

Public Document Pack

Simon Young, Solicitor
Head of Legal and Democratic Services



PLANNING COMMITTEE

Thursday 8 September 2016 at 7.30 pm

Council Chamber - Epsom Town Hall

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 Humphrey Reynolds (Chairman)
Councillor Mike Teasdale (Vice-Chairman)
Councillor Michael Arthur
Councillor John Beckett
Councillor Neil Dallen
Councillor Jan Mason
Councillor Tina Mountain

Councillor Peter O'Donovan
Councillor Martin Olney
Councillor David Reeve
Councillor Vince Romagnuolo
Councillor Clive Smitheram
Councillor David Wood

Yours sincerely

A handwritten signature in black ink, appearing to read "S Young".

Head of Legal and Democratic Services

For further information, please contact Sandra Dessent, tel: 01372 732121 or email: sdessent@epsom-ewell.gov.uk

AGENDA

1. DECLARATIONS OF INTEREST

Members are asked to declare the existence and nature of any Disclosable Pecuniary Interests in respect of any item of business to be considered at the meeting.

2. MINUTES OF THE PREVIOUS MEETING (Pages 5 - 12)

The Committee is asked to confirm as a true record the Minutes of the Meeting of the Committee held on the 21 July (attached) and authorise the Chairman to sign them.

3. PLANNING APPLICATION 15/01770/FUL - 5 ALEXANDRA ROAD, EPSOM, KT17 4BH (Pages 13 - 24)

Demolition of existing property and redevelopment of the site to provide 9 two bedroom flats and one three bedroom flat in a three-storey block with accommodation in the roof space, formation of a new access onto Alexandra Road and the provision of ancillary car parking. (Description amended 17.08.2016 and drawings received 25.08.2016).

4. PLANNING APPLICATION 16/00486/FLH - 64 THE AVENUE, WORCESTER PARK, KT4 7HH (Pages 25 - 32)

Single-storey flank and rear extension, two storey front extension (Amended drawings received 18.08.2016)

5. PLANNING APPLICATION 16/00470/FLH - JANNAT, 2A DEREK AVENUE, WEST EWELL, KT19 9HT (Pages 33 - 40)

6. PLANNING APPLICATION 16/00193/OUT - LAND WEST OF OLD MALDEN LANE, WORCESTER PARK KT4 7PU (Pages 41 - 54)

Outline application (layout) for the construction of a detached two-storey dwelling.

7. THE USE OF AGREEMENTS BY THE PLANNING SERVICE IN DELIVERING DECISIONS ON PLANNING APPLICATIONS (Pages 55 - 80)

This report seeks the Committee approval to the introduction and use of Planning Performance Agreements (PPAs) as a means of dealing with major planning applications.

8. SITE VISITS (Pages 81 - 82)

Members are asked to put forward any applications which it is considered warrant a site visit.

9. EXCLUSION OF PRESS AND PUBLIC

The Committee is asked to consider whether it wishes to pass a resolution to exclude the Press and Public from the meeting in accordance with Section 100A (4) of the Local Government Act 1972 on the grounds that the business involves the likely disclosure of exempt information as defined in paragraph 6 of Part 1 of Schedule 12A to the Act (as amended) and that pursuant to paragraph 10 of Part 2 of the said Schedule 12A the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**10. PLANNING APPLICATION - LAND AT BURGH HEATH ROAD, EPSOM,
(Pages 83 - 84)**

Enforcement matter relating to land at Burgh Heath Road, Epsom.

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Minutes of the Meeting of the PLANNING COMMITTEE held on 21 July 2016

PRESENT -

Councillor Humphrey Reynolds (Chairman); Councillor Mike Teasdale (Vice-Chairman); Councillors Michael Arthur, John Beckett, Neil Dallen, Jan Mason, Tina Mountain, Peter O'Donovan, Martin Olney, David Reeve, Vince Romagnuolo, Clive Smitheram and David Wood

Officers present: Adele Castle (Planning Development Manager), Alanna Coombes (Town Centres Manager - Place Development), Mark Rouson (Corporate Communications Officer), Danny Surowiak (Principal Solicitor) and Sandra Dessent (Democratic Services Officer)

17 DECLARATIONS OF INTEREST

No declarations of interest were made by Councillors in items on this Agenda. However in the interests of openness and transparency, any connections with the applications that were discussed are recorded under the relevant item.

18 MINUTES OF THE PREVIOUS MEETING

The Minutes of the previous Meeting of the Planning Committee held on 16 June 2016 were agreed as a true record and signed by the Chairman.

19 PLANNING APPLICATION 15/01851/FUL - THE EBBISHAM CENTRE, 7 DERBY SQUARE, HIGH STREET, EPSOM, KT19 8AG

Description

Erection of a canopy structure, feature seating and landscaping in Derby Square together with High Street entrance feature.

Decision

The application is **PERMITTED** subject to the following conditions:

Conditions:

- (1) **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) The development hereby permitted shall be carried out in accordance with the following approved plans BUR5855_101.1, BUR5855_101.2, BUR5855_101.3 received on/dated 30.06.2016.

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) No development shall take place until details of existing and proposed finished site levels, of the frame and letters to be erected, and finished external levels have been submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In order to safeguard the visual amenities of the area in accordance with Policy CS5 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies 2015.

- (4) Prior to the commencement of development, details and samples of the external surfaces, metal frame, 'jumberella', planters and benches to be used for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

- (5) All planting, seeding or turfing approved shall be carried out in the first planting and seeding season following the occupation of the development or the completion of the development, whichever is the sooner. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or diseased in the opinion of the local planning authority, shall be replaced in the next available planting season with others of similar size, species and number, unless otherwise agreed in writing by the local planning authority.

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

- (6) **The proposed lighting shall not be brought into use until precise lighting details including hours of use and measures to prevent light spillage and unacceptable glare to users of the public highway or adjacent residential properties have been provided in accordance with [the approved plans / a scheme to be submitted to and approved in writing by the local planning authority and the lighting shall thereafter be retained in accordance with the approved details.**

Reason: In order to safeguard the amenities of the occupiers of neighbouring properties or highway safety in accordance with Policies CS5 and CS16 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

- (7) **No development shall take place until an Arboricultural Method Statement (detailing all aspects of construction and staging of works) and a Tree Protection Plan in accordance with British Standard 5837:2012 (or later revision) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed details and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the Tree Protection Plan. Within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit, without the prior written consent of the local planning authority. The fencing shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.**

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

- (8) **A landscape management plan covering a period of no less than 5 years, including long term design objectives, management responsibilities, maintenance and inspection schedules for all landscape areas shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or any completed phase of the development, whichever is the sooner. Any trees or plants which, within a period of five years after planting, are removed, die or in the opinion of the local planning authority become seriously damaged or diseased, shall be replaced in the next available planting season with others of similar size, species and number, unless otherwise agreed in writing by the local planning authority.**

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

- (9) No equipment, machinery or materials shall be brought onto the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees as shown on the submitted plans, beyond the outer edge of the overhang of their branches in accordance with British Standard 5837: 2012 - Trees in Relation to Construction (or later revision), has been submitted to and approved in writing by the local planning authority, and the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.

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

- (10) The development hereby permitted shall not be occupied until the cycle parking facilities mentioned on the approved plans have been fully implemented and available for use. The cycle parking facilities shall be Sheffield stands and there shall be no less than space for 16 bicycles to be stored. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM36 of the Development Management Policies 2015.

- (11) Prior to the commencement of development, details and samples of the external surfaces to be used for the development of the three kiosks shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance

with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

- (12) The “Evocation of Speed” equestrian statue shall not be removed from its current location before 31 March 2018 except with the prior written approval of the Local Planning Authority.

Reason: To enable the new location to be agreed and prepared in advance in the interests of protecting this important piece of public art and to agree where it would be stored in the interim if relocated before that date. In order to accord with Policy E9 of Plan E – April 2011.

- (13) A new *Pyrus calleryana* Chanticleer to a size of approximately 4m in height and 20cm girth is to be planted before the removal of the Ornamental Pear closest to the High Street and before the end of the first planting season (November –March) before the start of the agreed development works. Within a five year period from completion of the development, should this tree (or subsequent replacements) die or be removed, it should be replaced in the next planting season with a tree of similar size and species, and all new/replacement trees shall be subject to a further five year replanting period. An arboricultural method statement shall be submitted and agreed by the Borough Council in advance of the above planting which details how the planting pit will be constructed and supervised to ensure root disturbance of adjoining trees is minimised.

Reason: To ensure the provision, establishment and maintenance of a replacement tree within the site in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

Informatives:

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
- (2) The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the

scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.

The Committee noted verbal representations from the applicant and an objector. Letters of representation had been published on the Council's website and were available to the public and members of the Committee in advance of the meeting.

Note: In the interests of openness and transparency Councillor David Wood indicated that a close relative was a member of the Tree Advisory Board. However, he did not consider that it could be regarded as sufficiently close an association as to effect his consideration of the item.

- 20 PLANNING APPLICATION 15/01852/ADV - THE EBBISHAM CENTRE, 7 DERBY SQUARE, HIGH STREET, EPSOM KT19 8AG

Description

Erection of three illuminated and eight non-illuminated fascia signs together with five illuminated and eight non-illuminated other signs comprising directional, wall-mounted and frame mounted signs, and totem signs.

Decision

Planning permission is **PERMITTED** subject to the following conditions:

Conditions:

- (1) **No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.**
- (2) **No advertisement shall be sited or displayed so as to:**
 - a) **endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);**
 - b) **obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or**
 - c) **hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.**

- (3) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
- (4) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
- (5) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason:- (Conditions 1 - 5): To comply with Regulation 14 (7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of visual amenity.

- (6) The advertisement(s) permitted by this consent shall only be illuminated during the opening hours of the premises to which it relates.

Reason: In the interests of visual amenity and/or public safety in accordance with Policy CS5 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies 2015.

- (7) Prior to the commencement of development, details and samples of the materials advertisements together with details concerning the level of illuminations to be used for the advertisements shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM15 of the Development Management Policies 2015.

- (8) The development hereby permitted shall be begun before the expiration of five 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.

Informatives:

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.

- (2) **The Epsom and Ewell directional car park signs are white out of blue with the exception of the Ebbisham NCP car park. To facilitate instant recognition and for consistency it is recommended that the existing white out of brown sign be replaced with a white out of blue sign.**

21 SITE VISITS

The Committee reviewed and considered site visits and decided that a visit should be held at the appropriate time in connection with the following application:

- The Roveries, 59-63 Cox Lane, West Ewell, KT19 9NR Ref: 15/01464/FUL

The meeting began at 7.30 pm and ended at 9.22 pm

COUNCILLOR HUMPHREY REYNOLDS (CHAIRMAN)

5 Alexandra Road Epsom Surrey KT17 4BH

Demolition of existing property and redevelopment of the site to provide 9 two bedroom flats and 1 three bedroom flat in a three-storey block with accommodation in the roof space, formation of a new access onto Alexandra Road and the provision of ancillary car parking. (Description amended 17.08.2016 and amended drawings received 25.08.2016)

Ward:	College
Contact Officer:	John Robinson

1 Plans and Representations

- 1.1 The Council now holds this information electronically. Please click on the following link to access the plans and representations relating to this application via the Council's website, which is provided by way of background information to the report. Please note that the link is current at the time of publication, and will not be updated.

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=O3Q00XGYKN400>

2 Summary

- 2.1 The application property comprises an inter-war period, two-storey building accommodating a chiropractic clinic on the ground floor, with the remainder in residential use. The building is located on the south side of Alexandra Road. This application seeks permission for the demolition of the building and the erection of a three-storey block of 9 two-bedroom and 1 three bedroom apartments with accommodation in the roof space, formation of a new access onto Alexandra Road and the provision of ancillary car parking.
- 2.2 The application is recommended for REFUSAL.

3 Site description

- 3.1 The property currently on the site is a substantial detached two storey building, part of the ground floor of which has been used as a sole-practitioner chiropractic clinic with the remainder used for residential purposes.
- 3.2 The building stands in a deep plot with a substantial rear garden. There is a Tree Preservation Order on two Horse Chestnuts located in the north east corner of the rear garden.

- 3.3 Alexandra Road forms a portion of the A2022 which at the junction of Mill Road becomes Upper High Street. The street is comprised of a variety of domestic/commercial and mixed use developments and as such the character of the street is varied.
- 3.4 1 Alexandra Road (Wadcroft Court) comprises 6 flats over three storeys. Adjacent to No.1 sits 1A, a large detached house. No 3 is a three storey block of five flats, of contemporary design, which is under construction.No.7 is a 3 storey block of 6 flats. Opposite the site are a variety of low lying, single storey pitched roof industrial units which were last used as a Dairy Crest depot. The variety of usage and occupation means that the street lacks any real sense of vernacular with no set typology dominant.
- 3.5 The site rises steeply from west to east along Alexandra Road with some 2m rise in ground floor level between the property at No. 1A to that of the application site. Existing buildings are located comfortably within spacious plots such that spaces between the buildings are significant, with views through to the rear and which form part of the overall character of the area.

4 Proposal

- 4.1 This application seeks permission for the demolition of the building and the erection of a three-storey block (with accommodation in the roof space) comprising 9 two-bedroom and 1 three bedroom units.
- 4.2 The flats would meet national space standards, with access to both private patios/balconies and communal landscaped amenity space for the flats.
- 4.3 The building would have an eaves height of 9m, and an overall height of 12.19m. No part of the new building would project forward of the established building line within the site. The building's footprint would be approximately 10m wide along the frontage, and progressively widens out to around 16m within the site, some 22m from the front boundary.
- 4.4 The building would have brick elevations under a series of hipped tiled roofs, incorporating dormers in the flank and rear roofslopes. It would have brick detailing above the white uPVC windows, with stone cills. The elevations would be further articulated by deep projecting front balconies with metal balustrades.
- 4.5 Parking for 11 vehicles would be provided to the rear of the building, accessed via a driveway running along the western flank boundary of the site. A secure cycle store and a refuse store would be located adjacent to the drive, abutting the flank boundary with No 7 Alexandra Road.
- 4.6 Indicative landscaping plans, including an Arboricultural Survey have been submitted with the application. These plans show additional planting is proposed to the flank boundaries to act as a green buffer between the proposed development and the adjacent properties.

5 Comments from third parties

5.1 The application was advertised by means of letters of notification to 41 neighbouring properties, a site and press notice. To date (10.08.2016) 16 letters of objection have been received regarding:

- Visual impact
- Out of keeping
- Highway safety
- Loss of privacy
- Loss of light and impact on privacy to No 7 Alexandra Road
- Impact on ecology

Epsom Civic Society: The height and bulk of the rear part of the building is of concern. The top floor would appear as a dominant and incongruous element. Recommend refusal as contrary to Policies DM9 and DM10

6 Consultations

6.1 Highways Officer: No objection. The increase in vehicular traffic from this proposed development would be minimal, especially in the peak hour, and would not lead to a severe impact on the highway network as required under NPPF for a refusal. There have been 2 accidents in this section of Alexandra Road registered by the police, both in 2010, of slight severity and caused by driver error. None have been registered since then. Conditions to be imposed on any permission granted.

6.2 Tree Officer: No objection

7 Relevant planning history

Application number	Decision date	Application detail	Decision
00/00848/FUL	31.01.2001	Extension of existing surgery at ground floor level and removal of condition 7 of application 86/0136/0072 to allow more than one consultant to operate at any one time.	GRANTED

8 Planning Policy

National Policy Planning Framework (NPPF) 2012

Paragraph 17	Core Planning Principles
Chapter 6	Delivering a Wide Choice of Quality Homes
Chapter 7	Requiring Good Design

Core Strategy 2007

Policy CS1	Sustainable Development
Policy CS3	Biodiversity
Policy CS5	Built environment
Policy CS6	Sustainability in new developments
Policy CS7	Housing Provision
Policy CS8	Broad location of housing development
Policy CS12	Developer contributions to community infrastructure
Policy CS16	Managing transport and travel

Development Management Policies Document 2015

Policy DM4	Biodiversity and new development
Policy DM5	Trees and landscape
Policy DM9	Townscape character and local distinctiveness
Policy DM10	Design requirements for new developments
Policy DM11	Housing design
Policy DM12	Housing standards
Policy DM13	Building heights
Policy DM20	Environmentally sustainable development
Policy DM21	Meeting Local Housing Need
Policy DM22	Housing mix
Policy DM35	Transport and new development
Policy DM36	Sustainable Transport for new development
Policy DM37	Parking standards

9 Planning considerations

Principle of Development

9.1 The application site is located in the built-up area of Epsom. It is previously developed land and in a sustainable location close to Epsom Town Centre. It is not within a conservation area and the existing building is not listed. In principle, it therefore accords with the policies contained within national and local planning policy regarding the intensification of previously developed sites.

Layout, Design and Scale

9.2 The surrounding area is architecturally diverse and whilst pitched roofs are widely used, their shape and form vary considerable and a number of nearby buildings have flat roofs, including the neighbouring building (No 3) currently under construction.

9.3 The Design and Access Statement sets out the applicant's "traditional" design approach to the proposed building. The building has been designed as a three storey block with a series of pitched roofs with accommodation incorporated into the roof space.

- 9.4 However, the roof design, informed by the buildings staggered footprint, would appear as an uncomfortable mix of disparate elements. The flank elevations would be particularly awkward, with the (over scaled) dormers appearing as incongruous and discordant elements in the roof scape. This would be exacerbated by the size and location of the projecting balconies and the use of generic window design and window head/cill detailing.
- 9.5 The proposed apartment block, by resorting to a design approach which would be neither “traditional” nor “contemporary”, would fail to establish its own distinctive design character. The borough’s recently adopted Policies DM9 and DM10 encourage high quality development and indeed planning permission will be granted for proposals which make a positive contribution to the borough’s visual character and appearance. The current scheme fails to meet the requirements of these policies.
- 9.6 The new building’s footprint would be approximately 10m wide along the frontage, and would progressively widen out to around 16m, some 22m from the front boundary.
- 9.7 The applicants submit that at the nearest point to the front boundary the proposed building would be set back approximately 7.5 metres. The building would be approximately 10.4 metres wide and the site width is approximately 18.4 metres, virtually the same as Number 3. The building at this point would therefore occupy approximately 55% of the site width. In the applicant’s view this would provide a greater amount of space around the proposed building and would allow it to fit into the existing street scene without being over dominant.
- 9.8 They further submit that the application site “quickly” broadens out and the proposed building would broaden out accordingly. Two further changes in width would occur towards the middle of the proposed building. At the point where the width of the building increases to 16.2 metres (which is set back some 22 metres from the front boundary), it becomes wider than Number 3 and “then by only a few centimetres”. They conclude that the visual impact of the building on the street scene when viewed from Alexandra Road would therefore be much less than the approved scheme at Number 3.
- 9.9 However, Officers have serious concerns regarding the bulk of the overall development, particularly the proposed building’s height, width and depth when considered as a whole. Whilst the eaves height of the building would not be higher than the proposed building at No 3, and the existing block of flats to the east, the overall height of the “frontage” element would be some 2m higher than the new building at No 3, and the rear element some 3.3m higher.

- 9.10 The applicants have failed to take into account that whilst the application site widens to the rear (and the proposed building accordingly), in direct views of the site, the bulk and massing would be significantly greater than the current building on the site. As a result the building would dominate its immediate neighbours and give an undesirable impression of overdevelopment to the detriment of the character and appearance of the area.
- 9.11 Parking is proposed to the rear of the site, accessed via a driveway along the eastern flank boundary. Whilst the applicants submit that the ratio of built area to site area on both the application site and the new scheme at No 3 is virtually the same, this does not take into account the intrusion to the rear of the site and to the eastern flank by the substantial access drive and parking area. It is considered that the diminution of the previous turfed area to the rear would have an adverse impact on ecology/biodiversity, contrary to Policy DM4 which requires that every opportunity should be taken to secure net benefit to the Borough's biodiversity.
- 9.12 It is concluded that the proposed scheme would not accord with Policy DM4.

Neighbour Amenity

- 9.13 The new building has been designed, and detailed, such that the impact on neighbouring properties would be minimised.
- 9.14 Concerns have been raised regarding loss of privacy, as well as loss of light to the occupants of No 7 Alexandra Road. There are three windows in the flank elevation to number 7, which serve non-habitable rooms
- 9.15 On the flank elevation of the proposed development that would face onto No 7, there are windows to the en-suite bathrooms to flats 4 and 7, there are two windows to the staircase at both first and second floor levels and the kitchen windows to flats 6 and 12. A condition requiring all of these windows to be glazed with obscure glass with no-opening lights in these windows below a level of 1.7 metres above the respective finished floor could be imposed. This would ensure no loss of privacy for Number 7 from these windows.
- 9.16 The proposed windows to the bedrooms in flats 4, 6, 7, and 9 could have an impact on the adjoining windows in Number 7. Amended drawings indicate the formation of "angled bays" to these rooms to ensure that there would be no overlooking as a result of the proposed development. The bays would be constructed as shown on the first floor plan above at both first and second floor levels. The two flank dormers would not impinge on the privacy of the affected property.
- 9.17 At its nearest point, the flank wall of the new building would face the flank elevation of No 7 at a distance of around 7m and loss of daylight, to the affected south orientated property would not be significant at this distance.
- 9.18 The new building would not conflict with a 45 degree outlook angle taken from the inner reveal of the nearest rear window of the affected properties at No 3 and No 7 respectively.

- 9.19 It is therefore concluded that subject to restrictive conditions, the proposed scheme would not have a materially harmful impact on neighbour amenity in terms of overlooking, loss of privacy, daylight or being overbearing in their outlook.

Parking and Access

- 9.20 Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are “severe”.
- 9.21 The submitted entrance details indicate that a carriageway width of 4.5 metres narrowing to 4.1 metres with radii to the kerbs of 4.5 metres would be retained to ensure safe entrance and exiting from the site. The access drive would reduce to a width of 3.0 metres for much of the length of the road along the side of the proposed building. A passing space would be provided immediately upon exiting the car parking area and the width of the access at the entrance to the site would allow cars to safely pass each other safely and without delay.
- 9.22 11 parking spaces are proposed (one per dwelling) which would comply with the Council’s adopted parking standards which require 1 and 2 bedroom flats outside of the Town Centre to have 1 space per unit, and 3 bedroom flats to have 1.5 spaces.
- 9.23 The County Highways Authority has no objection to the proposal subject to the imposition of highway conditions regarding the provision of the parking spaces. Cycle spaces are provided within a purpose-built storage area which accords with the requirements of local guidance.

Refuse

- 9.24 A bin store would be provided for the flatted scheme in the frontage area. The store would have the requisite capacity for bins in compliance with the council’s guidance on refuse storage. An amended layout has been submitted which indicates the bin store to be located adjacent to the flank boundary with No 7 Alexandra Road and set back some 10m from the highway boundary. This location is acceptable and would not result in a detrimental visual impact on the street-scene.

Landscaping

- 9.25 Indicative landscaping plans, including an Arboricultural Survey have been submitted with the application. These plans show additional planting is proposed to the flank boundaries to act as a green buffer between the proposed development and the adjacent properties.
- 9.26 However, notwithstanding the additional planting, there would still be an unacceptable loss of green infrastructure as a result of the building extending deep into the site, in addition to the proposed hardstanding to accommodate the parking area and associated access drive, contrary to Policy DM4

- 9.27 Hard landscaping materials such as brick paviours are proposed to create pathways and areas of hardstanding within the site.
- 9.28 A detailed landscaping scheme, including details of the foundation design and construction methods will be secured via appropriate planning conditions if permission is granted.

Sustainable Drainage System (SuDS)

- 9.29 SuDS became a material planning consideration on 6th April 2015 whereby details of proposed SuDS must be considered as part of the planning process and it must be demonstrated that the development would have no adverse impact on flood risk. This approach is supported by Policy CS6 which states that new development should avoid increasing the risk of flooding and Policy DM19 which requires development to reduce the volume and rate of surface water run off through the incorporation of appropriately designed SuDS.
- 9.30 The applicant has submitted information with regard to the provision of SuDS as part of their application. The Lead Local Flood Authority at Surrey County are satisfied that the proposed drainage scheme would meet the requirements set out in paragraphs 051, 079 and 080 of the revised NPPF Planning Practice Guidance (PPG) for Flood Risk and Coastal Change. They recommend that should planning permission be granted, that suitably worded conditions are applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.

Sustainability

- 9.31 Policy CS6 requires development to reduce or have a neutral impact on pollution and climate change. It also requires proposals to demonstrate how sustainable design and construction can be incorporated to improve energy efficiency. The applicants submit that the proposed development would be built to the "highest specifications" with enhanced insulation levels and sustainable construction technologies and eco-friendly systems incorporated into the building design. If approved a condition is recommended to secure compliance with the Council's sustainability policy.

Ecology/Biodiversity

- 9.32 Parking is proposed to the rear of the site, accessed via a driveway along the eastern flank boundary. Whilst the applicants submit that that the ratio of built area to site area on both the application site and the new scheme at No 3 is virtually the same, this does not take into account the intrusion to the rear of the site, and to the eastern flank by the access drive and parking area. It is considered that the diminution of the previous turfed area to the rear would have an adverse impact on ecology/biodiversity, contrary to Policy DM4 which requires that every opportunity should be taken to secure net benefit to the Borough's biodiversity.

Affordable Housing

- 9.33 Policy CS9 seeks 20% affordable housing to be provided on developments of between 5 - 15 dwellings. The proposal for 10 dwellings therefore generates a requirement for two dwellings to be provided on-site as affordable housing units.
- 9.34 Policy DM21 requires that 25% of proposals for four or more units, be comprised of three bedroom or more units. The applicant, due to viability constraints, proposes to provide one three-bedroom flat, which would not be policy compliant.
- 9.35 Due to the significant Existing Use Value of the application site, the applicant instructed its affordable housing viability consultant to undertake an affordable housing viability appraisal to establish if the scheme could afford to make a contribution to affordable housing.
- 9.36 The affordable housing viability appraisal submitted alongside this planning application demonstrates that the scheme cannot afford to make either on-site provision or an off-site financial contribution in lieu of on-site provision.
- 9.37 The Council's consultant has assessed the Viability Report and does not agree with the applicant that the scheme is unable to support a fully policy compliant affordable housing scheme. He concludes that the scheme would be able to support S106/CIL contributions and affordable housing at a policy compliant level, based on the contribution of increase in sales, ground rent revenue, reduction in build cost and the adjustment to benchmark land value (BLV).
- 9.38 The proposed scheme is therefore contrary to Policy CS9. Members are advised that should the applicant provide a rebuttal to our consultant's assessment, this will be reported verbally at the committee meeting.

Community Infrastructure Levy

- 9.39 The scheme is CIL liable.

10 Conclusion

- 10.1 The proposed building would not sit well in its context. The design of the scheme is of poor quality, both in the concept as well as in the details, and therefore would not make a positive contribution to the Borough's visual character and appearance. The proposed height, scale and massing is excessive and would appear as a dominant and overbearing element in the street scene. The scheme would have a detrimental impact on biodiversity due to the material loss of garden area to the rear of the site. The scheme is therefore recommended for REFUSAL.

11 Recommendation

- 11.1 Planning permission is **REFUSED** on the following grounds:

- (1) The proposed building due to its generic design, detailing, and lack of coherence fails to take the opportunities available for improving the character and quality of the local area, and does not make a positive contribution to the Borough's visual character and appearance, contrary to Policy DM9 and DM10 of the Development Management Policies Document 2015**
- (2) The proposed building due to its design, scale, height and massing would appear as a dominant and overbearing element in the streetscene, contrary to Policy DM9 and DM10 of the Development Management Policies Document 2015**
- (3) The proposed scheme would lead to a material diminution of rear garden land which contributes individually to the amenity of the wider area in terms of biodiversity and therefore fails to provide net benefit to the Borough's biodiversity contrary to Policy DM4 of the Development Management Policies Document 2015**
- (4) Without an appropriate agreement to secure the provision of two affordable housing units the proposal is contrary to the provisions of Policy CS9, and CS12 of the Epsom and Ewell Core Strategy (2007)**
- (5) The proposed scheme would not provide at least 25% of the housing units as three bedroom units and therefore would fail to meet the requirement of Policy DM22 of the Development Management Policies Document 2015.**



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Date	25 August 2016
Comments	

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64 The Avenue Worcester Park Surrey KT4 7HH

Single-storey flank and rear extension, two storey front extension (Amended drawings received 18.08.2016)

Ward:	Cuddington
Contact Officer:	John Robinson

1 Plans and Representations

- 1.1 The Council now holds this information electronically. Please click on the following link to access the plans and representations relating to this application via the Council's website, which is provided by way of background information to the report. Please note that the link is current at the time of publication, and will not be updated.

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=O99KSXGYLJQ00>

2 Summary

- 2.1 The application site is located on the south west side of The Avenue. The application site comprises a detached dwelling, which benefits from an attached garage and rear conservatory extension. The application seeks permission for a single storey flank and rear extension and a two storey front extension.
- 2.2 The application has been submitted to committee at the request of Cllr. David Reeve.
- 2.3 The application is recommended for APPROVAL.

3 Site description

- 3.1 The application site is located on the south west side of The Avenue and comprises a detached dwelling, which has been previously extended in the form of a rear conservatory and a single storey side and rear extension incorporating a garage.
- 3.2 The dwelling has a mock Tudor front elevation, with a prominent; gable ended pitched roofed front projection, under a hipped tiled roof. The attached garage has a dwarf, crowned roof, which extends across part of the front elevation as a lean-to roof.

- 3.3 The site falls slightly from back of footway to the rear boundary, and as a result the rear conservatory is on a raised plinth some 600mm above ground level. The site is demarcated along both flank boundaries by a 2m high timber fence, extended by a 600mm high trellis along the south west boundary, and additional vegetation along the boundary with No 66 The Avenue.
- 3.4 The immediate area is predominately residential, characterised by large dwellings of varying appearance and scale.

4 Proposal

- 4.1 The application seeks permission for the demolition of the flank extension and conservatory, and the erection of a single storey flank and rear extension, and a two storey front extension.
- 4.2 The flank extension would have a width of 1.6m and would have a depth of 9.6m and would be set back some 1.2m from the flank boundary with No 66 The Avenue. The front elevation would be set back 1m from the main front elevation and the rear elevation around 2.8m beyond the existing rear wall.
- 4.3 The rear extension would project 5.79m beyond the existing rear elevation and would have a width of 9m, extending across the full width of the original main dwelling.
- 4.4 The two storey front extension would infill the north eastern corner of the house and would have a width of 3m and a depth of 4.2m. The flank wall would maintain the existing alignment of the flank elevation and the front elevation would align with the main front elevation.
- 4.5 A new hipped roof, (incorporating a front rooflight) with a raised ridgeline, would extend over the new two storey extension. The single storey flank and rear extensions would have a dwarf hipped and crowned roof, with the rear roof incorporating two roof lanterns.

5 Comments from third parties

- 5.1 Site notice displayed, and the occupiers of 7 neighbouring properties notified via letter. To date (27.07.2016) one letter of objection have been received regarding:
- Overlooking and loss of privacy to No 66 The Avenue

6 Consultations

- 6.1 Highways Officer: No objections.

7 Relevant planning history

Application number	Decision date	Application detail	Decision
06/01010/FUL	12.01.2007	Erection of single storey rear extension (as amended by plans received 12.01.2007 to show balcony feature deleted)	GRANTED
16/00487/CLP		Certificate of lawfulness for two-storey rear extension	REFUSED

8 Planning Policy

Core Strategy 2007

Policy CS1 Sustainable Development
Policy CS5 Built environment

Development Management Policies Document 2015

Policy DM9 Townscape character and local distinctiveness
Policy DM10 Design requirements for new developments

9 Planning considerations

Visual impact

- 9.1 The proposed front and flank extensions would be visible in the street scene. The new roof profile would result in the ridge height being increased by some 2m, around 1.2m higher than the neighbouring roof at No 62, and some 1.2m lower than the property to the south west (No 66). The roof profile/height would therefore reflect the rising ground level from the lower neighbour at No 62 towards the higher neighbour at No 66. Whilst the first floor would not be set back 1m from the front elevation it would be set back around 3m from the flank boundary which would prevent a “terraced” effect in the streetscene.
- 9.2 Overall the design scale and massing of the proposed development would respect the prevailing typology, and would fit comfortably in the street scene and would not have a detrimental impact on the character and appearance of the wider area in accordance with policies DM9 and 10.

Impact on Neighbour Amenity

- 9.3 Concerns have been raised by the neighbour at No 62 regarding overlooking and impact on their privacy. The proposed flank extension would have one window serving a cloakroom and two windows serving a kitchen. The kitchen windows would have a cill height set at kitchen counter level, with a head height of 1.5m which would result in no direct views towards the affected neighbour. In any event, despite the extension's ground floor being raised some 1m above the ground level of the neighbouring property, the boundary fence would prevent any overlooking of this property.
- 9.4 The rear extension would have flank windows in either corner, as well as a 4.8m wide sliding glazed door in the rear elevation. A raised, 3m deep patio would project beyond the new rear extension. The flank window would be set back some 2.8m from the shared boundary with No 62 and views towards this neighbour would be obscured by the extensive 3m high planting along the shared boundary. The views from the raised patio would similarly be interrupted by the fence/foilage.
- 9.5 Notwithstanding the above, as an additional measure it is proposed to impose a safeguarding condition requiring the (corner) flank window to be obscurely glazed.
- 9.6 The flank extension would marginally conflict with a 43 degree daylight angle taken from a point 2.5m above the flank boundary with No 62. However, the flank wall would be set back some 3m from the affected dwelling and any loss of light would not be significant at this distance.
- 9.7 The proposal is not considered to result in any adverse impact on the amenities of the adjoining occupiers through loss of light, outlook or overlooking and would therefore comply with Development Management Policy DM10.

Community Infrastructure Levy

- 9.40 The scheme is CIL liable

10 Conclusion

- 10.1 The proposed scheme would not have a harmful impact on the streetscene or character of the wider area. The impact on neighbour amenity is not considered to be significant and the scheme is therefore recommended for APPROVAL

11 Recommendation

- 11.1 Planning permission is granted, subject to the following conditions:

Conditions:

- (1) 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(1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2005

- (2) The development hereby permitted shall be constructed entirely of the materials as detailed on the schedule of materials on the planning application form

Reason: To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy 2007 and Policies DM9 and DM10 of the Development Management Policies Document 2015

- (3) The flank window in the rear south east corner of the rear extension hereby permitted shall be glazed with obscure glass of no less than obscurity level 3 and shall thereafter be permanently retained as such.

Reason: To safeguard the privacy of the occupants of adjoining properties in accordance with Policy DM10 of the Development Management Policies 2015.

- (4) The development hereby permitted shall be carried out in accordance with the following approved drawings:

500A; 501A

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

Informatives:

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
- (2) If you need any advice regarding Building Regulations please do not hesitate to contact Epsom & Ewell Borough Council Building Control on 01372 732000 or contactus@epsom-ewell.gov.uk.

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Date 25 Aug 1st 2016	

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Jannat, 2A Derek Avenue West Ewell Surrey, KT19 9HT

First floor side extension. (Amended drawings received 12.08.2016)

Ward:	Ruxley
Contact Officer:	John Robinson

1 Plans and Representations

- 1.1 The Council now holds this information electronically. Please click on the following link to access the plans and representations relating to this application via the Council's website, which is provided by way of background information to the report. Please note that the link is current at the time of publication, and will not be updated.

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=O95VHMGYLIY00>

2 Summary

- 2.1 The application site is located on the eastern side of Derek Avenue. The application site comprises a two-storey detached dwelling, which benefits from an extended attached garage. The application seeks permission for a first floor side extension
- 2.2 The application has been submitted to committee at the request of Cllr. Jan Mason
- 2.3 The application is recommended for APPROVAL.

3 Site description

- 3.1 The application site is located on eastern side of Derek Avenue and comprises a circa 1960's period detached dwelling, which benefits from an attached garage set on the flank boundary, and which has been previously extended to the rear.
- 3.2 The dwelling has rendered elevations under a pitched tiled roof. The attached garage has a pitched roof over the front section, which partly extends across the front elevation to accommodate an enclosed entrance porch. The rear section of the garage has a lean-to roof.
- 3.3 The immediate area is predominately residential, characterised by inter-war period semi-detached dwellings of similar appearance and scale.

4 Proposal

- 4.1 The application seeks permission for a first floor side extension.
- 4.2 The flank extension would have a width of 2.2m and would be set back 500mm from the main front elevation and 1m from the flank boundary. It would extend the full depth of the original house, with the rear elevation aligning with the existing rear wall. The eaves height (of the existing garage) along the shared boundary would remain as existing.
- 4.3 The extension would have a subservient, hipped crowned roof, set down around 700mm from the main roof.

5 Comments from third parties

- 5.1 Site notice displayed, and the occupiers of 11 neighbouring properties notified via letter. To date (17.08.2016) two letters of objection have been received regarding:
- Contrary to the SPG in terms of set back at first floor level (*Officer comments: An amended scheme has been submitted with which officers are satisfied complies with the spirit of the SPG in terms of the set back from the front elevation and flank boundary*).
 - Loss of sunlight/daylight to No 2 Derek Avenue.

6 Consultations

- 6.1 Highways Officer: No objections.

7 Relevant planning history

Application number	Decision date	Application detail	Decision
01/00855/FUL	29.10.2001	Garage extension and formation of pitched roof over porch	GRANTED

8 Planning Policy

Core Strategy 2007

Policy CS1 Sustainable Development
Policy CS5 Built environment

Development Management Policies Document 2015

Policy DM9 Townscape character and local distinctiveness
Policy DM10 Design requirements for new developments

9 Planning considerations

Visual impact

- 9.1 Concerns have been raised that the proposed scheme would not be in keeping with the prevailing development typology or current street scene. The existing building is of circa 1960's period, in contrast to the surrounding typology which comprises inter-war period semi-detached dwellings. This plot was developed much later than the adjoining properties hence the architectural differences with the rest of Derek Avenue. In particular the dwelling's gable-ended roof also pitches away from each respective flank boundary in contrast to the prevailing roof profiles which have pitched roof forms which slope away from the street .
- 9.2 Notwithstanding these design differences the roof of the proposed side extension pitches away from the street and would read as a subservient extension to the main house. It would be set back 1m from the boundary with its neighbour (No.2 Derek Avenue) as suggested by the SPG and set back 500m from the front corner of the existing building which in this instance is considered sufficient to avoid a "terracing effect" in the street scene. Given its subordinate size and set-backs, achieving a 3.7m gap at first floor to the flank elevation of No.2, the new extension would not result in an unacceptably bulky or prominent extension in the street scene. It would sit comfortably with the existing house, thereby not detracting from the original appearance of the dwelling, and it would not therefore have a detrimental impact on the character and appearance of the wider area in accordance with policies DM9 and DM10.

Impact on Neighbour Amenity

- 9.3 Concerns have been raised by the neighbour at No 2 regarding loss of sunlight/daylight to their (secondary) kitchen window and half glazed door in their side elevation which faces onto the application site.
- 9.4 Both properties have single storey side extensions close to the common boundary. The neighbour's extension is 1.7m from the application site's garage and would face the new side extension at a distance of 2.7m. Whilst this is a close and sensitive relationship this is not uncommon in an urban area.
- 9.5 Whilst the extension would conflict with a 43 degree daylight angle taken from a point 2.5m above the shared boundary, at this distance loss of daylight would not be significant. It is noted that the complainant's flank window is secondary, and the kitchen is also served by a further much larger window in the rear elevation.

- 9.6 It is also noted that the affected neighbour's direct views of "open sky" and the enjoyment of sunshine is already compromised by the roof profile of the application dwelling's garage and indeed their own garage, and the new extension, which would be set back 1m from the edge of the flank wall to the garage, would not, in my opinion, result in a disproportionate impact on daylight/sunlight levels. That this is a secondary window and door and that the kitchen is served by larger full-sized windows to the rear is material in this instance and the kitchen will continue to receive acceptable levels of sunlight.
- 9.7 The proposal would therefore comply with Development Management Policy DM10.

Community Infrastructure Levy

- 9.8 The scheme is not CIL liable

10 Conclusion

- 10.1 The proposed scheme would not have a harmful impact on the street scene or character of the wider area. The impact on neighbour amenity is not considered to be significant and the scheme is therefore recommended for APPROVAL

11 Recommendation

- 11.1 Planning permission is granted, subject to the following conditions:

Conditions:

- (1) **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(1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2005

- (2) **The development hereby permitted shall be constructed entirely of the materials as detailed on the schedule of materials on the planning application form.**

Reason: To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy 2007 and Policies DM9 and DM10 of the Development Management Policies Document 2015

- (3) **The development hereby permitted shall be carried out in accordance with the following approved drawings:**

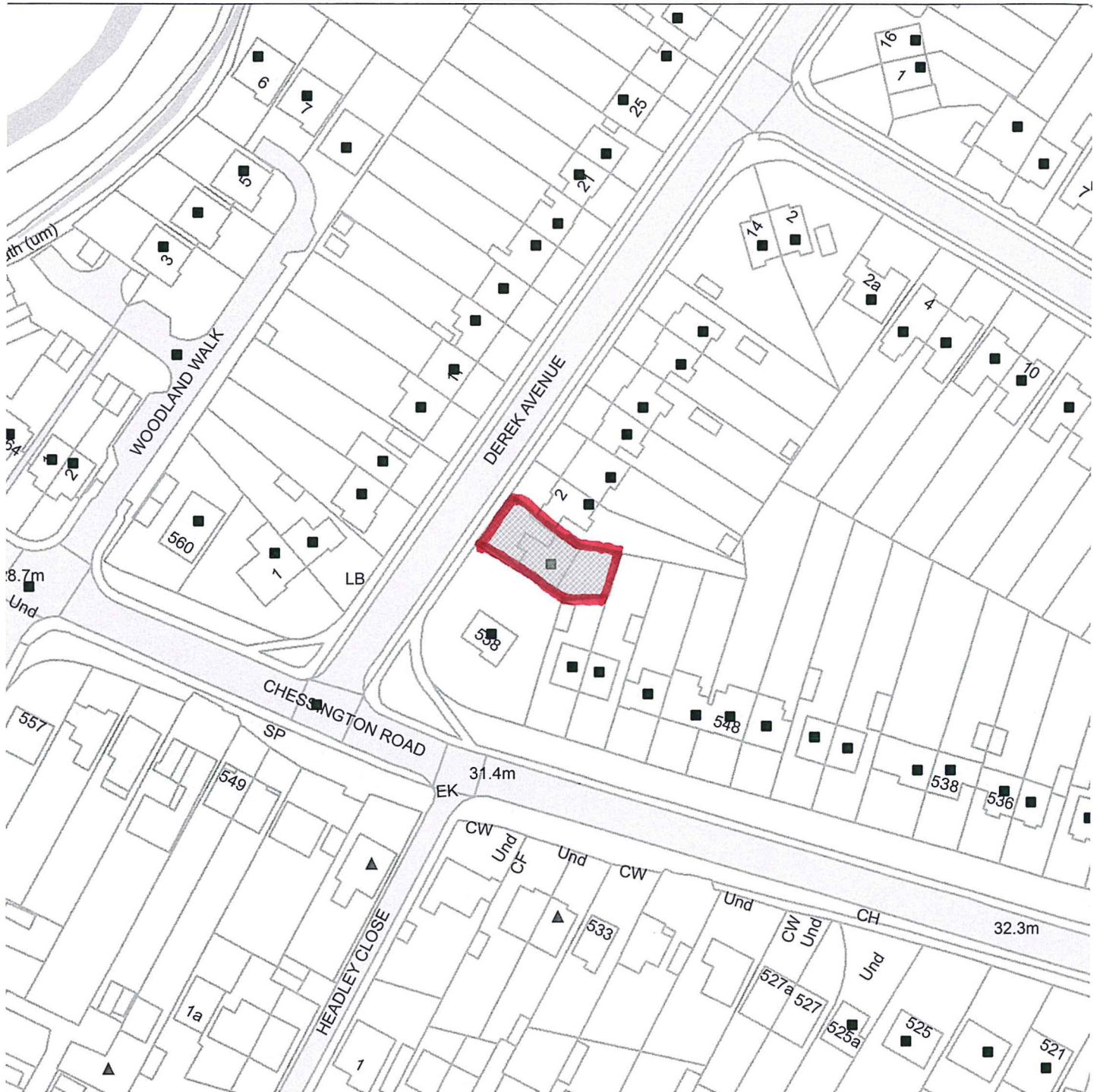
004A; 005A

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

Informatives:

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.**
- (2) If you need any advice regarding Building Regulations please do not hesitate to contact Epsom & Ewell Borough Council Building Control on 01372 732000 or contactus@epsom-ewell.gov.uk.**

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Date	25 August 2016
Comments	
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Land West Of Old Malden Lane Worcester Park Surrey KT4 7PU

Outline application (Layout) for the construction of a detached two-storey dwelling

Ward:	Cuddington
Contact Officer:	John Robinson

1 Plans and Representations

1.1 The Council now holds this information electronically. Please click on the following link to access the plans and representations relating to this application via the Council's website, which is provided by way of background information to the report. Please note that the link is current at the time of publication, and will not be updated.

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=O6QU5TGYL3400>

2 Summary

2.1 The application site is located on the west side of Old Malden Lane within the built up area of Worcester Park. The application site comprises pasture land some 0.09 ha in extent. The application seeks outline permission for the construction of a detached two-storey dwelling.

2.2 The application is recommended for APPROVAL.

3 Site description

3.1 The application site is located on the west side of Old Malden Lane within the built up area of Worcester Park. The application site comprises pasture land some 0.09 ha in extent. Adjacent to the site are two stable buildings located on the western boundary. Old Malden Lane has a sylvan semi-rural character and the application site has a densely planted embankment (including mature Oak trees) adjacent to the road, and along the bank of the Hogsmill River.

3.2 The site is bounded to the west by the River Hogsmill, beyond the western boundary is designated Open Land which is within the Royal Borough of Kingston. To the north, separated by an access drive, is a detached two-storey dwelling known as Riverside Cottage and to the south is a new two-storey dwelling known as The Lodge.

3.3 The site falls slightly from north to south, but more steeply east to west, towards the Hogsmill River, The highest point of the site abuts Old Malden Lane, with the lowest point at the river's edge.

- 3.4 There are no tree preservation orders on the site. The site falls within the floodplain of the Hogsmill River and Flood Zone 1.

4 Proposal

- 4.1 The application seeks outline permission for the construction of a detached two-storey dwelling.
- 4.2 This is an outline application which merely seeks to establish the principle of the proposed layout of the scheme, with the detailed appearance, access, scale and landscaping to be dealt with at a later date. This means that the illustrative plans are not submitted for formal approval. The eventual details could be quite different to the illustrative plans. Permission is only being sought for development within the broad parameters of floorspace within defined boundaries. The appearance, access scale and landscaping of the residential development are “reserved matters” and a further application would be required before any development could commence. The Local Planning Authority can set conditions to define the detail of how that development may be implemented (e.g. in relation to height, protected trees).
- 4.3 The new dwelling, which would have a roughly rectangular footprint, would be sited to the northern corner of the site, in line with the built development at Riverside Cottage. Whilst access is a reserved matter and not for consideration at this stage, it is proposed to utilise the existing access, which currently serves the stables.

5 Comments from third parties

- 5.1 Site notice displayed, and the occupiers of 8 neighbouring properties notified via letter. To date (27.07.2016) one letter of objection have been received regarding:
- Highway safety
 - Loss of light/overbearing
 - Visual Impact
 - Flood Risks

6 Consultations

- 6.1 Highways Officer: There is no problem with the construction of one dwelling on the site and the access from the existing private access road. However, the visibility at the junction with Old Malden Lane is poor and could be improved by the removal of some of the saplings on the boundary at the junction within the property. There should be no pedestrian access point on the corner as shown as this could lead to vehicles entering the site at this point in the future leading to safety concerns.
- 6.2 Tree Officer: No objection

- 6.3 Surrey CC Archaeological Officer: The proposed development is outside of the Area of High Archaeological Potential designated around the Worcester Park Gunpowder Works; however, historic maps indicate that structures associated with the works may have extended along the east bank of the Hogsmill as far as the development site. It is possible, therefore, that the site contains currently buried Heritage Assets with archaeological significance that may illuminate both knowledge of the origin and development of the Gunpowder works, and/or earlier occupation and activity in the area. Appropriate condition to be imposed on any planning permission granted

7 Relevant planning history

Application number	Decision date	Application detail	Decision
06/01021/OUT	16.01.2007	Outline application (layout and scale) for four detached dwelling	REFUSED. Appeal dismissed 2008

8 Planning Policy

National Policy Planning Framework (NPPF) 2012

Paragraph 17	Core Planning Principles
Chapter 6	Delivering a Wide Choice of Quality Homes
Chapter 7	Requiring Good Design

Core Strategy 2007

Policy CS1	Sustainable Development
Policy CS4	Open Space
Policy CS5	Built environment
Policy CS16	Managing transport and travel

Development Management Policies Document 2015

Policy DM6	Open Space Provision
Policy DM9	Townscape character and local distinctiveness
Policy DM10	Design requirements for new developments
Policy DM11	Housing density
Policy DM12	Housing Standards
Policy DM20	Environmentally sustainable development

9 Planning considerations

9.1 Previous Application and Appeal Decision

- 9.2 A different (but similarly residential) scheme for development (06/01021/OUT) seeking outline permission for the erection of four detached dwellings was refused under delegated authority in January 2007 on the following grounds:

- 9.3 The proposed development is considered to have an adverse impact on an important area of open space and visual link to the adjoining Metropolitan Open Land and would therefore cause serious harm to the character and appearance of the surrounding area contrary to Policies DC1 (ii), DC14 (i) HSG11 (i) and OSR2 (A) and, (B) of the Epsom and Ewell District Wide Local Plan 2000.
- 9.4 The application was dismissed on appeal in January 2008. The Inspector concluded that the development proposed would be harmful to the area's character and that there were no circumstances present to outweigh that harm and justify a grant of planning permission. The Inspector's appeal decision is therefore a material consideration in assessing this application.
- 9.5 The current application is materially different to the previous (refused) scheme in the following ways:
- The previous scheme sought permission for four dwelling on a much larger parcel of land.
 - The current scheme proposes one dwelling on a significantly reduced site area.

Other material Considerations

- 9.6 Changes in Planning Circumstances: Planning Policy
- 9.7 The material changes in Policy Context since the refusal of outline planning permission for the site in 2007, is as follows:
- The Council's Core Strategy Plan was adopted in July 2007.
 - The National Planning Policy Framework (NPPF) was published in March 2012 and sets out the Government's most up-to date vision for future growth.
 - The Council's CIL Charging Schedule adopted in April 2014
 - The Council's Development Management Policies Document, which replaces the historic policies contained within the Local Plan 2000, was adopted in September 2015
 - The Council's Parking Standards for Residential Development SPD adopted 2015

Principle of Development

- 9.8 The National Planning Policy Framework (NPPF) states that planning should encourage the effective use of land by re-using land that has been previously developed. Core Strategy Policy CS1 requires development and the use of land to contribute positively to the social, economic and environmental improvements necessary to achieve sustainable development in Epsom. Policy CS5 states that development should make efficient use of land and have regard to the need to develop land in a comprehensive way. Core Strategy Policy CS8 states that new housing will be located within the defined built up area of Epsom and Ewell.
- 9.9 The redevelopment of this site for a residential scheme is therefore appropriate in principle, subject to compliance with other relevant Development Plan policies.

9.10 Density

- 9.11 Policy DM11 Housing Density states that in principle, proposals for new housing that make the most efficient use of sites within the borough's urban area will be supported in principle. The scheme proposes a density of around 11 units per hectare. Policy DM11 states that the density of new housing developments in most cases should not exceed 40 dwellings per hectare.
- 9.12 This would be in keeping with the immediate area but would also have regard for the transition between the open land and the built form to the north, and would therefore comply with Policy DM11

Layout/Impact on Character

- 9.13 Policy DM10 sets out that development proposals will be required to incorporate principles of good design, the most essential element identified as contributing to the character and local distinctiveness of a street which should be respected, maintained or enhanced. As such the prevailing typology, scale, layout, height, form and massing should be respected.
- 9.14 The west side of Old Malden Lane is characterised by well-spaced and sporadic development, which has helped to maintain its unique semi-rural character. The application site forms part of the last remaining undeveloped site on the west side of Old Malden Lane and presently acts as a visual and physical barrier between the semi-rural area to the south and the urban area to the north. The overall site, as open space, therefore makes a significant contribution to the local area's character.
- 9.15 It also acts as a visual connecting link between the undeveloped woodland site opposite (on the eastern side of Old Malden Lane) and the Metropolitan Open Land on the opposite side of the Hogsmill River. (Falling within the Royal Borough of Kingston)

- 9.16 Indicative drawings show that the dwelling would be sited to the northern corner of the (overall) site, in line with the built development at Riverside Cottage. The current scheme significantly reduces the site area from the previous scheme. In excess of two thirds of the site would remain undeveloped recreational land which would ensure that the proposal retains the spacious sylvan character of the area, without a significant diminution of the openness of the overall site that would prevent it from continuing to contribute to the area's predominantly open character.
- 9.17 The proposal would therefore address the Inspector's previous grounds for refusal and would comply with Core Strategy Policy CS1 and Development Management policy DM11

Impact on Neighbour Amenity

- 9.18 The submitted indicative drawings indicate that the proposed new dwelling would not have a materially harmful impact on the amenity of the adjoining properties in terms of loss of privacy, overlooking and outlook.
- 9.19 The proposal would therefore comply with Development Management Policy DM10.

Parking and Access

- 9.20 Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are "severe".
- 9.21 The County Highways Authority has no objection to the proposal, subject to the imposition of appropriate highway conditions.

Landscaping and Ecology

- 9.22 Policy CS3 requires that biodiversity will be conserved and enhanced and where development is detrimental to biodiversity, adequate mitigation measures should be provided. Policy DM4 mirrors this requirement and requires that every opportunity should be taken to secure net benefit to the Borough's biodiversity.
- 9.23 As landscaping as a reserved matter it will be important in any subsequent application that adequate soft landscaping that can provide for wildlife habitat is retained or planted on site. The indicative layout of the dwelling demonstrates that there is sufficient space to provide both hard and soft landscaping, which could be secured by a future condition.
- 9.24 The application is supported by an ecology report which concludes that the site contains suitable habitat for bats and breeding birds. It further states that provided the development is a minimum of 15 metres away from the mature trees, the development would be compliant with regards to the legislation and bats.

- 9.25 Subject to appropriate conditions, the proposal would comply with Core Strategy policy CS3.

Flood Risk

- 9.26 Policy DM19 states that Development in flood risk zones 2 & 3 or on sites of 1ha or greater in Zone 1 and sites at medium or high risk from other sources of flooding will not be supported unless it meets certain criteria.
- 9.27 The application site does not fall within flood Zone 2 or 3, but is located within Flood Zone 1. The previous (refused) scheme was accompanied by a Flood Risk Assessment, which addressed the impact of the scheme of the floodplain. The assessment concluded that the site falls within Flood Zone 1 which has a low to medium flood risk and is designated most suitable for development.

Sustainability

- 9.28 Policy CS6 requires development to be provided in a sustainable environment and reduce or have a neutral impact upon pollution and climate change. This will be a matter for future determination.

Community Infrastructure Levy (CIL)

- 9.29 The proposal falls under development which is liable for CIL at £125 per square metre of gross internal floor space

10 Conclusion

- 10.1 The proposed scheme would comply with policy and is therefore acceptable. The scheme is therefore recommended for APPROVAL

11 Recommendation

- 11.1 Outline Planning permission is granted, subject to the following conditions:

Conditions:

- (1) The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later. Details of the access, appearance, scale and landscaping, "the reserved matters", shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.**

Reason: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

- (2) Prior to the commencement of development, details and samples of the materials to be used for the external surfaces of the development shall**

be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of safeguarding visual amenity in accordance with Policy CS5 of the Core Strategy (2007) and policy DM10 of the Development Management Policies Document 2015.

- (3) Prior to the commencement of any development works, including ground preparation and demolition, a detailed Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to and approved in writing by the Local Planning Authority. The TPP shall show the root protection areas of all trees to be retained as set out in British Standard 5837. The AMS shall contain details of:

- The specification and location of tree protection (barriers fixed into the ground and/or ground protection as detailed in chapter 9 of BS5837);
- Any construction activity, excavation or level changes that may take place within the protected root area of trees shown on the TPP and the supervision and monitoring programme for these activities.

Tree protection shall be erected prior to demolition, ground preparation and development works and shall remain in place for the duration of the construction works. The protection barriers shall only be removed on the completion of all construction activity and with the written agreement of the Local Planning Authority. All works shall be carried out in strict accordance with the approved details.

Reason: To ensure satisfactory protection of trees in the interest of amenity as required by policy DM5 of the Development Management Policies Document 2015

- (4) Prior to the commencement of the development details of sustainability measures shall be submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials and shall include means of providing the energy requirements of the development from renewable technologies. Thereafter, the development shall be carried out in strict accordance with the approved details.

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

- (5) Prior to the commencement of the development full details of the new areas of hardsurfacing shall be submitted to and approved in writing by the Local Planning Authority. Such details shall show that the

hardsurface will be porous or permeable, or shall direct surface water to a porous or permeable surface within the site. Thereafter, the development shall be carried out in accordance with the approved details and so maintained.

Reason: To reduce surface water run-off from the site in line with policy CS6 of the Core Strategy (July 2007).

- (6) The development shall not commence until an Ecology and Bat Report has been submitted to and approved by the Local Planning Authority. The protection, mitigation and enhancement measures detailed in the ecological assessment shall be implemented prior to the first occupation of the development and/or in accordance with the approved timetable detailed in the ecological assessment and plan. The approved measures shall thereafter be maintained.**

Reason: To conserve and enhance biodiversity as required by Policy CS3 of the Core Strategy 2007.

- (7) Prior to the commencement of any building or engineering operations, a Method of Construction Statement shall be submitted to and approved in writing with the local planning authority. This shall include details of:**

- **Parking of the vehicles of site personnel, operatives and visitors;**
- **Loading and unloading of plant and materials;**
- **Storage of plant and materials used in constructing the development;**
- **Programme of works (including measures for traffic management);**
- **Provision of boundary hoarding behind any visibility zones;**
- **HGV deliveries and hours of operation;**
- **Vehicle routing;**
- **Measures to prevent the deposit of materials on the highway;
Before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused;**
- **On-site turning for construction vehicles**

All of which shall be kept clear of the highway and the proposed access. Only the approved details shall be implemented during the construction period.

Reason: To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users as required by Policy CS16 of the Core Strategy 2007

- (8) No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority.**

Reason: To ensure that the redevelopment does not destroy any surviving archaeological Heritage Assets, in accordance with the National Planning Policy Framework and Policy DM8

- (9) The development hereby approved shall not be first occupied unless and until the proposed vehicular access to the existing access road off Old Malden Lane has been constructed and provided with visibility zones in accordance with the approved plans, and a scheme to be submitted to and approved in writing by the Local Planning Authority for improvements to the visibility at the existing junction with Old Malden Lane and thereafter the visibility zones shall be kept permanently clear of any obstruction measured from 0.6m above the road surface.

Reason: To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users as required by Policy CS16 of the Core Strategy 2007

- (10) The only means of access to the development hereby approved shall be from the existing access road.
- There shall be no means of vehicular/pedestrian/cycle access from the development hereby approved to Old Malden Lane.
 - The development hereby approved shall not be first occupied unless and until a permanent physical barrier fronting Old Malden Road has been erected to prevent the formation of unauthorised access to that road in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter that permanent physical barrier shall be permanently retained and maintained to the satisfaction of the Local Planning Authority.
 - The development hereby approved shall not be commenced/ unless and until existing access/es from the site to Old Malden Lane have been permanently closed and any kerbs, verge, footway, fully reinstated.

Reason: To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users as required by Policy CS16 of the Core Strategy 2007

- (11) The development hereby permitted is based on the following indicative plans : J002348 PL02 J002348 PL03 J002348 PL04

Reason: For the avoidance of doubt and in the interests of proper planning as required by Policy BE1 (General Policy on the Built Environment) ,DC1 (General policy) of the Epsom and Ewell District Wide Local Plan 2000 and Policy DM10 of the Development Management Policies submission document (November 2014).

Informatives:

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.**
- (2) If you need any advice regarding Building Regulations please do not hesitate to contact Epsom & Ewell Borough Council Building Control on 01372 732000 or contactus@epsom-ewell.gov.uk.**
- (3) Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road.**

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Scale: 1:1062

Date	25 August 2016
Comments	

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THE USE OF PLANNING PERFORMANCE AGREEMENTS BY THE PLANNING SERVICE IN DELIVERING DECISIONS ON PLANNING APPLICATIONS

<u>Report of the:</u>	Head of Place Development
<u>Contact:</u>	Adele Castle
Urgent Decision	No
<u>Annexes/Appendices (attached):</u>	Planning Performance Agreement Protocol
<u>Other available papers (not attached):</u>	The Corporate Plan 2016-2020 National Planning Policy Framework 2012 National Planning Policy Guidance 2014 'Implementing Planning Performance Agreements - Guidance Note' produced by the Department for Communities and Local Government and the Advisory Team for Large Applications (April 2008) Planning Performance Agreement Practice Note' produced by the Advisory Team for Large Applications (ATLAS) (December 2010)

REPORT SUMMARY

This report seeks Member approval to the introduction and use of Planning Performance Agreements (PPAs) as a means of dealing with major planning applications. PPAs allow us to move away from standardised timescales to agreed performance targets. The PPA would be negotiated during the pre-application process and encompass all stages of the process up to the decision stage(s). The objective of a PPA is to enhance the quality of the final development and to reach decision within appropriate timescales which reflect the complexity of the issues involved in the development proposal. PPAs provide the opportunity for major schemes to be exempt from the 13 week performance targets.

RECOMMENDATIONS

- (1) That the use of Planning Performance Agreements by the Planning Service is agreed where appropriate and where the applicant is agreeable to their use.**
- (2) That the attached Planning Performance Agreement Protocol be adopted (Appendix A).**

Notes

1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy

1.1 The use of PPAs would assist in securing developments for the borough which would be in line with the borough council's Key Priorities such as:-

- enabling the delivery of affordable housing and increasing the supply of homes to meet local needs;
- providing high quality/innovative building design and improving the visual appearance of the town/shopping centres; and
- enabling the delivery of sustainable development.

1.2 In particular the Corporate Plan Performance Report Targets 2016/2017 included the following target under Supporting Businesses and our Local Economy:

- Produce proposals to implement Planning Performance Agreements by 31st July 2016 and implement these once agreed by the Planning Committee.

2 Background

2.1 The Council's Core Strategy and Corporate Plan include a commitment and vision to encourage new investment and regeneration. The Planning Service aims to ensure that major planning applications are dealt with in a timely and effective way according to their complexity and scale. It is also recognised that successful delivery of major developments requires better communications with developers, the communities and other agencies.

2.2 Planning Performance Agreements will:-

- Give clarity and transparency to all potential stakeholders;
- establish the commitment of both internal and external parties; and
- help to establish good working relationships both internally across council departments and externally with partners and stakeholders.

- 2.3 PPAs, are a framework agreed between a local planning authority and a planning applicant for the management of complex development proposals within the planning process. A PPA allows both the developer and the local planning authority to sign up to a performance agreement which will include the appropriate resources necessary to determine the planning application to a suitable timetable. The signed agreement between parties also commits all to a genuinely collaborative approach to fulfilling an agreed set of objectives. Adoption of PPAs would provide the resources and timescale to allow the achievement of high-quality sustainable development proposals during the process for the consideration of the Local Planning Authority.
- 2.4 Planning Policy Guidance published by the Government in March 2014 advises that there is no one model to follow, but that a PPA should be proportionate to the scale of the development project and the complexity of the issues to be addressed. It is also advised that a PPA should cover the pre-application and application stages and may also extend through to the post-application stage. The guidance reinforces that PPAs can be a useful focus of pre-application discussions about the issues that will need to be addressed.
- 2.5 The content of planning performance agreements should be as straightforward as possible with the guiding principle that the parties agree the way forward. As a minimum, a simple approach, such as one built around an agreed timetable, development objectives and responsibility for tasks should be sufficient. A schedule of appropriate meetings is proposed and set out at Appendix II of the proposed PPA Protocol.
- 2.6 Since their introduction in 2008 most London planning authorities and others in the UK have been successfully using PPAs for a number of years and have developed a regular income stream from them.
- 2.7 Attached at Appendix A is a copy of the Planning Performance Agreement Protocol. This protocol will be a public document detailing how the planning service will create and manage the PPA process.
- 2.8 The protocol outlines the objectives of PPAs and potential benefits which a proposal considered under the planning protocol will deliver the responsibilities of all parties under the protocol and finally, the form of PPAs.

3 Proposals

- 3.1 PPAs build upon our existing pre-application process but cater for major and more strategic applications by agreeing appropriate timescales that can realistically achieve a quality development. At present there are three fixed timescales for the determination of an application: 8 weeks for a minor application, 13 weeks for a major application or 16 weeks if the application is subject to an Environmental Impact Assessment. Currently, major applications have to fit within the timescales of 13 or 16 weeks irrespective of complexity unless a formal extension of time is agreed by both parties. By adopting PPAs the timescale will be agreed by relevant parties to reflect the complexity and significance of the application. A successful PPA also ensures that there is adequate time to undertake collaboration with all relevant stakeholders.
- 3.2 As such, the establishment of a PPA protocol is consistent with the Council's commitment to work in partnership with applicants to deliver major and complex developments that address four of the Council's Key Priorities in the Corporate Plan: (i) to deliver affordable housing and increasing the supply of homes, (ii) improving the visual appearance of the town centres; (iii) enabling the delivery of sustainable development and (iv) to provide customer focused services. The Planning Service also has strategic objectives to improve planning application performance and the quality of development.
- 3.3 The decision to enter into a PPA will not bind officers to final recommendations or elected Members (of the Planning Committee) to a final decision nor override the requirements for a formal planning application to be determined without prejudice and within the statutory requirements of current planning legislations.
- 3.4 As part of the PPA process it is important that members of the council can be appropriately and openly engaged within the development of the project, whilst ensuring that their decision-making function is not compromised and there is no breach of the council's adopted Code of Conduct for Members.
- 3.5 Engagement with ward members will also be undertaken where appropriate. This will allow members to develop an understanding of issues and raise their own issues and concerns that they wish to be addressed. Members will not be permitted to express fixed or pre-determined views about the overall planning merits of any case and will not engage privately with the developer.
- 3.6 Whilst it is not intended to be a legal agreement, its use can assure all parties that they are in agreement as to the manner in which the project is being taken forward.

4 Financial and Manpower Implications

- 4.1 The processing of any application subject to a planning performance agreement will be undertaken by existing planning staff within the development management team. This report and the associated PPA Protocol have been resourced within the normal budgetary considerations. Nonetheless management will have to ensure that sufficient staff time is available to meet our side of the agreement such that the applicant can be satisfied of the agreement's deliverability. Failure to deliver against the terms of the agreement could be counter-productive and undermine the objectives set out above.
- 4.2 A Local Planning Authority has the power to charge for services provided in the pre-application phase of a PPA, under Section 93 of the Local Government Act 2003. The fees for a planning application subject to a PPA will be the same as that for a normal planning application.
- 4.3 The planning service introduced appropriate fees for pre-application advice in May 2011 and offers in most cases a single meeting for a fixed fee. With PPAs the development management team would be able to offer a set of meetings which are undertaken in addition to the standard pre-application process. The fee will be negotiated on a case by case basis dependent on the scale and complexity of the scheme, the number of meetings held and officers in attendance. It should be noted that under Section 93 the above charges are made on a cost recovery only basis.
- 4.4 A scale of charges will be produced for approval by the Environment Committee.
- 4.5 **Chief Finance Officer's comments:** None for the purposes of this report.

5 Legal Implications (including implications for matters relating to equality)

- 5.1 The use of PPAs and adoption of a PPA protocol is in line with the recommendations of 'Implementing Planning Performance Agreements - Guidance Note' produced by the Department for Communities and Local Government and the Advisory Team for Large Applications (April 2008) and the Planning Performance Agreement Practice Note by ATLAS (December 2010).
- 5.2 Monitoring Officer's comments: None for the purposes of this report.

- 5.3 PPAs can be entered into pursuant to the council's powers under section 111 of the Local Government Act 1972, section 93 of the Local Government Act 2003 and part 1 of the Localism Act 2011. As stated above, whilst the council can charge fees for a PPA this must only be done on a cost recovery basis and the council cannot make a profit from this work.
- 5.4 PPAs in themselves have little relevance to the equalities legislation. Dependent on the nature of the development schemes proposed, they can give rise to such issues and if so these will be considered as part of the proposal where they form material planning considerations.

6 Sustainability Policy and Community Safety Implications

- 6.1 It is considered that the adoption of PPAs would make a positive contribution to the achievement of sustainable development. Indeed, it is recognised that the process to achieve high-quality sustainable development is complicated and that the potential to achieve a successful outcome can be greatly improved by;
- agreeing to a shared set of objectives with the applicants;
 - committing to a genuinely collaborative approach by all parties;
 - adopting a spatial planning approach underpinned by development management; and,
 - establishing a robust application management process.

There are no community safety implications for the council relevant to the adoption of a PPA protocol.

7 Partnerships

- 7.1 There will be improved collaborative working as a result of entering into a PPA.

8 Risk Assessment

- 8.1 The risks are limited. PPAs will only be entered into by mutual agreement. The Head of Place Development will need to ensure that significant resources are deployed to meet the agreed terms. The number of applicable cases will be quite few and it is anticipated that sufficient staff time can be made available.

9 Conclusion and Recommendations.

- 9.1 That the Head of Place Development be authorised to implement the use of Planning Performance Agreements in accordance with the principles of the Planning Performance Protocol.

WARD(S) AFFECTED: None

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**PLANNING PERFORMANCE
AGREEMENT**

**EPSOM AND EWELL BOROUGH
COUNCIL**

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[INSERT SITE ADDRESS]

PLANNING PERFORMANCE AGREEMENT

BETWEEN:

EPSOM AND EWELL BOROUGH COUNCIL

and

[INSERT APPLICANT NAME]

1. Introduction

- 1.1. This Planning Performance Agreement (PPA) is made between Epsom and Ewell Borough Council (“the council”) and **[INSERT APPLICANT NAME]** (“the Applicant”), [which is part of the **[INSERT NAME OR DELETE]** group of companies] *delete as necessary*.
- 1.2. The PPA covers the process through to the determination of the application for planning permission for the proposed development of the site **[INSERT SITE ADDRESS]** (see attached site plan).
- 1.3. The PPA will provide a project management framework and timetable within which to progress the various stages of the scheme through to completion of the Section 106 Agreement and determination of the planning application.
- 1.4. The aim of the PPA is to improve the quality of the decision making process, as opposed to the speed of the decision. This is a collaborative process between the council and Applicant and to include appropriate stakeholders.
- 1.5. This agreement will apply from the **[insert date – the start date should be from inception i.e. initial discussions]** and shall remain in force until the end of **[INSERT DATE]** (or such extension of this term as is agreed) or the decision date (being the date a planning decision is issued by the council on the planning application) whichever is the earlier and upon the expiry of such period this PPA shall cease.
- 1.6. The development proposes **[INSERT PROPOSAL DESCRIPTION]**
- 1.7. It is anticipated that the planning application to which this PPA relates will be made in full.
- 1.8. This PPA has been drafted in light of guidance produced by ATLAS (June 2010).
- 1.9. The PPA and other documentation should state that the PPA is not prejudicing or pre-judging the outcome of the application, the council’s impartiality or its discretion as local planning authority.
- 1.10. The agreement can be terminated at any time by either party. Any fees incurred to that point would still be chargeable.

2. Status

- 2.1 This PPA does not constitute a legally binding contract, nor is it intended in any way to prejudice or influence the determination of the planning application, the council's impartiality or its discretion as local planning authority in any way. Rather, it is a memorandum of understanding between the council and the applicant.
- 2.2 Its purpose is to encourage co-operation, trust and effective communication between the council and the Applicant. Its aim is to facilitate high quality development and ensure prompt, clear and robust decision making.

3. Scope

- 3.1. The PPA seeks to:
- 3.1.1. Establish a shared vision for the project.
 - 3.1.2. Appoint a Project Champion.
 - 3.1.3. Establish a PPA Project Team.
 - 3.1.4. Agree the key planning issues to be resolved and at what stage, including:
 - the identification of tasks and resources required to address key issues;
 - an agreement to identify and agree solutions to issues at each stage in the process where appropriate;
 - a commitment to sharing information;
 - the establishment of parameters for engagement with internal and external agencies and community groups; and
 - to work collaboratively and agree upon the heads of terms of any S.106 Agreement to be submitted with the planning application.
 - 3.1.5. Develop a Project Plan setting out whom, what, and when.
 - 3.1.6. Agree a regime for the decision making process.
 - 3.1.7. Agree a regime for the post committee process and the completion of any S106 Agreement.

4. Project Definition

- 4.1. The Project is defined in two stages:
- i) Pre-application discussions between the council and the applicant during the preparation of the planning application.

- ii) The determination of the planning application up to and including the issuing of the planning decision.
- 4.2. Stage 1 is anticipated to run from the date of this agreement to **XXX** when the applicant is targeting the submission of the application(s). Stage 2 is anticipated to run from the beginning of **[INSERT DATE]** to **[INSERT DATE]** when the council is targeting the determination of the applications, including the completion of the Section 106 Agreement (if required) if the applications are approved.

5. The Vision

- 5.1. To establish a framework for the determination of the application through collaborative working. To ensure that appropriate consultation with statutory bodies and the local community takes place and that the development delivers a high quality of design and public realm in accordance with national and local policy objectives.
- 5.2. *The agreed vision is to deliver **[XXX]** for Epsom and Ewell that is **[XXXX]** (e.g. a well-integrated scheme providing new residential accommodation to the borough) which achieves the highest standards of environmental and architectural design. The scheme should serve as an example that can be built upon in the development of proposals for further improvements in line with the council's priorities. (CAN DELETE OR SIMPLIFY)*

6. Key Development Objectives

Overall Objective

- 6.1. To ensure that the pre-application period is utilised effectively and that all stakeholders are successfully engaged; that the planning application provides all the information that will be needed by the council to properly assess it and that officers are able to report the application the council's Planning Committee by the date agreed in the Project Plan.

Specific Objectives

- 6.2. The following specific objectives have been identified:
 - A well-managed pre-application process, with a programme that responds to the complexity, scale and range of planning and environmental considerations associated with a unique major development project.
 - Effective pre-application discussions between the Applicant and the council to address the identified key planning issues in this PPA.
 - Effective engagement of all stakeholders during the pre and post-submission periods in order to build a sense of community ownership of the project.
 - Provision of an appropriately supported application(s) at the point of submission, including, if required, an Environmental Statement ("ES") which takes into account advice provided through the pre-application process.

- Ensuring that appropriate S106 obligations are negotiated that contribute commensurately towards affordable housing and any site specific infrastructure requirements as a direct result of the development proposal and that mitigate any impacts of the development proposals that there may be.

6.3 As a result of the objectives above, this PPA should allow officers of the council to make a recommendation to the Planning Committee within the time period agreed in the Project Plan.

7. Key Planning Issues

7.1. The following key planning issues are identified. All are interrelated and should not be considered in isolation:

- Regeneration - ensuring that the socio-economic as well as physical regeneration effects of the scheme are clearly defined and optimised.
- Design Quality - ensuring that all aspects of design quality; public realm and architecture, to the impact of the proposed development on heritage site, listed buildings, conservation areas and important views reach the appropriate quality threshold, having regard to relevant planning policy and guidance as well as the potential benefits of the proposed scheme.
- Housing - ensuring that any housing within the proposed development is of the appropriate standard, mix and tenure with reference to the Development Plan and the specific circumstances of this proposal.
- Transport - ensuring that the proposed development is serviced in an acceptable manner and delivers appropriate transport infrastructure to optimise accessibility by a choice of transport modes.
- Sustainability - ensuring that proposed development is as sustainable as is economically and practically possible in all senses, from energy and resource efficiency to accessibility in line with national, strategic and local policy requirements and best practice. This may include implementing a Sustainable Urban Drainage Solution as appropriate, in line with the opportunities presented by the site, ensuring that long term management and maintenance measures are in place. To aim for the highest sustainable energy solutions and low carbon development as soon as is practicable.
- S106/CIL - ensuring that the impact of the development on local infrastructure and services is fully mitigated and that the development contributes to the general improvement and regeneration of the area, and infrastructure to support growth.
- Community Integration - ensuring that all uses within the proposed development are carefully assessed and are acceptable in terms of their impact on existing residents and communities in line with relevant planning policy and guidance. To ensure that community engagement is effective and meaningful, both the council and Applicant should start early, continue to communicate and ensure as many people as possible feel able to make a difference to their area. Identifying the preferred approach to community engagement (which may be based on the draft Statement of Community Interest; Your Involvement in Planning) ("SCI"), including the identification of the communities to involve, the process of engagement and approach to incorporating their views, feedback and evaluation methods.

- viii. Employment - ensuring that the proposed development delivers appropriate and sustainable employment uses in line with relevant planning policy and guidance as well as the potential regeneration benefits of the proposals.
- ix. Daylight / Sunlight – detailed analysis results of the levels of daylight and sunlight amenity within the residential properties which surround the site.
- x. Public Realm - ensuring that all aspects of design quality; public realm and architecture, to the impact of the proposed development on any heritage assets reach the appropriate quality threshold, having regard to relevant planning policy and guidance as well as the potential regeneration benefits of the proposals.

8. Project Champions

- 8.1. The Project Champions shall be [*NAME OF RELEVANT OFFICER*] on behalf of the council and **XXX** at **XXXX** on behalf of the applicant. Working together, their roles will include driving forward the project in line with the Project Plan and taking responsibility for decisions to be made on behalf of the relevant organisation.
- 8.2. The Project Sponsor will be Mark Berry on behalf of the council who will act as a ‘clearing house’ for any issue(s) that cannot be resolved by the Project Team.

9. Project Team

- 9.1. The PPA Project Team shall comprise appropriate representatives from both the council and the applicant. Membership of the team may vary depending on changing project requirements. The council Project Champion will attend meetings when necessary and when the Project Officer is not available. The core teams are as follows:

Applicant Project Team:

Name	Company	Contact details
<i>Planning Agent (Project Manager)</i>	<i>Applicant co</i>	<i>Tel: E-mail:</i>
Architect	<i>Architect co</i>	<i>Tel: E-mail:</i>
Applicant		<i>Tel: E-mail:</i>
Land owner and Joint Applicant		<i>Tel: E-mail:</i>
		<i>Tel: E-mail:</i>

Local Planning Authority Team (LPA):

Name	Position	Contact details
<i>Adele Castle – Project Champion</i>	<i>Planning Development Manager</i>	<i>Tel: 01372 732188</i> <i>E-mail: acastle@epsom-ewell.gov.uk</i>
<i>Project Officer</i>	<i>Case officer</i>	<i>Tel:</i> <i>E-mail</i>
<i>Delivery Lead Conservation/Heritage Officer/ Senior Policy Officer/ Tree Officer/ Environmental Health officer</i>		
<i>Mark Berry – Project Sponsor</i>	<i>Head of Place Development and Project Sponsor</i>	<i>Tel: 01372 732389</i> <i>E-mail: mberry@epsom-ewell.gov.uk</i>

- 9.2. Both the council and the applicant shall seek to field other appropriate officers/advisors as and when the topic of discussion warrants it (see Project Plan and Programme below). The council shall adopt a ‘development team’ approach to the proposals, ensuring that it takes a joined-up and co-ordinated approach to the advice it gives and decisions that it takes.
- 9.3. The Project Champion/Project Officer (identified above) shall be responsible for arranging Project Meetings and co-ordinating and monitoring actions.
- 9.4. The council and the applicant shall take it in turn to chair and minute the Project Meetings. Minutes will be circulated for comment within 5 working days of the meeting. The minutes shall include issues that have been agreed/resolved. Agreement of the minutes shall occur within 5 working days of receipt. Non response from either party within this timeframe shall deem the minutes agreed. Future topics to be agreed at the preceding meeting.
- 9.5. Both the council and the applicant agree to share key information relating to the project.
- 9.6. The council and the applicant shall inform the Project Champions of any necessary change in personnel/advisors as soon as reasonably practicable and, if possible, before such a change takes place.
- 9.7. Project Meetings shall take place at the times set out in **Appendix 2**. This appendix also seeks to identify topics for consideration at the meetings, although this will be subject to review.

10. Member Involvement

- 10.1. Members will be openly and appropriately engaged with the development of this project, whilst ensuring that their decision making function is not compromised.
- 10.2. Members will not be expected to express views about the overall planning merits of the case. The Applicant’s Project Team will not engage privately with Members without the prior knowledge of the council’s Project Manager. Any such engagement shall be in accordance with the Local Government Association’s Probity in Planning: The role of councillors and officers – revised

guidance note on good planning practice for councillors and officers dealing with planning matters 2009.

- 10.3 The council Project Team will be responsible for making sure that members are kept informed about the progress of this project in a timely and appropriate manner.

11. Community Engagement

11.1. Taking account of guidance in the National Planning Policy Framework (NPPF), the applicant's Project Team will adopt the following principles in pre-application consultation over the proposals:

- Involve consultees at the earliest possible stage in planning process;
- Consult with people that live and work in the surrounding area;
- Consultation to include ward members;
- Consultation with other stakeholders where necessary;
- Use methods and techniques that encourage involvement by all sectors of the community;
- Keep the local community informed and updated with the latest information throughout the planning process.
- Carry out consultation from an early stage so that comments can influence the emerging proposals; and
- Provide timely and appropriate feedback to consultees.

12. Internal Consultation

12.1. Where the applicant needs to make contact with officers of the council, whether on the council's Project Team or not, they shall do so by e-mail and copy in the council's Project Manager.

12.2. Where officers of the council need to make contact with any member of the applicant's Project Team, they shall do so by email and copy in the applicant's Project Manager.

13. Consultation with External Agencies

13.1. Prior to the applicant's Project Team discussing the proposals with external organisations (e.g. Historic England), they shall inform the council's Project Manager. Where practicable, this will be at least 3 working days in advance of any meeting.

13.2. The applicant's and council's Project Teams shall invite each other to all external meetings they have wherever possible.

14. Application Documentation

- 14.1. The parties to this Agreement agree that the applications shall be accompanied by a number of supporting documents details of which have been agreed with the council and are listed in **Appendix 1**.

15. The Applicant's Performance Standards

- 15.1. The applicant agrees to use its reasonable endeavours to achieve the following performance standards at all times:
- i. The applicant Project Team shall present to council officers, for their comment, draft application material and supporting documents at least 10 working days before the target submission date.
 - ii. To carry out such further public consultation as may be reasonably requested by the council as soon as reasonably practicable, having special regard to the council's draft SCI.
 - iii. To consult with Historic England and any other consultee in respect of the applications where appropriate.
 - iv. To wherever possible address any reasonable concerns raised by any consultee.
 - v. To provide the council with such additional information as may be reasonably requested within 10 working days of such written request from the council (or such other time period as may be agreed) in order to enable the council to discharge its responsibilities.
 - vi. To provide to the council at least 5 working days prior to any meeting all substantive and relevant documents which are relevant to that meeting and which relate to any relevant action points or agenda item identified.

16. Epsom and Ewell Borough Council's Performance Standards

- 16.1. The council agrees to use its reasonable endeavours to achieve the following performance standards at all times:
- i. Respond substantively to all emails, letters and telephone calls within 5 working days of receipt. Where circumstances beyond the reasonable control of the council prevent compliance, the applicant shall be notified of such circumstances.
 - ii. To provide the applicant within 5 working days of any meeting; the action points arising from that meeting.
 - iii. To validate the applications promptly within two weeks of receipt of all the documents listed in Appendix 1 and commence consultation on the applications within one week of the validation of the applications.
 - iv. To seek any further environmental information pursuant to Regulation 22 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 without delay and no later than 6 weeks following the validation of the applications;

- v. To provide an advance copy of the draft conditions and draft S106 heads of terms in reasonable time for the Applicant to review and comment on them in detail 7 working days prior to officers' report to committee being finalised;
- vi. To promptly instruct solicitors to deal with the S106 Agreement process following a request in writing by the applicants. To use best endeavours to complete the S106 agreement no later than 6 weeks of the Committee determination by the council.
- vii. Subject to the completion of a S106 Agreement, to issue the decisions on the application(s) no later than 1 week following receipt by the council of any direction made by the Secretary of State (if applicable), whichever is received the later. Where circumstances beyond the reasonable control of the council prevent compliance, the Applicants shall be notified by the council of such circumstances within 5 working days of the council being made aware of such circumstances.

17. Planning Obligations and Conditions

- 17.1. The applicant shall have regard to the council's "Revised Developer Contributions Supplementary Planning Document – Planning Document September 2014" or subsequent up dated guidance and shall include details of the likely obligations to be provided with its pre-application consultation material.
- 17.2. The applicant shall include details of proposed Heads of Terms for planning obligations with the application documentation.
- 17.3. The applicant shall provide all necessary floor space figures in order to establish the level of CIL liability.
- 17.4. The council's solicitors will prepare the first draft of the S106 Agreement for review by the applicant.
- 17.5. The council shall consult with the applicant on the detailed wording of proposed planning conditions, giving them at least 7 working days to comment, before finalising these and setting them out clearly in the officer report to Committee.

18. Project Plan and Programme

- 18.1. The council and the applicant shall use all reasonable endeavours to meet the targets set out in the Project Plan attached at **Appendix 2** or as amended.
- 18.2. The Project Plan shall be reviewed at the end of each Project Team meeting and agreed amendments to the plan shall be made by the applicant's Project Manager.

19. Resources

- 19.1. The council has identified that it will need the resources outlined in **Appendix 3** during the pre-application stages of the project as well as the post submission work not covered by the application fee.

- 19.2. The application involves complex planning issues requiring an extensive commitment of resources from the council for consideration of these issues, which will be in excess of the relevant planning application fee.
- 19.3. Given the complexity of the issues to be considered and the desire of the applicant and the council to meet the agreed timeframes set out in the PPA it is considered by both parties that a contribution by the applicant towards the execution of the council's functions in the administration, consideration and determination stages of the planning application in addition to the relevant planning application fee, will be necessary.
- 19.4. The applicant will only be invoiced for time recorded. Where resources are less than outlined at Appendix 3, this will be reflected in all invoicing. Where resources are likely to exceed that identified, the applicant will be advised in advance and can agree an extension to those resources if required. If the estimate is exceeded and the parties are unable to agree an extension, the council may be unable to resource any additional officer time, and work on the PPA may cease.
- 19.5. The council will submit an invoice at the end of each quarter of the PPA for approval. The invoice shall be addressed to **{INSERT COMPANY NAME & ADDRESS OF INVOICE}**. A breakdown of the resources used during that quarter covering the reasonable and proper costs of the relevant resources will be provided upon request by the applicant.
- 19.6. An electronic copy invoice will be provided to the applicant's Project Manager.
- 19.7. **All invoices must be paid within 30 days.** Failure to pay within the correct timescale may mean delays to the programme (including technical briefings etc.) and/or a temporary suspension of work pending payment being received. The applicant will ensure that all payments quote the relevant invoice number as reference number in line with the guidance on the back of the council's invoice.
- 19.8. The applicant will provide the council with a purchase order number within 10 days of the signing of this agreement, where this is required for invoicing purposes.
- 19.9. In addition the Applicant agrees to pay the reasonable costs incurred by the council in line with the estimates provided in Appendix 3, unless agreed in advance, in respect of the following:
- Independent verification of the applicant's viability appraisal;
 - All legal costs associated with the preparation of the S106 agreement;
 - Independent verification of the applicant's environmental reports (including noise, air quality, contaminated land where appropriate);
 - The cost of other external consultants e.g. daylight/sunlight, viability assessment etc.
 - Any other topic areas to be agreed with the applicants.

Epsom and Ewell Borough Council and the Applicant hereby agree to the content of this Planning Performance Agreement.

SIGNED:

Signature on behalf of the council:

Print name and position:

Date:

Signature on behalf of the Applicant:

Print name and position:

Date:

Appendix I

Schedule of Application Documents to be submitted **(AMEND AS REQUIRED)**

The planning application will comprise XX hard copies of the following documents together with XX copies on disc. In addition XX copies of the planning drawings will be provided at size A3:

- Planning application forms;
- Certificate A;
- Agricultural Holding Certificate;
- Site Location Plan;
- Block Plan;
- Planning application drawings;
- Design and Access Statement (including landscape strategy);
- Planning Statement;
- Transport Assessment;
- Visual Impact and Townscape Assessment;
- Acoustic Assessment;
- Air Quality Assessment;
- Wind Study;
- Daylight and Sunlight Assessment;
- Flood Risk Assessment;
- Ecology Report;
- Archaeology Report;
- Sustainability Statement;
- Energy Statement;
- Office Market Report;
- Initial CIL liability assessment
- Viability Assessment ("Toolkit"); and
- Statement of Community Involvement.

The Listed Building Consent application will comprise the following (10 copies):

- Listed building consent application forms;
- Certificate B;
- Site Location Plan;
- Listed building consent application drawings (as per planning application); and
- Heritage Statement.

The Conservation Area Consent application will comprise the following (10 copies):

- Conservation area consent application forms;
- Certificate B;
- Site Location Plan;
- Conservation area consent application drawings (as per planning application); and
- Heritage Statement.

The following documents will also be submitted in support of all of the applications (10 paper copies and 5 copies on disc):

- Guide to Applications;
- Environmental Statement:
 - Volume 1 Main Report
 - Volume 2 Figures
 - Volume 3 Heritage, Townscape, and Visual Assessment (Including PPS5 Statement)

- *Volume 4 Technical Appendices (including Transport Assessment & Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare Assessment, Construction Method Statement*
- *Volume 5 Non-Technical Summary (NTS);*
- *Design and Access Statement, (including Landscape Design and Public Realm Strategy, Urban Design Analysis and Secure By Design Statement);*
- *Heritage Assessment;*
- *Planning Statement (including draft Heads of Terms or Planning Obligations);*
- *Community, Health and Education Statement;*
- *Affordable Housing Strategy;*
- *Flood Risk Assessment (potentially within ES);*
- *Retail & Leisure Assessment;*
- *Refuse Storage and collection Waste Management Strategy (potentially within DAS);*
- *Regeneration Strategy;*
- *Code of Construction Practice (potentially within DAS);*
- *Sustainability Statement;*
- *Energy Statement;*
- *Lighting scheme (potentially within DAS);*
- *Utilities Statement;*
- *Demolition Statement (possibly part of Construction Method Statement); and*
- *Statement of Community Involvement.*

Appendix II: Project Plan

W/C	ACTION	COMMENTS
XX/XX/XXXX	Inception meeting.	Discussions reviewing potential benefits of PPA as a route to the scheme's development
XX/XX/XXXX	Parties sign PPA	After initial meetings - no further meetings/work on project can be carried out in the absence of signed agreement
XX/XX/XXXX	Start of fortnightly planning and topic meetings. Indicative list of meetings to include: Approach to Consultation Approach to application Wider Regeneration initiatives Scope and content of applications Masterplan, including consideration of wider area Consultation approach and initial findings Housing Townscape assessment and views Refuse & recycling Daylight & Sunlight Transport Access Energy and Sustainability Public Realm Design	
XX/XX/XXXX	Applicant to submit 1st package of information on programme, planning strategy, consultation strategy and initial scheme concept plans for feedback from council	Council considers whether it needs to appoint technical consultant/s prior to submission of application
XX/XX/XXXX	Design meeting	
	Council confirms scope of pre-application consultant appointments	
XX/XX/XXXX	Council response to initial submission	
XX/XX/XXXX	Council appoints external consultants if necessary	
XX/XX/XXXX	Sustainability and renewable energy meeting	
XX/XX/XXXX	Community consultation open day and evening	
XX/XX/XXXX	Applicant submits informal scoping report to the council if required	
WC XX/XX/XXXX	Design workshop to show council emerging detailed designs and receive feedback. Scheme review with officers to finalise elevational treatments	
WC XX/XX/XXXX	S106 meeting to include viability, CIL liability, affordable housing and heads of terms, together with report back to officers on consultation	Schedule of meetings specific to the S106 to be agreed including decision as to whether the council deals with in house or via solicitors framework
XX/XX/XXXX	Supporting information review with officers (land uses, street scene, impact on adjoining occupiers, archaeology, acoustic, sustainability, trees, landscape, flood risk, daylight/sunlight)	
XX/XX/XXXX	Application reports review with officers and to agree S106 heads of terms	Pre-validation check of requirements
XX/XX/XXXX	Time permitting, council comments on draft application documentation, particularly legal requirements e.g. application forms etc. to agree description of development	
XX/XX/XXXX	Application validated with all formal consultations underway	

Project Plan: Submission onwards

W/C	ACTION	COMMENTS
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		AGENDA ITEM 7 ANNEXE 1
	Submission of applications	
XX/XX/XXXX	Validation of applications by LPA, issue of letters of consultation, erection of site notices and placement of press advert	Stage 1
XX/XX/XXXX	Council instruct consultants to review applications	
	End of statutory consultation period – council provides initial feedback at meeting and subsequently in writing	Meeting to follow receipt of the statutory consultation period, receipt of the financial viability assessment appraisal.
XX/XX/XXXX	Applicant prepares responses/amendments as considered reasonable and necessary and, where appropriate, circulates those to the relevant parties	
XX/XX/XXXX	Re-consultation, re-advertisement and/or negotiation on any material amendments to the scheme as may be received	Should this be required
XX/XX/XXXX	End of further consultation period	
XX/XX/XXXX	LPA officers to make resolution to either support the scheme or recommend refusal – such resolution to be conveyed in writing to the Applicant	
XX/XX/XXXX	Final agreement of heads of terms of the s.106 agreement	Only applicable if the council's officers are minded to approve
XX/XX/XXXX	List of conditions to be prepared by the council and circulated for comment to applicant	Only applicable if the council officers are minded to approve
XX/XX/XXXX	Council officers finalise committee report	
XX/XX/XXXX	Pre-committee meeting if required	
XX/XX/XXXX	Target planning committee date	
XX/XX/XXXX	Fall back committee date	
XX/XX/XXXX	Execution of S.106 Legal Agreement	Only applicable if the council are minded to approve
XX/XX/XXXX	Issue of decision	

Appendix III – The Council’s Resources

It is acknowledged that the proper and timely processing of this application and associated pre-application discussions will require significant extra resources. As such, the applicant agrees to meet the cost of officer time (being the project champion, case officer and other specialists and managers) [fees to be agreed] (+VAT) for any PPA in addition to the statutory fee payable in relation to any planning application.

This payment represents a contribution by the applicant towards the cost of the council’s resources in the processing of your pre-application enquiries and applications. This fee is payable in advance of the first scheduled meeting or the issuing of any advice from the Head of Place Development.

Officer	Total (£)
<u>Place Development:</u>	
Project Champion	
Project Officer	
Technical Support	
Conservation/heritage Officer	
Arboricultural Officer	
Policy Officer	
Sub Total	
<u>Other Officers</u>	
Strategic Housing Manager	
Legal	
Environmental Health Officer	
Sub Total	
Grand Total (net)*	

* All Charges are subject to the addition of VAT

** The cost of other external consultants, including legal, viability assessment, daylight/sunlight, sustainability, etc. will be repaid by the applicant as set out in paragraph 19.4. The cost of this work will be confirmed with the applicant during the course of the PPA.

SITE VISITS

Report of the: Head of Place Development
Contact: Mark Berry
Annexes/Appendices (attached): None
Other available papers (not attached): None

REPORT SUMMARY

To identify planning applications which Members of the Committee consider should be the subject of a Member site visit.

RECOMMENDATION:

Members are asked to put forward any planning applications which it is considered warrant Members visiting the site before a decision is made.

Notes

1 Implications for Community Strategy and Council's Key Priorities

1.1 This report accords with the functions and objectives of Development Management.

2 Details

2.1 The Committee is asked to note that planning applications previously agreed as the subject of Member site visits that have been withdrawn or recommended for refusal under delegated authority are therefore removed from the list.

2.2 The Committee is asked to consider whether it wishes to add to the list of applications to be subject to a site visit (at the appropriate time)

- The Roveries, 59-63 Cox Lane, West Ewell, KT19 9NR
15/01464/FUL

2.3 The Committee is asked to note that a site visit should only be requested for planning applications that meet at least one of the following criteria:

2.3.1 If the whole of the site cannot be seen from the road

2.3.2 If the application is large and/or complex

2.4 The Committee is reminded that they will need to give their reason for requesting a site visit at the Planning Committee Meeting.

WARD(S) AFFECTED: ALL

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