

Minutes of the Meeting of the PLANNING COMMITTEE held at the Council Chamber, Epsom Town Hall on 10 July 2025

PRESENT -

Councillor Steven McCormick (Chair); Councillor Clive Woodbridge (Vice-Chair); Councillors Kate Chinn, Neil Dallen, Julian Freeman (for agenda items 2-8) (as nominated substitute for Councillor Alison Kelly), Jan Mason, Phil Neale, Kieran Persand and Humphrey Reynolds

In Attendance: Councillor Liz Frost

Absent: Councillor Alison Kelly and Councillor Chris Watson

Officers present: Justin Turvey (Head of Place Development), Gemma Paterson (Planning Development Team Leader), Michael Elford (Principal Lawyer) and Phoebe Batchelor (Democratic Services Officer)

1 DECLARATIONS OF INTEREST

The Chair stated that all Members of the Committee had received correspondence from the applicant for Bucknills Close on Tuesday the 8th of July. The Chair stated that he remained unbiased and maintained an open mind.

No declarations of any disclosable pecuniary interests were made by Members with respect to any items of business to be considered at the meeting.

2 MINUTES OF THE PREVIOUS MEETING

The Committee confirmed as a true record the Minutes of the Meeting of the Committee held on the 24 April 2025 and authorised the Chair to sign them.

3 6A BUCKNILLS CLOSE, 11A AND 13 WHITEHORSE DRIVE,

Description:

Demolition of residential dwelling at 6A Bucknills Close and office building at 13 Whitehorse Drive and the construction of nine residential units (3 x 2-bed and 6 x 3-bed) (Class C3) together with car parking, landscaping and access arrangements.

Officer Recommendation:

Approval, subject to conditions, informatives and S106 legal agreement.

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.

The Applicant spoke in support of the application.

Decision:

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

Reason:

Highway Safety

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.

The proposal was seconded by Councillor Humphrey Reynolds.

The Committee resolved (2 for, 3 against, and 3 abstaining) and the motion was lost.

Following further consideration, Councillor Kate Chinn proposed a motion to agree the Officer recommendation as set out in the report. The motion was seconded by Councillor Clive Woodbridge.

Subsequently, the Committee resolved (5 for and 4 against) to:

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

- a) Public Transport Improvements to bus stops on Dorking Road (Westlands Court and Epsom Hospital) to provide RTPI (Real Time Passenger Information)
- b) BNG delivery and monitoring
- c) Securing a Private Waste Collection Company in perpetuity

and the following conditions and informatives:

1. Time Limit

The development hereby permitted shall begin before the expiration of three years from the date of this permission.

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

2. Approved Details

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

Drawing Number 2025/P0296 LP Rev A Site Location Plan Drawing

Drawing Number 2025/P0296 CP Rev A Site Context Plan Drawing

Drawing Number 2025/P0296 001 Rev C Proposed Site Plan

Drawing Number 2025/P0296 C001 Rev C Proposed Site Plan in Colour

Drawing Number 2025/P0296 010 Plot 01 Proposed Plans and Elevations

Drawing Number 2025/P0296 011 Plots 02 & 03 Proposed Plans and Elevations

Drawing Number 2025/P0296 012 Plots 04 & 05 Rev A Proposed Plans and Elevations

Drawing Number 2025/P0296 013 Plots 06, 07 & 08 Rev B Proposed Plans and Elevations

Drawing Number 2025/P0296 014 Plot 09 Rev A Proposed Plans and Elevations

Drawing Number CWLD-NH-BC-2485-01 Rev A Proposed Landscaping Arrangements

Drawing Number CWLD-NH-BC-2485-01 Indicative Tree Pit with Tree Guard

Drawing Number CWLD-NH-BC-2485-04 Indicative Tree Planting Detail

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

Pre-Commencement Conditions

3. Materials

No development shall commence unless and until details of the external materials to be used for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

4. Construction Transport Management Plan

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

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) provision of boundary hoarding behind any visibility zones
- (e) measures to prevent the deposit of materials on the highway
- (f) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- (g) no HGV movements to or from the site shall take place between the hours of 08:00 and 9.00 am and 3.00 pm and 4.30 pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up or waiting on Whitehorse Drive, Dorking Road or Ebbisham Road during these times
- (h) on-site turning for construction vehicles (or measures for traffic management)

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

Reason: In order for the development not to prejudice highway safety nor cause inconvenience to other highway users in accordance with the objectives of the National Planning Policy Framework 2024, and to satisfy policies DM35 and DM36 of the Development Management Policies 2015 and Policy CS16 of the Core Strategy 2007.

5. SuDS Scheme

The development hereby permitted shall not commence until details of the

design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the National Planning Policy Framework 2024 and the accompanying PPG. The approved scheme shall be implemented prior to the occupation of the development hereby approved and thereafter retained.

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

6. Ground Contamination

No development shall commence unless and until a site investigation and risk assessment to determine the existence, extent and concentrations of any made ground/fill, ground gas and contaminants (including asbestos and hydrocarbons) with the potential to impact sensitive receptors on and off site. The scope and detail of these are subject to the approval in writing by the local planning authority. The results of the investigation and risk assessment shall be submitted to and approved by the Local Planning Authority. If ground/groundwater contamination, filled ground and/or ground gas is found to present unacceptable risks, a detailed scheme of risk management measures shall be designed and submitted to the Local Planning Authority for approval. The site shall be remediated in accordance with the approved measures and a verification report shall be submitted to and approved by the Local Planning Authority. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site and verification report shall incorporate the approved additional measures.

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

7. Enhanced Arboricultural Method Statement/Tree Protection Plan

No development shall commence unless and until an enhanced Arboricultural Method Statement (detailing all aspects of construction and staging of works) and a Tree Protection Plan in accordance with British Standard 5837:2012 (or later revision) has been submitted to and approved in writing by the local planning authority.

The development shall be carried out in accordance with the agreed details and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the Tree Protection Plan. Within any area fenced in accordance with this condition, nothing shall be stored, placed

or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit, without the prior written consent of the local planning authority. The fencing shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

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

8. Hard and Soft Landscaping

No development shall commence unless and until full details of both hard and soft landscape proposals, including tree planting pit design and a schedule of landscape maintenance for a minimum period of 10 years, have been submitted to and approved in writing by the Local Planning Authority. The approved landscape scheme shall be implemented prior to the occupation of the development hereby approved and thereafter retained.

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

Pre Occupation Conditions

9. Transport Mitigation

The development hereby approved shall not be first occupied unless and until a scheme to improve highway/transportation matters in the following areas:

- Access surfacing materials (including a footway painted onto the carriage surface) and location, external lighting and provision of signage within the site to notify all users that separate pedestrian and vehicular access is not possible, and that the access road is shared use.
- Retention of the passing place located on the private access road on the eastern side of the site, adjacent to No. 13b.

shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to first occupation.

Reason: In recognition of Section 9 'Promoting Sustainable Transport' of the National Planning Policy Framework 2024 and in meeting its objectives,

as well as and to satisfy policies DM35 and DM36 of the Development Management Policies 2015.

10. Parking/Turning

The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: In order for the development not to prejudice highway safety nor cause inconvenience to other highway users in accordance with the objectives of the National Planning Policy Framework 2024, and to satisfy policies DM35 and DM36 of the Development Management Policies 2015 and Policy CS16 of the Core Strategy 2007.

11. Electric Vehicle Charging Points

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

Reason: In recognition of Section 9 'Promoting Sustainable Transport' of the National Planning Policy Framework 2024 and in meeting its objectives, as well as and to satisfy policies DM35 and DM36 of the Development Management Policies 2015.

12. Cycle Store Details

The development hereby approved shall not be first occupied unless and until facilities for the secure, covered parking of bicycles within the development have been submitted to and approved in writing by the Local Planning Authority, and thereafter the said approved facilities shall be provided prior to first occupation and retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In recognition of Section 9 'Promoting Sustainable Transport' of the NPPF 2023 and in meeting its objectives, as well as and to satisfy policies DM35 and DM36 of the Development Management Policies 2015.

13. Solar Panels Details

The development hereby approved shall not be first occupied unless and until details of the provision of solar panels within the development have been submitted to and approved in writing by the Local Planning

Authority, and thereafter the said approved panels shall be provided prior to first occupation and retained, maintained and replaced where necessary.

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

14. Compliance with Ecological Mitigation

The development shall be carried out in strict accordance with the recommendations set out in Section 4.0 Preliminary Ecological Appraisal prepared by Ecology Partnership and dated March 2023, Table 5 of Section 4.0 of the Preliminary Roost Assessment, prepared by Arbtech and dated June 2023, Section 5 of the Bat Roost Survey for 6a Bucknills Close, prepared by Environmental Business Solutions, rev 02 dated July 2024, Section 5 of the Bat Roost Survey for 13 Whitehorse Drive, prepared by Environmental Business Solutions dated October 2024 and the suggested biodiversity enhancements set out in the Preliminary Ecological Appraisal prepared by Arbtech and dated February 2025.

The approved details shall be implemented in full prior to the first occupation of any of the dwellings and shall be maintained as such thereafter and no change shall take place without the prior written consent of the Local Planning Authority.

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

15. Compliance with Sustainable Design Measures

The development shall be carried out in strict accordance with the sustainable design measures contained in the Design and Access Statement, prepared by Twenty 20 Architecture Ltd, rev B, dated February 2025, prior to the first occupation and shall be maintained as such thereafter and no change shall take place without the prior written consent of the Local Planning Authority.

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

During and Post Development Conditions

16. Hours of Work

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

Saturday afternoons (after 13.00 hours), Sundays, Bank Holidays or Public Holidays

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

17. Removal of Permitted Development Rights

Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting this order) development under Classes A-C and E-F shall be carried out on the site.

Reason: To safeguard the privacy and amenity of the adjoining occupiers, maintain adequate amenity space, protect the future health and wellbeing of replacement tree planting and to safeguard the cohesive appearance of the development in accordance with Policy DM10 of the Development Managements Policies Document 2015.

18. No Additional Windows/Openings

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting this Order) no windows or other openings shall be formed in the development hereby approved without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities and privacy of the occupiers of the adjoining residential properties in accordance with Policy DM10 of the Development Management Policies Document Adopted October 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. Party Wall Agreement

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

- carry out work to an existing party wall.
- build on the boundary with a neighbouring property.
- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "The Party Walls etc. Act 1996 - Explanatory Booklet".

4. Damage to the Highway

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. Highways Act

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 or organisation responsible for the damage.

6. Construction Traffic

The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting,

parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme"

Code of Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.

7. Highway Improvements

The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to streetlights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

8. Highway Signage

Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.

9. EV Charging Points

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2024.

10. Ordinary Watercourse

If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent.

11. Surface Water

If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

12. Subground Structures

Sub ground structures should be designed so they do not have an adverse effect on groundwater.

13. Listed Wall

This permission does not grant any works of alteration to, or demolition of the existing Grade II wall, as such works require Listed Building Consent.

Council's Conservation Officer must be consulted if repairs to the wall are proposed, so that they can advise on works such as repointing using lime mortar.

14. Asbestos

The site should be assessed for any asbestos containing materials prior to any works of demolition or conversion. Any work with asbestos must be carried out in accordance with the Control of Asbestos Regulations (2012) and relevant Approved Code of Practice <http://www.hse.gov.uk/pubns/books/l143.htm>.

15. Pre Commencement Conditions

The applicant is reminded that this approval is granted subject to conditions which must be complied with prior to the development starting on site. Commencement of the development without complying with the pre-commencement requirements may be outside the terms of this permission and liable to enforcement action. The information required should be formally submitted to the Council for consideration with the relevant fee. Once the details have been approved in writing the development should be carried out only in accordance with those details. If this is not clear please contact the case officer to discuss.

16. 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.

17. Bird Boxes

Due to the extent of the works to the roof, the Council recommends that a bird box is installed. Swift bricks/boxes can be placed on any elevation, but ideally under shade-casting eaves. They should be installed in groups of at least three, at a height above 5m height, and preferably with a 5m clearance between the host building and other buildings or obstructions. Where possible avoid siting them above windows or doors. Swift bricks should be used unless these are not practical due to the nature of construction, in which case alternative designs of suitable swift boxes should be provided in their place.

18. 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.

19. Naming and Numbering

The applicant is advised to contact Epsom and Ewell Borough Council at an early stage to discuss naming and numbering of the development. Refer to 01372 732000 or <https://www.epsom-ewell.gov.uk/street-naming-and-numbering> for further information.

20. CIL Liable Development

This form of development is considered liable for the Community Infrastructure Levy (CIL). CIL is a non-negotiable charge on new developments which involve the creation of 100m² or more of gross internal floorspace or involve the creation of a new dwelling, even when this is below 100m². The levy is charged at £125/m², index linked and is charged on the net additional floorspace generated by a development.

The Liability Notice issued by Epsom and Ewell Borough Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner.

A Commencement Notice must be submitted to the local planning authority prior to the commencement of development in order to ensure compliance with the Community Infrastructure Levy Regulations.

21. Section 106 Agreement

This permission should be read in conjunction with the legal agreement under section 106 of the Town and Country Planning Act dated #, the obligations in which relate to this development.

PART B

If the Section 106 Agreement referred to in Part A is not completed by 19 January 2026, the Head of Place Development is authorised to refuse the application for the following reason:

“In the absence of a completed legal obligation under Section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy SC9 and CS16 of the Core Strategy 2007 and Policies DM36 and DM37 of the Development Management Policies Document 2015.”

4 UPCOMING APPLICATIONS

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

The following matters were considered:

- a) **Swail House.** A Member of the Committee requested a site visit for the upcoming application, Swail House. The Chair confirmed that there would be a site visit. The Chair explained that once it has been scheduled it will be communicated to Members.

5 PLANNING PERFORMANCE REPORT

The Committee received and noted a report providing a summary of Planning Performance by quarter.

The following matters were considered:

- a) **Positive Report.** The Chair expressed thanks to the Planning Team for their hard work in processing planning applications. The Chair acknowledged the significant work done by officers to meet the targets.

6 APPEALS PERFORMANCE REPORT

The Committee received and noted a report providing a summary of all planning appeal decisions and current appeals.

The following matters were considered:

- a) **Material Considerations.** A Member of the Committee highlighted the importance of Planning Committee Members only raising material considerations and being informed when they speak on applications at Committee. The Chair noted the comments.

7 ENFORCEMENT PERFORMANCE REPORT

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

The meeting began at 7.30 pm and ended at 8.57 pm

COUNCILLOR STEVEN MCCORMICK (CHAIR)