house.

For any other development involving a change of use or breach of planning conditions the Council may take action up to ten years from the commencement of the breach.

After these periods the Council cannot take action and the development becomes lawful. The landowner can apply for a Certificate of Lawful Existing Use or Development (CLEUD) after this period to regularise the situation. This involves providing evidence that proves, on the balance of probability, that the breach of planning control has occurred for the relevant time period.

### **Listed buildings**

Carrying out works that affect the special interest of a listed building and the demolition of a building in a conservation area without consent are both criminal offences. Expert heritage advice should be sought if there is any doubt as to whether consent should be obtained and, if in doubt owners are encouraged to talk to their LPA before works are undertaken. For listed building there is no time limit to taking enforcement action. It is also a criminal offence to carry out unauthorised alterations to a listed building. Historic England will be consulted on damage or unauthorised works to Grade I and II\* Listed Buildings

### **Scheduled Monuments**

Although scheduled monument consent is a separate regime, unauthorised works are a criminal offence under the Ancient Monuments and Archaeological Areas Act 1979

### **Tree Preservation Orders**

It is a criminal offence to cut down, lop, wilfully destroy or damage a protected tree without the council's consent. The council can prosecute you for breaching a Tree Preservation Order. There is no time limit to taking enforcement action.

## **Adverts**

The display of advertisements is subject to a separate consent process within the planning system. Parties who display an advertisement in contravention of the planning regulations are committing a criminal offence. For example, by displaying an advert without the necessary consent or without complying with the conditions attached to that consent.

### **Making an enforcement complaint**

Complaints about potential breaches of planning control can be made using the form on the Council's website.

<https://www.epsom-ewell.gov.uk/residents/planning/planning-enforcement>

All of the questions/fields on the form should be completed and where possible photographs should be attached.

The Council will not investigate anonymous complaints. It is important that officers are able to understand the complaint, identify the harm and make a fair assessment. We also need to prevent malicious and vexatious complaints.

## **Confidentiality**

Any details submitted to the Council in relation to an enforcement complaint will be treated in the strictest confidence.

The Council will not reveal the identity of the complaints to an owner or responsible party(s). However, sometimes complainants may be asked provide evidence to assist the legal proceedings of the investigation.

In addition, enforcement complaints may be subject of a Freedom of Information request, where upon the matter and information will have to be considered for release.

### **Priorities for planning enforcement investigation**

The planning enforcement service is a high volume, demand-based service that is resource dependant. Therefore, it is important that different types of breach are prioritised in a clear and transparent way. The prioritisation set out below is based upon the significance, urgency and seriousness of a reported breach.

All investigations will be carried out thoroughly and accurately in accordance with the following priorities:



### **Level 1 (highest category)**

Cases that fall within this category include:

- Unauthorised ongoing works to a Listed Building;
- Unauthorised change of use or development in the Green Belt
- Large scale development or change of use where a detrimental environmental impact is felt over a wide area;
- Development or changes of use with detrimental impacts upon the continued health and wellbeing of the public and the environment;
- Works not in accordance with planning permission for major development that falls within the above categories;
- Substantial works (including demolition) in a conservation area;
- Shop signage in conservation area; and
- Unauthorised Felling, topping or lopping of tree protected under a Tree Preservation Order, or in a Conservation Area.
- Breaches of conditions where serious harm is caused.

### **Level 2 (medium category)**

Cases that fall within this category are identified as development that is contrary to Development Plan Policy or Government Policy and which causes some level of environmental/residential harm. This could include:

- completed but unauthorised works to a Listed Building
- residential and commercial extensions and shopfronts;
- breaches of condition where no serious implication/harm is caused;
- changes of use including HMOs;
- condition of buildings or land in poor condition;
- works not in accordance with planning permission for development considered not to be major development;
- Tree Replacement Notices
- Any work in a Conservation Area where no serious implication/harm is caused.
- unauthorised signage and advertisements.

### **Level 3 (lowest category)**

Cases that fall within the category include:

- any breach of planning control which is of a temporary nature (unless public safety is compromised);
- unauthorised fences, walls and gates;
- satellite dishes;

- flues.

Please note: Officers may re-prioritise cases after receiving a complaint based upon the nature of the alleged breach and its impact.

### **Service standards and objectives**

We recognise the importance of keeping individuals up to date with our progress. Some investigations can take longer than others, but we will deal with all cases in a rational and transparent way.

Complainants can expect:

- A written acknowledgement within five working days of the complaint, detailing the prioritisation on the case and the details of the case officer. Although Officers will discuss the prioritisation of the case with the complainant where necessary, the final decision rests with the Head of Place.
- Site visits to be undertaken in accordance with the 'Timeline' section below.
- Complainants will be informed at each key stage of the process (or at least -every eight weeks). e.g. you will be advised if a planning application is invited; when a planning application is received; whether an enforcement notice has been served etc.
- To be informed of the final outcome of their complaint.
- In some cases, we may ask complainant for further details. If the complainant is unwilling to assist, this may result in the Council not being able to pursue the investigation due to insufficient evidence.
- There are no set timescales for the closure of an enforcement case. Investigations and action can take a long time. However, we will provide an update eight weeks after receiving the complaint. Complainants can also email the case officer who will respond within five working days.

Owners of the sites that are complained about can expect:

- Clear and open communication on the circumstances of the alleged breach including an explanation of what steps are required to resolve any breach and the possible consequences if those steps are not taken.
- A thorough investigation of the complaint before a decision is made.
- Notification at the appropriate time following an initial assessment as to whether planning control has been breached and the measures needed to achieve compliance.
- To be given an opportunity to put things right, along with information on how long they have to do this and the consequences of failing to do so
- Formal enforcement action to be taken, if necessary, if attempts to negotiate a remedy fail.

- To be informed in writing if the Council decides to proceed to formal enforcement action and what form that will take.
- Information on how to appeal against the notices, where applicable.

### **Timeline when making an enforcement complaint**

#### **Receipt of the complaint**

When a complaint is received by the Council it will be subject to initial screening and categorised as Level 1, Level 2 or Level 3.

The complainant will receive an acknowledgement detailing how the case has been prioritised and details of the case officer within five working days of receipt.

#### **Initial assessment**

An initial assessment will be carried out within:

- 3 working days for cases in Level 1
- 15 working days for cases in Level 2
- 30 working days for cases in Level 3

In most circumstances, this will include a site visit. Once the initial assessment has been carried out, we will notify the owner or occupier of the property that has been complained about as to whether or not the complaint falls into the category of a breach of planning control.

If no breach is discovered the case will be closed immediately and both the complainant and property owner will be informed and provided with an explanation as to why the case was closed.

#### **If there is a breach**

If a breach has occurred it is open to the Council to take formal action, where it is expedient to do so. The decision on what enforcement action should be taken will depend on the individual circumstances of the case.

The owner and/or relevant party will be advised by the Council of the action that they will be required to take to remedy the breach.

This could include:

- Requirement to cease the use or remove any unauthorised development; or

- Submit a planning application to regularise the breach or provide a revised scheme to address unauthorised works that are considered unacceptable.

The owner and/or relevant party will be given a reasonable timeframe (the timeline will depend on the circumstances of the case) to comply with these requirements and the complainant will also be kept informed.

Should this period expire without the breach being remedied, the case officer will carry out a second assessment, taking into account the current intentions and actions of the owner and/or relevant party to this point.

### **Formal notices**

Where the Council are unable to negotiate and acceptable solution within a reasonable timescale, formal action will be considered to prevent a protracted process. This could involve the Council considering serving a formal notice:

#### Breach of Condition Notice (BCN)

A breach of conditions notice under Section 187A of the Town and Country Planning Act 1990 requires its recipient to secure compliance with the terms of a planning condition or conditions, specified by the Local Planning Authority in the notice. There is no right to appeal against this notice and prosecution can be brought in the Magistrates' Court for the offence of contravening a breach of condition notice.

#### Discontinuance Notice

Where a person has displayed an advertisement with deemed consent that the authority is satisfied causes a substantial injury to the amenity of the area or is a danger to members of the public, a discontinuance notice can be served under Regulation 8 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 seeking the removal of the advert.

#### Listed Building Enforcement Notice

A Listed Building enforcement notice under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 will require the recipient to secure compliance with the terms of the notice. Works to listed buildings without consent is a criminal offence and prosecution may occur alongside the enforcement notice, subject to severity/context. There is a right of appeal of this notice.

#### Planning Contravention Notice (PCN)

This is a notice which allows the Council to collect evidence which will help to determine if a breach is taking place and the next steps. The owner and/or person responsible have 21 days to respond and failure to do this may result in prosecution.

#### Section 172 Enforcement Notices

The enforcement notice allows the Council to formally require a breach of planning control to be remedied. Government guidance states that enforcement notices should only be served when expedient to do so. Failure to comply within the specified timeframe is a criminal offence which can lead to prosecution proceedings. Enforcement notices can be appealed, and the Planning Inspectorate can decide to uphold the notice, amend it or have it quashed.

#### Section 215 Notices

Where the condition of land or a building is adversely affecting the amenity of a neighbourhood the Council may issue a Notice under Section 215 of the Town and Country Planning Act 1990, requiring the owner or occupier to remedy the condition of the land or building. Failure to comply with the Notice is a criminal offence. The council has powers, where a Notice has not been complied with, to enter the land and carry out the work itself and recover the cost from the owner.

#### Stop Notice

This can be used in conjunction with an enforcement notice where the breach of planning control is causing serious harm and should only be used in extreme cases. In such cases where stop notices are issued the Council may be liable to pay compensation if it is later decided that the stop notice was not appropriate. For these reasons, serious consideration needs to be given to the appropriateness of serving a stop notice.

#### Temporary Stop Notice

These are similar to stop notices but take effect immediately from the moment they are displayed on a site and last for up to 28 days. A temporary stop notice would be issued only where it is appropriate that the use or activity should cease immediately because of its effect on (for example) amenity, the environment or public safety.

It may be issued even when planning permission has been granted for development, for example, in a case where the developer is not complying with conditions attached to the permission.

#### Urgent Works Notice

This is a notice under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 that applies to unoccupied listed buildings in serious disrepair. It enables the Council to order urgent works to preserve the building, for example to make it weather tight and secure. If the notice is not complied with the Council may carry out the works in default and recover the costs from the owner.

### **Failure to comply with formal notices**

Where a notice has been served and has not been complied with, there are three main options available to the Council to attempt to resolve the breach:

#### Direct Action

Where the terms of an enforcement notice or section 215 notice have not been met within the compliance period (other than the discontinuance of the use of land), the Council will consider whether it is expedient to exercise our powers to enter the land and take the steps to remedy the harm. The Council would seek to recover from the person who is the current owner of the land any expenses the Council reasonably incurred by action taken to remedy the harm.

#### Prosecution

We will consider commencing a prosecution in the Courts against any person who has failed to comply with the requirement(s) of any enforcement notice, or Breach of Condition Notice where the date for compliance has passed and the requirements have not been complied with. However, prior to commencing with any legal proceedings, we will need to be satisfied that they are in the public interest and that there is enough evidence to offer a realistic prospect of conviction.

Unauthorised adverts and unauthorised works to any tree the subject of a tree preservation order are offences and we are able to initiate prosecution without the need to issue a notice.

#### Injunction

Where an enforcement notice has not been complied with, and the particular circumstances of the case suggest direct action or prosecution would not be an effective, we will consider applying to the Court for an injunction.

#### Removal Notices

We will seek removal of any structure used to display an advertisement. Where the notice is not complied with we may undertake the works and recover the expenses for doing so

### Replacement Notices

It is open to the Council to issue tree replacement notices, requiring trees to be replanted.

### **Timescales**

The enforcement service aims to reach a decision on all cases whether or not to take action within eight weeks of receipt of the complaint and will provide an update to the property owner and complainant. The merits of each case would vary on a case by case basis which sometimes surpasses the eight week time frame. However, the Council would update all interested parties, should this be the case.

### **Involvement with Local Members**

Potential breaches are reviewed by relevant Officers; however Local Ward Members can sign up for live alerts from the Councils website which covers enforcement related matters, should they wish to discuss this with the relevant Officer.

### **Communication**

Investigating possible breaches of planning permission can be stressful for both the party(ies) making the complaint and for the person under investigation. This is partly due to the different ways in which an investigation can progress and the timescales involved.

To try and ease stress and assist with the uncertainty the enforcement officers will provide updates during the course of an investigation.

### **When should we take enforcement action?**

#### **Expedient**

Council officers consider a case to be expedient when:

- Further negotiation is needed to resolve the breach.
- Further evidence is required. This can be achieved through the service of a formal Planning Contravention Notice (PCN) or research of previous uses/permissions.
- A formal notice is served. The most common types of notices used include Section 172 Enforcement Notices and Section 215 Amenity Notices under the Town and Country Planning Act 1990 and Section 38 Listed Building Enforcement Notices under the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **Not Expedient**

The Council will use its discretion when deciding whether to take formal enforcement action. Planning breaches may be unintentional or be considered technical or very minor. In line with government policy and guidance within the National Planning Policy Framework (NPPF) and Planning Practice Guidance, the Council will take action when it is considered fair and reasonable to do so and is proportionate to any harm caused. In some cases although there is a breach in planning control, the harm caused is minor, meaning action is not justified: i.e. it is not expedient to pursue the case.

Although 'harm' is not defined in the Planning Regulations, harm can include an unacceptable impact on:

- Visual amenities and the character of the area
- Neighbouring amenities such as privacy/overbearing/daylight/sunlight
- Noise/odour/pollution, such as contamination
- Highway safety/access/traffic
- Health and safety
- Undesirable precedent
- Ecology, trees and landscape
- Amenity standards of users of the development

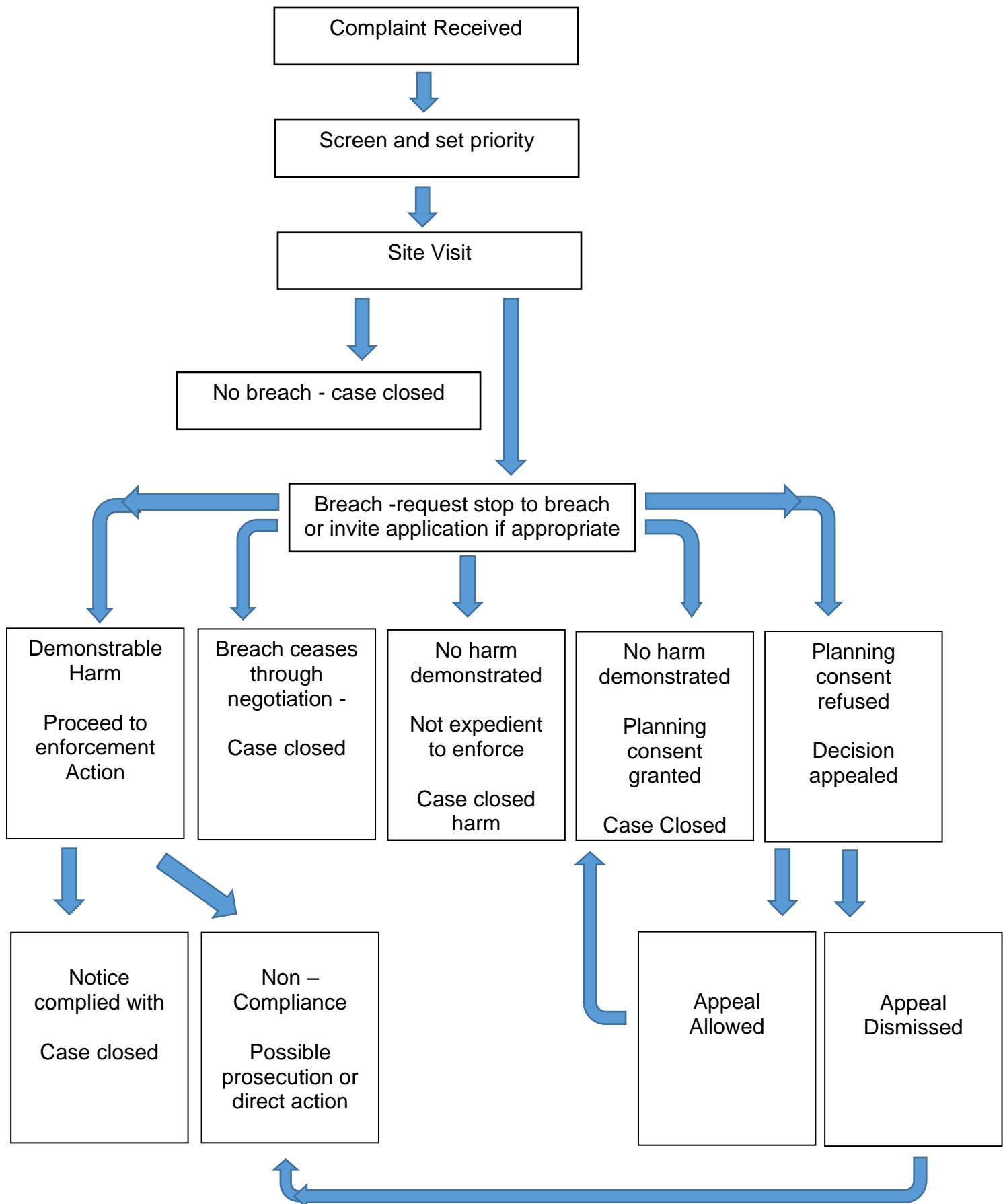
A tool to assist in assessing harm is set out in Appendix B.

## **Timescales**

Planning enforcement action can be a lengthy process and potentially frustrating for all involved. The enforcement team aims to resolve breaches as quickly as possible. However, due to the level of research sometimes required and the effects of external factors (such as the timescales involved in appeals to the planning inspectorate and prosecutions) some cases will take a long time to resolve.



### The Enforcement Process



**Review of the Enforcement Plan**

Regular reviews of this enforcement plan will be necessary to ensure it remains current with the most up to date government legislation and guidance. Reviews will therefore be carried out when legislation and guidance changes or when we receive comments from the public can improve the plan. We welcome comments on this Planning Enforcement Plan and any other matter relating to the Enforcement Service.

Specific enquiries relating to a particular case should be referred to the case officer.

## Appendix A

### Useful contacts

#### **Inspector of Ancient Monuments**

The Inspector of Ancient Monuments is responsible for the protection and preservation of Ancient Monuments under the the Ancient Monuments and Areas Act 1979. The Inspector of Ancient Monuments can be contacted at [jane.sidell@HistoricEngland.org.uk](mailto:jane.sidell@HistoricEngland.org.uk)

#### **Building control**

The main purpose of Building Control is to ensure that all building work complies with the Building Regulations. Building Control also investigate buildings and other structures which may be dangerous. The team can be contacted on 01372 732 000 and email: [planningsupport@epsom-ewell.gov.uk](mailto:planningsupport@epsom-ewell.gov.uk)

#### **Empty Homes Team**

The main purpose of the empty properties team is to help homeowners, potential investors and neighbours to ensure empty properties are returned to use. The team can be contacted on 01372 732 000 and email: [EmptyHomes@epsom-ewell.gov.uk](mailto:EmptyHomes@epsom-ewell.gov.uk).

#### **Highways**

The Surrey highways team co-ordinates and monitors public highways in the county. Visit <https://www.surreycc.gov.uk/roads-and-transport> for a list of all the areas the highways team cover. The team can be contacted on 0300 200 1003.

#### **Noise & odour nuisance**

The environmental health team is responsible for protecting and improving public health and the environment. Officers carry out various duties in the Borough including food hygiene, health & safety inspections, responding to complaints of noise nuisance, pollution control and licensing. The team can be contacted on 01372 732 000 and or visit <https://www.epsom-ewell.gov.uk/environment> for a list of services and ways to contact specific to your complaint.

#### **Housing**

The housing team covers all housing which is not owned by the Council. The team can be contacted on 01372 732 000 or visit <https://www.epsom-ewell.gov.uk/Housing> for a list of services and ways to contact specific to your complaint.

#### **Partnership for Action Against Wildlife Crime (PAW)**

If you witness a suspected wildlife crime in action call 999 immediately and ask for the police. For all other enquires call 101. For further information on reporting, visit PAW [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/328652/paw-reportingcrime-leaflet.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/328652/paw-reportingcrime-leaflet.pdf)

### **Trees**

The arboricultural service deals with most tree-related issues. The team can be contacted on 01372 732 000 or visit <https://www.epsom-ewell.gov.uk/tree-information-and-preservation-orders> for further information.

## Appendix B

### Tool to assist with assessing harm\*

				Score
1	Is the breach	Deteriorating Stable	(1) (0)	
2	Highway safety issue	Yes No	(2) (0)	
3	Other safety issue not covered by other legislation	Yes No	(2) (0)	
4	Causing detrimental or irreversible environmental harm	Yes No	(1) (0)	
5	Complainant	Immediate neighbour Parish Council/Other Anonymous/malicious	(2) (1) (0)	
6	Age of breach	Within six months of immunity Less than three months old More than three months old	(2) (1) (0)	
7	Is there harm	Widespread Local None	(2) (1) (0)	
8	Major planning policy breach	Yes No	(1) (0)	
9	Flood risk	Yes No	(1) (0)	
10	Breach of planning condition or Article 4 Direction	Yes No	(1) (0)	
11	Conservation Area or adjacent to	Yes No	(1) (0)	
12	Listed Building or affecting the character or setting	Yes No	(1) (0)	
13	Particularly sensitive site, such as SSSI, AONB, Schedule Ancient Monument, Listed Garden, Archaeological Importance	Yes No	(1) (0)	
14	Undesirable precedent (please provide details)	Yes No	(1) (0)	

\* For formal enforcement action to be taken, it is likely that the harm score will need to be 6 or more. This is only one of the tools/tests that the Council will use to assess whether formal enforcement action should be taken.

## **Appendix C**

### **Enforcement Glossary**

This glossary provides the enforcement options available to the local planning authority.

#### **Default powers**

The Council may enter the land and take the necessary action to secure compliance when enforcement notices are in effect. This is only used in extreme cases and when resources allow. The Council will seek to recover all cost associated with carrying out the works in default.

#### **Injunction**

This involves seeking an order from the court preventing an activity or operation from taking place. Failure to comply with the requirements of an injunction amounts to a criminal offence.

#### **Negotiation**

Negotiation is encouraged in all but the most serious cases as the best way to resolve a breach and in some cases can be more expedient than issuing an enforcement notice.

#### **Planning Enforcement Order**

Where a person deliberately conceals unauthorised development, the deception may not come to light until after the time limits for taking enforcement action (Section 171B of the Town and Country Planning Act 1990) have expired. A planning enforcement order enables the Council to take action in relation to an apparent breach of planning control notwithstanding that the time limits may have expired.

#### **Prosecution**

It is a criminal offence not to comply with the requirements of a statutory notice, to display an advertisement without consent or undertake works to a listed building without consent. The Council can prosecute or formally caution.

## URGENT DECISIONS

**Head of Service:** Victoria Potts, Director of Environment,  
Housing and Regeneration

**Report Author** Andrew Bircher

**Wards affected:** (All Wards);

**Urgent Decision?(yes/no)**

**If yes, reason urgent decision  
required:**

**Appendices (attached):**

### Summary

To report to the committee the decisions taken by the Chief Executive and Directors on the grounds of urgency, in compliance with the requirements of the Constitution.

### Recommendation (s)

#### The Committee is asked to:

- (1) **Note the urgent decisions taken and the reasons for those decisions, since the last meeting of the Committee.**

## 1 Reason for Recommendation

- 1.1 To report to the committee the decisions taken by the Chief Executive and Directors on the grounds of urgency, in compliance with the requirements of the Constitution.

## 2 Background

- 2.1 The scheme of delegation sets out that the Chief Executive and Directors are authorised to take decisions on grounds of urgency regarding matters which would otherwise be reserved for determination by a Committee or Council. A matter can be deemed urgent if, in the reasonable opinion of the officer concerned, a delay would seriously prejudice the interest of the Council or of the public and it is not practicable to convene a quorate meeting of the relevant decision-making body in sufficient time to take the decision.

2.2 Since the last meeting of the Committee, two urgent decisions have been taken by the Chief Executive and Director of Environment, Housing and Regeneration in consultation with the Chair, Cllr Steven McCormick, and published in Member News in line with the Council's Constitution. The decisions are set out below.

2.2.1 **Decision 120** - Response to Government Consultation – Strengthening planning policy for brownfield development.

2.2.2 **Urgency reason for decision 120** - Insufficient time to meet consultation response deadline and convene a meeting of the committee. The consultation ran for 8 weeks over late February to early April, which did not allow time for consideration at a meeting of LPPC given the lead in times for reports and time needed to analyse the consultation.

2.2.3 **Decision 122** - Response to government consultation: Changes to various permitted development rights.

2.2.4 **Urgency reason for decision 122** - Insufficient time to meet consultation response deadline and convene a meeting of the committee. The consultation ran for 8 weeks over late February to early April which did not allow time for consideration at a meeting of LPPC given the lead in times for reports and time needed to analyse the consultation.

### 3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

3.1.1 None arising directly from this report

3.2 Crime & Disorder

3.2.1 None arise from this report

3.3 Safeguarding

3.3.1 None arise from this report

3.4 Dependencies

3.4.1 None arise from this report

3.5 Other

3.5.1 none

### 4 Financial Implications



- 4.1 **Section 151 Officer's comments:** Finance are consulted as part of the urgent decision-making process.

**5 Legal Implications**

- 5.1 **Legal Officer's comments:** Legal are consulted as part of the urgent decision-making process.

**6 Policies, Plans & Partnerships**

- 6.1 **Council's Key Priorities:** The following Key Priorities are engaged:

- N/A

- 6.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

- 6.3 **Climate & Environmental Impact of recommendations** – None.

- 6.4 **Sustainability Policy & Community Safety Implications:** - None.

- 6.5 **Partnerships:** N/A

**7 Background papers**

- 7.1 The documents referred to in compiling this report are as follows:

**Previous reports:**

- None.

**Other papers:**

- None.

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