

Public Document Pack

Democratic Services



PLANNING COMMITTEE

Thursday 23 May 2024 at 7.30 pm

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

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

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

Councillor Steven McCormick (Chair)	Councillor Jan Mason
Councillor Clive Woodbridge (Vice-Chair)	Councillor Bernie Muir
Councillor Kate Chinn	Councillor Phil Neale
Councillor Neil Dallen	Councillor Humphrey Reynolds
Councillor Julian Freeman	Councillor Chris Watson

Yours sincerely

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

Chief Executive

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

EMERGENCY EVACUATION PROCEDURE

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

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

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

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

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

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

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

Public speaking

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

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

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

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

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

Exclusion of the Press and the Public

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

Filming and recording of meetings

The Council allows filming, recording and photography at its public meetings. By entering the Council Chamber and using the public gallery, you are consenting to being filmed and to the possible use of those images and sound recordings.

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

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

Guidance on Predetermination /Predisposition

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

Predisposition

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

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

Pre-determination / Bias

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

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

AGENDA

1. DECLARATIONS OF INTEREST

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.

2. MINUTES OF THE PREVIOUS MEETING (Pages 5 - 34)

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

3. 24/00064/LBA - BOURNE HALL, SPRING STREET, EWELL, SURREY, KT17 1UD (Pages 35 - 44)

Installation of Solar PV to the south facing section of the perimeter flat roof.

4. 24/00419/FUL - BOURNE HALL, SPRING STREET, EWELL, SURREY, KT17 1UD (Pages 45 - 58)

Install Solar PV to the south facing section of the perimeter flat roof.

5. 24/00066/LBA - BOURNE HALL, SPRING STREET, EWELL, SURREY, KT17 1UD (Pages 59 - 66)

Replacement of 13 internal fire doors to meet BS guidelines

Minutes of the Meeting of the PLANNING COMMITTEE held at the Council Chamber, Epsom Town Hall on 18 April 2024

PRESENT -

Councillor Humphrey Reynolds (Chair); Councillor Steven McCormick (Vice Chair for Items 47-50) (Vice-Chair); Councillors Kate Chinn, Neil Dallen, Julian Freeman, Jan Mason, Bernie Muir, Phil Neale, Peter O'Donovan, Clive Woodbridge (Vice Chair for Items 51-57)

In Attendance: Councillor Liz Frost (for Items 47-49) and Kieran Persand

Officers present: Angela Watson (Principal Solicitor), Simon Taylor (Planning Development & Enforcement Manager), Virginia Palmer (Principal Planning Officer), Gemma Paterson (Principal Planning Officer) and Phoebe Batchelor (Democratic Services Officer)

47 DECLARATIONS OF INTEREST

Hobbledown, Horton Lane, Epsom, Surrey, KT19 8PT

Councillor Neil Dallen, Other Interest: In the interest of transparency, Councillor Neil Dallen wished to state, with respect to the fact that the land on which Hobbledown is located is owned by the Council, that he was the Chair of the Strategy and Resources Committee. He stated that he maintained an open mind.

48 MINUTES OF THE PREVIOUS MEETING

The Committee confirmed as a true record the Minutes of the Meeting of the Committee held on the 7 March 2024 and authorised the Chair to sign them.

49 6A BUCKNILLS CLOSE, EPSOM, SURREY, KT18 7NY

Description:

Demolition of residential dwelling at 6A Bucknills Close and the construction of five residential units (5 x 3-bed) (Class C3) together with car parking, landscaping, and access arrangements.

Officer Recommendation:

Approval, subject to conditions and informatives.

Officer Presentation:

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

Public Speaking:

The Ward Councillor who called-in the application spoke.

A Member of the Public spoke in objection to the application.

The Agent to the Applicant spoke in support of the application.

Decision:

Following consideration, Councillor Neil Dallen proposed that the application be refused for the following reasons:

Reasons:

Highway Safety

It has not been sufficiently demonstrated that the proposed dedicated footpath would be an acceptable pedestrian alternative to the existing access. As such, given there is inadequate space available within the site to accommodate both pedestrian and vehicular movements in a safe manner, the proposal would result in the risk of collision between vehicles and pedestrians using the access road, causing danger and inconvenience to pedestrians and other highway users and interfere with the free flow of traffic on the adjoining highway. This would be contrary to Section 9 of the National Planning Policy Framework 2023, Policy CS16 of the Core Strategy 2007. criterion 3 of Policy DM16 and Policies DM36 and DM37 of the Management Policies 2015, and objective 3 of the Surrey Transport Plan (LTP4) 2022-2032.

Waste Management

The excessive drag distance between Plots 1 and 2 and the bin collection area would result in inconvenience to future occupiers, leading to a risk of fly tipping and harm to the character and appearance of the area and neighbour amenity and failing to appropriately safeguard the living conditions of all future occupiers, contrary to Section 12 of the National Planning Policy Framework 2023, Policy CS1 and CS6 of Core Strategy 2007 and Policies DM9 and DM10 of the Management Policies 2015.

The proposal was seconded by Councillor Jan Mason.

The Committee resolved (5 for, 4 against, and the Chair not voting) that:

The application be **REFUSED**.

50 SUPPLEMENTARY INFORMATION PROVIDED BEFORE THE MEETING

The Committee received supplementary information prior to the beginning of the Meeting.

The Planning Development and Enforcement Manager and Principal Solicitor informed the Committee that all questions previously raised and answered prior to the Meeting, could still be raised and discussed during the Committee Meeting.

The Committee decided to consider the applications as they were currently set out.

51 APPOINTMENT OF TEMPORARY VICE CHAIR

The Vice Chair, Councillor Steven McCormick, excused himself for the remainder of the meeting.

The Chair proposed Councillor Clive Woodbridge to sit as Vice Chair for the remainder of the Meeting.

The Committee raised no objection and agreed for Councillor Woodbridge to sit as Vice Chair for the remainder of the Meeting.

52 23/01345/FUL, HOBBLEDOWN, HORTON LANE, EPSOM, SURREY, KT19 8PT**Description:**

Construction of a Prairie Dog enclosure (retrospective).

Officer Recommendation:

Approval, subject to conditions and informatives.

Officer Presentation:

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

Public Speaking:

The Ward Councillor who called-in the application spoke on the application. The Ward Councillor, with the permission of the Chair, also spoke on the subsequent Hobbledown application, they had called-in, at this time.

A Member of the Public spoke in objection to the application. The Member of the Public had also registered to speak in objection to the other three Hobbledown applications on the Agenda - with the permission of the Chair, the member of the public also spoke in objection to the other three applications at this time.

Decision:

Following consideration, Councillor Neil Dallen proposed a motion that the Officer recommendation be agreed. The Proposal was seconded by Councillor Clive Woodbridge.

The Committee resolved (4 for, 4 against, and the Chair exercising his casting vote in favour of the application) to:

GRANT planning permission subject to the following conditions and informatives.

Conditions

(1) Approved Plans

Unless otherwise agreed in writing by the local planning authority, the development hereby permitted shall be carried out in accordance with the plan numbered 001, received by the local planning authority on 10 November 2023.

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

(2) Biodiversity enhancement measures

The scheme to enhance the biodiversity interest of the Site, as detailed on drawing ref: 012A – Hedgerow Planting – dated March '24, shall be implemented in full and approved and thereafter maintained.

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

(3) Removal of Structure

If the structure hereby permitted should cease being used for the purposes of a Prairie Dog enclosure, then the approved structure shall be removed from the land, and the land shall be restored to its condition before the development took place within 3 months of the date that the use ceased.

Reason: The structure hereby permitted would constitute inappropriate development in the Green Belt were it not for the proposed use and removal would be required to protect the long-term openness of the area in accordance with Sections 12 and 13 of the National Planning Policy Framework 2023, Policies CS2 and CS5 of the Core Strategy 2007 and Policies DM3, DM10 and DM26 of the Development Management Policies Document 2015.

Informatives

(1) Positive and Proactive Discussion

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

(2) Changes to the Approved Plans

Should there be any change from the approved drawings during the build of the development, this may require a fresh planning application if the changes differ materially from the approved details. Non-material changes may be formalised by way of an application under s.96A Town and Country Planning Act 1990.

53 23/01349/FUL, HOBbledown, HORTON LANE, EPSOM, SURREY, KT19 8PT

Description:

Installation of play equipment and construction of timber covered entrance and exit ways and a buggy storage area outside the Imaginarium within Hobbledown (retrospective).

Officer Recommendation:

Approval, subject to conditions and informatives.

Officer Presentation:

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

Decision:

Following consideration, Councillor Peter O'Donovan proposed a motion that the Officer recommendation be agreed. The Proposal was seconded by Councillor Neil Dallen.

The Committee resolved (5 for, 3 against) to:

GRANT planning permission subject to the following conditions and informatives.

Conditions**(1) Approved Plans**

Unless otherwise agreed in writing by the local planning authority, the development hereby permitted shall be carried out in accordance with the plan numbered 002 Rev A, received by the local planning authority on 10 November 2023.

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

(2) Sustainable Drainage

Within three months of the date of this planning permission, details of a planter, to capture/attenuate surface water runoff from the roof of the development hereby permitted in a sustainable manner, shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved details shall be installed within one month of the date of that approval and thereafter maintained for the lifetime of the development.

Reason: To accommodate sustainable drainage systems (SuDS) within the Application Site, to accord with Policy DM19 of the Development Management Policies Document (2015).

Informatives

(1) Positive and Proactive Discussion

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

(2) Changes to the Approved Plans

Should there be any change from the approved drawings during the build of the development, this may require a fresh planning application if the changes differ materially from the approved details. Non-material changes may be formalised by way of an application under s.96A Town and Country Planning Act 1990.

54 24/00025/REM: HOBLEDOWN, HORTON LANE, EPSOM, SURREY, KT19 8PT

Description:

Variation of Condition 20 (Field Restrictions) and Condition 24 (Drawings) of Planning Permission 11/00511/FUL, as amended by Planning Permission ref: 24/00024/REM, to allow Zone F1 of the approved Masterplan to be accessed by

the public for the purposes of an animal walkthrough area, with associated ancillary development including footpath, timber structures and wash stations (retrospective).

Officer Recommendation:

Approval, subject to conditions and informatives.

Officer Presentation:

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

Decision:

Following consideration, Councillor Neil Dallen proposed a motion that the Officer recommendation be amended by way of an amendment to Condition 20, as follows:

20. Zones – Public Access

The fields marked F1, F2, F3, F4, F6 and F8 on approved plan 6773/50 Rev H shall be solely for the keeping of animals and shall not, at any time, be accessible to the public, other than

- that part of F.2, as specified on drawing ref: 009 - Service Yard (2) - dated Nov 23 (but remains inaccessible to the public)

- that part of Zone F.7 shown as a car park extension on drawing ref: 0017-02 accompanying planning permission ref: 14/00144/FUL (Appeal ref: APP/P3610/W/14/3000847); and

- the pathways shown on drawing ref: 011 - Goats & Rabbit Enclosure (2) – dated Nov '23 in part of Zone F.1, which shall be accessible to the public

Reason: In the interests of the visual amenity of the Green Belt and the amenity of neighbouring residential properties as required by Policy CS2 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies 2015

The proposal was seconded by Councillor Peter O'Donovan.

The Committee voted (6 for, 1 against, 1 abstaining, and the Chair not voting) in favour of the motion.

Councillor Neil Dallen proposed a motion that the Officer recommendation be agreed, subject to the agreed amendment. The Proposal was seconded by Councillor Peter O'Donovan.

The Committee resolved (5 for, 2 against, 1 abstaining, and the Chair not voting) to:

GRANT planning permission subject to the following conditions and informatives(with modifications to Conditions 20 and 24).

Conditions

(1) Timescale

The development hereby permitted was required to begin before the expiration of three years from the date of the original planning permission (11/00511/FUL) (This Condition has been complied with).

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

(2) Hours of Operation

The premises shall not be open to the public outside the hours of 09:00 and 19:00 except on a Friday and Saturday when the internal areas and external areas marked Zone E.4, Zone H, Zone I and Zone K on approved plan 6773/50 Rev H shall additionally be permitted to open until 20:00.

Reason: To safeguard the amenities of neighbouring occupiers as required by Policy DM10 of the Development Management Policies 2015.

(3) Public Address System

No permanent public address systems, sirens, horns or klaxons shall be operated on the site at any time. Amplified sound without the use of permanent Public Address Systems is permitted outdoors for entertainment only to audiences of a maximum size of 50 people from 09:00 hours until 19:00 hours Sunday to Thursday, 09:00 hours until 20:00 hours Friday and Saturday. Amplified music is not permitted outdoors. In all cases noise levels relating to amplified sound shall not exceed 65 decibels LAeq (15 minute) at the boundary of the site at any time. For the avoidance of doubt entertainment with the use of amplified sound shall be confined to puppet shows, birds of prey displays and other similar events directly related to the permitted use as a children's farm and shall only be undertaken within the designated areas shown on Drawing No 0013-03 Rev A dated 17/06/14. Granted under 14/00145/REM, dated 28 July 2014.

Reason: In the interests of the amenities of adjacent residential properties in accordance with Policy DM10 of the Development Management Policies 2015.

(4) Fairground rides

With the exception of the tractor tour to be retained on site, no mechanical or fairground rides shall be installed or operated on the site at any time unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the locality in accordance with Policy DM10 of the Development Management Policies 2015.

(5) Materials of Play equipment

The materials to be used on the external faces of the play equipment shall be timber and natural rope and netting with the exception of three stainless steel slides and the steel framework for the spiral climbing net in Play Zone A as shown on drawings 6773/40 Rev D, 6773/41 Rev D and 6773/42 Rev D.

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

(6) Height of Play Equipment

No part of the timber play structures shall exceed a height of 7 metres above the existing ground level with the exception of the turret housing the zip wire launch platform, which shall not exceed a height of 9.5 metres above existing ground level.

Reason: To ensure that the proposed development is of an appropriate height having regard to the height of screening landscaping as required by Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

(7) Hard and Soft Landscaping

Detailed drawings of a hard and soft landscaping scheme for the planting of trees and shrubs (showing areas to be grass-seeded or turfed and detailing the means of marking out the parking bays within the car park and any new means of enclosure) shall be submitted to and approved in writing by the Local Planning Authority. The soft landscaping shall include additional screen planting within the car park, along Horton Lane and adjacent to Play Zone A and the planting of field trees within the grazing fields and animal enclosures. All landscaping, in accordance with the approved landscaping scheme, shall be carried out within the first planting and seeding season following completion of the development and shall be maintained to the satisfaction of the Local Planning Authority for a period of five years, such maintenance to include the replacement of any plants which die or become damaged during this period.

Reason: To ensure the provision and maintenance of landscaping, in the interests of visual amenity as required by Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

(8) No Removal of Trees

Other than those trees detailed for removal in the Arboricultural Report (dated 28 July 2011), no trees shall be lopped, topped or felled without the prior written consent of the Local Planning Authority.

Reason: The existing trees represent an important visual amenity which should be substantially maintained as required by Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

(9) Compliance with Arboricultural Report and Tree Protection Plan

Tree protection measures shall be carried out in strict accordance with the Arboricultural Report and Tree Protection Plan dated 28 July 2011.

Reason: To enable the Local Planning Authority to ensure the retention of trees on the site, protected from damage in the interests of visual amenity as required by Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

(10) Biodiversity Enhancements

The measures to improve the biodiversity of the site as set out in the Ecological Appraisal (dated August 2011) shall be carried out within a period of twelve months from the date on which the development of the site is commenced or within an alternative timescale to be agreed in writing by the Local Planning Authority in accordance with the Ecological Appraisal recommendations and thereafter shall be managed and maintained in accordance with the Ecological Appraisal. These works shall include, but are not limited to, the installation of bat and bird boxes, the provision of habitat piles, creation of permanent wetland habitats and grassland field management.

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

(11) Sustainable Drainage

Development shall not commence on site until full details of the sustainable drainage have been submitted to and approved in writing by the Local Planning Authority. The details shall include infiltrations rates into the underlying clay strata and climate change allowance as requested by the Environment Agency in their letter dated 20 September 2011. Thereafter, the sustainable drainage shall be carried out in accordance with the approved details and shall be so maintained.

Reason: To reduce surface water run-off from the site in accordance with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

(12) Car Parking

No new development shall be brought in to use until space has been laid out within the site in accordance with the approved plans for a maximum of 350 cars to be parked and for the loading and unloading of delivery vehicles and for vehicles to turn so that they may enter and leave the site in a forward gear. The parking and turning areas shall be used and retained exclusively for their designated purpose.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS16 of the Epsom and Ewell Core Strategy (2007) and Policies DM36 and DM37 of the Development Management Policies 2015.

(13) Travel Plan

The Development shall be carried out in accordance with the Travel Plan, approved under 11/01328/COND, dated 28 June 2012, and thereafter maintained.

Reason: In accordance with Policy CS16 of the Epsom and Ewell Core Strategy (2007) and Policies DM36 and DM37 of the Development Management Policies 2015.

(14) Access via McKenzie Way

The vehicular access from McKenzie Way shall not at any time be used by customers of the Site and shall be solely used for deliveries and staff movements associated with the safe and efficient operation of the site.

Reason: To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users as required by Policy CS16 of the Epsom and Ewell Core Strategy (2007) and Policies DM36 and DM37 of the Development Management Policies 2015.

(15) Materials of Barn Extension

All external fascias, materials, treatments and finishes of the proposed barn extension shall match those of the existing building to the satisfaction of the Local Planning Authority and the treatment and/or finishes of the external surfaces shall be carried out within a period of three months from the date of occupation of the development.

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

(16) Building and Engineering Operations

The development shall be carried out in accordance with the documentation relating to building/engineering operations, approved under 11/01328/COND, dated 28 June 2012.

Reason: To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users as required by Policy CS16 of the Epsom and Ewell Core Strategy (2007) and Policies DM36 and DM37 of the Development Management Policies 2015.

(17) Sustainability Measures

The development hereby permitted shall accord with the sustainability measures approved under 11/01328/COND, dated 28 June 2012. The development shall be carried out in strict accordance with the approved details.

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

(18) Construction Hours

No construction work shall be carried out in such a manner as to be audible at the site boundary before 07:30 hours on Monday to Friday or after 18:30 hours on Monday to Friday, no construction work shall be audible at the site boundary before 08:00 and after 13:00 hours on Saturdays and no construction work of any nature shall be carried out on Sundays or Bank Holidays or Public Holidays.

Reason: To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties as required by Policy DM10 of the Development Management Policies 2015.

(19) Zones – Play Activities and Equipment

Play activities and equipment shall only be sited on or take place in the areas marked Zone A, Zone B, Zone C, Zone D, Zone E.4, Zone H, Zone I and Zone K with play activities and grazing only to take place in Zone F.5 on approved plan 6773/50 Rev H.

Reason: In the interests of the visual amenity of the Green Belt and the amenity of neighbouring residential properties as required by Policy CS2 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies 2015.

(20) Zones – Public Access

The fields marked F1, F2, F3, F4, F6 and F8 on approved plan 6773/50 Rev H shall be solely for the keeping of animals and shall not, at any time, be accessible to the public, other than

- that part of F.2, as specified on drawing ref: 009 - Service Yard (2) - dated Nov 23 (but remains inaccessible to the public)
- that part of Zone F.7 shown as a car park extension on drawing ref: 0017-02 accompanying planning permission ref: 14/00144/FUL (Appeal ref: APP/P3610/W/14/3000847); and
- the pathways shown on drawing ref: 011 - Goats & Rabbit Enclosure (2) - dated Nov '23 in part of Zone F.1, which shall be accessible to the public

Reason: In the interests of the visual amenity of the Green Belt and the amenity of neighbouring residential properties as required by Policy CS2 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies 2015

(21) Zones – Animal Shelters

The animal shelters shown in Zones F. 1 to 10 inclusive on approved plan 6773/50 Rev H shall be used solely for the keeping of animals and shall be removed when no longer required for that purpose.

Reason: In the interests of the visual amenity of the Green Belt and the amenity of neighbouring residential properties as required by Policy CS2 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies 2015.

(22) Cycle Parking

Details of the siting and design of cycle parking are approved under 11/01328/COND, dated 28 June 2012.

Reason: To encourage travel to and from the site by bicycle in accordance with Policy CS16 of the Core Strategy (2007).

(23) Visitor Management Plan

A Visitor Management Plan is approved under 11/01328/COND, dated 28 June 2012.

The Visitor Management Plan shall be updated, to control visitor numbers within the approved car park and overflow car park, approved under ref: 22/00011/REM.

The overflow car park, approved under ref: 22/00011/REM, shall be used once car parking is at capacity. The updated Visitor Management Plan shall be submitted to and approved by the Local Planning Authority. It should set out anticipated dates when the car park reaches capacity and detail dates when the overflow car park can be used. The number of days shall not exceed 50 of each calendar year.

The Visitor Management Plan shall be submitted to and approved by the Local Planning Authority prior to use of the relevant area.

Reason: In the interests of the amenities of neighbouring residential properties and to ensure the development does not prejudice the free and safe flow of traffic, in accordance with Policy CS16 of the Epsom and Ewell Core Strategy (2007) and Policies DM10, DM36 and DM37 of the Development Management Policies (2015).

(24) Approved Plans

The development hereby permitted is to be in accordance with the following approved documents:

- 6773/40 Rev D, 6773/41 Rev D, 6773/2 Rev D, 6773/43 Rev C, 6773/48 Rev C, 6773/49 Rev D, 6773/50 Rev H, 6773/51 Rev D, 6773/71 Rev D, 6773/72 Rev F, 6773/73 Rev E, 6773/75 Rev D, 6773/76 Rev B, 6773/77 Rev B, 6773/78 Rev F, 6773/79 Rev A, Design and Access Statement (July 2011), Planning Statement (August 2011), Surface Water Drainage and Flood Risk Assessment (July 2011), Highway Statement (July 2011), Ecological Appraisal (August 2011), Landscape and Visual Assessment (August 2011) and Arboricultural Report (28 July 2011)
- as amended by 11 47/ 101L (07/01/12) and 11 47/ 102F (18/01/12), approved under 11/01394/NMA, dated 1 June 2012
- as amended by 188/3.021 Rev. 03, approved under 22/00013/REM,
- as amended by 009 – Service Yard (2) (dated Nov'23, approved under 24/00024/REM,
- and as amended by 011 – Goats & Rabbit Enclosure (2) – dated Nov'23

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

(25) Deliveries

Condition 25 of Planning Permission ref: 22/00013/REM sets out that Deliveries to the farm shop and cafe via McKenzie Way access as permitted by that planning permission shall not commence unless and until the proposed parking restrictions and the associated Traffic Regulation Order have been designed and implemented on McKenzie Way in the vicinity of the Site, including both sides of the proposed access and egress points, at the Applicant's expense, in accordance with a scheme to be submitted to and approved in writing by the County

Highway Authority. This Condition is relevant to Planning Permission ref: 22/00013/REM.

Reason: in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

(26) Hard and Soft Landscaping (Car Park Overspill)

Full details, of both hard and soft landscape proposals relating to the overspill car park, including a schedule of landscape maintenance for a minimum period of 5 years, shall be submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented and thereafter retained.

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

(27) Car Park Management Plan

Notwithstanding the submitted plans, the development hereby approved shall not be utilised unless and until a detailed Car parking management plan has been submitted to and approved in writing by the Local Planning Authority. Details of the car parking management plan should include as a minimum:

- Details on the number of proposed overflow car parking spaces
- Formalised car parking bays (minimum dimension to be 2.4m by 4.8m)
- Surface material for overflow car parking area, noting that the fields are unlikely to be usable during wet weather.
- Use of marshals to direct traffic
- Cut off point for when the overflow car parking area will be used
- Anticipated use of the overflow car parking area
- Layout and use of the parking spaces to prevent queuing (resulting in blockages on highway network) and conflict between vehicles
- The maximum number of days that the overflow car park can be used

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, to meet the

objectives of the NPPF (2021) and to satisfy Policies DM 35, DM 36 and DM 37 of the Development Management Policies Document (2015).

(28) Modifications to McKenzie Way

Condition 28 of Planning Permission ref: 22/00013/REM states that no part of the development permitted under the development approved shall be first utilised unless and until the existing access onto McKenzie Way has been modified in accordance with a scheme to be submitted to and approved in writing by the County Highway Authority. This Condition is relevant to Planning Permission ref: 22/00013/REM only.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, to meet the objectives of the NPPF (2021) and to satisfy Policies DM 35, DM 36 and DM 37 of the Development Management Policies Document (2015).

Informatives

Informatives 1:

Conditions relating to Appeal A (ref: APP/P3610/W/14/3000847) and Appeal B (ref: APP/P3610/W/14/3000633) are listed below:

Appeal A - Ref: APP/P3610/W/14/3000847

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with drawing no 0017-02.
3. The car park hereby permitted shall be surfaced in accordance with the details shown on drawing no 0017-02 and shall be grassed or shall be surfaced in accordance with details submitted to and approved in writing by the local planning authority prior to installation. The surfacing shall be retained as approved.
4. No development shall take place until a landscaping scheme has been submitted to and approved in writing by the local planning authority. This shall include a schedule of the species and sizes of trees to be planted, a ground preparation specification and details of aftercare maintenance. The approved landscaping shall be implemented before the use of the car park hereby permitted commences and shall be maintained in accordance with the approved details. Any trees that are removed, uprooted, destroyed or die or become seriously damaged or defective within 5 years of planting shall be replaced at the same place by another tree of the same species and size as that originally planted unless the local planning authority gives its written approval to any variation

Appeal B - Ref: APP/P3610/W/14/3000633

20. The fields marked Zone F.1 to 4 inclusive and Zone F.6 to 10 inclusive on approved plan 6773/50 Rev H shall be used solely for the keeping of animals and shall not, at any time, be accessible to the public other than that part of Zone F.7 shown as a car park extension on drawing no 0017-02 accompanying planning permission Ref 14/00144/FUL (Appeal Ref: APP/P3610/W/14/3000847)

Informative 2:

Details of the highway requirements necessary for the inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Control Division of Surrey County Council

Informative 3:

A standard fee may be charged for input to and future monitoring of any travel plan

Informative 4:

Any unilateral undertaking shall be in accordance with Surrey County Council's standard format

Informative 5:

The developer would be expected to instruct an independent transportation data collection company to undertake the monitoring survey. This survey must conform to a TRICS Multi-Modal Survey format consistent with the UK Standard for Measuring Travel Plan Impacts as approved by the Highway Authority. To ensure that the survey represents typical travel patterns, the organisation taking ownership of the travel plan will need to agree to being surveyed only within a specified annual quarter period but with no further notice of the precise survey dates. The developer would be expected to fund survey validation and data entry costs

Informative 6:

Animal displays should be solely for educational purposes

Informative 7:

The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders (Highways Act 1980 Sections 131, 148, 149)

Informative 8:

Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage

55 24/00026/REM: HOBLEDOWN, HORTON LANE, EPSOM, SURREY, KT19 8PT

Description:

Variation of Condition 20 (Field Restrictions) and Condition 24 (Drawings) of Planning Permission 11/00511/FUL, as amended by Planning Permission ref: 24/00025/REM, to allow Zone F8 of the approved Masterplan to be accessed by the public for the purposes of an animal walkthrough area, with associated ancillary development including footpath and timber wash stations (retrospective).

Officer Recommendation:

Approval, subject to conditions and informatives.

Officer Presentation:

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

Decision:

Following consideration, Councillor Neil Dallen proposed a motion that the Officer recommendation be amended by way of an amendment to Condition 20, as follows:

20. Zones – Public Access

The fields marked F1, F2, F3, F4, F6 and F8 on approved plan 6773/50 Rev H shall be solely for the keeping of animals and shall not, at any time, be accessible to the public, other than

- that part of F.2, as specified on drawing ref: 009 - Service Yard (2) - dated Nov 23 (but remains inaccessible to the public)

- that part of Zone F.7 shown as a car park extension on drawing ref: 0017-02 accompanying planning permission ref: 14/00144/FUL (Appeal ref: APP/P3610/W/14/3000847)

- the pathways shown on drawing ref: 011 - Goats & Rabbit Enclosure (2) – dated Nov '23, part of F.1, which shall be accessible to the public and

- the pathways shown on drawing ref: 010 - Wallaby and Mara (2) - dated Nov'23, part of Zone F.8, which shall be accessible to the public

Reason: In the interests of the visual amenity of the Green Belt and the amenity of neighbouring residential properties as required by Policy CS2 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies 2015

The Motion was amended to reflect the approval of 24/00025/REM.

The proposal was seconded by Councillor Phil Neale.

The Committee voted (7 for, 1 against, and the Chair not voting) in favour of the motion.

Councillor Julian Freeman proposed a motion that the Officer recommendation be agreed, subject to the agreed amendment. The Proposal was seconded by Councillor Clive Woodbridge.

The Committee resolved (5 for, 2 against, 1 abstaining, and the Chair not voting) to:

GRANT planning permission subject to the following conditions and informatives.

Conditions

To grant planning permission subject to the following conditions and informatives (with modifications to Conditions 20 and 24):

(1) Timescale

The development hereby permitted was required to begin before the expiration of three years from the date of the original planning permission (11/00511/FUL) (This Condition has been complied with).

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

(2) Hours of Operation

The premises shall not be open to the public outside the hours of 09:00 and 19:00 except on a Friday and Saturday when the internal areas and external areas marked Zone E.4, Zone H, Zone I and Zone K on approved plan 6773/50 Rev H shall additionally be permitted to open until 20:00.

Reason: To safeguard the amenities of neighbouring occupiers as required by Policy DM10 of the Development Management Policies 2015.

(3) Public Address System

No permanent public address systems, sirens, horns or klaxons shall be operated on the site at any time. Amplified sound without the use of permanent Public Address Systems is permitted outdoors for

entertainment only to audiences of a maximum size of 50 people from 09:00 hours until 19:00 hours Sunday to Thursday, 09:00 hours until 20:00 hours Friday and Saturday. Amplified music is not permitted outdoors. In all cases noise levels relating to amplified sound shall not exceed 65 decibels LAeq (15 minute) at the boundary of the site at any time. For the avoidance of doubt entertainment with the use of amplified sound shall be confined to puppet shows, birds of prey displays and other similar events directly related to the permitted use as a children's farm and shall only be undertaken within the designated areas shown on Drawing No 0013-03 Rev A dated 17/06/14. Granted under 14/00145/REM, dated 28 July 2014.

Reason: In the interests of the amenities of adjacent residential properties in accordance with Policy DM10 of the Development Management Policies 2015.

(4) Fairground rides

With the exception of the tractor tour to be retained on site, no mechanical or fairground rides shall be installed or operated on the site at any time unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the locality in accordance with Policy DM10 of the Development Management Policies 2015.

(5) Materials of Play equipment

The materials to be used on the external faces of the play equipment shall be timber and natural rope and netting with the exception of three stainless steel slides and the steel framework for the spiral climbing net in Play Zone A as shown on drawings 6773/40 Rev D, 6773/41 Rev D and 6773/42 Rev D.

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

(6) Height of Play Equipment

No part of the timber play structures shall exceed a height of 7 metres above the existing ground level with the exception of the turret housing the zip wire launch platform, which shall not exceed a height of 9.5 metres above existing ground level.

Reason: To ensure that the proposed development is of an appropriate height having regard to the height of screening landscaping as required by Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

(7) Hard and Soft Landscaping

Detailed drawings of a hard and soft landscaping scheme for the planting of trees and shrubs (showing areas to be grass-seeded or turfed and detailing the means of marking out the parking bays within the car park and any new means of enclosure) shall be submitted to and approved in writing by the Local Planning Authority. The soft landscaping shall include additional screen planting within the car park, along Horton Lane and adjacent to Play Zone A and the planting of field trees within the grazing fields and animal enclosures. All landscaping, in accordance with the approved landscaping scheme, shall be carried out within the first planting and seeding season following completion of the development and shall be maintained to the satisfaction of the Local Planning Authority for a period of five years, such maintenance to include the replacement of any plants which die or become damaged during this period.

Reason: To ensure the provision and maintenance of landscaping, in the interests of visual amenity as required by Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

(8) No Removal of Trees

Other than those trees detailed for removal in the Arboricultural Report (dated 28 July 2011), no trees shall be lopped, topped or felled without the prior written consent of the Local Planning Authority.

Reason: The existing trees represent an important visual amenity which should be substantially maintained as required by Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

(9) Compliance with Arboricultural Report and Tree Protection

Plan Tree protection measures shall be carried out in strict accordance with the Arboricultural Report and Tree Protection Plan dated 28 July 2011.

Reason: To enable the Local Planning Authority to ensure the retention of trees on the site, protected from damage in the interests of visual amenity as required by Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

(10) Biodiversity Enhancements

The measures to improve the biodiversity of the site as set out in the Ecological Appraisal (dated August 2011) shall be carried out within a period of twelve months from the date on which the development of the site is commenced or within an alternative timescale to be agreed in writing by the Local Planning Authority in accordance with the Ecological Appraisal recommendations and thereafter shall be managed and maintained in accordance with the Ecological Appraisal. These works shall include, but are not limited to, the installation of bat and bird boxes,

the provision of habitat piles, creation of permanent wetland habitats and grassland field management.

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

(11) Sustainable Drainage

Development shall not commence on site until full details of the sustainable drainage have been submitted to and approved in writing by the Local Planning Authority. The details shall include infiltrations rates into the underlying clay strata and climate change allowance as requested by the Environment Agency in their letter dated 20 September 2011. Thereafter, the sustainable drainage shall be carried out in accordance with the approved details and shall be so maintained.

Reason: To reduce surface water run-off from the site in accordance with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

(12) Car Parking

No new development shall be brought in to use until space has been laid out within the site in accordance with the approved plans for a maximum of 350 cars to be parked and for the loading and unloading of delivery vehicles and for vehicles to turn so that they may enter and leave the site in a forward gear. The parking and turning areas shall be used and retained exclusively for their designated purpose.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS16 of the Epsom and Ewell Core Strategy (2007) and Policies DM36 and DM37 of the Development Management Policies 2015.

(13) Travel Plan

The Development shall be carried out in accordance with the Travel Plan, approved under 11/01328/COND, dated 28 June 2012, and thereafter maintained.

Reason: In accordance with Policy CS16 of the Epsom and Ewell Core Strategy (2007) and Policies DM36 and DM37 of the Development Management Policies 2015.

(14) Access via McKenzie Way

The vehicular access from McKenzie Way shall not at any time be used by customers of the Site and shall be solely used for deliveries and staff movements associated with the safe and efficient operation of the site.

Reason: To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users as required by Policy CS16 of the Epsom and Ewell Core Strategy (2007) and Policies DM36 and DM37 of the Development Management Policies 2015.

(15) Materials of Barn Extension

All external fascias, materials, treatments and finishes of the proposed barn extension shall match those of the existing building to the satisfaction of the Local Planning Authority and the treatment and/or finishes of the external surfaces shall be carried out within a period of three months from the date of occupation of the development.

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

(16) Building and Engineering Operations

The development shall be carried out in accordance with the documentation relating to building/engineering operations, approved under 11/01328/COND, dated 28 June 2012.

Reason: To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users as required by Policy CS16 of the Epsom and Ewell Core Strategy (2007) and Policies DM36 and DM37 of the Development Management Policies 2015.

(17) Sustainability Measures

The development hereby permitted shall accord with the sustainability measures approved under 11/01328/COND, dated 28 June 2012. The development shall be carried out in strict accordance with the approved details.

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

(18) Construction Hours

No construction work shall be carried out in such a manner as to be audible at the site boundary before 07:30 hours on Monday to Friday or after 18:30 hours on Monday to Friday, no construction work shall be audible at the site boundary before 08:00 and after 13:00 hours on Saturdays and no construction work of any nature shall be carried out on Sundays or Bank Holidays or Public Holidays.

Reason: To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties as required by Policy DM10 of the Development Management Policies 2015.

(19) Zones – Play Activities and Equipment

Play activities and equipment shall only be sited on or take place in the areas marked Zone A, Zone B, Zone C, Zone D, Zone E.4, Zone H, Zone I and Zone K with play activities and grazing only to take place in Zone F.5 on approved plan 6773/50 Rev H.

Reason: In the interests of the visual amenity of the Green Belt and the amenity of neighbouring residential properties as required by Policy CS2 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies 2015.

(20) Zones – Public Access

The fields marked F1, F2, F3, F4, F6 and F8 on approved plan 6773/50 Rev H shall be solely for the keeping of animals and shall not, at any time, be accessible to the public, other than

- that part of F.2, as specified on drawing ref: 009 - Service Yard (2) - dated Nov 23 (but remains inaccessible to the public)
- that part of Zone F.7 shown as a car park extension on drawing ref: 0017-02 accompanying planning permission ref: 14/00144/FUL (Appeal ref: APP/P3610/W/14/3000847)
- the pathways shown on drawing ref: 011 - Goats & Rabbit Enclosure (2) - dated Nov '23, part of F.1, which shall be accessible to the public and
- the pathways shown on drawing ref: 010 - Wallaby and Mara (2) - dated Nov'23, part of Zone F.8, which shall be accessible to the public

Reason: In the interests of the visual amenity of the Green Belt and the amenity of neighbouring residential properties as required by Policy CS2 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies 2015.

(21) Zones – Animal Shelters

The animal shelters shown in Zones F. 1 to 10 inclusive on approved plan 6773/50 Rev H shall be used solely for the keeping of animals and shall be removed when no longer required for that purpose.

Reason: In the interests of the visual amenity of the Green Belt and the amenity of neighbouring residential properties as required by Policy CS2 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies 2015.

(22) Cycle Parking Planning Committee

Details of the siting and design of cycle parking are approved under 11/01328/COND, dated 28 June 2012.

Reason: To encourage travel to and from the site by bicycle in accordance with Policy CS16 of the Core Strategy (2007).

(23) Visitor Management

Plan A Visitor Management Plan is approved under 11/01328/COND, dated 28 June 2012.

The Visitor Management Plan shall be updated, to control visitor numbers within the approved car park and overflow car park, approved under ref: 22/00011/REM.

The overflow car park, approved under ref: 22/00011/REM, shall be used once car parking is at capacity. The updated Visitor Management Plan shall be submitted to and approved by the Local Planning Authority. It should set out anticipated dates when the car park reaches capacity and detail dates when the overflow car park can be used. The number of days shall not exceed 50 of each calendar year.

The Visitor Management Plan shall be submitted to and approved by the Local Planning Authority prior to use of the relevant area.

Reason: In the interests of the amenities of neighbouring residential properties and to ensure the development does not prejudice the free and safe flow of traffic, in accordance with Policy CS16 of the Epsom and Ewell Core Strategy (2007) and Policies DM10, DM36 and DM37 of the Development Management Policies (2015).

(24) Approved Plans

The development hereby permitted is to be in accordance with the following approved documents:

- 6773/40 Rev D, 6773/41 Rev D, 6773/2 Rev D, 6773/43 Rev C, 6773/48 Rev C, 6773/49 Rev D, 6773/50 Rev H, 6773/51 Rev D, 6773/71 Rev D, 6773/72 Rev F, 6773/73 Rev E, 6773/75 Rev D, 6773/76 Rev B, 6773/77 Rev B, 6773/78 Rev F, 6773/79 Rev A, Design and Access Statement (July 2011), Planning Statement (August 2011), Surface Water Drainage and Flood Risk Assessment (July 2011), Highway Statement (July 2011), Ecological Appraisal (August 2011), Landscape and Visual Assessment (August 2011) and Arboricultural Report (28 July 2011)
- as amended by 11 47/ 101L (07/01/12) and 11 47/ 102F (18/01/12), approved under 11/01394/NMA, dated 1 June 2012

- as amended by 188/3.021 Rev. 03, approved under 22/00013/REM,
- as amended by 009 – Service Yard (2) (dated Nov'23, approved under 24/00024/REM,
- as amended by 011 – Goats & Rabbit Enclosure (2) – dated Nov'23, approved under 24/00024/REM,
- and as amended by 010 – Wallaby and Mara (2) (dated Nov 23).

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

(25) Deliveries

Condition 25 of Planning Permission ref: 22/00013/REM sets out that Deliveries to the farm shop and cafe via McKenzie Way access as permitted by that planning permission shall not commence unless and until the proposed parking restrictions and the associated Traffic Regulation Order have been designed and implemented on McKenzie Way in the vicinity of the Site, including both sides of the proposed access and egress points, at the Applicant's expense, in accordance with a scheme to be submitted to and approved in writing by the County Highway Authority. This Condition is relevant to Planning Permission ref: 22/00013/REM.

Reason: in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

(26) Hard and Soft Landscaping (Car Park Overspill)

Full details, of both hard and soft landscape proposals relating to the overspill car park, including a schedule of landscape maintenance for a minimum period of 5 years, shall be submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented and thereafter retained.

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

(27) Car Park Management Plan

Notwithstanding the submitted plans, the development hereby approved shall not be utilised unless and until a detailed Car parking management plan has been submitted to and approved in writing by the Local Planning Authority. Details of the car parking management plan should include as a minimum:

- Details on the number of proposed overflow car parking spaces
- Formalised car parking bays (minimum dimension to be 2.4m by 4.8m)
- Surface material for overflow car parking area, noting that the fields are unlikely to be usable during wet weather.
- Use of marshals to direct traffic
- Cut off point for when the overflow car parking area will be used
- Anticipated use of the overflow car parking area
- Layout and use of the parking spaces to prevent queuing (resulting in blockages on highway network) and conflict between vehicles
- The maximum number of days that the overflow car park can be used

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, to meet the objectives of the NPPF (2021) and to satisfy Policies DM 35, DM 36 and DM 37 of the Development Management Policies Document (2015).

(28) Modifications to McKenzie Way

Condition 28 of Planning Permission ref: 22/00013/REM states that no part of the development permitted under the development approved shall be first utilised unless and until the existing access onto McKenzie Way has been modified in accordance with a scheme to be submitted to and approved in writing by the County Highway Authority. This Condition is relevant to Planning Permission ref: 22/00013/REM only.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, to meet the objectives of the NPPF (2021) and to satisfy Policies DM 35, DM 36 and DM 37 of the Development Management Policies Document (2015).

Informatives

Informative 1:

Conditions relating to Appeal A (ref: APP/P3610/W/14/3000847) and Appeal B (ref: APP/P3610/W/14/3000633) are listed below:

Appeal A - Ref: APP/P3610/W/14/3000847

1. The development hereby permitted shall begin not later than three years from the date of this decision.

2. The development hereby permitted shall be carried out in accordance with drawing no 0017-02.

3. The car park hereby permitted shall be surfaced in accordance with the details shown on drawing no 0017-02 and shall be grassed or shall be surfaced in accordance with details submitted to and approved in writing by the local planning authority prior to installation. The surfacing shall be retained as approved.

4. No development shall take place until a landscaping scheme has been submitted to and approved in writing by the local planning authority. This shall include a schedule of the species and sizes of trees to be planted, a ground preparation specification and details of aftercare maintenance. The approved landscaping shall be implemented before the use of the car park hereby permitted commences and shall be maintained in accordance with the approved details. Any trees that are removed, uprooted, destroyed or die or become seriously damaged or defective within 5 years of planting shall be replaced at the same place by another tree of the same species and size as that originally planted unless the local planning authority gives its written approval to any variation.

Appeal B - Ref: APP/P3610/W/14/3000633

20. The fields marked Zone F.1 to 4 inclusive and Zone F.6 to 10 inclusive on approved plan 6773/50 Rev H shall be used solely for the keeping of animals and shall not, at any time, be accessible to the public other than that part of Zone F.7 shown as a car park extension on drawing no 0017-02 accompanying planning permission Ref 14/00144/FUL (Appeal Ref: APP/P3610/W/14/3000847).

Informative 2:

Details of the highway requirements necessary for the inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Control Division of Surrey County Council.

Informative 3:

A standard fee may be charged for input to and future monitoring of any travel plan.

Informative 4:

Any unilateral undertaking shall be in accordance with Surrey County Council's standard format.

Informative 5:

The developer would be expected to instruct an independent transportation data collection company to undertake the monitoring survey. This survey must conform to a TRICS Multi-Modal Survey format consistent with the UK Standard for Measuring Travel Plan Impacts as approved by the Highway Authority. To ensure that the survey represents typical travel patterns, the organisation taking ownership of the travel plan will need to agree to being surveyed only within a specified annual quarter period but with no further notice of the precise survey dates. The developer would be expected to fund survey validation and data entry costs.

Informative 6:

Animal displays should be solely for educational purposes.

Informative 7:

The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders (Highways Act 1980 Sections 131, 148, 149).

Informative 8:

Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

56 UPCOMING APPLICATIONS

The Committee noted the contents of the report.

57 THANKS TO CHAIR

The Vice Chair, Councillor Woodbridge, expressed thanks to the Chair for his hard work and leadership over the last year.

The meeting began at 7.30 pm and ended at 11.00 pm

COUNCILLOR HUMPHREY REYNOLDS (CHAIR)

This page is intentionally left blank

24/00064/LBA- Bourne Hall, Spring Street, Ewell, Surrey, KT17 1UD

Application Number	24/00064/LBA
Application Type	Listed Building Consent
Address	Bourne Hall, Spring Street, Ewell KT17 1UD
Ward	Ewell Village
Proposal	Installation of Solar PV to the south facing section of the perimeter flat roof.
Expiry Date	24 May 2024
Recommendation	Approval, subject to conditions and informatives
Number of Submissions	None
Reason for Committee	Council is the applicant. Major Development.
Case Officer	George Smale, Planning Officer
Contact Officer	Simon Taylor, Interim Manager
Plans, Documents and Submissions	Available here: Bourne Hall
Glossary of Terms	Found at the following link: Glossary of Terms



SUMMARY

1. Summary and Recommendation

- 1.1. This application is before the committee as the site is located on council owned land and the applicant is a representative on behalf of the council. It is recommended for approval.
- 1.2. This is a proposal for the installation of a Photovoltaic (PV) Solar Panel system on the existing perimeter flat roof of the Grade II Listed Bourne Hall. A full planning application (app ref: 24/00419/FUL) accompanies this application as a separate application which is also recommended for approval.
- 1.3. The site is owned by the council and enables several leisure, parkland and open space, and community uses. The site is also located in the Ewell Village Conservation Area. Bourne Hall comprises of a 1960s library, social centre, and museum with modernist architectural merit.
- 1.4. There is an extensive planning history to the wider site and parkland. However, the only recent history for the hall itself has involved permitted works to doors and light fittings (under consideration).
- 1.5. No neighbour submissions have been received during the consultation phase of the application.
- 1.6. The Council's Conservation Officer is supportive of the proposals and officers are satisfied that the development will result in less than substantial harm to the designated heritage asset. The environmental, social, and economic benefits of the scheme outweigh such harm.
- 1.7. The development does not require works or alterations to the external roof surface and therefore is not foreseen to adversely impact the protected species of bats. A precautionary informative has been added to the decision notice to advise the applicant if protected species are found during the works.
- 1.8. As such, the recommendation before the committee is that the application should be approved subject to conditions.

PROPOSAL

2. Description of Proposal

- 2.1. The proposal involves:
 - The installation of a Photovoltaic Solar System and ancillary equipment to the south facing section of the perimeter flat roof of Bourne Hall.

- A mounting system of 120 solar panels stabilised by concrete ballistic weights (i.e., not physically fixed to the roof).

SITE

3. Description

- 3.1. Bourne Hall is a large dome-shaped building of a distinctive and striking architectural style, serving as Library and Social Centre since 1970. The building is Grade II Listed, council owned, and centred within Bourne Hall Park. The entire site has important local community value.
- 3.2. The exterior of the building is a curving volume with a continuous band of aluminium windows at first and second floor level. The upper floor slopes inward and the structure is surmounted by a broad copper dome, resembling the appearance of a flying saucer. A circular layout is planned within the building that expands over three level which includes a main hall, open-plan library, mezzanine museum, and studio spaces.
- 3.3. The surrounding area comprises a large open parkland with a number of large redwood trees, green spaces, and water courses. The entire site area is located in the Ewell Village Conservation Area, a historic area encompassing Bourne Hall, the commercial village centre, and outlying residential areas.
- 3.4. The site is accessed by vehicle from spring street, and pedestrian routes can be found through the park to the north and from the High Street to the East. The nearest residential properties are located on the western side of Spring Street, approximately 36m from the outer edge of Bourne Hall.

4. Constraints

- Built Up Area
- Grade II Listed Building
- Ewell Village Conservation Area
- Article 4 Directive
- Locally Listed Building
- SSSI Impact Risk Zones
- Great Crested Newt Consultation Zone
- Tree Inspections
- Source Protection Zones

5. History

- 5.1. The following are the more recent applications on the site.

App No.	Description	Status
24/00419/FUL	Installation of Solar PV to the south facing section of the perimeter flat roof.	Pending decision
24/00066/LBA	Replacement of 13 internal fire doors to meet BS guidelines.	Pending decision
18/01247/LBA	Replacement of 6 internal doors.	Permitted 15 February 2019
17/00445/LBA	Replacement of existing light fittings with LED light fittings in Museum and Library areas	Permitted 15 September 2017

CONSULTATIONS

Consultee	Comments
Internal Consultees	
Conservation Officer	No objection subject to a condition.
External Consultees	
Historic England	No advice offered, but suggested the council seek the views of their own specialist conservation adviser.
Public Consultation	
Neighbours	No comments were received.

PLANNING LEGISLATION, POLICY, AND GUIDANCE

6. Legislation and Regulations

- 6.1. Town and Country Planning Act 1990
- 6.2. Planning (Listed Buildings and Conservation Areas) Act 1990

7. Planning Policy

7.1. National Planning Policy Framework 2023 (NPPF)

- Section 2: Achieving Sustainable Development
- Section 16: Conserving and Enhancing the Historic Environment

7.2. Epsom and Ewell Core Strategy 2007 (CS)

- Policy CS1: Sustainable Development
- Policy CS5: The Built Environment

7.3. Epsom and Ewell Development Management Policies Document 2015 (DMPD)

- Policy DM8: Heritage Assets

8. Supporting Guidance

8.1. National Planning Policy Guidance (NPPG)

- Historic Environment
- Use of Planning Conditions

8.2. Supplementary Planning Documents and Guidance

- Sustainable Design Supplementary Planning Document 2016

8.3. Other Documentation

- Ewell Village Character Appraisal
- Historic England Official List

PLANNING ASSESSMENT

9. Listed Significance

9.1. Bourne Hall has been Grade II Listed by national government since 30 April 2015. The principal justifications for the listing of the building are taken from the official Historic England Listing:

- Bourne Hall Library and Social Centre of 1967-1970 A. G. Sheppard Fidler and Associates
- Architectural interest: a striking design, notable for its space-age flair and the generous, top-lit principal interior space.
- Plan form: the circular layout is well-organised, legible, and flexible.
- Historic interest: as an ambitious example of the expansion of the library service and the integration of community facilities and disabled access.

9.2. The following paragraphs from the list description are also relevant:

9.3. *“MATERIALS / STRUCTURE: the structure is of reinforced and pre-cast concrete, with aluminium windows, green Cumbrian slate copings and mosaic external finishes to the perimeter wall. The copper-clad dome with its central glassfibre rooflight is 42.6m (140') in diameter and 11.2m (37') at its highest point. 20 vertical pre-cast concrete ribs form a corona. The knuckles of the ribs are held in position by an in-situ pre-stressed, post-tensioned concrete ring beam which forms both the gutter and the eaves for the main dome. The roof construction is a sandwich of materials: the outer layer is sheet copper bonded to felt and wood wool panels on steel joints spanning between the frame. Towards the outer edges of the roof the wood wool panels are replaced by a band of lightweight 'Gunite' concrete sprayed onto permanent formwork.”*

9.4. *EXTERIOR: the exterior is a curving volume with a continuous band of aluminium windows at ground and first floor. The upper floor slopes inward and is surmounted by a broad copper dome, from which emerges a corona of pre-stressed, post-tensioned concrete ribs. Single-storey volumes of varying widths project forward of the circular footprint. The windows are separated by load-bearing pre-cast white concrete mullions*

running between a floating plinth and fascia, and some windows have Cumbrian slate panels beneath. The elevations are designed to a 4" (c.10cm) module enabling standardised pre-cast components. The result resembles a flying saucer, and was designed to sit low within the existing mature landscape. The ribbed concrete boiler chimney is 12.8m (42') high and provides a vertical counterpart to the library's dome.

10. Impact on the Heritage Asset

- 10.1. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that development must ensure the preservation of any nearby listed building, including its setting.
- 10.2. Paragraphs 203-208 of the NPPF 2023 requires consideration of the harm to the significance of a designated heritage asset. Paragraph 195 says heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generation.
- 10.3. Paragraph 206 requires clear and convincing justification where there is harm to or the loss of a designated heritage asset. Paragraph 202 states that where there is less than substantial harm, the harm must be weighed against the public benefits.
- 10.4. Policy CS5 of the CS and Policy DM8 of the DMPD seek to protect and enhance heritage assets and their setting.
- 10.5. The EEBC Conservation Officer has been consulted on the application and has issued the following response:
- 10.6. "The roof forms of Bourne Hall contribute to the intrinsic character and historical and architectural significance of Listed Asset. The original form and materials have been retained and have not been extended or altered since construction.
- 10.7. On the main building, a central clear dome is surrounded by a ring of concrete posts resembling a crown. Around this, a copper clad roof gently curves over the remainder of the circular form of the building's first floor and is separated from the ground floor by an array of windows. The ground floor rooms extend out beyond the line of the first floor and are covered by flat roofs that are not visible from the ground. These perimeter roofs facing south/south-westwards are the proposed location for the solar panels as displayed on the submitted block plan.
- 10.8. The Design & Access Statement states that the proposed mounted solar panels will not be fixed to the roof but will be weighed down with concrete ballistic weights.
- 10.9. Each panel measures 1678 mm long and will be 250 mm high at the upper end. The solar panels will be angled towards the south meaning

their lowest point will be nearest the edge of the southern roof. A panel structure was put onto the roof, close to the southern edge, as a mock-up for discussions prior to this application and it could not be seen from the ground level.

- 10.10. Following further discussions with the applicant, some of the panels on the western side of the perimeter roof were requested to be set further away from the edge, so they could also not be seen at ground level. A revised block plan showing the position of the solar panels was submitted on 30 April 2024 to demonstrate this.
- 10.11. Cabling will be clipped to existing cables and follow existing routes into the building by the rear exit where the existing electrical rooms are situated. No issues are raised in this regard.”
- 10.12. As a substantial number of solar panels are proposed to sit on the existing roof surface, there will be some visual impact of the proposals both from aerial view and from first floor level. The panels will be partially observable from the mezzanine first-floor museum from within Bourne Hall itself.
- 10.13. However, as the Solar PV system is not visible from any public vantage point outside of Bourne Hall and is well proportioned across the roof slope, the development will result in less than substantial harm to the Grade II Listed Asset and to the Ewell Village Conservation Area.
- 10.14. It is therefore necessary to weigh the scheme against the public benefits of the proposal which include a significant infrastructure contribution to decarbonise the operations of Bourne Hall, the promotion of sustainable energy consumption patterns to benefit the local community, and ensuring cost-effective electricity expenditure, allowing redistribution into more appropriate areas.
- 10.15. As such, the significant environmental impact, modest social, and minor economic impacts of the proposal would outweigh the less than substantial harm to the Grade II Listed Asset and Ewell Village Conservation Area, and the development is acceptable in this regard.

11. Design and Character

- 11.1. Paragraphs 129, 135 and 139 of the NPPF 2023 refer to the need for functional and visually attractive development that is sympathetic to local character and history. Policy CS5 of the CS requires high quality design that is attractive, relates to local distinctiveness and complements the attractive characteristics of the area. Policy DM9 of the DMPD requires a positive contribution to and compatibility with the local character and the historic and natural environment and Policy DM10 requires good design that respects, maintains or enhances the prevailing house types and sizes, density, scale, layout, height, form and massing, plot width and building separation, building lines and key features.

- 11.2. The submitted block plans displays the 120 individual solar panels on the western and southern side of the perimeter flat roof. The panels are well-proportioned to one another and do not extend further than the outer edge of the roof. The solar system will not be visible from the streetscene or the immediate vantage points within the site. There are also no proposed works or alterations to the existing roof.
- 11.3. As such, there are no design or visual amenity concerns from the proposed development.

12. Accessibility and Equality

- 12.1. The Council is required to have regard to its obligations under the Equality Act 2010, including protected characteristics of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion, or belief. There would be no significant adverse impacts as a result of the development.

CONCLUSION

13. Planning Balance

- 13.1. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that development must ensure the preservation of any nearby listed building, including its setting.
- 13.2. The proposed mounted PV solar system will result in less than substantial harm to the Grade II Listed Asset and the character and appearance of the Conservation Area. However, this harm is demonstrably outweighed by the significant public benefits of the development.

RECOMMENDATION

To grant planning permission subject to the following conditions and informatives:

Conditions

1) Timescale

The development hereby permitted shall be commenced within three years from the date of this decision.

Reason: To comply with Section 18 (1) (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 52 (4) of the Planning and Compulsory Purchase Act 2004.

2) Approved Plans

Unless otherwise agreed in writing by the local planning authority, the development hereby permitted shall be carried out in accordance with the plans numbered below and received by the local planning authority and no others.

- A200/BH/001;
- Bourne Hall – SOLAR PV Side Elevation dated 11/01/2024;
- Bourne Hall – SOLAR PV BLOCK PLAN dated 30/04/2024;
- Location plan;
- Fact sheet for Tiger Neo N-type 54HL4R-(V) 425-445 Watt Mono-Facial Module;
- Fact sheet – SunMount. The modular mounting system for all types of flat roof;
- Solar PV Method Statement from Titan Eco.

Reason: For avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and to ensure a satisfactory external appearance in accordance with Policy CS5 of the Core Strategy 2007 and Policies DM8, DM9 and DM10 of the Development Management Policies Document 2015.

3) No Longer in Use

The development as approved shall be removed no longer than one month after the use and operations of the PV Solar Panel system ceases.

Reason: To safeguard the special architectural and historic interest of the listed building and character and appearance of the conservation area in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM8, DM9 and DM10 of the Development Management Policies 2015.

Informatives

1) Positive and Proactive Discussion

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

2) Conservation of the Listed Buildings

You are reminded that all works to a listed building must be carried out with the utmost care and to the highest standards of quality and workmanship. Any damage to the listed building shall be immediately made good using materials to match the originals. Unauthorised works that harm the listed building constitute a criminal offence and will be liable to fines of up to £20,000 per offence.

3) Protected Species

The applicant is reminded that it is an offence to disturb protected species under the Wildlife and Countryside Act 1981. Should a protected species be found during the works, the applicant should stop work and contact Natural England for further advice on 0845 600 3078.

4) Planning Permission

This permission does not grant planning permission for the works, for which separate consent is required under the Town and Country Planning Act (1990).

24/00419/FUL- Bourne Hall, Spring Street, Ewell, Surrey, KT17 1UD

Application Number	24/00419/FUL
Application Type	Full Planning Permission (Major)
Address	Bourne Hall, Spring Street, Ewell KT17 1UD
Ward	Ewell Village
Proposal	Install Solar PV to the south facing section of the perimeter flat roof.
Expiry Date	12 June 2024
Recommendation	Approval, subject to conditions and informatives
Number of Submissions	None
Reason for Committee	Council is the applicant/Major Development.
Case Officer	George Smale, Planning Officer
Contact Officer	Simon Taylor, Interim Manager
Plans, Documents and Submissions	Available here: Bourne Hall
Glossary of Terms	Found at the following link: Glossary of Terms



SUMMARY

1. Summary and Recommendation

- 1.1. This application is before the committee as the site is located on council owned land and the applicant is a representative on behalf of the council. The proposal is also a major application as the site area measures more than 1 hectare. It is recommended for approval.
- 1.2. This is a proposal for the installation of a Photovoltaic (PV) Solar Panel system on the existing perimeter flat roof of the Grade II Listed Bourne Hall. A Listed Building Consent (app ref: 24/00064/LBA) accompanies this application as a separate consent which is also recommended for approval.
- 1.3. The site is owned by the council and enables several leisure, parkland and open space, and community uses. The site is also located in the Ewell Village Conservation Area. Bourne Hall comprises of a 1960s library, social centre, and museum with modernist architectural merit.
- 1.4. There is an extensive planning history to the wider site and parkland. However, the only recent history for the hall itself has involved permitted works to doors and light fittings (under consideration).
- 1.5. No neighbour submissions have been received during the consultation phase of the application.
- 1.6. The Council's Conservation Officer is supportive of the proposals and officers are satisfied that the development will result in less than substantial harm to the designated heritage asset. The environmental, social, and economic benefits of the scheme outweigh such harm.
- 1.7. The promotion of sustainable energy consumption patterns will improve the overall operational function of the building which in turn will have a direct positive benefit on social infrastructure for local community use. It will also have a significant contribution in decarbonising the existing building and progressing in Epsom and Ewell's mission to tackling climate change and reducing carbon emissions.
- 1.8. The development does not require works or alterations to the external roof surface and therefore is not foreseen to adversely impact the protected species of bats. A precautionary informative has been added to the decision notice to advise if protected species are found during the works.
- 1.9. As such, the recommendation before the committee is that the application should be approved subject to conditions.

PROPOSAL

2. Description of Proposal

2.1. The proposal involves:

- The installation of a Photovoltaic Solar System and ancillary equipment to the south facing section of the perimeter flat roof of Bourne Hall.
- A mounting system of 120 solar panels stabilised by concrete ballistic weights (ie not physically fixed to the roof).

SITE

3. Description

- 3.1. Bourne Hall is a large dome-shaped building of a distinctive and striking architectural style, serving as Library and Social Centre since 1970. The building is Grade II Listed, council owned, and centred within Bourne Hall Park. The entire site has important local community value.
- 3.2. The exterior of the building is a curving volume with a continuous band of aluminium windows at first and second floor level. The upper floor slopes inward and the structure is surmounted by a broad copper dome, resembling the appearance of a flying saucer. A circular layout is planned within the building that expands over three level which includes a main hall, open-plan library, mezzanine museum, and studio spaces.
- 3.3. The surrounding area comprises a large open parkland with a number of large redwood trees, green spaces, and water courses. The entire site area is located in the Ewell Village Conservation Area, a historic area encompassing Bourne Hall, the commercial village centre, and outlying residential areas.
- 3.4. The site is accessed by vehicle from spring street, and pedestrian routes can be found through the park to the north and from the High Street to the East. The nearest residential properties are located on the western side of Spring Street, approximately 36m from the outer edge of Bourne Hall.

4. Constraints

- Built Up Area
- Grade II Listed Building
- Ewell Village Conservation Area
- Article 4 Directive
- Locally Listed Building
- SSSI Impact Risk Zones

- Great Crested Newt Consultation Zone
- Tree Inspections
- Source Protection Zones

5. History

5.1. The following are the more recent applications on the site.

App No.	Description	Status
24/00066/LBA	Replacement of 13 internal fire doors to meet BS guidelines.	Pending decision
24/00064/LBA	Installation of Solar PV to the south facing section of the perimeter flat roof.	Pending decision
18/01247/LBA	Replacement of 6 internal doors.	Permitted 15 February 2019
17/00445/LBA	Replacement of existing light fittings with LED light fittings in Museum and Library areas	Permitted 15 September 2017

CONSULTATIONS

Consultee	Comments
Internal Consultees	
Conservation Officer	No objection subject to a condition.
Ecology Officer	No comments received.
External Consultees	
Historic England	No advice offered, but suggested the council seek the views of their own specialist conservation adviser.
Public Consultation	
Neighbours	No comments were received.

PLANNING LEGISLATION, POLICY, AND GUIDANCE

6. Legislation and Regulations

- 6.1. Town and Country Planning Act 1990
- 6.2. Planning (Listed Buildings and Conservation Areas) Act 1990

7. Planning Policy

7.1. National Planning Policy Framework 2023 (NPPF)

- Section 2: Achieving Sustainable Development
- Section 4: Decision-Making
- Section 12: Achieving Well-Designed and Beautiful Places

- Section 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Section 15: Conserving and Enhancing the Natural Environment
- Section 16: Conserving and Enhancing the Historic Environment

7.2. Epsom and Ewell Core Strategy 2007 (CS)

- Policy CS1: Sustainable Development
- Policy CS3: Biodiversity and Designated Nature Conservation Areas
- Policy CS5: The Built Environment
- Policy CS6: Sustainability in New Development
- Policy CS13: Community, Cultural and Built Sports Facilities

7.3. Epsom and Ewell Development Management Policies Document 2015 (DMPD)

- Policy DM4: Biodiversity and New Development
- Policy DM8: Heritage Assets
- Policy DM10: Design Requirements for New Developments
- Policy DM34: New Social Infrastructure

8. Supporting Guidance

8.1. National Planning Policy Guidance (NPPG)

- Biodiversity Net Gain (draft)
- Climate Change
- Determining a Planning Application
- Historic Environment
- Natural Environment
- Permission in Principle
- Renewable and Low Carbon Energy
- Use of Planning Conditions

8.2. Supplementary Planning Documents and Guidance

- Sustainable Design Supplementary Planning Document 2016

8.3. Other Documentation

- Ewell Village Character Appraisal
- Historic England Official List

PLANNING ASSESSMENT

9. Principle of Development

9.1. Built-up Area

- 9.2. The site is within the built-up area of Epsom and the principle of development is acceptable in terms of the principles, objectives, and policies in the CS, the DMPD and supporting guidance and documents.

9.3. Social Infrastructure

- 9.4. Policy DM34 of the DMPD allows new or extended social infrastructure to address identified need, where it is practical and flexible, accessibly located, of high-quality design with inclusive access, absent of neighbour amenity impacts and satisfies highways requirements.
- 9.5. Policy DM34 of the DMPD allows for social infrastructure development where there is identified need, it is provided in a multi-use, well designed and flexible building with inclusive access to the building, good access to public transport, adequate parking provision and no adverse impact on residential character and amenity.
- 9.6. The existing building of Bourne Hall is a high energy user, consuming over 180,000kWh's of electricity annually, which is recognised as the second highest figure for council owned operational buildings in the Borough. The proposal of a large-scale PV Solar system on the existing building will allow the council to generate its own electricity, contributing to sustainable development, reducing energy costs, and securing the longevity of future energy consumption patterns.
- 9.7. The council have identified the need of installing a PV solar system, improving the operational function of the building and its energy usage. This, in turn, will have a positive net impact on the social infrastructure provision within the Borough. As such, the proposal is acceptable in principle, compliant with Policy DM34 of the DMPD.

10. Heritage and Conservation

- 10.1. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that development must ensure the preservation of any nearby listed building, including its setting.
- 10.2. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to the desirability of preserving or enhancing the character or appearance of that area.
- 10.3. Paragraphs 203-208 of the NPPF 2023 requires consideration of the harm to the significance of a designated heritage asset. Paragraph 195 says heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generation.
- 10.4. Paragraph 206 requires clear and convincing justification where there is harm to or the loss of a designated heritage asset. Paragraph 202 states that where there is less than substantial harm, the harm must be weighed against the public benefits.
- 10.5. Policy CS5 of the CS and Policy DM8 of the DMPD seek to protect and enhance heritage assets and their setting.

- 10.6. Bourne Hall has been Grade II Listed since 30 April 2015. The principal justifications for the listing of the building, taken from the official Historic England Listing, are:
- Bourne Hall Library and Social Centre of 1967-1970 A. G. Sheppard Fidler and Associates
 - Architectural interest: a striking design, notable for its space-age flair and the generous, top-lit principal interior space.
 - Plan form: the circular layout is well-organised, legible, and flexible.
 - Historic interest: as an ambitious example of the expansion of the library service and the integration of community facilities and disabled access.
- 10.7. Bourne Hall is located within the Ewell Village Conservation Area. In the Character and Management Appraisal Document (2009), Bourne Hall, a 1960s building of some merit, and its parkland, is characterised as an important local amenity. Surrounding trees, water features and green spaces give this part of the conservation area a more rural quality despite the busy traffic along Kingston Road.
- 10.8. The EEBC Conservation Officer has been consulted on the application and has issued the following response:
- 10.9. “The roof forms of Bourne Hall form an integral part of the historical and architectural significance of Listed Asset. The original form and materials have been retained and have not been extended or altered since construction.
- 10.10. On the main building, a central clear dome is surrounded by a ring of concrete posts resembling a crown. Around this, a copper clad roof gently curves over the remainder of the circular form of the building’s first floor and is separated from the ground floor by an array of windows. The ground floor rooms extend out beyond the line of the first floor and are covered by flat roofs that are not visible from the ground. These perimeter roofs facing south/south-westwards are the proposed location for the solar panels as displayed on the submitted block plan.
- 10.11. The Design and Access Statement states that the proposed mounted solar panels will not be fixed to the roof but will be weighed down with concrete ballistic weights.
- 10.12. Each panel measures 1678mm long and 250mm high at the upper end. The solar panels will be angled towards the south meaning their lowest point will be nearest the edge of the southern roof. A panel structure was put onto the roof, close to the southern edge, as a mock-up for discussions prior to this application and it could not be seen from the ground level.

- 10.13. Following further discussions with the applicant, some of the panels on the western side of the perimeter roof were requested to be set further away from the edge, so they could also not be seen at ground level. A revised block plan showing the position of the solar panels was submitted on 30 April 2024 to demonstrate this.
- 10.14. Cabling will be clipped to existing cables and follow existing routes into the building by the rear exit where the existing electrical rooms are situated. No issues are raised in this regard.”
- 10.15. As a substantial number of solar panels are proposed to sit on the existing roof surface, there will be some visual impact of the proposals both from aerial view and from first floor level. The panels will be partially observable from the mezzanine first-floor museum from within Bourne Hall itself.
- 10.16. However, as the Solar PV system is not visible from any public vantage point outside of Bourne Hall and is well proportioned across the roof slope, the development will result in less than substantial harm to the Grade II Listed Asset and to the Ewell Village Conservation Area.
- 10.17. It is therefore necessary to weigh the scheme against the public benefits of the proposal which include a significant infrastructure contribution to decarbonise the operations of Bourne Hall, the promotion of sustainable energy consumption patterns to benefit the local community, and ensuring cost-effective electricity expenditure, allowing redistribution into more appropriate areas.
- 10.18. As such, the significant environmental impact, modest social, and minor economic impacts of the proposal would outweigh the less than substantial harm to the Grade II Listed Asset and Ewell Village Conservation Area, and the development is acceptable in this regard.

11. Design and Character

- 11.1. Paragraphs 129, 135 and 139 of the NPPF 2023 refer to the need for functional and visually attractive development that is sympathetic to local character and history. Policy CS5 of the CS requires high quality design that is attractive, relates to local distinctiveness and complements the attractive characteristics of the area. Policy DM9 of the DMPD requires a positive contribution to and compatibility with the local character and the historic and natural environment and Policy DM10 requires good design that respects, maintains or enhances the prevailing house types and sizes, density, scale, layout, height, form and massing, plot width and building separation, building lines and key features.
- 11.2. The submitted block plans displays the 120 individual solar panels on the western and southern side of the perimeter flat roof. The panels are well-proportioned to one another and do not extend further than the outer edge of the roof. The solar system will not be visible from the streetscene or the

immediate vantage points within the site. There are also no proposed works or alterations to the existing roof.

- 11.3. As such, there are no design or visual amenity concerns from the proposed development.

12. Environmental Sustainability

- 12.1. On 23 July 2019, the Council committed to tackling Climate Change and addressing Epsom and Ewell Borough Council carbon emissions. Policy CS6 of the CS stipulates that development should incorporate sustainable development and reduce, or have a neutral impact upon, pollution and climate change. This includes incorporation of renewable energy.
- 12.2. The Design and Access Statement identifies that Bourne Hall is currently one of the Council's highest energy consuming operational assets. The building consumes over 180,000 kWh's of electricity annually, the equivalent of 36 tonnes of carbon dioxide emissions, a 24% share of the Council's direct emissions.
- 12.3. One of the actions of Epsom and Ewell's Climate Action Plan, agreed by full council in 2020, is to install PV solar systems and solar storage on Council owned operational assets and land wherever viable. This is a strong step for the Council to decarbonise the energy usage of all existing council-owned buildings.
- 12.4. The proposal involves the delivery of a 120 panel PV solar system, capable of generating 385 watts per panel. The proposal also includes ancillary storage and battery provision in the existing internal electrical rooms.
- 12.5. The proposed development would have a significant contribution in decarbonising the existing building and progressing in Epsom and Ewell's mission to tackling climate change and reducing carbon emissions. This outcome of the proposal is given significant weight in the planning balance.

13. Neighbour Amenity

- 13.1. Policy CS5 of the CS and Policy DM10 of the DMPD seeks to protect occupant and neighbour amenity, including in terms of privacy, outlook, sunlight/daylight, and noise whilst Paragraph 185 of the NPPF and Policy CS6 of the CS seek to mitigate and reduce noise impacts.
- 13.2. The side flank of Bourne Hall is located at least 36m away from the nearest neighbouring residential property across Spring Street. Landscape screening also bounds much the site to the west and the south. As such, it is not foreseen the proposal will result in undue harm to the amenities of neighbouring occupiers, primarily in relation to glare.

14. Ecology and Biodiversity

14.1. Ecological Impact

14.2. Paragraphs 180 and 186 of the NPPF 2023, Policy CS3 of the CS and Policy DM4 of the DMPD require the conservation and enhancement of on-site biodiversity, with minimisation of impacts and the provision of mitigation measures. The duty of care extends to Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 to protect species identified under Schedule 5 of the Wildlife and Countryside Act 1981 and Schedule 2 of the Conservation of Habitats and Species Regulations 2017.

14.3. The site is within a SSSI Impact Risk Zone Area. Given the surrounding presence of a heavily wooded and green environment, the existing building may host roosting opportunities for the protected species of bats.

14.4. However, the proposed 120 solar panels will be stabilised by concrete ballistic weights and do not require removal or alteration of the roof existing roof surface. The Ecology Officer has been consulted and has not provided comment. As such, there is no foreseen harm to the protected species of bats. An informative will be added to the decision notice to advise the applicant if protected species are found during the works.

14.5. Biodiversity Net Gain

14.6. Schedule 7A of the Town and Country Planning Act 1990 and Section 180 of the NPPF require delivery of biodiversity net gain (BNG) of 10%, including by establishing coherent ecological networks that are more resilient to current and future pressures with the overall intention to deliver a more or better-quality natural habitat than there was before development.

14.7. Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

14.8. The 'Biodiversity net gain: exempt developments' guidance from the Department for Environment, Food, & Rural Affairs and the Biodiversity Gain Requirements (Exemptions) Regulations 2024 sets out the developments which fall below the threshold to comply mandatorily with the Biodiversity net-gain requirement.

14.9. The De minimis exemption applies when the development does not impact a priority habitat and impacts less than 25 square metres (5m by 5m) of on-site habitat. A habitat is impacted where the habitat is lost or

degraded such that there is a decrease in biodiversity value of that habitat.

- 14.10. The proposed development is to be mounted on the existing perimeter roof surface. The roof surface will not be degraded, removed, altered, or lost, and therefore there will be a negligible impact on the biodiversity value of the habitat. As such, the De minimis exemption is valid in this instance and the biodiversity gain planning condition does not apply in relation to planning permission.

15. Accessibility and Equality

- 15.1. The Council is required to have regard to its obligations under the Equality Act 2010, including protected characteristics of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion, or belief. There would be no significant adverse impacts as a result of the development.

16. Community Infrastructure Levy

- 16.1. The application is not liable for CIL payments.

CONCLUSION

17. Planning Balance

- 17.1. Section 2 of the NPPF has an underlying presumption in favour of sustainable development which is carried through to the Development Plan. Policy CS1 of the CS expects development to contribute positively to the social, economic, and environmental improvements in achieving sustainable development whilst protecting and enhancing the natural and built environment.
- 17.2. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that development must ensure the preservation of any nearby listed building, including its setting. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to the desirability of preserving or enhancing the character or appearance of that area.
- 17.3. Heritage Considerations**
- 17.4. The proposal would result in less than substantial harm to the Grade II Listed Building and Ewell Village Conservation area, but this harm is outweighed by the significant public benefits of the development.

17.5. Economic Considerations

17.6. The proposal represents a cost-effective measure to offset existing electricity expenditure, allowing redistribution into more appropriate areas. It also has broader economic benefits associated with the wider environmental improvements. These benefits are afforded minor weight.

17.7. Social Considerations

17.8. The promotion of sustainable development and energy consumption patterns within an existing council asset will have a direct impact on improving and securing energy usage within the building. This, in turn, will improve the functionality of the social infrastructure for the local community and is therefore a benefit given modest weight in the planning balance.

17.9. Environmental Considerations

17.10. The proposed development will result in a significant contribution to decarbonising the existing building and progressing in Epsom and Ewell's mission to tackling climate change and reducing carbon emissions. This outcome of the proposal is given significant weight in the planning balance.

17.11. The Conservation Officer is satisfied that the proposed PV solar system will not result in harm or loss to the Grade II Listed Bourne Hall. Moreover, the proposal will not result in harm to the character of the Ewell Village Conservation Area.

17.12. Officers are satisfied that the development will result in negligible harm on the protected species of bats and the biodiversity planning condition does not apply given that the exemption criteria has been met.

17.13. Conclusion

17.14. Officers' recommendation before the committee is to approve the application subject to conditions.

RECOMMENDATION

To grant planning permission subject to the following conditions and informatives:

Conditions

1) Timescale

The development hereby permitted shall be commenced within three years from the date of this decision.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2) **Approved Plans**

Unless otherwise agreed in writing by the local planning authority, the development hereby permitted shall be carried out in accordance with the plans numbered below and received by the local planning authority.

- A200/BH/001;
- Bourne Hall – SOLAR PV Side Elevation dated 11/01/2024;
- Bourne Hall – SOLAR PV BLOCK PLAN dated 30/04/2024;
- Location plan;
- Fact sheet for Tiger Neo N-type 54HL4R-(V) 425–445-Watt Mono-Facial Module;
- Fact sheet – SunMount. The modular mounting system for all types of flat roof;
- Solar PV Method Statement from Titan Eco.

Reason: For avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and to ensure a satisfactory external appearance in accordance with Policy CS5 of the Core Strategy 2007 and Policies DM8, DM9 and DM10 of the Development Management Policies Document 2015.

3) **No Longer in Use**

The development as approved shall be removed no longer than one month after the use and operations of the PV Solar Panel system ceases.

Reason: To safeguard the special architectural and historic interest of the listed building and character and appearance of the conservation area in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM8, DM9 and DM10 of the Development Management Policies 2015.

Informatives

1) **Positive and Proactive Discussion**

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

2) **Conservation of the Listed Buildings**

You are reminded that all works to a listed building must be carried out with the utmost care and to the highest standards of quality and workmanship. Any damage

to the listed building shall be immediately made good using materials to match the originals. Unauthorised works that harm the listed building constitute a criminal offence and will be liable to fines of up to £20,000 per offence.

3) Protected Species

The applicant is reminded that it is an offence to disturb protected species under the Wildlife and Countryside Act 1981. Should a protected species be found during the works, the applicant should stop work and contact Natural England for further advice on 0845 600 3078.

24/00066/LBA - Bourne Hall, Spring Street, Ewell KT17 1UD

Application Number	24/00066/LBA
Application Type	Listed Building Consent
Address	Bourne Hall, Spring Street, Ewell KT17 1UD
Ward	Ewell Village
Proposal	Replacement of 13 internal fire doors to meet BS guidelines
Expiry Date	12 March 2024
Recommendation	Approval, subject to conditions and informatives
Number of Submissions	0
Reason for Committee	Council owned listed building
Case Officer	George Smale
Contact Officer	Simon Taylor, Interim Manager
Plans, Documents and Submissions	Available here: Bourne Hall
Glossary of Terms	Found here: Glossary of Terms



SUMMARY

1. Summary and Recommendation

- 1.1. This application is before the committee as the site is located on council owned land and the applicant is a representative on behalf of the council. It is recommended for approval.
- 1.2. This is a proposal for the replacement of 13 internal doors with fire doors to match the originals. It is submitted as a listed building consent. There is no requirement for a full application because it is not defined as development.
- 1.3. The site is owned by the council and enables several leisure, parkland and open space, and community uses. The site is also located in the Ewell Village Conservation Area. Bourne Hall comprises of a 1960s library, social centre, and museum with modernist architectural merit.
- 1.4. There is an extensive planning history to the wider site and parkland.
- 1.5. The Council's Conservation Officer is supportive of the scheme. It is recommended that the committee approve this application with conditions, as the special architectural or historic interest of the listed building will be preserved and is in accordance with our policies.

PROPOSAL

2. Description of Proposal

- 2.1. The proposal involves the following works:
 - Replacement of 13 internal doors.

SITE

3. Description

- 3.1. Bourne Hall is a large dome-shaped building of a distinctive and striking architectural style, serving as Library and Social Centre since 1970. The building is Grade II Listed, council owned, and centred within Bourne Hall Park. The entire site has important local community value.
- 3.2. The exterior of the building is a curving volume with a continuous band of aluminium windows at first and second floor level. The upper floor slopes inward and the structure is surmounted by a broad copper dome, resembling the appearance of a flying saucer. A circular layout is planned within the building that expands over three level which includes a main hall, open-plan library, mezzanine museum, and studio spaces.

- 3.3. The surrounding area comprises a large open parkland with a number of large redwood trees, green spaces, and water courses. The entire site area is located in the Ewell Village Conservation Area, a historic area encompassing Bourne Hall, the commercial village centre, and outlying residential areas.
- 3.4. The site is accessed by vehicle from Spring Street, and pedestrian routes can be found through the park to the north and from the High Street to the East. The nearest residential properties are located on the western side of Spring Street, approximately 36m from the outer edge of Bourne Hall.

4. Constraints

- Built Up Area
- Grade II Listed Building
- Ewell Village Conservation Area
- Article 4 Directive
- Locally Listed Building

5. History

- 5.1. The following are the more recent applications on the site.

App No.	Description	Status
24/00419/FUL	Installation of Solar PV to the south facing section of the perimeter flat roof.	Pending decision
24/00064/LBA	Installation of Solar PV to the south facing section of the perimeter flat roof	Pending decision
18/01247/LBA	Replacement of 6 internal doors.	Permitted 15 February 2019
17/00445/LBA	Replacement of existing light fittings with LED light fittings in Museum and Library areas	Permitted 15 September 2017

CONSULTATIONS

Internal and External Consultation	
Conservation	No objection, subject to conditions.
Historic England	No advice offered, but suggested the views of the council's specialist conservation adviser is sought.
Public Consultation	
Neighbours	The application was advertised by means of a site notice and press notice. No comments were received.
Epsom Civic Society	No comments were received.
Twentieth Century Society	No comments received.

PLANNING LEGISLATION, POLICY, AND GUIDANCE

6. Legislation and Regulations

- 6.1. Town and Country Planning Act 1990
- 6.2. Planning (Listed Buildings and Conservation Areas) Act 1990

7. Planning Policy

7.1. National Planning Policy Framework 2023 (NPPF)

- Section 2: Achieving Sustainable Development
- Section 16: Conserving and Enhancing the Historic Environment

7.2. Epsom and Ewell Core Strategy 2007 (CS)

- Policy CS1: Sustainable Development
- Policy CS5: The Built Environment

7.3. Epsom and Ewell Development Management Policies Document 2015 (DMPD)

- Policy DM8: Heritage Assets

8. Supporting Guidance

8.1. National Planning Policy Guidance (NPPG)

- Historic Environment

PLANNING ASSESSMENT

9. Listed Significance

- 9.1. Bourne Hall has been Grade II Listed by national government since 30 April 2015. The principal justifications for the listing of the building are taken from the official Historic England Listing:

- Bourne Hall Library and Social Centre of 1967-1970 A. G. Sheppard Fidler and Associates
- Architectural interest: a striking design, notable for its space-age flair and the generous, top-lit principal interior space.
- Plan form: the circular layout is well-organised, legible, and flexible.
- Historic interest: as an ambitious example of the expansion of the library service and the integration of community facilities and disabled access.

- 9.2. The following paragraphs from the list description are also relevant:

- 9.3. *“MATERIALS / STRUCTURE: the structure is of reinforced and pre-cast concrete, with aluminium windows, green Cumbrian slate copings and mosaic external finishes to the perimeter wall. The copper-clad dome with*

its central glassfibre rooflight is 42.6m (140') in diameter and 11.2m (37') at its highest point. 20 vertical pre-cast concrete ribs form a corona. The knuckles of the ribs are held in position by an in-situ pre-stressed, post-tensioned concrete ring beam which forms both the gutter and the eaves for the main dome. The roof construction is a sandwich of materials: the outer layer is sheet copper bonded to felt and wood wool panels on steel joints spanning between the frame. Towards the outer edges of the roof the wood wool panels are replaced by a band of lightweight 'Gunitite' concrete sprayed onto permanent formwork."

- 9.4. *EXTERIOR: the exterior is a curving volume with a continuous band of aluminium windows at ground and first floor. The upper floor slopes inward and is surmounted by a broad copper dome, from which emerges a corona of pre-stressed, post-tensioned concrete ribs. Single-storey volumes of varying widths project forward of the circular footprint. The windows are separated by load-bearing pre-cast white concrete mullions running between a floating plinth and fascia, and some windows have Cumbrian slate panels beneath. The elevations are designed to a 4" (c.10cm) module enabling standardised pre-cast components. The result resembles a flying saucer, and was designed to sit low within the existing mature landscape. The ribbed concrete boiler chimney is 12.8m (42') high and provides a vertical counterpart to the library's dome.*

10. Impact on the Heritage Asset

- 10.1. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that development must ensure the preservation of any nearby listed building, including its setting.
- 10.2. Paragraphs 203-208 of the NPPF 2023 requires consideration of the harm to the significance of a designated heritage asset. Paragraph 195 says heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generation.
- 10.3. Paragraph 206 requires clear and convincing justification where there is harm to or the loss of a designated heritage asset. Paragraph 202 states that where there is less than substantial harm, the harm must be weighed against the public benefits.
- 10.4. Policy CS5 of the CS and Policy DM8 of the DMPD seek to protect and enhance heritage assets and their setting.
- 10.5. The EEBC Conservation Officer has been consulted on the application and has issued the following response:
- 10.6. The doors are located around the western corridor at ground floor, with two of the doors being located on the first floor mezzanine. Most of the 13 doors are original and have original fittings such as aluminium details, original metal handles (decorative and plain) and have an exotic wood

vener. The doors make an important contribution to the heritage significance of the listed building.

- 10.7. Building Regulations have been made more stringent following the Grenfell fire in London. The doors have been surveyed and those proposed to be replaced have been found to have damage and air gaps that cannot be fixed by repair and upgrading and therefore will not create a safe barrier in the event of a fire.
- 10.8. The replacement doors will be copies of the originals in terms of their design and appearance. Some of the original features, such as the metal bead around the frame and the original handles can be retained and reused. The new doors will be clad in a veneer to match the originals and this has been used successfully on other doors in the area. It will not be possible to reuse the metal beading around the vision panels due to heat transfer during fire and a condition will require that this part of the proposal is resolved prior to installation.
- 10.9. The proposal will cause less than substantial harm to the heritage significance of the listed building but is outweighed by the public benefit of protecting users in the event of a fire. Not all doors are proposed to be changed and the new doors will closely replicate the originals so that the harm will be minimised and mitigated.

11. Design and Character

- 11.1. The works are entirely internal, and no issues are raised.

12. Accessibility and Equality

- 12.1. The Council is required to have regard to its obligations under the Equality Act 2010, including protected characteristics of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion, or belief. There would be no significant adverse impacts as a result of the development.

CONCLUSION

13. Planning Balance

- 13.1. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that development must ensure the preservation of any nearby listed building, including its setting.
- 13.2. The proposed replacement doors will result in less than substantial harm to the Grade II Listed Asset and the character and appearance of the Conservation Area but the safety benefits associated with the building regulations would outweigh such harm.

RECOMMENDATION

To grant planning permission subject to the following conditions and informatives

Conditions

1) Timescale

The development hereby permitted shall be commenced within three years from the date of this decision.

Reason: To comply with Section 18 (1) (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 52 (4) of the Planning and Compulsory Purchase Act 2004.

2) Approved Plans

Unless otherwise agreed in writing by the local planning authority, the development hereby permitted shall be carried out in accordance with the plans numbered below and received by the local planning authority and no others.

- Location Plan 2024-01-12
- Door plans 2, 3, 9, 10, 11, 14, 15, 18, 23, 25, 27, 32 and 33.

Reason: For avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and to ensure a satisfactory external appearance in accordance with Policy CS5 of the Core Strategy 2007 and Policies DM8, DM9 and DM10 of the Development Management Policies Document 2015.

3) Materials

Prior to the commencement of development, the following details shall be submitted to and approved in writing by the local planning authority.

- a) A sample of the veneer
- b) A sample of the beading around the vision panels
- c) A sample of the Georgian wired glass
- d) Confirmation that other original details, such as metal lettering, shall also be retained and reused on replacement doors.

The development shall be carried out in accordance with the details so approved.

Reason: To comply with sections 16 and 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to preserve the listed building and the features of special architectural or historic interest which it possesses.

Informatives

1) Positive and Proactive Discussion

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

2) Conservation of the Listed Buildings

You are reminded that all works to a listed building must be carried out with the utmost care and to the highest standards of quality and workmanship. Any damage to the listed building shall be immediately made good using materials to match the originals. Unauthorised works that harm the listed building constitute a criminal offence and will be liable to fines of up to £20,000 per offence.