

Minutes of the Meeting of the PLANNING COMMITTEE held at the Council Chamber, Epsom Town Hall on 3 October 2024

PRESENT -

Councillor Steven McCormick (Chair); Councillor Clive Woodbridge (Vice-Chair); Councillors Chris Ames (as nominated substitute for Councillor Kate Chinn), Neil Dallen, Julian Freeman, Bernie Muir, Phil Neale, Humphrey Reynolds and Chris Watson (not present for minute item 32)

Absent: Councillor Kate Chinn and Councillor Jan Mason

Officers present: Michael Elford (Principal Lawyer), Simon Taylor (Planning Development & Enforcement Manager), George Smale (Planning Officer) and Phoebe Batchelor (Democratic Services Officer)

24 DECLARATIONS OF INTEREST

Langley Vale Memorial Woodland Site, Headley Road, Epsom, Surrey, KT18 6BL – Agenda Item 3

Councillor Neil Dallen, Other Interest: Councillor Neil Dallen declared that he is a Member of the Epsom and Walton Downs Training and Management Board (TGMB). He stated that it did not affect his decision-making ability and that he maintained an open mind. He stated that he was not involved in the TGMB response to the application.

Councillor Chris Watson, Other Interest: Councillor Chris Watson declared that following a conversation and advice from the Council's Monitoring Officer, he would be withdrawing from sitting on the Langley Vale Memorial Woodland Site Application.

Councillor Clive Woodbridge, Other Interest: The Vice Chair, Councillor Clive Woodbridge, declared that he is a Member of the Epsom & Walton Downs Conservators, who are responsible for the management of the land adjacent to that of the application. He stated that this was not a conflict of interest, and he maintained an open mind.

Councillor Steven McCormick, Other Interest: The Chair, Councillor Steven McCormick, declared that he is the Chair of the Epsom & Walton Downs Conservators and sits on the TGMB. He stated that he had a clear and open mind in respect to the application.

Bourne Hall, Spring Street, Ewell, Surrey, KT17 1UD – Agenda items 4-7

Councillor Clive Woodbridge, Other Interest: The Vice Chair, Councillor Clive Woodbridge, declared that he is the Chair of Community and Wellbeing Committee, who are responsible for the management of Bourne Hall. He stated that he remained unbiased and maintained an open mind.

Councillor Neil Dallen, Other Interest: Councillor Neil Dallen declared that he is the Chair of Strategy and Resources Committee, who are responsible for the management of the Council's Buildings, which is relevant to the Bourne Hall Applications. He stated that he remained unbiased and maintained an open mind.

25 MINUTES OF THE PREVIOUS MEETING

The Committee confirmed as a true record the Minutes of the Meeting of the Committee held on 3 October 2024, and authorised the Chair to sign them.

26 24/01013/FUL- BOURNE HALL, SPRING STREET, EWELL, SURREY, KT17 1UD

Description:

Installation of Solar PV to flat roofs and Tesla Powerwall batteries for power storage.

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 Julian Freeman proposed a motion to approve the Officer recommendation as set out in the report. The proposal was seconded by Councillor Neil Dallen.

Subsequently, the Committee unanimously resolved 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 AS-2-01, AS-2-03, AS-23-01, S-2-01 and AM-04-01, received by the local planning authority on 17 & 18 September 2024 and 31 July 2024.

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, inclusive of the panels and steel frame, 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.

27 24/01015/LBA- BOURNE HALL, SPRING STREET, EWELL, SURREY, KT17 1UD

Description:

Installation of Solar PV to flat roofs and Tesla Powerwall batteries for power storage.

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 Julian Freeman proposed a motion to approve the Officer recommendation as set out in the report. The proposal was seconded by Councillor Bernie Muir.

Subsequently, the Committee unanimously resolved to:

GRANT listed building consent 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 AS-2-01, AS-2-03, AS-23-01, S-2-01 and AM-04-01, received by the local planning authority on 17 and 18 September 2024 and 31 July 2024.

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, inclusive of the panels and steel frame, 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).

28 24/01091/LBA - BOURNE HALL, SPRING STREET, EWELL, SURREY, KT17 1UD

Description:

Alterations to fenestration.

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 Humphrey Reynolds proposed a motion to approve the Officer recommendation as set out in the report. The proposal was seconded by Councillor Phil Neale.

Subsequently, the Committee unanimously resolved to:

GRANT listed building consent 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/titled:

- Detail 1A
- Detail 1E
- Detail 2A
- Detail 3A

- Detail 19A
- Ground Floor Fixed Windows Existing and Proposed
- First Floor Fixed Windows Existing and Proposed
- Ground Floor Pivot Windows Existing and Proposed
- Proposed Elevations 1 of 3
- Proposed Elevations 2 of 3
- Proposed Elevations 3 of 3
- Windows Survey Details

All received by the local planning authority on 19 August 2024.

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 the development hereby permitted, detailed specifications of the windows shall be submitted to and approved in writing by the local planning authority. These shall include

- Frame finish (sample)
- Glass (sample)
- Window furniture
- Location and extent of trickle vent (drawing at scale of 1:20)
- Colour and finish of the spacer inside the double-glazed unit
- Pivot plates

The approved details shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a satisfactory external appearance in accordance with Section 16 of the National Planning Policy Document 2023, Policy CS5 of the Core Strategy 2007 and Policy DM8 of the Development Management Policies Document 2015.

4) Pivot Plates

Prior to first use of the windows, pivot plates are to be applied to the centre of each respective window frame, inside and outside, to imitate the original opening method and thereafter maintained in perpetuity.

Reason: To ensure a satisfactory external appearance in accordance with Section 16 of the National Planning Policy Document 2023, Policy CS5 of the Core Strategy 2007 and Policy DM8 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) 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.

29 24/00618/LBA- BOURNE HALL, SPRING STREET, EWELL, SURREY, KT17 1UD

Description:

Installation of new layer of roof felt to the existing felt roof (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 to approve the Officer recommendation as set out in the report. The proposal was seconded by Councillor Julian Freeman.

Subsequently, the Committee unanimously resolved 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 plans numbered/titled AS-2-01 and Bourne Hall - Solar PV BLOCK PLAN.

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.

2) Materials

The materials used in the construction of the external surfaces of the extension hereby permitted shall be retained in accordance with those indicated within the application form associated with the application, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a satisfactory external appearance in accordance with Policy CS5 of the Core Strategy 2007 and Policies DM9 and DM10 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.

30 ENFORCEMENT REPORT

The Committee received and noted a report providing a summary of incoming and closed enforcement cases by month.

The following matter was discussed:

- a) **Enforcement Activity.** A Member of the Committee asked if any enforcement activity had taken place during the period indicated on the report. The Planning and Enforcement Manager confirmed that enforcement activity had taken place. The Chair noted the comments and said an additional column could be added to the table to show enforcement actions and why enforcement cases were closed.

31 UPCOMING APPLICATIONS

The Committee received and noted a report providing a summary of likely applications to be heard at future Planning Committee Meetings.

The following matter was discussed:

- b) **Site Visits.** A Member of the Committee asked if requested Site Visits for certain upcoming applications will be taking place. The Chair informed the Committee that Site Visits will be organised soon and invites sent out to Committee Members shortly.

32 24/00437/FUL- LANGLEY VALE MEMORIAL WOODLAND SITE

Councillor Chris Watson excused himself and left the Council Chamber for the duration of the application.

Following debate, the Chair proposed the item was dealt with at the end of the agenda, in order to give the time for the proposed condition to be worded, prior to it being voted on by the Committee.

Councillor Bernie Muir seconded the proposal. The Committee voted (5 for, 3 against) in favour of deferring the item to the end of the agenda.

Description:

Creation of a visitor hub/shelter, including access paths, landscaping, and associated infrastructure.

Officer Recommendation:

Approval, subject to conditions and informatives.

Including the addition of an informative to the decision notice in relation to Biodiversity Net Gain obligations:

8) Biodiversity Net Gain

The applicant is reminded of their obligations to deliver mandatory biodiversity net gain on-site in accordance with Schedule 7A of the Town and Country Planning Act 1990, including (a) submitting a Biodiversity Gain Plan that accords with the National Planning Practice Guidance and the approved BNG Assessment and Metric Tool; and (b) not operating prior to a completion report being agreed by the local planning authority.

Officer Presentation:

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

Public Speaking:

The Agent spoke in support of the application.

Decision:

Following consideration, Councillor Neil Dallen proposed an additional condition be added, as follows:

'The development hereby permitted should not be first used until details of Highway improvement discussions with the Highway Authority have been submitted to and approved in writing by the Local Planning Authority. These discussions shall include but not be limited to, works to the public highway and horse crossing on Headley Road to account for any change in horse or traffic numbers on Headley Road since the original approval, and the need for any highway improvement works. Any improvement works shall be implemented in accordance with the approved details prior to first use.'

Councillor Bernie Muir seconded the proposal.

The Committee voted (2 for, 4 against, 1 abstaining, and the Chair not voting) against the motion, and the motion was lost.

Following further consideration, Councillor Neil Dallen proposed a motion to approve the Officer recommendation as set out in the report. The proposal was seconded by Councillor Julian Freeman.

Subsequently, the Committee resolved (7 for, and the Chair not voting) to:

GRANT planning permission subject to a S106 Legal Agreement with the following Heads of Terms:

- a) Biodiversity Net Gain (BNG) delivery and monitoring

And 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:

- 150_3000_P1
- 150_3001_P1
- 150_3013_P1
- 150_3012_P1
- 150_3010_P1
- 150_3011_P1
- 150_3014_P1
- 150_3015_P1
- SK19
- WTL684-GRA-XX-XX-DR-L-1101-P Rev 01
- WTL684-GRA-XX-XX-DR-L-1301-P Rev 01
- WTL684-GRA-XX-XX-DR-L-1102-P Rev 01,

All received by the local planning authority on 19 April 2024.

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.

3) Construction Management Plan

No development including any preparation works shall commence until a Construction Transport Management Plan has been submitted to and approved in writing by the local planning authority. The statement shall include:

- a) Parking for vehicles of site personnel, operatives and visitors
- b) Loading and unloading of plant and materials
- c) Storage of plant and materials used in constructing the development
- d) Programme of works (including measures for traffic management)
- e) Provision of boundary security hoarding behind any visibility zones
- f) Wheel washing facilities
- g) Measures to control the emissions of dust and dirt during construction

- h) A scheme for the recycling/disposing of waste resulting from demolition and construction works
- i) Hours of work and deliveries, having particular regard to morning and afternoon peak traffic periods and the usual training patterns of morning training of horses and their use of nearby roads and paths
- j) Avoidance of root protection areas of trees
- k) Delivery routes, avoiding narrow roads and lanes
- l) Management within the scope of the operation of the existing car park

The approved statement shall be adhered to throughout the construction period.

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 in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.

4) Sustainable Urban Drainage System (SUDS)

No development shall take place until a strategy of surface water drainage for the site using a Sustainable Drainage System (SuDS) has been submitted to and approved in writing by the local planning authority. The approved development shall be implemented in accordance with the approved strategy prior to the occupation of the structure and thereafter retained in that condition.

Reason: To ensure that the principles of sustainable drainage are incorporated into the development and to reduce the impact of flooding in accordance with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

5) Compliance with Ecology Survey

The mitigation measures detailed in Section 4 of the approved Ecology Survey (ref: Phase 2 Ecological Surveys and Assessment, authored by Southern Ecological Solutions, dated March 2024) shall be carried out in full prior to occupation of the development hereby permitted and thereafter maintained for the lifetime of the development.

Reason: In the interests of minimising flood risk in accordance with Policy CS6 of the Core Strategy 2007 and Policy DM19 of the Development Management Policies 2015.

6) Compliance with Archaeological Assessment

The development shall be built in accordance with the written scheme of Investigation for an Archaeological Trial Trench (Appendix 5.2 of the Supplementary Environmental Archaeology (WSI for EVAL SCAU 2024.pdf).

Reason: To safeguard the special archaeological interest of the site in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM8, DM9 and DM10 of the Development Management Policies 2015.

7) No Internal or External Lighting

No internal or external lighting shall be installed on the site or affixed to any buildings on the site unless the local planning authority has first approved in writing details of the position, height, design, measures to control light spillage and intensity of illumination. Only the approved details shall be installed.

Reason: To safeguard the amenities of the occupiers of neighbouring properties and visual amenity and to protect dark skies in accordance with Policy CS5 of the Core Strategy (2007) and Policies 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) Building Control

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced.

3) Highway Works

The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/roadpermits-and-licences/vehicle-crossovers-or-dropped-kerbs.

4) Wheel Washing

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

5) Damage to Highway

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

6) 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.

7) 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.

8) Biodiversity Net Gain

The applicant is reminded of their obligations to deliver mandatory biodiversity net gain on-site in accordance with Schedule 7A of the Town and Country Planning Act 1990, including (a) submitting a Biodiversity Gain Plan that accords with the National Planning Practice Guidance and the approved BNG Assessment and Metric Tool; and (b) not operating prior to a completion report being agreed by the local planning authority.

The meeting began at 7.30 pm and ended at 9.34 pm

COUNCILLOR STEVEN MCCORMICK (CHAIR)