

PLANNING COMMITTEE

Thursday 29 January 2026 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 Clive Woodbridge (Vice-Chair)
Councillor Kate Chinn
Councillor Neil Dallen
Councillor Alison Kelly

Councillor Jan Mason
Councillor Phil Neale
Councillor Kieran Persand
Councillor Humphrey Reynolds
Councillor Chris Watson

Yours sincerely



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 - 10)

The Committee is asked to confirm as a true record the Minutes of the Meeting of the Committee held on the 4 September 2025 (attached) and to authorise the Chair to sign them.

3. 139 HOLMWOOD ROAD, CHEAM, SURREY, SM2 7JS (Pages 11 - 30)

Change of use from Residential Dwelling (C3) to a Children's Home (C2).

4. LIBRARY, BOURNE HALL, SPRING STREET, EWELL, SURREY, KT17 1UF (Pages 31 - 40)

Listed Building Consent: Installation of additional vertical balustrades to interior staircase.

5. 25/01364/FUL THE HORTONS ARTS CENTRE, HAVEN WAY, EPSOM (Pages 41 - 56)

Single storey detached rear outbuilding to accommodate an office.

6. UPCOMING APPLICATIONS (Pages 57 - 58)

Summary of Likely Applications to be Heard at Planning Committee.

7. PLANNING PERFORMANCE (Pages 59 - 60)

Summary of Planning Performance by Quarter.

8. ENFORCEMENT PERFORMANCE (Pages 61 - 64)

Summary of Incoming and Closed Enforcement Cases by Month.

9. APPEALS PERFORMANCE (Pages 65 - 74)

Summary of all Planning Appeal Decisions and Current Appeals.

Minutes of the Meeting of the PLANNING COMMITTEE held at the Council Chamber, Epsom Town Hall on 4 September 2025

PRESENT -

Councillor Steven McCormick (Chair); Councillor Clive Woodbridge (Vice-Chair); Councillors Kate Chinn, Neil Dallen, Alison Kelly, Jan Mason, Phil Neale, Humphrey Reynolds and Chris Watson

Absent: Councillor Kieran Persand

Officers present: Simon Taylor (Head of Development Management and Planning Enforcement), Gemma Paterson (Planning Development Team Leader), James Tong (Solicitor) and Dan Clackson (Democratic Services Officer)

8 DECLARATIONS OF INTEREST

The Elders, Epsom Road, Ewell, Surrey, KT17 1JT

Councillor Clive Woodbridge, Other Interest: Councillor Clive Woodbridge stated that he had called-in the application as he believed it warranted consideration by the Planning Committee for the reasons set out in the report. He stated that he was in no way predetermined on the matter and maintained an open mind.

9 MINUTES OF THE PREVIOUS MEETING

The Committee is confirmed as a true record the minutes of the meeting of the Committee held on 10 July 2025 and authorised the Chair to sign them.

10 THE ELDERS, EPSOM ROAD, EWELL, SURREY, KT17 1JT

Description:

Change of use of vacant care home to Hotel/HMO

Officer Recommendation:

Approval, subject to conditions and informatives.

Officer Presentation:

The Committee received a presentation on the application from the Planning Development Team Leader.

Decision:

Following Committee consideration, the Head of Development Management and Planning Enforcement advised the Committee that, in order to address the potential parking implications resulting from possible fluctuation between hotel and HMO use, an additional condition would be advisable to limit the existing uses under the current provision so that any fluctuation between hotel/HMO use could be reviewed under a new application or a variation.

Subsequently, Councillor Neil Dallen proposed that the Officer recommendation be amended by way of an additional condition, as follows:

The use hereby permitted is to be carried out in accordance with the approved plans. The house of multiple occupancy (HMO) use is to be limited to 8 rooms, with a maximum occupancy of 12 persons.

Councillor Phil Neale seconded the proposal. The Committee voted unanimously in favour of the motion.

Subsequently, Councillor Neil Dallen proposed a motion to agree the Officer recommendation, as amended. The motion was seconded by Councillor Alison Kelly. The Committee resolved (8 for and the Chair not voting) to:

Approve the application, 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 following plans:

PR-ELD-06 Site Location Plan

PR-ELD-05 Block Plan and Parking Layout

PR-ELD-01 Existing and Proposed Grnd and Bsmnt

PR-ELD-02 Existing and Proposed 1st and 2nd FI Plans

PR-ELD-03 Existing and Proposed Front and Rear Elevations

PR-ELD-04 Existing and Proposed Side Elevations

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) Car Parking Management Plan

Within one month of the date of this of this decision a Car Park Management Plan must be submitted to and approved in writing by the Local Planning Authority.

The plan shall include the following measures:

Details of separate parking allocation for the HMO use and the Hotel use

Details for the parking of delivery vehicles

Details of the management and enforcement measures to prevent misuse/indiscriminate parking

The measures shall be implemented in full within one month of the agreed details and be retained as such thereafter.

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

(4) Parking and Turning

Within three months of the date of this decision parking shall be 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.

(5) Cycle Store Details

Within one month of the date of this decision facilities for high quality, secure, lit and covered parking for a minimum of 22 bicycles and the provision of a charging point with timer for e-bikes by said facilities have been provided within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning

Authority. Thereafter the said approved facilities shall be provided within three months of the date of the approved scheme and retained and maintained in Accordance with the approved details to the satisfaction of the Local Planning Authority. Where communal storage areas are provided, 20% of all bikes (including disabled and adaptive cycles) should be able to be charged at any one time. 5% of communal cycle storage spaces should cater for disabled/adaptive cycles.

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.

(6) Electric Vehicle Charging Points

Within one month of the date of this decision each of the proposed parking spaces shall be provided with a fast-charge Electric Vehicle charging point (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. Thereafter the said approved facilities shall be provided within three months of the date of the approved scheme and retained and maintained in accordance with the approved details 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.

(7) Outdoor Event Restrictions (Hotel Use)

Outdoor events associated with the hotel use hereby permitted shall not take place between the hours of 22:00 – 08:00 Monday to Sunday, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of the adjoining residential properties in accordance with Policy DM10 of the Development Management Policies Document 2015.

(8) No Outdoor Music/Amplification (Hotel Use)

No outdoor music (amplified or otherwise) or outdoor amplification associated the hotel use hereby permitted shall take place unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of the adjoining residential properties in accordance with Policy DM10 of the Development Management Policies Document 2015.

(9) Occupation Restriction

The use hereby permitted is to be carried out in accordance with the approved plans. The house of multiple occupancy (HMO) use is to be limited to 8 rooms, with a maximum occupancy of 12 persons.

Reason: To ensure that the development is maintained in a manner that does not prejudice highway safety or cause inconvenience to other highway users or neighbouring properties in accordance with Section 9 of the National Planning Policy Framework 2024, Policy CS16 of the Core Strategy 2007 and Policies DM8, DM10, DM35 and DM37 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) 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.

(3) 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 a new dwelling.

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.

(4) Licensing

The applicant is reminded of their duty to satisfy all required legislation relating to a licensed HMO/Hotel premises.

11 UPCOMING APPLICATIONS

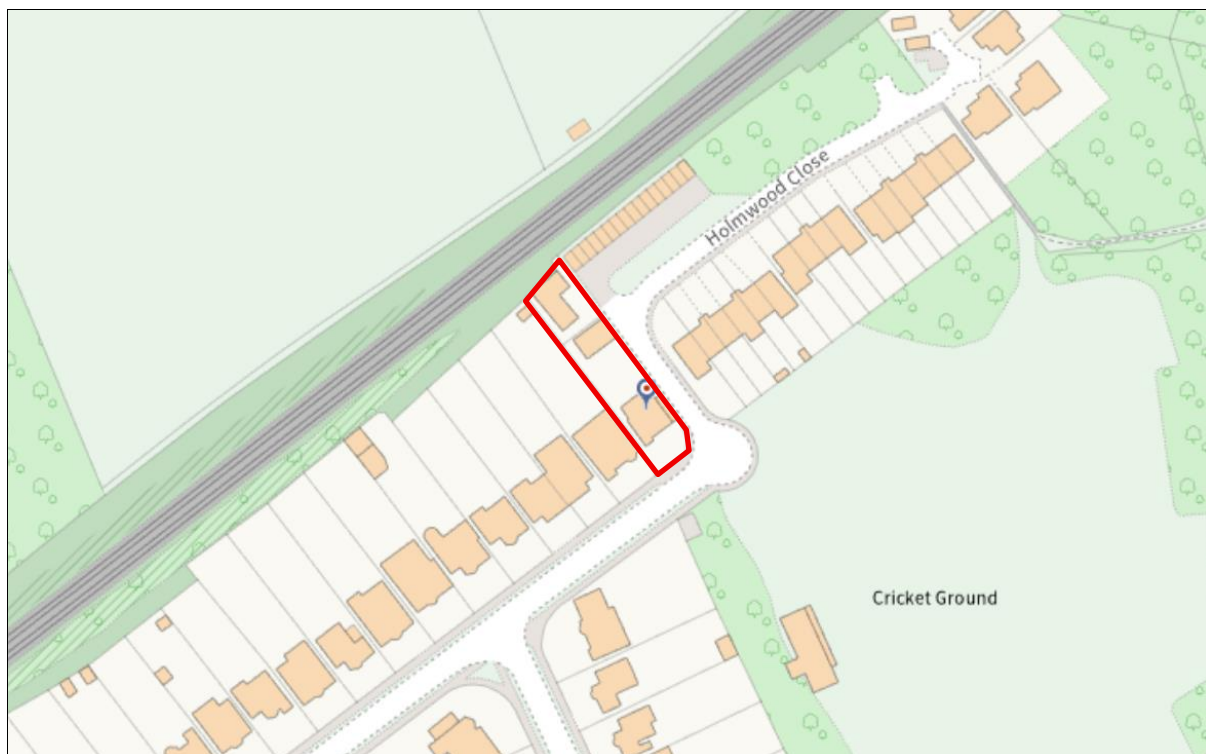
The Committee received a report providing a summary of likely applications to be heard at Planning Committee.

The meeting began at 7.30 pm and ended at 8.19 pm

COUNCILLOR STEVEN MCCORMICK (CHAIR)

139 Holmwood Road, Cheam, Surrey, SM2 7JS

Application Number	25/01182/FUL
Application Type	Full Planning Permission (Minor)
Address	139 Holmwood Road, Cheam SM2 7JS
Ward	Nonsuch Ward
Proposal	Change of use from Residential Dwelling (C3) to a Children's Home (C2)
Expiry Date	26 December 2025
Recommendation	Approval, subject to conditions and informatives
Number of Submissions	141
Reason for Committee	Called in by Member of the Council
Case Officer	Virginia Palmer
Contact Officer	Simon Taylor, Head of Development Management and Planning Enforcement
Plans, Documents and Submissions	Available here
Glossary of Terms	Available here



SUMMARY

1. Summary and Recommendation

- 1.1. This application seeks planning permission to change the use of the Site from a family home (Class C3a) to a Children's Home (Class C2) for up to three children, who would either have been diagnosed with learning disabilities (LD) and/or emotional and/or behavioural difficulties (EBD), looked after by up to three carers and a manager.
- 1.2. This planning application follows the refusal of a Lawful Development Certificate 25/00887/CLP, dated 24 September 2025, in respect of use of the Site as a Children's Home. The Council refused the application on the basis that such a change would represent a material change of use and would therefore require planning permission.
- 1.3. This application has been called in for determination by Planning Committee by Councillor Christine Howells, for the following reasons:
 - Negative Impact on the environment
 - Negative Impact on local amenities and services
 - Negative Impact on neighbouring properties
 - Traffic generation
 - Lack of justification in this area
 - Noise and disturbance
 - Failure to integrate the development with community needs
 - Historic mismanagement of similar establishment.
- 1.4. This planning application has attracted significant concern by neighbours. Details of the concerns are set out within the "Consultation" section of this Report. Generally, the concerns relate to the potential implications of a Children's Home at this Site, based on previous experience of an unregulated Children's Home at the Site.
- 1.5. There is concern about potential noise and disturbance and anti-social behaviour resulting from the proposed Children's Home, which would adversely impact neighbours and children, altering the quiet character of the area. Concern is also raised about increased comings and goings to and from the Site, which could increase off-road car parking.
- 1.6. Past management practices do not form a material planning consideration insofar as they would not be properly reflective of any future operations.
- 1.7. There is a demonstrable need for Children's Homes within Surrey, and this Site is appropriate for a Children's Home, as confirmed by Surrey County Council Commissioning Social Care. All Local Authorities have a Statutory Duty to provide care and accommodation for children looked after in the local area (the 'Sufficiency Duty'). This Site would be in a

suitable geographic region to support Surrey's sufficiency, with access to education, transport links and leisure facilities.

- 1.8. The proposed Children's Home would be registered with Ofsted. A detailed appraisal of the operation and proposed management of a Children's Home is made by Ofsted before a Children's Home can open. This is mandatory, and not optional.
- 1.9. Under the requirements of Ofsted, Children's Homes must be run as closely as possible to a typical family household, whilst accepting that staff are employed on a rota basis to provide the parental support to children. Ofsted can close any Children's Home that does not meet the required standards. This provides assurance that the proposed Children's Home would be inspected, regulated and reported.
- 1.10. Furthermore, there is other Legislation that would regulate the proposed Children's Home, including:
 - Care Standards Act 2000
 - The Care Standards Act 2000 (Registration)(England)
 - Regulations 2010 The Children's Homes (England) Regulations 2015
 - Children's Homes and Looked after Children (Miscellaneous Amendments) (England) Regulations 2013.
- 1.11. A Children's Home requires staff and professional presence, and visits to the children. The Applicant argues that the comings and goings are not significantly different from those associated with a family. The proposal has been reviewed by SCC Highways, which confirms that the proposal would not adversely impact the highway. With two car parking spaces at the Site, available off-site car parking (as seen by Officers during their site visit) and the encouragement of staff using public transport, the proposal is unlikely to adversely impact the local highway network.
- 1.12. The proposal is considered acceptable, and Officers recommend that planning permission is granted, subject to Conditions.

PROPOSAL

2. Description of Proposal

- 2.1. This application seeks planning permission to change the use of the Site from a family home (Class C3a) to a Children's Home (Class C2) for up to three children, who would either have been diagnosed with learning disabilities (LD) and/or emotional and/or behavioural difficulties (EBD), looked after by up to three carers and a manager.

3. Key Information

	Existing	Proposed
Site Area	0.01 Hecates	
Units	1	1
Floorspace	90m2	90m2
Number of Storeys	2	2
Car Parking Spaces	2	2
Cycle Parking Spaces	0	2

SITE

4. Description

- 4.1. The Site comprises a two-storey detached property, with a driveway within its front garden, with two car parking spaces, and a rear garden.
- 4.2. The Site is located on a quiet road, off a cul-de-sac. The area typically comprises residential properties, with a private cricket ground opposite.

5. Constraints

- Built Up Area
- Bat Survey Area
- Groundwater Source Protection Zones
- Tree Preservation Order (TPO 327/T9 – Tree of Heaven)
- Flood Zone 1
- Unclassified Road.

6. History

App No.	Description	Status
25/00887/CLP	Lawful Development Certificate - Proposed Use: Change of use from Residential Dwelling to a Children's Home	Refused 24.09.2025
18/01117/FLH	Erection of a single storey side extension, first floor rear extension and hip to gable roof conversion with rear dormer.	Approved 31.12.2018
18/00998/FUL	Subdivision of property and erection of new build 4-bedroom dwelling house.	Approved 05.04.2019
11/00681/NMA	Non-Material Amendment of 11/00011/FLH to increase ridge height by 138mm	Approved 13.10.2011
11/00011/FLH	Erection of detached rear garage accessed off Holmwood Close	Approved 25.05.2011
99/00512/TPO	Felling of Ailanthus tree under order.	Approved 17.08.1999

App No.	Description	Status
88/00833/FUL	Extension to living room and kitchen	Refused 16.02.1989
88/00023/FUL	Demolition of conservatory and erection of single storey rear extension	Approved 21.03.1988
79/01181	Triple garage with access from Holmwood Close	Approved 22.10.1979
30639	Conservatory addition	Unknown

CONSULTATIONS

Consultee	Comments
Surrey Children's Services	<p>The proposed home in Holmwood Road could support children to live in Surrey, closer to family, friends and communities and more easily access wraparound support services and education.</p> <p>The provider I.M.P.A.C.T. has experience in operating Ofsted regulated children's homes and has cared for Surrey children in their existing home previously. They have expressed the intention to work with Surrey County Council in prioritising Surrey children for placements in their proposed new Surrey home. All Local Authorities have a Statutory Duty to provide care and accommodation for children looked after in the local area (the 'sufficiency duty').</p> <p>The site in Cheam would be in a suitable geographic region to support our sufficiency and access education, transport links and leisure facilities.</p>
Surrey Police	<p>From a Policing perspective, I would anticipate given the historic data around this address that should the planning permission be approved for a children's home at this location there would be a significant increase in ASB and calls to emergency services.</p> <p><u>Officer comment:</u> Refer to Section 11 for further commentary.</p>
SCC Highways	No objection. Recommend Condition
Public Consultation	
Neighbours	<p>The application was advertised by notification to 235 neighbouring properties, concluding on 19.11.2025. 141 submissions were received (more than one submission from the same household is treated as one submission).</p> <p>They raised the following issues:</p> <ul style="list-style-type: none"> • Objection to change of use from a house to HMO <p>Officer comment: There is required licensing to ensure stricter safety rules are followed to run a property as an HMO.</p>

Consultee	Comments
	<ul style="list-style-type: none"> Adverse impact on neighbouring amenity because of antisocial behaviour from the proposed Children's Home, crime and disorder and noise and disturbance <p>Officer comment: The proposed Children's Home would be registered with Ofsted. A detailed appraisal of the operation and proposed management of a Children's Home is made by Ofsted before a Children's Home can open. This is mandatory, and not optional. Under the requirements of Ofsted, Children's Homes must be run as closely as possible to a typical family household, whilst accepting that staff are employed on a rota basis to provide the parental support to children. Ofsted can close any Children's Home that does not meet the required standards. This provides assurance that the proposed Children's Home would be inspected, regulated and reported.</p> <p>The proposed Children's Home would also be subject to other Legislation, including:</p> <ul style="list-style-type: none"> Care Standards Act 2000 The Care Standards Act 2000 (Registration)(England) Regulations 2010 The Children's Homes (England) Regulations 2015 Children's Homes and Looked after Children (Miscellaneous Amendments) (England) Regulations 2013. <p>Given the staff and professional presence, and strict regulations to abide to, there is adequate assurance that the proposal would not adversely impact neighbours and school children and would unlikely adversely change the quiet, character of the area.</p> <ul style="list-style-type: none"> Poor management assurance from proposed Children's home <p>Officer comment: As above, the proposed Children's Home would be Ofsted registered and subject to other Legislation. Subject to planning permission being granted, a Management Plan, submitted with this application, would be subject to a Planning Condition.</p> <ul style="list-style-type: none"> Highways impact as an increase in vehicle trips from staff and visitors. On-street parking is already limited <p>Officer comment: The Site comprises two car parking spaces and on-street parking is sufficient to accommodate occasional visits. Staff and visitors are encouraged to use public transport and sustainable means of travel to and from the Site. SCC Highways has confirmed that the proposal would unlikely result in a material impact on the local highway network in terms of highway safety or capacity.</p>

Consultee	Comments
	<ul style="list-style-type: none"> Inadequate amenities and facilities for young people within the surrounding area <p>Officer comment: There is a demonstrable need for Children's Homes, and this specific Site is appropriate for a Children's Home, confirmed by Surrey County Council Commissioning Social Care. In its professional opinion, the Site has suitable access to education, transport links and leisure facilities. It is not dissimilar to a residential dwelling.</p>
Ward Member	<p>This application has been called for determination by Planning Committee by Councillor Christine Howells, for the following reasons:</p> <ul style="list-style-type: none"> Negative Impact on the environment Negative Impact on local amenities and services Negative Impact on neighbouring properties Traffic generation Lack of justification in this area Noise and disturbance Failure to integrate the development with community needs Historic mismanagement of similar establishment. <p>Officer comment: This is addressed above (Neighbours) and within the body of the report.</p>

PLANNING LEGISLATION, POLICY, AND GUIDANCE

7. Legislation and Regulations

7.1. Town and Country Planning Act 1990

8. Planning Policy

8.1. National Planning Policy Framework 2023 (NPPF)

- Section 2: Achieving Sustainable Development
- Section 4: Decision-Making
- Section 5: Delivering a Sufficient Supply Of Homes
- Section 8: Promoting Healthy and Safe Communities
- Section 9: Promoting Sustainable Transport
- Section 15: Conserving and Enhancing the Natural Environment

8.2. Epsom and Ewell Core Strategy 2007 (CS)

- Policy CS1: Sustainable Development
- Policy CS5: The Built Environment
- Policy CS6: Sustainability in New Development
- Policy CS7: Housing Provision
- Policy CS8: Broad Location of Housing Development

- Policy CS16: Managing Transport and Travel

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

- Policy DM12: Housing Standards
- Policy DM19: Development and Flood Risk
- Policy DM21: Meeting Local Housing Needs
- Policy DM35: Transport and New Development
- Policy DM36: Sustainable Transport for New Development

PLANNING ASSESSMENT

9. Presumption in Favour of Sustainable Development

- 9.1. Paragraph 11 of the NPPF 2023 stipulates that development proposals which accord with an up-to-date development plan should be approved and where a proposal conflicts with an up-to-date development plan, permission should not usually be granted. Currently, the Council does not have an up-to-date development plan on account of not being able to demonstrate a five-year supply of housing.

10. Principle of Development

10.1. Loss of Housing

- 10.2. Paragraph 61 of the NPPF 2024 aims to significantly boost the supply of homes in areas where it is needed and address specific needs. Policy CS7 of the CS seeks to meet housing requirements in accordance with Policy H1 of the South East Plan which is at least 2,715 homes within the period 2007-2022 or 181 new dwellings per annum. The Council is currently preparing a new Local Plan for the Borough which will set a new housing requirement for the plan period (2022-2040).
- 10.3. The Council has calculated its five-year housing land supply position as being between 1.53 years supply, as set out in the 2023/2024 Authority Monitoring Report. The Council is presently falling significantly short of this requirement and cannot presently demonstrate five years housing land supply.
- 10.4. The Site is located within the Built-Up Area of Epsom, where in accordance with Policy CS8, housing development is directed. The Site comprises a residential property and is surrounded by other residential properties.
- 10.5. There is no adopted local planning policy that protects housing, or which prevents the loss of housing, but the Proposed Submission Epsom & Ewell Local Plan 2022-2040 Regulation 19, December 2024 document, contains a Policy, DM3, which relates to the loss of housing.

- 10.6. Draft Policy DM3 states that limited housing land within the Borough means that it is important to protect existing housing stock. The incremental loss of housing would undermine the provision of new housing to meet the Borough's needs. Whilst any loss is important, it is recognised that there may be exceptional circumstances where it may be justified. In these circumstances the loss should be weighed against other planning benefits.
- 10.7. Draft Policy DM3 states that the loss of Use Class C3 dwellings to alternative residential types will generally be supported provided the new provision meets the identified needs of the Borough. An application would need to demonstrate there is a need for the use and that the proposal would not result in a disproportionate provision of certain types of housing.
- 10.8. The weight afforded to draft Policies is a matter for the Decision Maker and this weight should be determined in line with the National Planning Policy Framework. Policies also gain weight as they progress through the process of consultation and examination, particularly where they do not attract objections. Policies that closely accord with adopted policy in the existing Local Plan also merit more weight.
- 10.9. The Officer Report for the recently refused Lawful Development Certificate application, ref: 25/00887/CLP, confirmed that the property is in Use Class C3. There is nothing to suggest that this position has changed. The change of use represents a net loss of housing, albeit for residential care.
- 10.10. The lawful use of a dwellinghouse, including in Use Class C3 is broad in scope and could bring with it considerable family activity. In this case, a Children's Home would be regulated, including by Ofsted, to ensure it would run as closely as possible to a typical family household, whilst accepting that staff are employed on a rota basis to provide the parental support required for the children. Officers consider that the proposed nature of the house would not materially differ from a traditional family home, the loss of a dwellinghouse falling under Use Class C3, to a Children's Home, Use Class C2, is acceptable, in principle.
- 10.11. There is a need for Children's Home, and this Site is appropriate for a Children's Home as confirmed by Surrey County Council Commissioning Social Care (discussed within this Report). Officers consider that the proposed nature of the house would not materially differ from a traditional family home and as such, the loss of a dwellinghouse falling under Use Class C3, to a Children's Home, Use Class C2, is acceptable, in principle.
- 10.12. Specialist Accommodation (Provision of a Children's Home, Use Class C2)**
- 10.13. Policy DM21 of the DMPD allows specialised forms of residential accommodation subject to robust demonstration of need, no over provision and flexible design to accommodate future conversion.

- 10.14. Draft Policy S7 “Specialist Housing” of the draft Epsom & Ewell Local Plan 2022 – 2040, Regulation 19, dated December 2024, sets out that development proposals for specialist housing, will be permitted where (inter alia) there is robust evidence to support that it meets an identified need in the Borough and that it can be demonstrated that the development is designed and managed to provide the most appropriate types and levels of support to its target resident.
- 10.15. Draft Policy S7 “Specialist Housing” of the draft Epsom & Ewell Local Plan 2022 – 2040, Regulation 19, dated December 2024, sets out that development proposals for specialist housing, will be permitted where (inter alia) sites have good access to facilities, services and public transport.
- 10.16. There has been substantial objection surrounding the principle of a Children’s Home at this Site. There is concern that the proposal would change the use of the property to a House in Multiple Occupation (HMO) and that there would be poor management assurance from the proposed Children’s Home. There is also concern that there are inadequate amenities in the area for the children. These concerns have been taken into consideration by Officers within this section of the Report.
- 10.17. Surrey County Council Commissioning Social Care formally commented on this application on 19 November 2025. Its response sets out that the provider I.M.P.A.C.T. proposes a new Children’s Home to care for up to three children. The development of smaller, family sized Children’s Homes in Surrey enables placements to be made in County and avoids children needing to move many miles away, thereby supporting Surrey County Council’s Looked After Children’s Sufficiency Strategy. Surrey County Council are having to place a large proportion of children who are looked after in residential Children’s Homes outside the County boundary due to a lack of sufficient provision in Surrey. The proposed home in Holmwood Road could support children to live in Surrey, closer to family, friends and communities and more easily access wraparound support services and education.
- 10.18. Surrey County Council Commissioning Social Care’s comment sets out that the provider I.M.P.A.C.T. has experience in operating Ofsted regulated Children’s Homes. They have expressed the intention to work with Surrey County Council in prioritising Surrey children for placements in their proposed new Surrey home. All Local Authorities have a Statutory Duty to provide care and accommodation for children looked after in the local area (the ‘Sufficiency Duty’). This Site would be in a suitable geographic region to support Surrey’s sufficiency and there is access to education, transport links and leisure facilities.
- 10.19. Accompanying this planning application is an email from the Placement Team, from the Children’s Social Care at the London Borough of Sutton, confirming that from a placement point of view, there is always a need and

priority to place Sutton children in the local area, and it would be of a benefit to have more Ofsted regulated provisions in the local area.

10.20. The above demonstrates a need for Children's Homes, and that this Site is appropriate for a Children's Home, with access to education, transport links and leisure facilities.

10.21. There has been concern raised through representation that the Children's Home would have poor management. This appears to be primarily due to past mismanagement of an unregulated children's home at the Site in the past. The proposed Children's Home would be regulated, including by Ofsted and other Legislation, including:

- Care Standards Act 2000
- The Care Standards Act 2000 (Registration)(England)
- Regulations 2010 The Children's Homes (England) Regulations 2015
- Children's Homes and Looked after Children (Miscellaneous Amendments) (England) Regulations 2013.

10.22. The above demonstrates a need for Children's Homes and the suitability of this Site. This would be regulated and therefore, the proposal complies with Policy DM21 of the DMPD allowing this specialised form of residential accommodation (and draft Policy S7 "Specialist Housing" of the draft Epsom & Ewell Local Plan 2022 – 2040, Regulation 19, dated December 2024).

11. Neighbour Amenity

11.1. Policy CS5 of the CS and Policy DM10 of the DMPD seeks to protect occupant and neighbour amenity, including in terms of privacy, outlook, sunlight/daylight, and noise whilst Paragraph 191 of the NPPF 2023 and Policy CS6 of the CS seek to mitigate and reduce noise impacts.

11.2. Paragraph 3.17 of the DMPD sets out the importance of protecting the existing high standard of amenity enjoyed throughout the Borough's established residential areas.

11.3. There has been a substantial number of objections received about the impact of a Children's Home at this Site on neighbouring amenity. It is understood that antisocial behaviour and crime and disorder resulted from the previous Children's Home and so there is great concern that antisocial behaviour and crime and disorder would result from the proposed Children's Home too. There is concern about noise and disturbance from the proposed Children's Home and that this may alter the quiet character of this neighbourhood.

11.4. Surrey Police formally commented on this application, confirming that from a policing perspective, it is anticipated that given the historic data around this address, that should the planning permission be approved for

a Children's Home at this location, there would be a significant increase in anti-social behaviour and calls to emergency services.

- 11.5. A letter from Forsters, dated 20 November 2025, has been submitted with this assessment, which argues that the proposed development would likely have an unacceptable impact on residential amenity. The letter refers to the Management Plan, submitted with this application, which provides for a minimum of two 24-hour carers, a figure which does not directly correlate with the number of proposed resident children (three). The imbalance resulting from this lack of full-time one-on-one supervision could lead to a recurrence of the problems experienced by residents because of the previous Children's Home at the Property.
- 11.6. Officers stress the term "minimum" of two 24-hour carers but note that the Management Plan also stipulates that each young person will have a one-to-one staffing ratio, confirmed prior to placement. Support is provided both within the home and in the community to ensure consistent supervision and care across all settings. As such, Officers do not consider there to be an imbalance of one-on-one supervision.
- 11.7. It is understood that the previous Children's Home was closed by Police, in accordance with the letter submitted by Forsters. Representations set out that there were several local issues, including antisocial behaviour, vandalism, drug use and noise and disruption, because of the former Children's Home. Officers also note the representation received from Surrey Police regarding the proposed Children's Home. During the Officer's site visit, the Applicant Team confirmed that the previous Children's Home was not Ofsted registered.
- 11.8. The proposed Children's Home would be registered with Ofsted. A detailed appraisal of the operation and proposed management of a Children's Home is made by Ofsted before a Children's Home can open. This is mandatory, and not optional.
- 11.9. Under the requirements of Ofsted, Children's Homes must be run as closely as possible to a typical family household, whilst accepting that staff are employed on a rota basis to provide the parental support to children. It also notes that Ofsted can close any Children's Home that does not meet the required standards. This provides assurance that the proposed Children's Home would be inspected, regulated and reported.
- 11.10. The above demonstrates that the Children's Home would be adequately regulated. Furthermore, accompanying this application is a "Good Neighbour" Policy, which sets out the commitment to respecting neighbours and the local environment, whilst encouraging community integration for the children at the Children's Home.
- 11.11. Officers note that submitted with the application is a Management Plan, and Noise Management Policy. Subject to planning permission being

granted, these documents would be subject to Conditions, to ensure compliance, and enforceability.

- 11.12. This planning application follows the refusal of a Lawful Development Certificate (ref: 25/00887/CLP) in respect of use of the Site as a Children's Home. The Officer Report did not consider the proposed Children's Home would adversely impact neighbouring amenity, and the same conclusion is drawn from this planning application, given the above assessment. The proposal complies with Policy CS5 of the CS and Policy DM10 of the DMPD.

12. Parking and Highways impact

- 12.1. Policy CS16 of the CS encourages an improved and integrated transport network and facilitates a shift of emphasis to non-car modes as a means of access to services and facilities. Development proposals should provide safe, convenient, and attractive accesses for all, be appropriate for the highways network, provide appropriate and effective parking provision, both on and off-site and ensure that vehicular traffic generated does not create new, or exacerbate existing, on street parking problems, nor materially increase other traffic problems.
- 12.2. Policy DM35 of the DMPD requires consideration of the impact upon the transport network via a Transport Assessment or Statement.
- 12.3. Draft Policy S7 "Specialist Housing" of the draft Epsom & Ewell Local Plan 2022 – 2040, Regulation 19, dated December 2024, sets out that development proposals for specialist housing, will be permitted where (inter alia) sites have good access to facilities, services and public transport.
- 12.4. There has been substantial objection received about the impact of a Children's Home at this Site, including the highways impact due to an increase in vehicle trips from staff and visitors and potential on-street parking. Representations state that on-street parking is already limited.
- 12.5. The primary issue raised for not approving the Lawful Development Certificate, ref: 25/00887/CLP, was due to concern that the comings and goings from the Site would be materially different from a family dwelling. This planning application is, however, not to be based upon whether there is a material difference, but on whether the resulting impact would be acceptable or not.
- 12.6. The Planning Statement sets out that day to day activities in the Children's Home would mirror those of a typical large family. Staff shift changes, school runs, and visitors, would all follow a schedule like that of a family with young children.
- 12.7. The Planning Statement sets out that the comings and goings, whether by car or other means, are like a typical family dwelling. The home manager

would arrive each weekday by car in the morning and leave each evening (09:00 and 17:00pm). Officers do note that a car would be used.

- 12.8. The Planning Statement sets out that in terms of the three staff, they would arrive either by taxi or by bicycle on the premises, the overnight staff would work on 48-hour shifts, with only one of the two staff changing each day around 09:30am. A daily carer would arrive each day around 08:30, working until 20:00. Ultimately, this is not enforceable and does not form part of the assessment of the application.
- 12.9. The Planning Statement sets out that in addition to Ofsted's one visit per year, there would be visits by Local Social Services approximately every four to six weeks and Regulation 44 each month. Usually, each child's social worker would visit them individually, but if they are from the same Local Authority, one of the social workers may visit both children. This means that these visits are quite rare and with one or two inspectors visiting the property each month.
- 12.10. The Planning Statement sets out that depending on the needs of the individual children, there may be occasional visits by other professionals. Additionally, there may be visits by family members, although these are carefully managed in advance, or the home would facilitate family contact outside the home, subject to the child's individual care plan.
- 12.11. The Planning Statement sets out that a secure bicycle rack would be provided to encourage care staff to cycle to work, and bus passes and subsidised taxis are promoted to discourage carers from bringing their own cars to work, even though few care workers would own their own cars.
- 12.12. The Planning Statement concludes that the number of movements to and from the home would not be materially different from the current use and not to a point where neighbours would experience any disturbance. It is a quiet cul-de-sac, but neither the number of people coming and going, nor the number of cars likely to arrive and leave, would result in any significant harm to the setting of the area.
- 12.13. The Planning Statement includes the below table, which is the estimated comings and goings from a family use:

Activity	Sun	Mon	Tues	Wed	Thur	Fri	Sat
Journeys to work		2	2	2	2	2	
School run		4	4	4	4	4	
Shopping/social/recreational outings	6			2	2		4
Other visitors	2			2		2	4
Total movements (in/out)	8	6	6	10	8	8	8

- 12.14. The Planning Statement includes the below schedule of proposed use, based upon experience of similar homes:

Activity	Sun	Mon	Tues	Wed	Thur	Frid	Sat
Home manager/daily carers	2	4	4	4	4	4	2
Care workers starting and finishing shift	2	2	2	2	2	2	2
School run		4	4	4	4	4	
Shopping/social/recreational outings	4						4
Visitors (inspections/social workers/family and friends)	2			2			2
Total movements (in and out)	10	10	10	12	10	10	10

12.15. Officers noted during the site visit that the property benefits from two car parking spaces. Officers were able to park on the road and noted that at the time of their site visit, there was available on-street car parking spaces.

12.16. The nearest bus stop is on Cheam Road (A232), approximately 0.9 miles from the Site. The nearest train station is Cheam Train Station, approximately 0.9 miles from the Site, with Ewell East Train Station approximately 1 mile from the Site. As such, the Site is somewhat well-served by public transport nodes, which are in walking distance of the Site.

12.17. In the Planning Statement submitted with the previously refused Lawful Development Certificate, the Applicant attempted to justify the proposed car use as being in line with a standard family home use. It provided two schedules: "Schedule 1 – Average Previous Weekly Movements (estimated previous occupants)" and "Schedule 2 – Proposed use (based upon experience of other homes)". Although the source of the figures in each was not evidenced, Schedule 1 showed the total movements throughout the week to be 50, while Schedule 2 showed the total movements throughout the week to be 66.

12.18. It is noted that the figures contained in the schedules provided with this planning application (above) do not reflect the figures provided under the schedules within the Planning Statement accompanying the recently refused Certificate of Lawfulness application. The differences are not explained. Schedule 1 now refers to the "estimated comings and goings from family use". Certain figures within the table within each schedule have also increased, despite the same use of the property being proposed. Schedule 1 now shows the total movements throughout the week as 72.

12.19. As raised within the objection by Forsters, there is concern that there is an increase in projected car journeys, and with the uncertain source of the Applicant's calculations, there is no robust evidence to dispel the Council's previous concern that the proposal would not have a highways impact that exceeds that of the average car use of a family home in the area.

- 12.20. As set out above, the Planning Statement sets out that it is company policy to require staff through their contracts of employment to use public transport and not to allow on-street parking. As raised within the objection by Forsters, the Planning Statement makes little attempt to disguise the likely use of cars and demonstrates that at least one employee would be using a car daily (paragraph 3.16 of the Planning Statement). Forsters set out that under UK employment law, it is unenforceable to mandate the means of transport by which employees travel to and from work, meaning the Applicant would not be able to control car use as intended in its “company policy”, upon which it relies upon to mitigate car use. The Planning Statement sets out that the Applicant would rely on discouraging car use and encouraging other forms of transport. The Planning Statement sets out that few care workers would own cars is unsubstantiated, providing no comfort about the highways impact.
- 12.21. Officers recognise that a Children’s Home requires staff and professional presence, and visits. The Applicant argues that the comings and goings are not significantly different from those associated with a family. Officers accept that the number of staff and professionals predicted to stay and visit the property is not significantly above what may be expected from a typical family home with three children where such movements might ordinarily involve travel to and from school and after school activities, alongside other adult movements, such as work and visiting the shops. It is also reiterated that the lawful use of a dwellinghouse, Use Class C3, is broad in scope and could bring with it considerable activity, and as such, there is no significant differences expected.
- 12.22. Further, SCC Highways formally commented on this application, setting out that the proposal would not result in a material impact on the adjacent local highway network in terms of highway safety or capacity, but requests a Condition be imposed to secure good quality cycle parking for future occupiers.
- 12.23. To ensure that public transport is encouraged, a Travel Plan was submitted with the application on 7 January 2026. This was reviewed by SCC Highways, who made the following comment:

The Travel Plan does not meet the criteria of a typical Travel Plan that the CHA would recommend (as detailed within the Travel plans – a good practice guide for developers document - Travel Plans- Good Practice Guide for Developers). However, a Site of this scale would not normally warrant the production and use of a Travel Plan as defined by the above and the CHA would not normally recommend such a plan for a Site such as this. As well as this, the document appears to be defining the likely movements associated with the Site and demonstrate the Applicants’ intentions regarding sustainable transport, this is unlike a typical Travel plan despite both being related to sustainable transport support. Given the above, the CHA consider that the originally provided response is still applicable

and requests this be applied to the current application accordingly.

12.24. The proposal is therefore acceptable, complying with Policy CS16 of the CS and DM35 of the DMPD.

13. Ecology and Biodiversity

13.1. Given that this application is a Change of Use application only, it is not anticipated to cause ecological or biodiversity impact. The application is also exempt from providing Biodiversity Net Gain because it is a Change of Use application only and has no impact on a priority habitat (falling below 25 square metres).

14. Flooding and Drainage

14.1. Given that this application is a Change of Use application only within Flood Zone 1, it is not anticipated to give rise to issues of flood risk.

15. Contamination and Remediation

15.1. Given that this application is a Change of Use application only, there is no contamination risk.

16. Refuse and Recycling Facilities

16.1. This proposal is a Change of Use application only and the refuse and waste likely to be generated from a Children's Home could be accommodated within bins at the Site and would not alter the Council's collections.

17. Environmental Sustainability

17.1. This proposal is a Change of Use application only, with no alterations proposed to be property. The proposal would see the property in continued use, which is sustainably beneficial.

18. Accessibility and Equality

18.1. Policy CS16 of the CS and Policy DM12 of the DMPD requires safe, convenient, and attractive access to be incorporated within the design of the development. The proposal achieves satisfactory accessibility.

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

19. Planning Obligations and Community Infrastructure Levy

- 19.1. The Community Infrastructure Levy Charging Schedule 2014 indicates that the application is not chargeable for CIL payments because there is no net increase in dwellings.

CONCLUSION

20. Planning Balance

- 20.1. Section 2 of the NPPF 2024 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.

20.2. Economic Considerations

- 20.3. The property is currently tenanted and would result in the loss of a family home, but this is outweighed by the identified need for a Children's Home. Overall, there is negligible weight applied from an economic perspective.
- 20.4. The proposal would support localised support jobs, including from staff and professionals working with the children, at the proposed Children's Home. This attracts minor weight.

20.5. Social Considerations

- 20.6. There is a demonstrable need for Children's Homes within Surrey, as confirmed by Surrey County Council Commissioning Social Care, and this Site is appropriate for a Children's Home. All Local Authorities have a Statutory Duty to provide care and accommodation for children looked after in the local area (the 'Sufficiency Duty'). This Site would be in a suitable geographic region to support Surrey's sufficiency and there is access to education, transport links and leisure facilities. The placement of three children is viewed positively. This attracts significant weight, tempered slightly only because of the loss of a family sized home.

20.7. Environmental Considerations

- 20.8. There is concern raised about the potential implications of a Children's Home, based on the experience of an unregulated Children's Home previously at the Site. There is concern about noise and disturbance from the proposed Children's Home, potential anti-social behaviour, and that this would alter the quiet character of the area.
- 20.9. The proposed Children's Home would be registered with Ofsted. Under the requirements of Ofsted, Children's Homes must be run as closely as

possible to a typical family household, whilst accepting that staff are employed on a rota basis to provide the parental support to children. Ofsted can close any Children's Home that does not meet the required standards. This provides assurance that the proposed Children's Home would be inspected, regulated and reported.

20.10. Overall, this attracts minimal weight.

20.11. Conclusion

20.12. On balance, the proposal is considered acceptable when accounting for the weight attributed to the need for such housing, and Officers recommend that planning permission is granted, subject to Conditions.

RECOMMENDATION

To Grant Planning Permission subject to the following conditions and informatives:

Conditions

1) Timescale

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

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

2) Approved Plans

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

- Location Plan – received 06 Oct 2025
- 139HR-DRA-03 Rev B – Block Plan – received 06 Oct 2025
- 139HR-DRA-01 - Existing Layout Plans – received 06 Oct 2025

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

3) Compliance with Noise Management Policy

The proposed use shall accord with the Noise Management Policy, received 5 January 2026 for the lifetime of the development, unless otherwise agreed by the Local Planning Authority.

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

4) Compliance with Management Plan

The proposal shall accord strictly with the Management Plan – Holm's House Children's Home, received 19 January 2026, for the lifetime of the development, unless otherwise agreed by the Local Planning Authority.

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

5) Bicycle parking and charging

The development hereby approved shall not be first occupied unless and until facilities for secure, at-grade and covered parking of bicycles and the provision of a charging point have been provided within the development site and thereafter the said approved facilities shall be retained and maintained for the life of the development.

Reason: To encourage travel by means other than private motor vehicles to meet the objectives of the National Planning Policy Framework 2024 and Policies DM35, DM36 and DM37 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) Control of Noise

You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Health Department Pollution Section.

Library, Bourne Hall, Spring Street, Ewell, Surrey, KT17 1UF

Application Number	25/01359/LBA
Application Type	Listed Building Consent
Address	Library, Bourne Hall, Spring Street, Ewell, Surrey, KT17 1UF
Ward	Ewell Village Ward
Proposal	Installation of additional vertical balustrades to interior staircase
Expiry Date	30 January 2026
Recommendation	Approval, subject to conditions and informatives
Number of Submissions	None
Reason for Committee	Council is the Applicant
Case Officer	Virginia Palmer
Contact Officer	Simon Taylor, Head of Development Management and Planning Enforcement
Plans, Documents and Submissions	Available here
Glossary of Terms	Available here



SUMMARY

1. Summary and Recommendation

- 1.1. This Application is presented to Planning Committee, as Epsom & Ewell Borough Council is the Applicant.
- 1.2. The Site comprises Bourne Hall, a Grade II Listed Building. The building sits adjacent to its car park, both within a landscaped setting. Internally, the building provides a range of community spaces and facilities, including a library, café, exhibition area, and a museum at first floor.
- 1.3. There is a considerable planning history for the Site, which is detailed within this Report.
- 1.4. The proposal seeks to install 84 additional balustrades along the existing staircase. These would ensure a safer staircase for use by the public, ensuring it achieves compliance with current Health and Safety, and Building Regulations standards.
- 1.5. The Council's Conservation Officer confirms no objection to the proposal, and the proposal is recommended for approval.

PROPOSAL

2. Description of Proposal

- 2.1. The proposal seeks to install 84 additional balustrades along the existing staircase. These would be introduced to reduce spacing between the existing balustrades, to achieve compliance with current Health and Safety, and Building Regulations standards.
- 2.2. The proposed additional balustrades would match the existing balustrades in both material and profile. Each balustrade would be fabricated from the same metal specification as the existing balustrades, to ensure visual and structural consistency.
- 2.3. Installation would be carried out using Sapele timber packers, which are precisely cut pieces of hardwood used for levelling, spacing and alignment. This would reflect the existing fixing methodology to preserve uniform aesthetics.

SITE

3. Description

- 3.1. The Site comprises Bourne Hall, a Grade II Listed Building constructed between 1967 - 1970 by A.G. Sheppard Fidler and Associates. The building sits adjacent to its car park, both within a landscaped setting.
- 3.2. The Site is listed at Grade II for the following principal reasons:
- 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; and
 - Historic interest: as an ambitious example of the expansion of the library service and the integration of community facilities and disabled access.
- 3.3. The Site is surrounded by a mix of uses, including residential houses, a nursery school, and a health centre. Ewell High Street is within walking distance to the Site, comprising shops and cafes/restaurants.

4. Constraints

- Grade II Listed Building
- Locally Listed Building
- Ewell Village Conservation Area
- Built Up Area
- Bat Survey Area
- Great Crested Newt Impact Risk Zone
- Archaeology Site
- SSSI Impact Risk Zone
- Gatwick Consultation Area
- Heathrow Consultation Area
- Council Managed Trees.

5. History

- 5.1. The below table sets out the planning history relating to the wider Site, within the last five years.

App No.	Description	Status
25/01512/FUL	Single storey timber outbuilding to accommodate the storage of items for the Library of Things	Invalid
25/01399/FUL	Installation of a poly-roof liquid membrane and roofing system to the high-level area of Bourne Hall to create a waterproofing layer and thermal upgrade. The finished roof will replicate the appearance of the existing green oxidized copper and will be raised by approximately 150mm.	Pending consideration

App No.	Description	Status
25/01400/LBA	Listed Building Consent: Installation of a poly-roof liquid membrane and roofing system to the high-level area of Bourne Hall to create a waterproofing layer and thermal upgrade. The finished roof will replicate the appearance of the existing green oxidized copper and will be raised by approximately 150mm.	Pending consideration
25/00257/COND	Confirmation of Compliance with Condition(s): 3 (Materials), 4 (Pivot Plates) of planning permission 24/01091/LBA	Granted 24 April 2025
24/01091/LBA	Listed Building Consent: Alterations to fenestration	Granted 4 October 2024
24/01015/LBA	Installation of Solar PV to flat roofs and Tesla Powerwall batteries for power storage	Granted 4 October 2024
24/01013/FUL	Installation of Solar PV to flat roofs and Tesla Powerwall batteries for power storage	Granted 4 October 2024
24/00618/LBA	Listed Building Consent: Install a new layer of roof felt to the existing felt roof. (Retrospective).	Granted 4 October 2024
24/00419/FUL	Install Solar PV to the south facing section of the perimeter flat roof	Granted 13 June 2024
24/00066/LBA	Listed Building Consent: Replacement of 13 internal fire doors to meet BS guidelines	Granted 13 June 2024
24/00064/LBA	Listed Building Consent: Install Solar PV to the south facing section of the perimeter flat roof	Granted 13 June 2024
19/00323/COND	Discharge of Condition 3 (Details) of Listed Building Consent ref: 18/01247/LBA, granted 15.02.2019	Granted 16 May 2019
18/01247/LBA	Replacement of 6 internal doors	Granted 15 February 2019
17/00445/LBA	Listed Building Consent for proposed replacement of existing light fittings with LED light fittings in Museum and Library areas of Grade II listed building	Granted 14 September 2017

CONSULTATIONS

Consultee	Comments
EEBC Conservation Officer	Supports the proposal, subject to Conditions
Public Consultation	
Neighbours	The application was advertised by means of a site notice and press notice. The Site Notice was displayed on 25.11.2025. 0 submissions 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 12: Achieving Well-Designed and Beautiful Places
- 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
- Policy DM9: Townscape Character and Local Distinctiveness
- Policy DM10: Design Requirements for New Developments

8. Supporting Guidance

8.1. National Planning Policy Guidance (NPPG)

- Historic Environment

8.2. Other Documentation

- Ewell Village Character Appraisal.

PLANNING ASSESSMENT

9. Design, Heritage and Conservation

- 9.1. Bourne Hall Library and Social Centre is Grade II Listed. The Planning (Listed Buildings and Conservation Areas) Act 1990 states that development should ensure the preservation of Listed Building or their setting, or any features of special architectural or historic interest which they possess, including the structures within their curtilage (Section 16 and 66).
- 9.2. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 also requires special regard to the desirability of preserving or enhancing the character or appearance of that area. The Site is within Ewell Village Conservation Area.

- 9.3. Section 16 of the NPPF 2024 requires the conservation of heritage assets. Paragraph 202 correct 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.
- 9.4. Paragraph 212 correct states that great weight should be given to the asset's conservation and paragraph 213 says that any harm to the significance of a designated heritage asset should require clear and convincing justification. Paragraph 215 correct states that where there is less than substantial harm, the harm should be weighed against the public benefits.
- 9.5. 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.
- 9.6. Policy CS5 of the Core Strategy and Policy DM8 of the DMPD seek to protect and enhance heritage assets and their setting.
- 9.7. 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.
- 9.8. The proposed additional balustrades would match the existing balustrades in both material and profile. Each balustrade would be fabricated from the same metal specification as the existing balustrades, to ensure visual and structural consistency. Installation would be carried out using Sapele timber packers, which are precisely cut pieces of hardwood used for levelling, spacing and alignment. This would reflect the existing fixing methodology to preserve uniform aesthetics.
- 9.9. Accompanying this application is a Heritage Statement, which contains an Impact Assessment. This sets out that given the matching design and materials, the proposal represents a minimal and sympathetic intervention. The works do not alter the original design intent, do not introduce any new or intrusive aesthetic elements, preserve the staircases' visual and historic character, and enhance safety without compromising architectural significance. As such, the proposal would have no adverse impact on the significance of the Heritage Asset.
- 9.10. Accompanying this application is a Design and Access Statement, which sets out that the primary purpose of this proposal is to ensure the staircase fully complies with Approved Document K of the Building Regulations, specifically with respect to balustrade spacing and fall protection. It sets out the benefits of the proposal, which include enhanced safety for all building users, particularly children, vulnerable people and

large groups, reduction of risk of accidents associated with excessive balustrade gaps, the long-term preservation of the staircase by using matching materials and construction methods and supporting the continued public use of Bourne Hall as a safe and accessible community facility.

- 9.11. The Council's Design and Conservation Officer formally commented on this application. Her comments are summarised below:

Bourne Hall is a Grade II Listed Building that was designed by architects, A.G. Filder and Associates in 1964 and built between 1967-1970 as a library and community facility. It is an important modern building built in concrete, to a circular design that is striking both externally and internally. The internal layout is open to the domed and glazed roof so that the library is a large undivided, bright, and airy space.

The stair to be altered is original and a key feature of the interior leading from the entrance up to the museum on the open mezzanine. It is built to a helical (winding) form, in concrete with exotic African hardwood (probably teak) treads, handrail and middle rail. These are supported on square-sectioned aluminium balusters that are widely spaced. These materials (concrete, hardwood, and aluminium) are used throughout the building and are part of the original unified scheme of interior design. The open design of the stair is part of the open character of the interior space.

Fears of children slipping between the widely spaced balusters have recently been raised and it is proposed to add extra balusters to reduce the gap so that this cannot happen.

The additional balusters will be made of square sectioned aluminium and match the originals exactly. They will be fixed using sapele packers (pieces of exotic wood to mimic the original fixings). These will not be visible, and a Condition should be included on the Decision Notice to require that the minimum number of fixings shall be made into the original fabric.

Other options have been considered, such as plexi glass, which would still be visible, but would get dirty and eventually have a cheap and ugly appearance. This solution is therefore the most sympathetic solution, which will resolve the problem whilst conserving the appearance and heritage significance of the stair and Listed Building.

- 9.12. As the proposal relates to the staircase within the building, there is no impact on the Ewell Village Conservation Area.
- 9.13. There is no heritage objection. The 84 additional balustrades along the existing staircase would ensure a safer staircase for use by the public,

ensuring it achieves compliance with current Health and Safety and Building Regulations standards.

10. Conclusion

- 10.1. The proposal is recommended for approval by Officers. The 84 additional balustrades along the existing staircase would ensure a safer staircase for use by the public, ensuring it achieves compliance with current Health and Safety, and Building Regulations standards.

RECOMMENDATION

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:

Location Plan – dated 01.12.2024

Additional Staircase Balustrade Location Plan – dated 15.01.2026

Block Plan – dated 18.11.2025

Proposed Balustrade BIM Model – received 18.11.2025

S-05-01 – New Staircase Railings – dated 03.11.2025

S-05-02 – Proposed Look new Staircase Balustrades – dated 03.11.2025

S-05-02 – Balustrade Fixing Detail – dated 03.11.2025

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) Aluminium materials

The aluminium used shall match the original aluminium balustrades exactly in terms of the aluminium metal, its finish, appearance, and dimensions.

Reason: To safeguard the special architectural and historic interest of the Listed Building 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) Fixings

To safeguard the special architectural and historic interest of the Listed Building, the minimum number of fixings necessary to secure the new balustrades shall be used and no more.

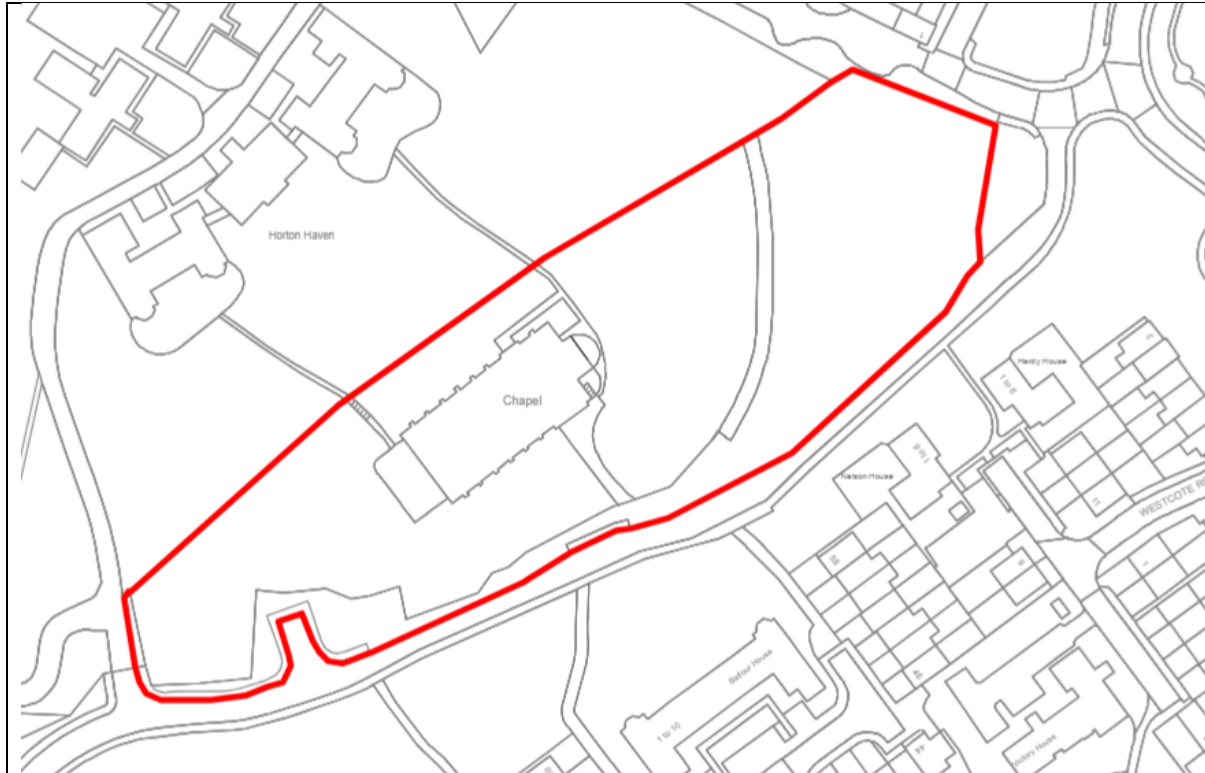
3) Protection of Stair

The existing original stair shall be protected during the works and care must be taken not to damage any parts of the stair.

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25/01364/FUL The Hortons Arts Centre, Haven Way, Epsom

Application Number	25/01364/FUL
Application Type	Full Planning Permission (Major)
Address	Horton Arts Centre, Haven Way, Epsom KT19 8NP
Ward	Horton Ward
Proposal	Single storey detached rear outbuilding to accommodate an office
Expiry Date	17 February 2026
Recommendation	Approval, subject to conditions and informatives
Number of Submissions	None
Reason for Committee	Major development (site area >1 hectare)
Case Officer	Nima Tavasoli Roudsari
Contact Officer	Simon Taylor, Head of Development Management and Planning Enforcement
Plans, Documents and Submissions	Available at The Horton Arts Centre
Glossary of Terms	Available here



SUMMARY

1. Summary and Recommendation

- 1.1. The application has been called to the Planning Committee as it is a major development, owing to a site area of more than one hectare.
- 1.2. The proposal involves the erection of a detached office building to the rear (north-west) of the converted chapel. This additional accommodation cannot be accommodated within the primary building because of the open plan nature of the building and is required as a result of the ongoing success of The Horton and a corresponding increase in staff numbers.
- 1.3. The main building is a Grade II Listed Building. The building and associated grounds were acquired from Epsom and Ewell Borough Council and subsequently refurbished and converted into a community arts centre, supported by a significant grant from the National Lottery, opening in 2022.
- 1.4. The proposed outbuilding is functional and of an acceptable architectural standard. Due to its positioning, the structure will be concealed from the public highway by the chapel. To further integrate the development, additional mature soft landscaping and screening will be planted on either side of the office.
- 1.5. The Council's Conservation Officer has accepted the location of the office in principle. The design details are considered acceptable, subject to specific conditions to ensure the development remains sympathetic to the heritage significance of the site. No other consultee or neighbour objections were raised.
- 1.6. It is accepted that additional office space is a functional requirement of the primary building and its function remains strictly incidental to the primary use of the site as an arts centre. It is recommended that planning permission, subject to a condition requiring the structure be removed and the land restored to its former condition (grassland) when no longer required.

PROPOSAL

2. Description of Proposal

- 2.1. The proposal involves the following works:
 - Erection of a single-storey rear outbuilding (garden office), measuring 4m x 5m with a height of 2.8m
 - Associated access pathway

3. Key Information

	Existing	Proposed
Site Area	1.22 ha	
Units	1	1 outbuilding
Floorspace	~ 900m2	Additional 20m2
Number of Storeys	2	1
Car Parking Spaces	42	Unchanged
Cycle Parking Spaces	20	Unchanged

SITE

4. Description

- 4.1. The site is located within the Horton Conservation Area, just over one mile north of Epsom town centre. The converted former chapel on the site is Grade II listed and was built in 1901. It is yellow brick in English bond with red-brick bands and dressings, ashlar dressings, and a slate roof which was fully refurbished in 2019. It is a Grade II Listed Building. Full planning permission and Listed Building Consent were granted for the conversion into a community arts centre and the creation of a car park in 2018.
- 4.2. The site is 1.22 hectares and is fenced throughout. It is located off Haven Way and has a boundary of approximately 240m with this unclassified road. The main entrance to the site is from this road, and the site can be categorised into three main parts: the Horton Arts Centre's main building in the centre, a car and cycle park to the west, and a dense, mature wooded area to the east.
- 4.3. The neighbouring NHS Horton Rehabilitation Centre (to the Northwest) comprises a number of different buildings—several of which are in the process of closing and are boarded up, with some residents being moved out of the facility. To the north is a mixed affordable housing and retail development including a Tesco, a pharmacy, a takeaway, a bakery, and a dog grooming store. To the East are blocks of new-build residential flats (affordable homes managed by a local housing association), residential flats in a converted former hospital building, and new-build terraced houses.

5. Constraints

- Green Belt
- Tree Preservation Order (several trees within the curtilage)
- Grade II Listed Building (Horton Hospital Chapel)
- Horton Conservation Area
- Site of Special Scientific Interest Risk Area

- Great Crested Newt Impact Zone (moderate habitat suitability)
- Bat Survey Area
- Unclassified Road
- Potentially contaminated Land (Horton Hospital)
- Flood Zone 1

6. History

App No.	Description	Status
20/01154/COND	Discharge of Condition 2 (details of hard and soft landscaping) and Condition 6 (Delineation of parking spaces) of 19/00111/REM	Permitted
19/00112/LBA	Variation of 17/01379/LBA	Permitted
19/00111/REM	Variation of condition 9 of 17/01378/FUL	Permitted
18/01026/COND	Discharge of details required by Condition 2 (Ramps) and Condition 3 (Memorial Plaques) of 19/00112/LBA	Permitted
18/00938/COND	Discharge of details required by Condition 5 (CTMP) and 8 (Ecology) of 17/01378/FUL	Permitted
18/00733/COND	Discharge of details required by Condition 2 (Landscaping) and 3 (Tree protection) of 17/01378/FUL	Permitted
17/01378/FUL & 17/01379/LBA	Refurbishment and conversion of existing Chapel (Use Class D1) to an Arts and Performance Centre (Use Class D1 and D2), including performance zone, creative learning, exhibition and cafe zone, new entrance glazed canopy, new 57 space car park parking access road; associated external works including soft and hard landscaping.	Permitted
03/00564/REM	Modification of condition No. 2(i) of existing outline planning permission No EPS/95/00160 to increase the time for the submission of application for the approval of reserved matters up to the 23.12.2007	Permitted

CONSULTATIONS

Consultee	Comments
Ecology Officer	No objection. The building that the application applies to, has in the past been found to be a bat roost. However, due to the scale and location of the proposal no further survey or mitigation is required.
Conservation Officer	Some harm to the setting is noted but there is no in-principle objection, subject to (pre-commencement) conditions.
Public Consultation	

Consultee	Comments
Neighbours	The application was advertised by means of a site notice, press notice, and notification to nine neighbouring properties, concluding on 16 December 2025. No submissions were received.
Ward Member	No comments were received.

PLANNING LEGISLATION, POLICY, AND GUIDANCE

7. Legislation and Regulations

- 7.1. Town and Country Planning Act 1990
- 7.2. Planning (Listed Buildings and Conservation Areas) Act 1990
- 7.3. Community Infrastructure Levy Regulations 2010

8. Planning Policy

8.1. National Planning Policy Framework 2023 (NPPF)

- Section 12: Achieving Well-Designed Places
- Section 13: Protecting Green Belt Land
- 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

8.2. Epsom and Ewell Core Strategy 2007 (CS)

- Policy CS1: Sustainable Development
- Policy CS2: Green Belt
- Policy CS3: Biodiversity and Designated Nature Conservation Areas
- Policy CS5: The Built Environment
- Policy CS6: Sustainability in New Development

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

- Policy DM3: Replacement and Extensions of Buildings in the Green Belt
- Policy DM4: Biodiversity and New Development
- Policy DM5: Trees and Landscape
- Policy DM8: Heritage Assets
- Policy DM9: Townscape Character and Local Distinctiveness
- Policy DM10: Design Requirements for New Developments
- Policy DM17: Contaminated Land

9. Supporting Guidance

9.1. National Planning Policy Guidance (NPPG)

- Community Infrastructure Levy
- Green Belt

- Historic Environment
- Natural Environment
- Tree Preservation Orders and Trees in Conservation Areas

9.2. Supplementary Planning Documents and Guidance

- Sustainable Design Supplementary Planning Document 2016

9.3. Other Documentation

- The Hospital Cluster Conservation Area Character Appraisal
- Community Infrastructure Levy Charging Schedule 2014

PLANNING ASSESSMENT

10. Principle of Development

- 10.1. The site is within Green Belt and Section 13 of the NPPF 2024 aims to prevent urban sprawl by keeping land permanently open with the purposes being to check unrestricted sprawl, prevent merging of towns, prevent encroachment within the countryside, preserve the setting of towns and encourage recycling of derelict sites.
- 10.2. Paragraph 153 of the NPPF 2024, reinforced in Policy CS2 of the Core Strategy, states that inappropriate development is, by definition, is harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 requires substantial weight to be applied to harm to the Green Belt

- 10.3. The Green Belt considerations include the following:

Whether the proposal would be inappropriate development for the purposes of section 13 of the NPPF and development plan policy

- 10.4. Paragraph 154 of the NPPF 2024 states that new buildings in the Green Belt are inappropriate, unless it involves extensions to a building (where it does not result in disproportionate additions over and above the size of the original building). *Warwick DC v SSLUGC and others [2022] EWHC 2145 (Admin)* accepts that outbuildings can be considered as extensions to an existing building. That would be applicable in this case.

The effect of the proposal on the openness of the Green Belt and Countryside

- 10.5. The NPPF highlights that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence.
- 10.6. Policy DM3 of the DMPD which allows replacement and extensions of buildings in the Green Belt where they are not materially larger than the existing building it replaces (taking into account floorspace, bulk and

height) and in the same use. Quantitatively, the volume should be no more than 30% larger than the original building, which is as it existed on 1 July 1948 or as it was built originally. The proposal must also not have a detrimental impact on rural character through its siting and design.

- 10.7. The portable garden office has a volume of 56m³. The main building remains unchanged and undeveloped. Quantitatively, the scale of the outbuilding relative to the existing building would be significantly less than 30% increase. Qualitatively, the shed is modest and has minimal visibility from the public, and its visibility to the neighbouring rear properties is moderate. In terms of the Green Belt's openness, the front elevation of the building is unaffected, and as an outbuilding, its impact on other elevations is limited in views from the street.
- 10.8. It is therefore viewed as not being inappropriate development in the Green Belt and the principle is accepted. Very special circumstances would not be required.

11. Design and Character

- 11.1. Paragraphs 130, 135 and 139 of the NPPF 2024 refer to the need for functional and visually attractive development that is sympathetic to local character and history. Policy CS5 of the Core Strategy 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 proposed building will be sited to the north of the chapel and will be largely screened from the public areas surrounding the site. It measures 4m x 5m with a height of 2.8m. The walls will be constructed of Structural Insulated Panels, finished with timber cladding in a natural wood colour—relatively sympathetic to the landscaped setting and the primary building. The main entrance door will be finished in grey powder-coated metal, designed to recede into the landscaped setting. Similarly, the windows are proposed with grey powder-coated metal frames to minimise their visual impact.
- 11.3. The outbuilding will be screened on three sides by well-established hedging and shrubs. The roof will be a flat EPDM rubber system with black PVC edge detailing and black uPVC guttering. A green roof tray system will be installed on top to provide further integration and biodiversity benefits.
- 11.4. On design and character grounds alone, owing to its location in an area of the site that is not accessible to the public and partly concealed by the

building itself, its impact on the overall townscape and the site's landscape is limited and not unacceptable.

12. Heritage and Conservation

- 12.1. The Planning (Listed Buildings and Conservation Areas) Act 1990 states that development should ensure the preservation of the listed building or its setting or any features of special architectural or historic interest which it possesses including the structures within its curtilage (Section 16 and 66).
- 12.2. 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. The site falls within the Horton Conservation Area.
- 12.3. Section 16 of the NPPF 2024 requires the conservation of heritage assets. Paragraph 202 correct 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.
- 12.4. Paragraph 212 correct states that great weight should be given to the asset's conservation and paragraph 213 says that any harm to the significance of a designated heritage asset should require clear and convincing justification. Paragraph 215 states that where there is less than substantial harm, the harm should be weighed against the public benefits.
- 12.5. Policy CS5 of the Core Strategy and Policy DM8 of the DMPD seek to protect and enhance heritage assets and their setting.
- 12.6. The heritage significance of the Arts Centre derives from its architecture as a chapel for the surrounding asylums; it was designed by the architect G.T. Hine in 1894 and completed in 1901. It is a standalone building constructed of yellow brick with red-brick banding and arched windows in an Italianate/Neo-Baroque style, featuring relatively low-pitched slate roofs. A key characteristic of the former chapel is its status as a detached, standalone building of high architectural merit:
- 12.7. The proposed office building would result in a degree of harm to the setting of the Listed Building by virtue of its proximity, which would reduce the detached character of the former chapel and impede views of its north-west elevation. Although there is harm to the setting, there would be no actual physical harm to the listed building as this would be an independent structure.
- 12.8. The justification given is that further office space is necessary for the continued use of the building as an arts centre which is a charity. The current office is very small and there is no better location as evidenced in

the heritage statement. This includes consideration of three other locations:

- Far end of the car park,
- End of the garden
- Second office within the main building

12.9. These locations were rejected for various reasons, including:

- Obstruction of public views of the Grade II listed building
- Harm to TPOd trees
- Flooding and drainage implications
- Conflict with the car park operations or loss of car parking spaces
- Intrusive nature of utility connections
- Proximity to the existing building
- Climate of the building
- Health and safety
- Limitations of the open plan layout of the Grade II listed building

12.10. The outbuilding is proposed to the rear of the building (northwest), and this location has been selected as the only possible option, for the following reasons:

- Visual Amenity and Heritage Impact: This is the only viable location where the outbuilding remains virtually screened from public view and entirely obscured from the public highway. By being situated to the rear, the proposal preserves the key sightlines and the principal elevations of the Grade II listed chapel.
- Arboriculture: Unlike the discounted alternatives, this location is free from trees protected by Tree Preservation Orders (TPOs) and requires no tree removal, ensuring no harm to the local canopy.
- Environmental Protection: The sheltered nature of this site, provided by the primary building, offers protection from prevailing winds. This will reduce the rate of weathering on the timber cladding, ensuring the structure remains aesthetically sympathetic to its setting.
- Accessibility: The location benefits from an existing hard-standing path and proximity to electrical services. Consequently, the installation would cause minimal ground disruption.
- Ecology: The proposal includes a green roof and supplementary screening, which will enhance local biodiversity and provide a visual softening of the structure.
- Public Amenity: As this area is not currently accessible to the public, the development will have no detrimental impact on the visitor experience or the use of the community gardens.
- Spatial Relationship: The outbuilding maintains a sufficient separation distance from both the primary listed building and the site boundary, maintaining the detached character of the chapel.

12.11. The NPPF requires clear and convincing justification for any harm to the significance or setting of a heritage asset. It further mandates that such

harm be avoided or minimised, and where harm remains, it must be weighed against the public benefits of the proposal.

- 12.12. The justification provided is that additional office space is essential for the continued operation of the Arts Centre, which functions as a registered charity. The existing office provision is severely constrained, and the submitted Heritage Statement demonstrates that no alternative, less harmful location is available.
- 12.13. Consequently, the less than substantial harm to the setting is outweighed by the significant public benefits of supporting this community facility
- 12.14. However, to ensure the long-term protection of the heritage asset, the Conservation Officer requires that any permission be granted on a non-permanent basis. This ensures that the land can be restored to its open, grassed character, thereby preserving the setting of the listed building should the Arts Centre cease to occupy the premises or if circumstances change

13. Trees and Landscaping

- 13.1. Paragraph 136 of the NPPF 2024, Policy CS3 of the Core Strategy, Policy DM5 of the DMPD and the Householder SPG seek the retention, protection and enhancement of existing and new trees, hedgerows, and other landscape features, with removal of trees supported by sound justification and appropriate replacement planting of native species.
- 13.2. Tree Preservation Orders (TPOs) are present within the extensive curtilage of the site. However, the proposed garden office is located sufficiently far from them and no adverse impact on the trees is expected.

14. Neighbour Amenity

- 14.1. 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 191 of the NPPF 2023 and Policy CS6 of the CS seek to mitigate and reduce noise impacts.
- 14.2. The site is of a significant scale and benefits from its location and the nature of the neighbouring land uses. The only neighbour with the potential to be impacted is the NHS Horton Rehabilitation Centre to the northwest. While it is understood that several of these buildings are in the process of closing, given the substantial separation distance and the fact that the outbuilding does not include any rear-facing windows, the proposal's impact on the amenity of this neighbouring site is considered negligible.
- 14.3. Due to the outbuilding's moderate size and the absence of any rear windows, no adverse impact on this adjoining building is anticipated.

Additionally, the 4.3m distance from the rear of the garden office to the boundary is sufficient to mitigate any potential harm.

15. Parking and Access

- 15.1. Policy CS16 of the CS encourages an improved and integrated transport network and facilitates a shift of emphasis to non-car modes as a means of access to services and facilities. Development proposals should provide safe, convenient, and attractive accesses for all, be appropriate for the highways network, provide appropriate and effective parking provision, both on and off-site and ensure that vehicular traffic generated does not create new, or exacerbate existing, on street parking problems, nor materially increase other traffic problems.
- 15.2. The proposed outbuilding is intended to provide an ancillary office space for existing and future staff, a requirement justified by the ongoing success of The Horton Arts Centre and a corresponding increase in staff numbers. The site features a substantial car park to the east, accommodating 40 car parking spaces, two disabled bays, and 20 cycle spaces. Given the ample level of car and cycle parking provided within the site, no additional provision is sought or necessary, and the proposal is acceptable.

16. Ecology and Biodiversity

- 16.1. 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.
- 16.2. Given the location of the site within the Bat Survey Area, the Ecology Officer has assessed the proposal. They have concluded that while the main building to which the application relates has previously been identified as a bat roost, no further surveys or mitigation are required due to the scale and location of the proposed outbuilding. Consequently, the Council's Ecology Officer raises no objection on ecological grounds.
- 16.3. The site is located within the Great Crested Newt Impact Zone (moderate habitat suitability) and a Bat Survey Area. However, given the modest scale of this proposal and the suitability credentials of the site, no objection is raised.
- 16.4. The site is within a SSSI Impact Risk Zone Area. However, due to the minor nature of the proposal and as the site is in built-up area with low ecological status, there is no foreseeable harm to protected species and no objection raised.

- 16.5. The proposal would not be subject to Biodiversity Net Gain requirements because it has a footprint of less than 25m².

17. Contamination and Remediation

- 17.1. Paragraph 189 of the NPPF 2023 and Policy DM17 of the DMPD requires consideration of ground conditions and risks to end users. The site is listed as potentially contaminated on the Council's register.
- 17.2. The site is moderate in nature and, given that the proposed groundworks are negligible, there is a low risk of contamination; therefore, no objection is raised in this regard.

18. Accessibility and Equality

- 18.1. Policy CS16 of the CS and Policy DM12 of the DMPD requires safe, convenient, and attractive access to be incorporated within the design of the development. The site provides a fully wheelchair-accessible space to members of the public who are volunteering, researchers and visitors who want to speak to a member of staff privately and other stakeholders with access needs.
- 18.2. The Council is required to have regard to its obligations under the Equality Act 2010, including protected characteristics of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion, or belief. There would be no significant adverse impacts as a result of the development.

19. Planning Obligations and Community Infrastructure Levy

- 19.1. Paragraphs 55 and 57 of the NPPF 2023 requires consideration of whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations, but only where they are necessary, related to the development, fair and reasonable.
- 19.2. Policy CS12 of the CS and the Developer Contributions SPD require that development must be able to demonstrate that the service and community infrastructure necessary to serve the development is available, either through on-site provision or a financial contribution via a planning obligation.
- 19.3. The Community Infrastructure Levy Charging Schedule 2014 indicates that the application is not chargeable for CIL payments because the extension is less than 100m² in floor area.

CONCLUSION

20. Planning Balance

20.1. 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.

20.2. Economic Considerations

20.3. The proposed development would contribute to economic activity in the local area, attracting minor weight.

20.4. Social Considerations

20.5. The proposal reinforces and maintains the social benefits of the premises, and this is afforded moderate weight.

20.6. Environmental Considerations

20.7. There is some harm to the setting of the listed building but this has already been considered in the context of public benefits. The harm is afforded minor weight but is otherwise offset by the public benefits.

20.8. Conclusion

20.9. The benefits of the scheme outweigh perceived harm and approval is recommended.

RECOMMENDATION

To grant planning permission subject to the following conditions and informatives

Conditions

1) Time Limit

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

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

2) Approved 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 2466-EX-1, 2466-SK-10a and 2466-SK-11a, received by the local planning authority on 18 November 2025.

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) Materials

Prior to the commencement of the works hereby permitted, details of materials and finishes shall be submitted to and approved in writing by the local planning authority. Details shall include samples of the colour and finish of the timber cladding (avoiding grey timber), doors and windows (timber-framed or timber-coloured) and the green roof system (including its structural loading and a specific planting schedule). No trickle vents shall be used on the external elevations of the doors and windows. The works shall be carried out in accordance with the approved details.

Reason: To safeguard the special architectural and historic interest of the listed building in accordance with Sections 16 and 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the National Planning Policy Framework 2024, Policy CS5 of the Core Strategy 2007 and Policies DM8, DM9 and DM10 of the Development Management Policies Document 2015.

4) Soft landscaping

No development shall take place until details of hard and soft landscaping 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 Document 2015.

5) Removal of Building

The building hereby permitted shall not be used for any purposes other than those associated with the approved office use. If the building hereby permitted ceases being used for this purpose or is no longer required in connection with the Horton Arts Centre, then the approved building 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 or requirement ceased.

Reason: To safeguard the long-term historic interest of the listed building in accordance with Sections 16 and 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the National Planning Policy Framework 2024, Policy CS5 of the Core Strategy 2007 and Policies DM8, DM9 and DM10 of the Development Management Policies Document 2015.

6) External Storage

No materials or equipment shall be stored on the site outside the building hereby approved.

Reason: To safeguard the special architectural and historic interest of the listed building in accordance with Sections 16 and 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the National Planning Policy Framework 2024, Policy CS5 of the Core Strategy 2007 and Policies DM8, 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.

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 <https://ebcsltd.co.uk/> 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) Working Hours

When undertaking building work, please be considerate to your neighbours and do not undertake work before 8am or after 6pm Monday to Friday, before 8am or after 1pm on a Saturday or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of

the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Health Department Pollution Section.

4) 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.

5) 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.

This includes bats and Great Crested Newts, which are a protected species under the Conservation of Habitats and Species Regulations 2017 (as amended). Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately, and an ecological consultant contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

6) 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.

UPCOMING APPLICATIONS REPORT

Report	Summary of Likely Applications to be Heard at Planning Committee
Period	February to May 2026
Author	Simon Taylor, Head of Development Management and Planning Enforcement
Date of Report	14/01/2026

SUMMARY

App No	Address	Proposal	Reason	Potential Meeting
25/00846/ OUT	North of Langley Bottom Farm, Epsom	110 dwellings (outline)	Major	26-Feb
25/00995/ FUL	The Looe, Reigate Road, Ewell	Two storey industrial building	Major	26-Feb
25/01399/ FUL	Bourne Hall, Spring Hill, Ewell	Membrane roof to listed building	Council app	26-Feb
25/01400/ LBA				26-Feb
25/00368/ FUL	Swail House, Ashley Road, Epsom	48 dwellings	Major	21-May
26/00002/ FUL	South of Oak Glade, Epsom	Residential care home	Major	21-May
25/01483/ FUL	Woodcote Stud, Wilmerhatch Lane, Epsom	14 dwellings and residential care home	Major	21-May

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PLANNING PERFORMANCE REPORT

Report	Summary of Planning Performance by Quarter
Period	July-December 2025
Author	Simon Taylor, Planning Development and Enforcement Manager
Date of Report	14/1/2026

SUMMARY

The following table outlines the Council's performance statistics for the processing of major, minor and other applications for the last two quarters, as measured against government performance standards and against past quarters since 2021.

The Council continues to maintain a rolling average well above the target levels for each measure.

Type	Year	Quarter	Total	In Time	% In Time	Target
Major	2021	Q1	3	2	67%	60%
		Q2	2	1	50%	
		Q3	7	1	14%	
		Q4	0	0	100%	
	2022	Q1	6	5	83%	
		Q2	3	3	100%	
		Q3	5	5	100%	
		Q4	3	3	100%	
	2023	Q1	3	3	100%	
		Q2	1	1	100%	
		Q3	4	4	100%	
		Q4	1	1	100%	
	2024	Q1	5	5	100%	
		Q2	3	3	100%	
		Q3	4	4	100%	
		Q4	4	4	100%	
	2025	Q1	5	5	100%	
		Q2	3	3	100%	
		Q3	1	1	100%	
		Q4	5	5	100%	
Minor	2021	Q1	23	10	43%	65%
		Q2	17	1	6%	
		Q3	24	1	4%	
		Q4	25	2	8%	
	2022	Q1	65	33	51%	
		Q2	35	31	89%	
		Q3	39	31	79%	
		Q4	38	33	87%	
	2023	Q1	21	19	90%	

Type	Year	Quarter	Total	In Time	% In Time	Target
		Q2	39	34	87%	
		Q3	35	28	80%	
		Q4	40	35	88%	
	2024	Q1	36	32	89%	
		Q2	35	31	89%	
		Q3	25	24	96%	
		Q4	31	30	97%	
	2025	Q1	27	24	89%	
		Q2	36	36	100%	
		Q3	24	22	92%	
		Q4	35	34	97%	
Other	2021	Q1	148	86	58%	80%
		Q2	162	52	32%	
		Q3	130	21	16%	
		Q4	129	9	7%	
	2022	Q1	300	115	38%	
		Q2	188	181	96%	
		Q3	180	170	94%	
		Q4	124	120	97%	
	2023	Q1	139	135	97%	
		Q2	133	129	97%	
		Q3	132	121	92%	
		Q4	117	106	91%	
	2024	Q1	113	109	96%	
		Q2	140	135	96%	
		Q3	141	136	96%	
		Q4	104	104	100%	
	2025	Q1	110	104	95%	
		Q2	142	134	94%	
		Q3	119	114	96%	
		Q4	130	124	95%	

MONTHLY ENFORCEMENT REPORT

Report	Summary of Incoming and Closed Enforcement Cases by Month
Period	2024-2025
Author	Simon Taylor, Head of Development Management and Planning Enforcement
Date of Report	14/01/2026

SUMMARY

The following table indicates the current live enforcement cases, those opened (received) and closed (resolved) at the end of each month.

2024	Live	Opened	Closed	Net change
February	305	41	54	-13
March	286	17	42	-25
April	278	22	7	+15
May	286	29	45	-16
June	299	32	22	+10
July	283	27	52	-25
August	273	51	52	-1
September	270	27	34	-7
October	265	18	20	-5
November	248	20	36	-17
December	242	13	21	-6
2025	Live	Opened	Closed	Net change
January	257	18	2	+15
February	249	18	26	-8
March	239	20	20	-10
April	254	18	15	+15
May	255	24	21	+1
June	244	17	28	-11
July	275	26	11	+31
August	280	37	18	+5
September	279	25	34	-1
October	288	31	12	+9
November	290	17	15	+2
December	274	11	27	-16

Note: There is a margin of error in the above table that is gradually reconciling itself since the conclusion of the enforcement audit.

The following table indicates the reasons for the closure of each case in the last two quarters (note: figures being compiled).

Closure Reason	July – Sep 2025	Oct – Dec 2025
Planning Application submitted	13	17
Duplicate Case	10	6
No Breach - Permitted Development	9	5
No Breach - complies with Permission	5	4
No Breach - Not Planning Related	4	1
Planning Application approved	5	8
Breach has ceased	3	1
Voluntary Compliance	2	2
Appeal Submitted	3	0
No Breach - Not Development	2	2
No Breach - Other	0	3
Not Expedient	2	0
Transferred to SCC	3	0
Transferred to Env Health	0	2
Immune from Enforcement	1	2
Notice Served	1	1
Total	64	54

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PLANNING APPEALS REPORT

Report	Summary of all Planning Appeal Decisions and Current Appeals
Period	July to December 2025
Author	Simon Taylor, Head of Development Management and Planning Enforcement
Date of Report	19/01/2026
Appeals Determined	18 in total (including 2 linked LBC appeals) 16 dismissed (89%), 2 upheld
Costs Appeals Determined	1 brought by appellant and dismissed (100%)

LIST OF APPEAL DECISIONS

Item	Address	LPA Ref	PINS Ref	Proposal	Decision
1	35 Woodcote Hurst, Epsom	23/00032/REF	APP/TPO/P3610/9913	Removal of Cypress	Dismissed
2	1 Wheelers Lane, Epsom	24/00024/REF	APP/P3610/W/24/3346386	New dwelling	Dismissed
3	Hobbledown, Horton Lane, Epsom	24/00052/REF	APP/P3610/W/24/3355981	Waterplay park	Dismissed
4		24/00052/REF	APP/P3610/W/24/3355981	Costs application against 3355981	Dismissed
5	Land Adjacent to Epsom Gateway, Ashley Avenue, Epsom	24/00055/REF	APP/P3610/W/24/3356732	Communications hub	Dismissed
6		24/00056/REF	APP/P3610/Z/24/3356733		Dismissed
7	Capitol Square, 2-6 Church Street, Epsom	24/00058/REF	APP/P3610/Z/24/3356735	Communications hub	Dismissed
8		24/00057/REF	APP/P3610/W/24/3356734		Dismissed
9	Langley Bottom Farm, Langley Bottom	25/00006/REF	APP/P3610/W/25/3359376	New dwelling	Dismissed
10	64 Grosvenor Road, Epsom	25/00008/REF	APP/P3610/D/25/3361627	Rear extension and raising of roof	Dismissed
11	212 Ruxley Lane, West Ewell	25/00014/REF	APP/P3610/D/25/3365486	Side and rear extension	Dismissed
12	57A Pickard House, Upper High Street, Epsom	25/00015/REF	APP/P3610/W/25/3366439	New flat building	Dismissed
13	81 College Road, Epsom	25/00016/REF	APP/P3610/W/25/3366793	Backland dwelling	Dismissed
14	Boogie Lounge, 1A Waterloo Road, Epsom	25/00022/REF	APP/P3610/Z/25/3368471	Box signage	Upheld
15	15 Beech Road, Epsom	25/00023/REF	APP/P3610/D/25/3368789	Roof extension and front dormer	Upheld
16	405 Kingston Road, Ewell	25/00021/REF	APP/P3610/W/25/3367061	CoU of offices to residential	Dismissed

17	59 Church Street, Epsom	25/00019/ REF	APP/P3610/D/25/ 3367695	Glass porch	Dismissed
18		25/00020/ REF	APP/P3610/Y/25/ 3367698	Glass porch	Dismissed
19	11A Christ Church Mount, Epsom	24/00043/ REF	APP/P3610/X/24/ 3352350	Dropped kerb	Dismissed
20	40 High Street, Ewell	25/00014/ REF	APP/P3610/W/25/ 3367390	Rear extensions to listed building	Upheld
21		25/00018/ REF	APP/P3610/W/25/ 3367391	Rear extensions to listed building	Upheld

SUMMARY OF DECISIONS

1. 35 Woodcote Hurst, Epsom (dismissed)

- 1.1. The appeal related to the felling of a Cypress but included consideration of whether the tree was correctly plotted and whether the tree was in fact protected by a TPO.
- 1.2. The Inspector found that the “felling of the tree would noticeably erode the mature and verdant landscape of the locality” and justification made by the appellant including unevenness in the driveway, bird defecation, impacts upon a manhole and gas mains, and that it is a non-native were not sufficient to outweigh this harm. The Inspector also found that the map was sufficiently clear to conclude that the tree was correctly protected.

2. 1 Wheelers Lane, Epsom (dismissed)

- 2.1. The appeal relates to the erection of an infill dwelling. The reasons for refusal and issues discussed in the appeal were the impact upon the setting of the Grade II listed building within the site and Wheelers Lane and Stamford Green Conservation Area and overlooking of 85 Stamford Green. There had been a previous appeal on the site.
- 2.2. The Inspector accepted that the surrounds had been harmed by more recent development but found that “At two-storeys high, and due to its siting and proximity to No 1, the proposed dwelling would significantly reduce the open character of the site, and it would block longer views of the listed building and its distinctive form and orientation from Wheelers Lane to the north” and that “Whilst some side space would be retained between the proposed dwelling and the properties either side of it, the openness of the site would be significantly reduced”. There was also clear overlooking from the rear bedroom window due to its proximity to the rear boundary. The public benefits of the scheme did not outweigh the harm and the appeal was dismissed.

3. Hobbledown, Horton Lane, Epsom (dismissed)

- 3.1. The appeal involved a new waterplay area comprising formation of shallow water feature and erection of play equipment and associated structures at Hobbledown Children’s Farm. The issues were whether it was inappropriate development in the

Green Belt, whether there was harm to the openness and whether there were very special circumstances to outweigh harm. The Council also refused the application on the grounds of harm to neighbour amenity (noise), trees, and protected species (Great Crested Newts).

- 3.2. The Inspector found that “The area of land on which the waterplay area is proposed is currently largely devoid of built development”, that “there would similarly be a small but nonetheless evident spatial loss to the Green Belt” and “as I have not found the proposal to preserve the openness of the Green Belt it does not fall within the exception set out in Paragraph 154(b) of the Framework and so represents inappropriate development in the Green Belt.” However, they also found that “the proposal would not be seen as being out of keeping with the outdoor nature of the Farm site or the Country Park generally. As such its visual impact would not be harmful to this wider setting.”
- 3.3. The remaining reasons for refusal were resolved by virtue of the submission of an ecology report, noise assessment, and arboricultural impact assessment.
- 3.4. Very special circumstances were cited by the appellant, but they were not compelling or lacked detail, including with respect to visitor numbers and financial benefits. Very special circumstances were not sufficient to outweigh harm and the appeal was dismissed.

4. Hobbledown, Horton Lane, Epsom (costs appeal - dismissed)

- 4.1. The appellant sought a full award of costs, contending that the Council delayed a development which should clearly have been permitted and in doing so failed to engage with the applicant, making generalised and inaccurate assertions about the proposal and not providing the applicant with the consultee responses. This approach is said to be inconsistent with the Council’s previous approach on the site and elsewhere.”
- 4.2. The Inspector did not find that the Council delayed a scheme that should have been approved nor that it misconstrued the report (as it could evidently have occurred given the way it was structured). They also concluded that inconsistent customer service is not the same as inconsistent decision making and that the appropriate technical reports should have been anticipated. The award of costs was dismissed, full or otherwise.

5. Land Adjacent to Epsom Gateway, Ashley Avenue, Epsom (dismissed)

- 5.1. The appeal relates to a New World Payphones communications hub at Ashley Avenue. Issues raised were harm to the character of the area and highway safety.
- 5.2. The Inspector noted that it would “be relatively utilitarian in its appearance and through a combination of both its height and width the kiosk would be a visually intrusive and bulky addition to this section of the footway” and “its siting directly adjacent to the highway in an isolated position would be viewed as a highly incongruous addition”. Highway safety was not raised as a concern.

- 5.3. The public benefits (emergency messaging, advertisements for local businesses, public communications, and a defibrillator) were not sufficient to outweigh harm and the appeal was dismissed. This decision is consistent with all other appeals for communications hubs within Epsom Town Centre.

6. Land Adjacent to Epsom Gateway, Ashley Avenue, Epsom (dismissed)

- 6.1. This is an advertisement consent appeal linked to the above appeal which was also dismissed.

7. Capitol Square, 2-6 Church Street, Epsom (dismissed)

- 7.1. The appeal relates to a New World Payphones communications hub at Church Avenue. Issues raised were harm to the character of the area.
- 7.2. The Inspector noted a “pleasant and typical urban environment and public realm” and that it would “an isolated, large, and overly dominant feature within the street scene. This impact would be exacerbated by the modern appearance and rotating advertising screen, which further highlights the incongruity of the proposal within its context” and “be markedly out of keeping with the rhythm and consistency of the existing street furniture and would unduly detract from the spacious and open character of the public realm in this location”.
- 7.3. The public benefits (emergency messaging, advertisements for local businesses, public communications, and a defibrillator) were not sufficient to outweigh harm and the appeal was dismissed. This decision is consistent with all other appeals for communications hubs within Epsom Town Centre.

8. Capitol Square, 2-6 Church Street, Epsom (dismissed)

- 8.1. This is an advertisement consent appeal linked to the above appeal which was also dismissed.

9. Langley Bottom Farm, Langley Bottom (dismissed)

- 9.1. The appeal related to a new dwelling on land that was previously occupied by a 1900s farm house at Langley Bottom Farm but now consists of ruins only. The Council refused the application on five grounds – inappropriate development in the Green Belt, harm to the character of the area, harm to trees, harm to ecology and Lack of Biodiversity Net Gain.
- 9.2. Following the introduction of Grey Belt in NPPF 2024 after the refusal of the application, the Council indicated that it no longer sought to argue the contention that the proposal was inappropriate development in the Green Belt and the Inspector concurred. Issues relating to trees and ecology also fell away through submission of details. BNG remained but only because a legal agreement did not secure the necessary mitigation.

- 9.3. The applicant's contention is that the proposal is a replacement dwelling and that the volume of the proposed dwelling would be comparable to the previous dwelling, and that a fallback of being able to reconstruct the dwelling exists. However, the Inspector assigned little weight to these arguments.
- 9.4. The Inspector concluded that a new dwelling "would not be conspicuous when seen from public vantage points", "it would not represent an environmental benefit in the same way the dwellings were considered to be for the Langley Bottom Farm site" and that it would be sporadic and piecemeal as "an unexpected sight, neither appearing as part of the Langley Farm redevelopment nor as part of Langley Vale." Benefits are small and not sufficient to outweigh harm and the appeal was dismissed.

10. 64 Grosvenor Road, Epsom (dismissed)

- 10.1. The appeal related to a rear extension, garage conversion, side and front roof extensions and a loft conversion. The sole contention/reason for refusal related to protected species, namely the lack of a Phase II bat survey.
- 10.2. The Inspector agreed, noting that "In the absence of any bat emergence surveys, and based on the information before me, the presence of bats cannot be ruled out, and I cannot be certain as to the extent to which they may be affected". They also noted that conditioning the consent "would not be appropriate in light of the legal protection given to bats and the need to determine potential impacts on them in advance of any permission."

11. 212 Ruxley lane, West Ewell (dismissed)

- 11.1. The appeal related to a single storey side and rear extension with rear dormer. The works were part retrospective and the issues related to the impact on the character of the dwelling and area.
- 11.2. Works to the front were satisfactory but works to the rear "would add significant bulk, and the large box-style dormer would consume the majority of the main roof with a notable rear projection. It would create a top-heavy form and would be out of scale with the original property". The appeal was dismissed but a subsequent householder application has approved lesser works.

12. 57A Pickard House, Upper High Street, Epsom (dismissed)

- 12.1. The appeal related to two additional floors on top of the existing four storey mixed use (retail and 11 flats) building to accommodate seven additional flats. The three primary issues were harm to the streetscene, the Epsom Town Centre Conservation Area (not within but to the west) and internal layout.
- 12.2. The "Inspector agreed that the building is seen beyond the Conservation Area and that the significant increase in height as proposed would lead to a much more visually obtrusive building and would sit uncomfortably in relation to the lower scale of the buildings within the Conservation Area". The "seven additional units would be a

modest benefit but in the particular circumstances of this case they would not outweigh the harm”.

- 12.3. On character impacts, the Inspector concluded that the existing building sat comfortably within its surrounds, but the proposal would be “very bulky and solid mass of built development which would result in an over prominent and visually incongruous development particularly in views from the front, and sides.”
- 12.4. The Inspector also concurred that living conditions were substandard in terms of overall floorspace, storage and bedroom sizes.
- 12.5. In the planning balance, the delivery of additional housing, amongst other benefits, did not outweigh harm and the appeal was dismissed.

13. 81 College Road, Epsom (dismissed)

- 13.1. The appeal related to the erection of a backland 2-bed dwelling on a corner plot, the primary issue being perceived harm on the character of the area.
- 13.2. The Inspector observed a “generous verdant gap between the rear of the houses fronting College Road.” In dismissing the appeal, the Inspector concluded that “The small size of the rear garden in relation to the generous size of the property would appear visually discordant and the property would appear cramped within the remaining plot.” This is consistent with the decision in a 2022 appeal on the site.

14. Boogie Lounge, 1A Waterloo Road, Epsom (upheld)

- 14.1. The appeal related to an internally illuminated box sign. The Council refused the application because of harm to the visual amenity of the area (namely internal illumination), including the conservation area. The Inspector concluded that the street is “highly mixed in terms of the design, width and depth of fascia, materials, and the method of illumination. There are also several projecting box signs. There is therefore very little uniformity, and the streetscene is capable of accommodating some variety” and that the signage is fairly subtle and that illumination is not unusual.

15. 15 Beech Road, Epsom (upheld)

- 15.1. The appeal relates to two dormer windows on the front roof plane. The works had been undertaken. The Council acknowledged several nearby dormers but concluded that these were original features or predated the 2004 SPG. The Inspector upheld the appeal, noting that “The dormer is slightly offset from the apex of the dormer and the first-floor window below. However, this is not particularly noticeable at street level, and the dormer does not significantly detract from the character and appearance of the host dwelling in this regard. Moreover, given the immediate context of the appeal property where front dormers are widespread, the dormer that has been constructed does not stand out as a particularly prominent or incongruous feature within the street scene.”

16. 405 Kingston Road, Epsom (dismissed)

- 16.1. The appeal related to the change of use of an existing office building to the rear of the site to a residential dwelling. The reasons for refusal and issues in the appeal were the loss of an employment use and substandard internal space.
- 16.2. The appellant suggested that the Council's draft Local Plan encourages office conversions but did not cite a policy. The Inspector also agreed with the Council that the "bedroom size could encourage more than one person to live at the property" and that internal space was non-compliant. The appeal was dismissed on both grounds.

17. 59 Church Street, Epsom (dismissed)

- 17.1. The appeal related to the erection of a glass porch to the front of a Grade II listed building known as Leigh House. The issue related to perceived harm to the listed building and the Church Street Conservation Area and whether there were public benefits to outweigh harm.
- 17.2. The Inspector concluded that there was "no further detail of the proposed fixing methods, materials and number of connection points" and "it would significantly increase the amount of glass, which is currently a minor component of the listed building, within the principal elevation and lead to the enclosure of a feature which was historically designed to be open." Whilst it would reduce noise and provide shelter, benefits were minor and not sufficient to outweigh harm.

18. 59 Church Street, Epsom (dismissed)

- 18.1. This is a linked appeal against the refusal of a listed building consent. It was also dismissed.

19. 11A Christ Church Mount, Epsom (dismissed)

- 19.1. The appeal related to a certificate for a dropped kerb. As the certificate related to a second dropped kerb to an existing driveway parking area, the Council concluded that it was not required in accordance with Class B of Part 2 of the GPDO. The Inspector agreed with the Council's reasoning and the appeal was dismissed.

20. 40 High Street, Ewell (upheld)

- 20.1. The appeal relates to the constriction of two extensions to the rear of the Grade II listed building. The works were retrospective and subject to enforcement action. The issue was whether the proposal preserved the setting and historic interest of the building.
- 20.2. The Inspector has noted that "the special interest of the listed building relates to its longstanding use as a shop in a central location within Ewell. Its demonstrable adaptation over time to support evolving commercial needs both on and around the site also contributes to its significance." However, "the proposal would result in the

blurring of the definition between the main building, outbuildings and the external courtyard space” resulting in a low level of less than substantial harm.

20.3. The Inspector then concluded that there were economic and wellbeing benefits from its use for workshops and yoga, improved flexibility with additional floorspace and facilities and social aspects associated with its community use. Were the business to become financially unviable, it would contribute to a downturn on the high street. These benefits were sufficient to outweigh identified harm.

21. 40 High Street, Ewell (upheld)

21.1. This is a linked appeal against the refusal of a listed building consent. It was also dismissed.

CURRENT APPEALS

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Planning Ref	Appeal Ref	PINS Reference	Status	Address	Proposal
22/00385/TPO	23/00007/COND	TBC	Valid	Burnside, Vernon Close, Ewell	Felling of Oak
22/01810/TPO	23/00019/REF	TBC	Valid	21 Chartwell Place, Epsom	Felling of Ash
23/00302/TPO	23/00031/REF	TBC	Valid	5 Poplar Farm Close, West Ewell	Part tree removal
24/00800/TPO	24/00045/REF	APP/P3610/W/24/3353162	Received	1 Park Farm Court, West Ewell	Crown reduction
24/01001/TPO	24/00049/NONDET	TBC	Received	Ridgecourt, The Ridge, Epsom	Tree works
24/01264/CLE	24/00059/REF	APP/P3610/X/24/3357306	Pending	329 London Road, Ewell	Hip to gable
24/01312/FUL	24/00060/REF	APP/P3610/W/24/3357667	Pending	10 High Street, Epsom	Change to shopfront
24/01315/ADV	24/00061/REF	APP/P3610/Z/24/3357797	Pending	10 High Street, Epsom	Advertising signage
24/00131/BOC	25/00005/ENF	APP/P3610/C/24/3357839	Pending	10 High Street, Epsom	Enforcement notice
24/00282/COU	25/00009/ENF	APP/P3610/C/25/3361942	Pending	11 Woodlands Road, Epsom	Outbuilding
24/00066/COU	25/00010/ENF	APP/P3610/C/25/3362490	Pending	185 Kingston Road, Ewell	CoU to motorcycle repairs
25/00158/ADV	25/00012/REF	APP/P3610/Z/25/3364400	Pending	Station Approach, Epsom	Communications hub
25/00157/ADV	25/00013/REF	APP/P3610/Z/25/3364412	Pending	42-44 East Street, Epsom	Communications hub
25/00097/FLH	25/00024/COND	APP/P3610/W/25/3371621	Pending	21 West Street, Ewell	Window condition
25/00685/CLE	25/00025/REF	APP/P3610/X/25/3373465	Pending	47 Holmwood, Cheam	Terrace and balcony
25/01064/CLP	25/00027/REF	APP/P3610/X/25/3375600	Pending	107 Hookfield, Epsom	Hip to gable conversion
25/00996/FLH	25/00028/REF	APP/P3610/D/25/3376126	Pending	26 Church Road, Epsom	Hip to gable conversion
25/00849/COND	25/00030/REF	APP/P3610/W/25/3376195	Pending	26 Lansdowne Rd, West Ewell	Materials discharge (plus costs)
25/01068/CLP	25/00029/REF	APP/P3610/X/25/3376179	Pending	27A Chartwell Place, Epsom	Hip to gable conversion
25/00606/CLP	25/00026/REF	APP/P3610/X/25/3375637	Pending	12 Stoneleigh Cres, Stoneleigh	Widening of crossover
25/01065/FLH	25/00032/REF	TBC	Received	49 Pine Hill, Epsom	Side extension
25/01032/FUL	25/00031/REF	TBC	Received	388 Chessington Rd, West Ewell	Four dwellings
25/00937/FLH	26/00001/REF	TBC	Received	66 Worple Road, Epsom	Rear glazed extension

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