

# Public Document Pack

Simon Young, Solicitor  
Head of Legal and Democratic Services



## PLANNING COMMITTEE

Thursday 6 October 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](mailto: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 - 14)

The Committee is asked to confirm as a true record the Minutes of the Meeting of the Committee held on the 8 September 2016 (attached) and authorise the Chairman to sign them.

**3. PLANNING APPLICATION 16/00482/OUT - 25 ALEXANDRA ROAD, EPSOM KT17 4BP** (Pages 15 - 28)

Outline application (access) for the demolition of the existing dwelling and the erection of a new block of 10 self-contained flat units and associated parking.

**4. PLANNING APPLICATION 16/00595/FUL - 25 ALEXANDRA ROAD, KT17 4BP** (Pages 29 - 46)

Repair and conversion of existing dwelling into 3 separate flat units. Construction of a new apartment building accommodating 6 self-contained flat units and associated landscaping and parking.

**5. PLANNING APPLICATION 16/00653/OUT - 25 ALEXANDRA ROAD KT17 4BP** (Pages 47 - 64)

Outline application (access) for the demolition of the existing dwelling and the erection of a new block of 14 self-contained flat units and associated parking.

**6. PLANNING APPLICATION 15/01530/FUL - 1 CHASE ROAD, EPSOM, KT19 8TL** (Pages 65 - 84)

Demolition of existing buildings on site to allow for the redevelopment of two three-storey (ground plus two-storeys) buildings accommodating a total of 14 flat units with associated car parking and additional works. (Description amended, and amended drawings received 28.08.2016)

**7. PLANNING APPLICATION 16/00166/FUL - 37/37A CHEAM ROAD, EWELL, KT17 1QX** (Pages 85 - 100)

The demolition of existing two dwellings on site and the erection of a new four-storey building to provide 17 flats and associated parking to the rear. (Amended drawings received 28.07.2016)

**8. PLANNING APPLICATION 16/00296/FUL - THE ROVERIES, 53-63 COX LANE, WEST EWELL, KT19 9NR** (Pages 101 - 114)

Demolition of derelict dwelling house and erection of ten flats (four studios, four 2-bed and two 3-bed) in a three storey building with seven parking spaces.

**9. PLANNING APPLICATION 16/00476/FUL - EQUUS EQUESTRAIN CENTRE, HORTON COUNTRY PARK, HORTON LANE, EPSOM, KT19 8PT** (Pages 115 - 122)

Erection of a detached building to accommodate a horse walker and provide storage for agricultural related equipment.

**10. PLANNING APPLICATION 16/00749/FUL - HORTON PARK GOLF AND COUNTRY CLUB, HOOK ROAD, EPSOM KT19 8QG** (Pages 123 - 130)

Erection of driving bay extension and new conservatory to club house

**11. SITE VISITS** (Pages 131 - 132)

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

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## Minutes of the Meeting of the PLANNING COMMITTEE held on 8 September 2016

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### PRESENT -

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

Absent: Councillor Michael Arthur

Officers present: Adele Castle (Planning Development Manager), Louise Mathie (Solicitor), John Robinson (Planning Officer) and Sandra Dessent (Democratic Services Officer)

### 22 DECLARATIONS OF INTEREST

No declarations of pecuniary interests 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.

### 23 MINUTES OF THE PREVIOUS MEETING

The Minutes of the previous meeting of the Planning Committee held on 21 July 2016 were agreed as a true record and signed by the Chairman.

### 24 PLANNING APPLICATION 15/01770/FUL - 5 ALEXANDRA ROAD, EPSOM, KT17 4BH

#### *Description*

Demolition of existing property and redevelopment of the site to provide nine, 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 amended drawings received 25.08.2016).

#### *Decision*

Planning permission is **REFUSED** for the following reasons:

- (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, DM10 and DM11 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 collectively forms part of a larger swathe of green infrastructure, which contributes to the amenity of surrounding residents, contrary to Policy DM10, DM11 and DM16 of the Development Management Policies Document 2015 and Policy CS1 of the Core Strategy 2007.
- (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.

The Committee noted a verbal representation from the applicant's agent. 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.

**25** PLANNING APPLICATION 16/00486/FLH - 64 THE AVENUE, WORCESTER PARK, KT4 7HH

***Description***

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

***Decision***

Planning permission 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(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.

- (5) The new windows in the first floor flank elevations of the development hereby permitted shall be glazed with obscure glass of no less than obscurity level 3 and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed 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.

**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](mailto:contactus@epsom-ewell.gov.uk).
- (3) You are advised that noisy works related to the construction of the development hereby permitted, including works of demolition or preparation prior to building operations shall not take place other

**than between the hours of 08.00 to 18.00 hours Mondays to Fridays; 08.00 to 13.00 Saturdays; with no work on Saturday afternoons (after 13.00 hours), Sundays, Bank Holidays or Public Holidays.**

*Note: In the interests of openness and transparency, it was noted that the majority of the Committee were known to the neighbour of the applicant. However, it was not considered that it could be regarded as sufficiently close an association as to affect the consideration of this item.*

- 26 PLANNING APPLICATION 16/00470/FLH - JANNAT, 2A DEREK AVENUE, WEST EWELL, KT19 9HT

***Description***

First floor side extension (Amended drawings received 12.08.2016)

***Decision***

Planning permission is **REFUSED** for the following reason:

- (1) **The proposed development, due to its design, scale, massing and location, would appear as a dominant and overbearing element in the outlook of No 2 Derek Avenue, and would lead to a material loss of daylight, contrary to Policy DM10 of the Development Management Policies Document 2015**

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

*Note: In the interests of openness and transparency Councillors Jan Mason and Humphrey Reynolds indicated that they were known to the objector. However, it was not considered that it could be regarded as sufficiently close an association as to affect their consideration of the item.*

- 27 PLANNING APPLICATION 16/00193/OUT - LAND WEST OF OLD MALDEN LANE, WORCESTER PARK KT4 7PU

***Description***

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

***Decision***

Outline Planning permission is **PERMITTED** 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 hard surfacing shall be submitted to and approved in writing by the Local Planning Authority. Such details shall show that the hard surface 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](mailto: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

The Committee noted a verbal representation from the applicant's agent. 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.

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

Planning Performance Agreements (PPAs) were a way of dealing with major planning applications. These allowed the Council to move away from standardised timescales to agreed performance targets and were a framework agreed between the local planning authority and a planning applicant for the management of complex development proposals within the planning process.

A PPA would be negotiated during the pre-application process and would encompass all stages of the process up to the decision stage. The main objective of a PPA would be to enhance the quality of the final development and to reach a decision within appropriate timescales which reflected the complexity of the issues involved in the development proposal. PPAs provided the opportunity for major schemes to be exempt from the thirteen week performance targets.

PPAs had been introduced in 2008 and the majority of the London planning authorities as well as other areas of the UK had developed a regular income stream from them.

The Committee was asked to consider the introduction of PPAs and related protocol, and the following points were noted:

- It was anticipated that developers would be keen to engage with the scheme as there were many benefits and incentives to take part including: more attention being given to major applications; a more streamlined service and improved communication and working relationships;
- Currently, in most cases, the planning service charged a fixed pre-application fee for a single meeting. With PPAs the development management team would offer a set of additional meetings in addition to the pre-application process. The fee would be negotiated on a case by case basis, dependent on the scale and complexity of the scheme, and charged on a cost recovery basis only;
- As a result of having an agreed schedule of meetings, Officers would be able to more effectively plan their workloads and establish the commitment of both internal and external working parties;
- PPAs would be used solely for major applications, i.e. in excess of 10 units.

The Committee agreed to the following amendments to the Planning Performance Protocol:

- Page 5, paragraph 8.1: "Project Champions" to be amended to read "Project Champion";

- Page 6, table in paragraph 9 (Local Planning Authority team): Officers names to be deleted to retain only job roles;
- Page 6, paragraph 10, Member Involvement: Clarification was requested regarding the number of Members who could be involved in the project, overall and per ward.

Accordingly, subject to the amendments detailed above, the Committee agreed to the use of Planning Performance Agreements and to adopt the protocol contained in the Planning Performance Agreement.

## 29 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

## 30 EXCLUSION OF PRESS AND PUBLIC

The Committee resolved 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 involved the likely disclosure of exempt information as defined in paragraph(s) 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 outweighed the public interest in disclosing the information.

## 31 PLANNING APPLICATION - LAND AT BURGH HEATH ROAD, EPSOM

The Committee agreed a way forward as set out in the Minutes

*Note: The details are considered officially sensitive at this time and the Minute for this item will be exempt from publication.*

*The meeting began at 7.30 pm and ended at 10.55 pm*

COUNCILLOR HUMPHREY REYNOLDS (CHAIRMAN)

**25 Alexandra Road Epsom Surrey KT17 4BP**

Outline application (access) for the demolition of the existing dwelling and the erection of a new block of 10 self-contained flat units and associated parking.

<b>Ward:</b>	<b>College</b>
<b>Contact Officer:</b>	<b>John Robinson</b>

**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=O983XTGY0AN00>

**2 Summary**

- 2.1 The application seeks outline permission for the demolition of the existing locally listed Victorian house and the erection of a part two/part three storey building comprising 10 two bedroom self-contained flat units and associated parking.
- 2.2 This application is referred to the Planning Committee for decision as the scheme is a major proposal.
- 2.3 The application is recommended for APPROVAL.

**3 Site description**

- 3.1 The application site lies on the north eastern side of Alexandra Road and presently comprises a detached, locally listed Victorian house. The site is situated between blocks of three storey flats, 23 Parkside Court and 27 respectively, each of which have their vehicular access roads serving their rear parking areas, almost abutting the flank boundaries of the application site.
- 3.2 The property is bounded to the north by Parkside Court. This building is located around 18m from Alexandra Road and set back between 6m at the rear and 10m at the front, from the shared flank boundary with application site. Parking for the flats is within a garage court across the entire width of the plot, with a 14m deep communal amenity space between the flats and the garages.

- 3.3 To the south, the site is bounded by a three storey block of flats with a “T” shape footprint, located 16m from the highway. The flats are set back 6m from the shared flank boundary with the application site, with an intervening access road to the rear garage parking court, which again is separated from the building by a 13m deep amenity space.
- 3.4 The application site is bounded to the east by the Alexandra Recreation Ground.
- 3.5 There are two protected trees on the application site, a Corsican Pine and a London Plane. There is a small group of trees between the site and the neighbouring flats at No 27, comprising a Horse Chestnut and Limes. There is also a protected Lime tree on the boundary within the curtilage of Parkside Court, as well as a Horse Chestnut within the radius to the access road to No 27. At the flats site at No 23, there is a Horse Chestnut on the boundary with application site.
- 3.6 The immediate area on the north eastern side of Alexandra Road is characterised by a dominance of flatted developments of varied scale, massing and appearance. The blocks of flats on either side of the application site have three storeys with flat roofs, whilst Alexandra and Danehurst Mansions (to the north and south respectively) have accommodation within a mansard roof space.

#### **4 Proposal**

- 4.1 The application seeks outline permission for the demolition of the existing house and the erection of a part two/part three storey building comprising 10 two bedroom self-contained flat units and associated parking and landscaping.
- 4.2 This is an outline application which merely seeks to establish the principle of the proposed access to the scheme, with the detailed appearance, layout, 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, layout, 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 building, which would have a rectangular footprint, proposes an access drive down the east side of the block leading to a parking court of 19 car parking spaces and secure cycle parking at the rear. A refuse bin store and a turning head for a refuse lorry are shown at the front of the new building. The access roadway would be constructed taking into account the root protection areas of the protected trees along the east boundary of the site.



4.4 The new building would respect the established building line, but because of its narrower width and greater depth, its rear elevation would project further rearwards by around 10 m. The western flank elevation would be set back 3.34 m from the boundary with No.23 and the eastern flank set back around 11 m from the boundary on that side.

## **5 Comments from third parties**

5.1 The application was advertised by means of letters of notification to 41 neighbouring properties, a press and site notice. To date (31.08.2016) 5 letters of objection have been received regarding:

- Loss of a heritage asset
- Highway safety
- Overdevelopment
- Impact on privacy
- Lack of parking

5.2 Epsom Civic Society: The scheme would not make a positive contribution to the Borough's visual character and appearance, contrary to Policy DM10

## **6 Consultations**

6.1 County Highway Authority: No objections. Recommends conditions be imposed on any permission granted.

6.2 Design and Conservation Officer: No objection

6.3 Tree Officer: No objection.

6.4 Policy Officer: No objections.

## **7 Relevant planning history**

<b>Application number</b>	<b>Decision date</b>	<b>Application detail</b>	<b>Decision</b>
15/00316/OUT	30.07.2015	Outline application (access) for the demolition of the existing dwelling and the erection of a new block of 10 self-contained flat units and associated parking.	REFUSED. Appeal DISMISSED 12.01.2016

## **8 Planning Policy**

National Policy Planning Framework (NPPF) 2012

Chapter 7: Requiring Good Design

Core Strategy 2007

Policy CS1

General Policy

Policy CS3	Biodiversity and Nature Conservation
Policy CS4	Open spaces and green infrastructure
Policy CS5	Built Environment
Policy CS6	Sustainable Development
Policy CS7	Housing Provision
Policy CS8	Housing Location
Policy CS16	Highways

Development Management Policies Document 2015

Policy DM9	Townscape Character and Local Distinctiveness
Policy DM10	Design Requirements for New Developments
Policy DM 20	Environmentally Sustainable Development Standards/ Renewable Energy
Policy DM4	Biodiversity and New Development
Policy DM5	Trees and Landscape
Policy DM10	Design requirements for new developments
Policy DM11	Housing Density
Policy DM12	Housing standards
Policy DM35	Transport and New Development

Supplementary Planning Guidance

Sustainable Design 2012  
Parking Standards for Residential development 2015

## **9 Planning considerations**

Previous Application and Appeal Decision

9.1 A similar residential scheme for development (15/00316/OUT) seeking outline permission for the demolition of the existing building and the erection of a new block of 10 two bedroom flats, with associated landscaping and parking was refused by the planning committee in July 2015 on the following grounds:

‘The demolition of the locally listed building would result in the total loss of a heritage asset contrary to Policies BE15, CS5, paragraphs 131-133 of the NPPF and the emerging Policy DM8 (as recommended to be modified following examination).’

9.2 The application was dismissed on appeal in January 2016 (Appeal Ref: 3133849), on the grounds of the applicant failing to provide adequate provision for affordable housing, contrary to Policy CS9.

- 9.3 The Inspector, however, noted that the proposal would result in the demolition of the building, and that as the building is not statutorily protected as a listed building or within a conservation area the building could be demolished. He stated that whilst the proposals would result in the loss of the building it has previously been accepted that the significance of the asset could be safeguarded by the retention of the stained glass and its re-use in the proposed building. A point which the appellant has accepted and which the Council have suggested a condition to secure. Given the potential for the demolition of the unprotected building, the previous history and the ability to safeguard the elements of the building that are of significance I am satisfied that the proposal resulting in the demolition of the building would be acceptable.
- 9.4 He concluded that the proposed development would not result in harm to the historic environment and would not conflict with the aims and objectives of policies CS5 and DM8.
- 9.4 The Inspectors appeal decision is therefore a material consideration in assessing this application.

#### Principle of Development

- 9.5 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.
- 9.6 The redevelopment of this site within an already developed residential area is an appropriate and sustainable location for such development and in principle accords with the policies contained within national and local planning policy.

#### Loss of Locally Listed Building

- 9.7 The existing dwelling which is proposed to be demolished is locally listed and is described on the register as "The property is one of the few surviving late Victorian Houses on Alexandra Road, with many of its internal and external features intact. In particular, it's stained glass windows and front door, with plaster mouldings, fireplaces, timber details, staircase internally."
- 9.8 Para 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account and that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 9.9 In his decision the Inspector stated that based on the evidence before him the significance of the heritage asset was the artistic merit of the individual elements of the stained glass, which was present in the form of several windows above the stairs and in the panels in the front door. He concluded that bearing in mind the potential for retaining the stained glass, the scale of the loss of the heritage asset would not be significant.
- 9.10 This application also proposes the demolition of the locally listed building. Whilst this is regrettable the appeal inspector's decision is a material consideration in the determination of this planning application. As such it would be unreasonable to refuse this application on the basis of the loss of this heritage asset. Following on from the Inspector's comments on the windows, an appropriate planning condition requiring details of the retention/preservation of the stained glass windows within the new building, is proposed.

#### 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 50 units per hectare and whilst policy DM11 states that the density of new housing developments in most cases should not exceed 40 dwellings per hectare, exceptions will be considered if the site enjoys good access to services, facilities and amenities via existing public transport, walking and cycling networks and the surrounding townscape has sufficient capacity to accommodate developments of higher density.
- 9.12 The site is in a relatively sustainable location, in proximity to a bus stop, as well as within 25minute walking distance to the railway station. The eastern side of Alexandra Road mainly comprises of flatted development and therefore the proposed scheme would be contextually appropriate. It is therefore concluded that the density is appropriate for the site.

#### Visual Impact

- 9.13 Indicative drawings have been submitted showing the position of the new building and its proximity to the site boundaries. The spacing between the building and density of the resulting development would respect the character and grain of the immediate surroundings.
- 9.14 Policy DM13 states that buildings higher than 12m will be inappropriate in all areas of the borough except within identified areas within the Epsom Town Centre Boundary.
- 9.15 This part of Alexandra Road is characterised by flatted development, of varying footprint, bulk, design and massing. Indicative drawings show that the new building would be two storeys in height (with mansard roof accommodation) in response to the built form and scale of the flat roofed three storey block of flats on either side.

- 9.16 Samples of materials, details of the design, scale, height, layout and boundary treatments will all be required by condition as part of the reserved matters

Residential Amenity

- 9.17 Although the building is shown to project beyond the rear of the adjoining blocks, it would be separated from those buildings by the driveways to their rear parking areas and landscaping. It would therefore not have a materially harmful impact on their respective outlooks.
- 9.18 Habitable room windows in the west flank of the building would face side windows in the adjacent flats, with the potential for mutual overlooking. Habitable room windows in the east elevation of the building would face the flats to the east at No.27 Alexandra Road. Residential amenity concerns would be addressed at the reserved matters stage.

Access

- 9.19 The new building, which would have a rectangular footprint, proposes an access drive down the east side of the block leading to a parking court of 19 car parking spaces and secure cycle parking at the rear. A refuse bin store and a turning head for a refuse lorry are shown at the front of the new building. The access roadway would be constructed taking into account the root protection areas of the protected trees along the east boundary of the site.
- 9.20 The Highways Officer is of the opinion that the development would not be prejudicial to the free flow of traffic and conditions of safety on the road and would therefore comply with Policy CS16.

Affordable Housing

- 9.21 Policy CS9 requires the provision of 20% of the 10 units in the scheme as affordable units, which equates to 2 units. In terms of the Borough's Supplementary Planning Document (SPD) - Developer Contributions, on site provision of affordable housing will always be sought in the first instance.
- 9.22 Officers have agreed that a commuted sum in lieu of on-site affordable housing provision would be acceptable. The applicant has agreed to pay the required commuted sum of £308,705.
- 9.23 The commuted sum would be secured by way of an appropriate legal agreement.

Community Infrastructure Levy

- 9.27 The proposed scheme is CIL liable.

## 10 Conclusion

10.1 The proposal seeks to erect a new residential building in a location which is considered appropriate. The new building would not harm the wider character of the area, nor lead to a loss of neighbouring residential amenities. In light of the above it is recommended that outline planning permission is granted.

## 11 Recommendation

### Part A:

11.1 Subject to a legal agreement being completed and signed by 4 November 2016 to secure the following heads of terms:

A commuted sum of £308,705.

11.2 The Committee authorise the Head of Place Development to grant planning permission 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 appearance, layout, scale and landscaping, hereinafter called "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 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

(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) No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for 19 vehicles and a minimum of 10 bicycles to be parked, and for vehicles to turn so that they may enter and leave the site in forward gear. The

parking/turning area shall be used and retained exclusively for its designated purpose.

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the provisions of policy CS16 of the Core Strategy (2007)

- (4) 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:
- a) Parking of the vehicles of site personnel, operatives and visitors,
  - b) Loading and unloading of plant and materials,
  - c) Storage of plant and materials used in constructing the development,
  - d) Programme of works (including measures for traffic management)
  - e) Provision of boundary hoarding behind any visibility zones
  - f) HGV deliveries and hours of operation
  - g) Vehicle routing
  - h) Measures to prevent the deposit of materials on the highway
  - i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
  - j) 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)

- (5) 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.

- (6) 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 2007.

- (7) Prior to the commencement of the development, details of the retention and preservation of the stained glass windows within the new building, shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be carried out in strict accordance with the approved details.

**Reason:** To safeguard and preserve the significance of the heritage asset in accordance with Policy CS5 of the Core Strategy (2007) and Policy DM8 of the Development Management Policies Document 2015.

- (8) Prior to the first occupation of the new building, "woodcrete" soffit bird and bat boxes shall be installed in accordance with details submitted to and approved by the Local Planning Authority. The boxes shall be retained thereafter.

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



- (9) Prior to the commencement of the development full details of the new areas of hard surfacing shall be submitted to and approved in writing by the local planning authority. Such details shall show that the hard surface 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.

- (10) The development shall not commence until an Ecology and Bat Report has been submitted to and approved by the local planning authority. The approved 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.

- (11) No development shall take place until a scheme to enhance the biodiversity interest of the site has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved and thereafter maintained.

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

- (12) The residential units hereby approved shall not be occupied until they have achieved a water efficiency standard using not more than 110 litres per person per day maximum indoor water consumption.

Reason: To ensure that the development is sustainable and makes efficient use of water to comply with Policy DM12 of the Development Management Policies 2015.

- (13) The development hereby permitted is based on the following approved plan: Site Plan 1504/EP5 May 2015

Reason: For the avoidance of doubt and in the interests of proper planning as required by Policy DM10 of the Development Management Policies Document 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 water efficiency standard required under condition 12 has been adopted by the local planning authority through the Development Management Policies 2015. This standard is the ‘optional requirement’ detailed in Building Regulations 2010, Part G Approved Document (AD) Buildings Regulations (2015), at Appendix A paragraph A1.**

**The applicant is advised that this standard can be achieved through either:**

- a) using the ‘fittings approach’ where water fittings are installed as per the table at 2.1 in the AD or**
- b) using the water efficiency calculation methodology detailed in the AD Part G Appendix A.**

**Part B:**

- 11.3 In the event that the section 106 Agreement referred to in Part A is not completed by 4 November 2016, the Head of Place Development be authorised to refuse the application for the following reason:**

**In the absence of a completed legal obligation under section 106 of the Town and Country Planning Act 1990 (as amended), the applicant has failed to comply with CS9 (Affordable Housing) and CS12 (Developer Contributions) of the 2007 Core Strategy in relation to the provision of a commuted sum in lieu of the on –site provision of affordable housing units.**

Comments



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**25 Alexandra Road Epsom Surrey KT17 4BP**

Repair and conversion of existing dwelling into 3 separate flat units. Construction of a new apartment building accommodating 6 self-contained flat units and associated landscaping and parking.

<b>Ward:</b>	<b>College</b>
<b>Contact Officer:</b>	<b>John Robinson</b>

**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=OAD5KDG05K00>

**2 Summary**

- 2.1 The application seeks permission for the repair and conversion of the existing dwelling into three separate flat units, the construction of a new apartment building accommodating six self-contained flat units and associated landscaping and parking.
- 2.2 This application is referred to the Planning Committee for decision as the scheme is similar to others for the same site on this agenda for decision as they are major applications.
- 2.3 The application is recommended for APPROVAL.

**3 Site description**

- 3.1 The application site lies on the north eastern side of Alexandra Road and presently comprises a detached, locally listed Victorian house. The site is situated between blocks of three storey flats, Nos 23 Parkside Court and 27 respectively, each of which have their vehicular access roads serving their rear parking areas, almost abutting the flank boundaries of the application site.
- 3.2 The property is bounded to the north by Parkside Court. This building is located around 18m from Alexandra Road and set back between 6m at the rear and 10m at the front, from the shared flank boundary with application site. Parking for the flats is within a garage court across the entire width of the plot, with a 14m deep communal amenity space between the flats and the garages.

- 3.3 To the south, the site is bounded by a three storey block of flats with a “T” shape footprint, located 16m from the highway. The flats are set back 6m from the shared flank boundary with the application site, with an intervening access road to the rear garage parking court, which again is separated from the building by a 13m deep amenity space.
- 3.4 The application site is bounded to the east by the Alexandra Recreation Ground.
- 3.5 There are two protected trees on the application site, a Corsican Pine and a London Plane. There is a small group of trees between the site and the neighbouring flats at No 27, comprising a Horse Chestnut and Limes. There is also a protected Lime tree on the boundary within the curtilage of Parkside Court, as well as a Horse Chestnut within the radius to the access road to No 27. At the flats site at No 23, there is a Horse Chestnut on the boundary with application site.
- 3.6 The immediate area on the north eastern side of Alexandra Road is characterised by a dominance of flatted developments of varied scale, massing and appearance. The blocks of flats on either side of the application site have three storeys with flat roofs, whilst Alexandra and Danehurst Mansions (to the north and south respectively) have accommodation within a mansard roof space.

#### **4 Proposal**

- 4.1 The application seeks permission for the repair and conversion of the existing dwelling into 3 separate flat units, (2 two-bedroom and 1 one-bedroom units) and the construction of a new apartment building accommodating 6 self-contained flat units (4 two-bedroom and 2 one-bedroom units), and associated landscaping and parking.
- 4.2 In order to divide the existing house into three separate apartments, a new single storey extension, is proposed which would contain a new kitchen and en-suite bathroom. Access to the building would be via the existing front and side doors, and individual apartments would be entered via the current stair hall. Apart from the new single storey extension, works to the existing house externally would be limited to the repair and restoration of the original dwelling.
- 4.3 The new building would be located to the rear of the existing house, with a 13m gap that would serve as a landscaped communal garden/amenity space.
- 4.4 The proposed apartment building which would contain 4 two-bedroom flats arranged over ground and first floors, with a further two flats located at attic level, would have a rectangular footprint with two bayed projections at either end, flanking a central section featuring a lower eaves line with half-dormer and “eyebrow” windows within the roof slope. Whilst the building would have varied eaves heights, the principal ridge height (11.4m) would be similar to that of the existing house.

- 4.5 The new apartment building would have red/orange stock brick elevations, with the upper storey featuring sections of vertical tile hanging cladding. The elevations would be articulated by gauged-brick arches to window and door openings, as well as brick detailing to the plinth and string courses. It would have a steeply pitched plain tile roof, with bracketed gablets over the bay windows.
- 4.6 Parking for 4 vehicles would be provided forward of the existing house, along the north western flank boundary, and a further 10 spaces along the south eastern flank boundary, forward of the new building. A secure bicycle and refuse would be located adjacent to this parking court.
- 4.7 Indicative landscaping plans, including an Arboriculture Survey have been submitted with the application. These plans show additional planting is proposed to all boundaries to act as a green buffer between the proposed development and the adjacent properties. The proposed scheme includes the removal of several trees and other overgrown vegetation across the site, but suitable tree replacement is proposed.

## **5 Comments from third parties**

- 5.1 The application was advertised by means of letters of notification to 82 neighbouring properties, a press and site notice. To date (13.09.2016) 7 letters of support and 2 letters of objection have been received regarding:
- Loss of privacy
  - Loss of trees
  - Lack of parking

College Ward Residents Association: No objection

## **6 Consultations**

- 6.1 County Highway Authority: No objections. Recommends conditions be imposed on any permission granted.
- 6.2 Design and Conservation Officer: No objection. Considerable heritage benefit ensues from the sensitive rehabilitation of the locally listed building and the public benefits resulting from the proposed new development will be reviewed elsewhere in the planning process. Any harm that may be caused to the significance of the Villa through the transformation of its setting is far from substantial and in any case, effectively mitigated by the heritage benefits. Approval is therefore recommended in terms of Policy DM8.
- 6.3 Tree Officer: No objection.
- 6.4 Policy Officer: No objections.

**7 Relevant planning history**

<b>Application number</b>	<b>Decision date</b>	<b>Application detail</b>	<b>Decision</b>
12/01384/FUL	24.07.2013	Demolition of existing building and the erection of a new block of 14 two bedroom flats, with associated landscaping and parking.	REFUSED  Appeal DISMISSED  05.07.2014

**8 Planning Policy**

National Policy Planning Framework (NPPF) 2012

Chapter 7: Requiring Good Design

Core Strategy 2007

Policy CS1	General Policy
Policy CS3	Biodiversity and Nature Conservation
Policy CS4	Open spaces and green infrastructure
Policy CS5	Built Environment
Policy CS6	Sustainable Development
Policy CS7	Housing Provision
Policy CS8	Housing Location
Policy CS16	Highways

Development Management Policies Document 2015

Policy DM9	Townscape Character and Local Distinctiveness
Policy DM10	Design Requirements for New Developments
Policy DM 20	Environmentally Sustainable Development Standards/ Renewable Energy
Policy DM4	Biodiversity and New Development
Policy DM5	Trees and Landscape
Policy DM10	Design requirements for new developments
Policy DM11	Housing Density
Policy DM12	Housing standards
Policy DM35	Transport and New Development

Supplementary Planning Guidance

Sustainable Design 2012  
Parking Standards for Residential development 2015

**9 Planning considerations**

Previous Application and Appeal Decision



- 9.1 A similar residential scheme for development (12/01384/FUL) seeking detailed planning permission for the demolition of the existing building and the erection of a new block of 14 two bedroom flats, with associated landscaping and parking was refused under delegated authority in July 2013 on inter alia the following ground:
1. In the absence of clear and convincing justification for the demolition of the locally listed building which would result in the total loss of a heritage asset, the proposed development would be contrary to Policies BE15, CS5, paragraphs 131-133 of the NPPF and emerging Policy DM8.
- 9.2 The application was dismissed on appeal in May 2014 (Appeal Ref: 2206768), on the grounds of the applicant failing to provide adequate provision for affordable housing, contrary to Policy CS9.
- 9.3 The Inspector stated that whilst there was no doubt that the dwelling was the only house of its type remaining on this part of Alexandra Road, there were similar houses elsewhere in the road. Based on the evidence before her, she found the significance of the heritage asset to be in the artistic merit of the individual elements of the stained glass, which is present in the form of several windows above the stairs and in panels in the front door and an additional hallway door. She stated that whilst the proposals would result in the loss of the building, the significance of the asset could be safeguarded by the retention of the stained glass and its re-use in the proposed building.
- 9.4 In respect of effect of the proposed development of the block of flats on the character and appearance of the area, she noted that the appeal site is situated between two blocks of flats, and that this side of Alexandra Road is dominated by three storey blocks of flats of varying designs and ages. Although the proposed replacement building would be of modern design, she stated that it would relate well to its immediate surroundings and local context.
- 9.5 She concluded that the proposed development would not result in harm to the historic environment and would not conflict with the aims and objectives of policies CS5 and DM8.
- 9.6 The Inspector's appeal decision is therefore a material consideration in assessing this application.

#### Principle of Development

- 9.7 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

- 9.8 The redevelopment of this site within an already developed residential area is an appropriate and sustainable location for such development and in principle accords with the policies contained within national and local planning policy.

Backland Development

- 9.9 Policy DM16 states that there will be a presumption against the loss of rear domestic gardens due to the need to maintain local character, amenity space, green infrastructure and biodiversity.

- 9.10 In exceptional cases, modest redevelopment on backland sites may be considered acceptable, subject to proposals demonstrating that there will be no significant adverse impact upon the following:

- Garden land – Rear garden land which contributes either individually or as part of a larger swathe of green infrastructure to the amenity of residents or provides wildlife habitats must be retained
- Impact on neighbours – The privacy of existing homes and gardens must be maintained and unacceptable light spillage avoided
- Vehicular access or car parking – These must not have an adverse impact on neighbours in terms of visual impact, noise or light. Access roads between dwellings and unnecessarily long access roads will not normally be acceptable
- Mass and scale of development – Development on backland sites must be more intimate in scale and lower than frontage properties to avoid any overbearing impact on existing dwellings and associated gardens
- Trees, shrubs and wildlife habitats – features important to character, appearance or wildlife must be retained or re-provided.

- 9.11 Officers are of the opinion that the proposed scheme would meet the above-mentioned criteria as:

- The application site is the sole remaining site in the immediate area with a largely intact rear garden, and is adjacent to Alexandra Park
- The privacy of existing homes and gardens would be maintained
- The access drive would be centrally located on the plot, and the parking bays would not impact on amenity in terms of noise and disturbance
- The new development on the rear of the site would be more intimate in scale than the frontage property
- All the Category A and B trees which are features important to the character, and appearance of the immediate area would be retained.

- 9.12 The proposed scheme would therefore comply with the provisions of Policy DM16.

Retention of Locally Listed Building

- 9.13 The retention of the existing dwelling which is locally listed and is described on the register as: “The property is one of the few surviving late Victorian Houses on Alexandra Road, with many of its internal and external features intact. In particular, it’s stained glass windows and front door, with plaster mouldings, fireplaces, timber details, staircase internally”, is welcomed.
- 9.14 While securing the future of the building in a sustainable new use, the proposal would remove various unsympathetic, poor quality additions, preserve key architectural features and would reinstate much of the original appearance. The replacement addition would be discretely located and although it would be perceived in conjunction with the principle elevation, its modest form and complementary design would cause no harm to the architectural quality of the host dwelling. The minor interior reconfiguration necessary to accommodate the new use would cause little loss of historic fabric and the original planform would remain clearly evident.

Density

- 9.15 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 44 units per hectare and whilst policy DM11 states that the density of new housing developments in most cases should not exceed 40 dwellings per hectare, exceptions will be considered if the site enjoys good access to services, facilities and amenities via existing public transport, walking and cycling networks and the surrounding townscape has sufficient capacity to accommodate developments of higher density.
- 9.16 The site is in a relatively sustainable location, in proximity to a bus stop, as well as within 25-minute walking distance to the railway station. The eastern side of Alexandra Road mainly comprises of flatted development and therefore the proposed scheme would be contextually appropriate. It is therefore concluded that the density is appropriate for the site.

Visual Impact

- 9.17 The submitted drawings show that the new building would be largely screened by the existing (retained) dwelling and consequently would not be directly viewed from the public domain.
- 9.18 This part of Alexandra Road is characterised by flatted development, of varying footprint, bulk, design and massing. The new building would be three storeys in height which would respond acceptably to the built form and scale of the flat roofed three storey block of flats on either side, as well as the existing dwelling.

- 9.19 The new building would have a variety of eaves heights which would help to break up the mass of the building and the principal ridge height would be similar to that of the existing house. The overall height would comply with Policy DM13.
- 9.20 The design of the proposed apartment block reflects the details that are appropriate to the late Victorian era, from which the existing house derives and it is noted that the choice of materials and architectural details has been very carefully considered, which is welcomed.
- 9.21 Careful consideration has been given to achieving an inconspicuous, yet accessible siting for the refuse bin and bicycle store, and the structure is of modest form, complementary design and good quality, durable materials.
- 9.22 While the new car-parking areas and the presence of the ancillary structure materially alter the visual quality of the setting of the locally listed building, careful attention has been given to maintaining a high quality, clearly domestic setting.
- 9.23 Although substantial in form, the new building would be discretely located to the rear of the site and the locally listed building would remain clearly pre-eminent when viewed from Alexandra Road.
- 9.24 Although the character of the setting is altered, it remains domestic and a green buffer would surround the locally listed building. While allowing for a carefully managed change, little harm would be caused to the historic significance of the Victorian Villa.
- 9.25 It is therefore concluded that the proposed scheme would not have a harmful impact on the setting, appearance and character of the adjoining locally listed building, or on the street scene and wider area, and would therefore accord with Policy DM8, DM9 and DM10.

#### Residential Amenity

- 9.26 The new building has been designed, and detailed, such that the impact on neighbouring properties would be minimised.
- 9.27 The kitchen/dining room bay windows in the front elevation of the new building would face side windows in the adjacent flats, at an oblique distance of between 16 - 19m which is acceptable, given that views would be restricted by the dense trees and vegetation along both flank boundaries.
- 9.28 It is therefore concluded that 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

- 9.24 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".

- 9.25 14 parking spaces are proposed which would comply with the Councils adopted parking standards which require 1 and 2 bedroom flats outside of the Town Centre to have 1 space per unit.
- 9.26 The existing driveway would be retained to access the property, but slightly widened to allow for safer access and egress.
- 9.27 A refuse bin store/cycle store would be provided to the south west of the front of the existing dwelling.
- 9.28 The Highways Officer is of the opinion that the development would not be prejudicial to the free flow of traffic and conditions of safety on the road and would therefore comply with Policy CS16.

Affordable Housing

- 9.29 Policy CS9 requires the provision of 20% of the 9 units in the scheme as affordable units, which equates to 1.8 units. In terms of our Supplementary Planning Document (SPD) - Developer Contributions, on site provision of affordable housing will always be sought in the first instance.
- 9.30 Officers have identified a commuted sum of £308,705 in lieu of on-site provision of a unit (and a commuted sum equivalent of 0.8 of a unit).
- 9.31 The commuted sum would be secured by way of an appropriate legal agreement.

Landscaping

- 9.32 Indicative landscaping plans, including an Arboriculture Survey have been submitted with the application. These plans show additional planting is proposed to all boundaries to act as a green buffer between the proposed development and the adjacent properties. The proposed scheme includes the removal of 18 Category C trees and two groups of conifers, but “balancing” tree replacement is proposed.
- 9.33 A SuDS compliant, buff coloured, resin-bonded gravel is proposed for the principal driveway surface and parking bays, with individual spaces delineated using stone setts inlaid in to the gravel.
- 9.34 A detailed landscaping scheme will be secured via appropriate planning conditions.

Sustainability

- 9.35 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. A Sustainable Energy Strategy has been submitted to demonstrate how the proposal will secure an energy efficient design and minimise its environmental impact. The strategy confirms best practice for air tightness and U-values (in relation to loss of heat through areas of glazing), high levels of insulation and features such as low energy lighting will provide a reduction in the demand for energy before the inclusion of renewables.
- 9.36 The proposal is indicative in the main and appropriate conditions are recommended to require their inclusion.

Ecology

- 9.37 The application is supported by a Bat Roost Survey Report. The emergence surveys demonstrated that four bat species utilise the site. Foraging behaviour by these species was observed at several locations around the site particularly within the garden area to the south and west of the site and along the hedgerow on the eastern site boundary. All species recorded were identified commuting across the site with the highest activity levels noted along the eastern and southern boundary hedges. No bats were observed to be entering or exiting the potential roosting features on the building.
- 9.38 Policy DM4 requires that every opportunity should be taken to secure a net benefit to the Borough's biodiversity. It is recommended that bat boxes be provided on site as a biodiversity enhancement and an appropriate condition is recommended to be imposed on any permission granted.

Community Infrastructure Levy

- 9.27 The proposed scheme is CIL liable.

**10 Conclusion**

- 10.1 The proposal seeks to erect a new residential building in a location which is considered appropriate. The new building would not harm the wider character of the area, nor lead to a loss of neighbouring residential amenities. In light of the above it is recommended that planning permission is granted.

**11 Recommendation**

**Part A:**

- 11.1 Subject to a legal agreement being completed and signed by 4 November 2016 to secure the following heads of terms:**

A commuted sum of £308,705

- 11.2 The Committee authorise the Head of Place Development to grant planning permission 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 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 2015.

- (3) No development shall take place until full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and thereafter retained.

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

- (4) The development works including ground preparation, demolition and construction; shall be carried out in strict accordance with the submitted Arboricultural Method Statement E806-02 (dated October 2015), by ENIMS. 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.

- (5) 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 including means of providing the energy requirements of the development from renewable technologies. The development shall be carried out in strict accordance with the approved details prior to the first occupation of the building, shall be maintained as such thereafter and no change shall take place without the prior written consent of the local planning authority.

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

- (6) The residential units hereby approved shall not be occupied until they have achieved a water efficiency standard using not more than 110 litres per person per day maximum indoor water consumption.

**Reason:** To ensure that the development is sustainable and makes efficient use of water to comply with Policy DM12 of the Development Management Policies 2015.

- (7) No development shall take place until details and location of the installation of bat boxes to enhance the biodiversity interest of the site have been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved and thereafter maintained.

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

- (8) The development hereby approved shall not be first occupied unless and until the proposed vehicular/pedestrian modified access to Alexandra Road has been constructed and provided with inter pedestrian visibility zones in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction measured from 0.6m above the road surface.

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the provisions of policy CS16 of the Core Strategy 2007.



- (9) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for 14 vehicles/9 bicycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking/ turning areas shall be retained and maintained for their designated purpose.

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the provisions of policy CS16 of the Core Strategy 2007.

- (10) No development shall commence until a Construction Transport Management Plan, to include details of:

(a) parking for vehicles of site personnel, operatives and visitors

(b) loading and unloading of plant and materials

(c) storage of plant and materials

(d) programme of works (including measures for traffic management)

(e) provision of boundary hoarding behind any visibility zones

(f) HGV deliveries and hours of operation

(g) vehicle routing

(h) measures to prevent the deposit of materials on the highway

(i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused,

has been submitted to and approved in writing by the local planning authority. Only the approved details shall be implemented during the construction of the development.

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the provisions of policy CS16 of the Core Strategy 2007.

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

5786/10 C Proposed Site Plan

5786/11 B Proposed Basement and Ground Floor

5786/12 B Proposed 1st and 2nd Floor

5786/13 B Proposed South West Elevation

5786/14 B Proposed North East Elevation

5786/15 B Proposed South East Elevation

5786/16 B Proposed North West Elevation

5786/17 B Proposed New Flats Ground Floor

5786/18 B Proposed New Flats First Floor

5786/19 B Proposed New Flats Second Floor  
5786/20 B Proposed New Flats Roof Plan  
5786/21 B Proposed New Flats South West Elevation  
5786/22 B Proposed New Flats North East Elevation  
5786/23 B Proposed New Flats South East Elevation  
5786/24 B Proposed New Flats North West Elevation  
5786/25 B Proposed Site Section  
5786/27 A Proposed Bin and Bicycle Store

**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).

**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) No burning of materials obtained by site clearance shall be carried out on the application site.
- (3) The water efficiency standard required under condition 6 has been adopted by the local planning authority through the Development Management Policies 2015. This standard is the 'optional requirement' detailed in Building Regulations 2010, Part G Approved Document (AD) Buildings Regulations (2015), at Appendix A paragraph A1.

The applicant is advised that this standard can be achieved through either:

- a) using the 'fittings approach' where water fittings are installed as per the table at 2.1 in the AD or
  - b) using the water efficiency calculation methodology detailed in the AD Part G Appendix A.
- (4) The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs.

[www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-droppedkerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-droppedkerbs)

**Part B:**

- 11.3 In the event that the section 106 Agreement referred to in Part A is not completed by 4 November 2016, the Head of Place Development be authorised to refuse the application for the following reason:

**In the absence of a completed legal obligation under section 106 of the Town and Country Planning Act 1990 (as amended), the applicant has failed to comply with CS9 (Affordable Housing) and CS12 (Developer Contributions) of the 2007 Core Strategy in relation to the provision of a commuted sum in lieu of the on –site provision of affordable housing units.**

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16/00595/FUL



Alexandra  
Recreation GroL

Scale: 1:1062

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**25 Alexandra Road Epsom Surrey KT17 4BP**

Outline application (access) for the demolition of the existing dwelling and the erection of a new block of 14 self-contained flat units and associated parking.

<b>Ward:</b>	<b>College</b>
<b>Contact Officer:</b>	<b>John Robinson</b>

**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=O983XTGY0AN00>

**2 Summary**

- 2.1 The application seeks outline permission for the demolition of the existing locally listed Victorian house and the erection of a part three/part four storey building comprising 11 two bedroom and 3 three bedroom self-contained flat units and associated parking.
- 2.2 This application is referred to the Planning Committee for decision as the scheme is a major proposal.
- 2.3 The application is recommended for APPROVAL.

**3 Site description**

- 3.1 The application site lies on the north eastern side of Alexandra Road and presently comprises a detached, locally listed Victorian house. The site is situated between blocks of three storey flats, Nos 23 Parkside Court and 27 respectively, each of which have their vehicular access roads serving their rear parking areas, almost abutting the flank boundaries of the application site.
- 3.2 The property is bounded to the north by Parkside Court. This building is located around 18m from Alexandra Road and set back between 6m at the rear and 10m at the front, from the shared flank boundary with application site. Parking for the flats is within a garage court across the entire width of the plot, with a 14m deep communal amenity space between the flats and the garages.

- 3.3 To the south, the site is bounded by a three storey block of flats with a “T” shape footprint, located 16m from the highway. The flats are set back 6m from the shared flank boundary with the application site, with an intervening access road to the rear garage parking court, which again is separated from the building by a 13m deep amenity space.
- 3.4 The application site is bounded to the east by the Alexandra Recreation Ground.
- 3.5 There are two protected trees on the application site, a Corsican Pine and a London Plane. There is a small group of trees between the site and the neighbouring flats at No 27, comprising a Horse Chestnut and Limes. There is also a protected Lime tree on the boundary within the curtilage of Parkside Court, as well as a Horse Chestnut within the radius to the access road to No 27. At the flats site at No 23, there is a Horse Chestnut on the boundary with application site.
- 3.6 The immediate area on the north eastern side of Alexandra Road is characterised by a dominance of flatted developments of varied scale, massing and appearance. The blocks of flats on either side of the application site have three storeys with flat roofs, whilst Alexandra and Danehurst Mansions (to the north and south respectively) have accommodation within a mansard roof space.

#### **4 Proposal**

- 4.1 The application seeks outline permission for the demolition of the existing house and the erection of a part three/part four storey building comprising 11 two bedroom and 3 three bedroom self-contained flat units and associated parking and landscaping.
- 4.2 This is an outline application which merely seeks to establish the principle of the proposed access to the scheme, with the detailed appearance, layout, 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, layout, 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 building, which would have a rectangular footprint, proposes an access drive down the east side of the block leading to a parking court of 19 car parking spaces and secure cycle parking at the rear. A refuse bin store and a turning head for a refuse lorry are shown at the front of the new building. The access roadway would be constructed taking into account the root protection areas of the protected trees along the east boundary of the site.



- 4.4 The new building would respect the established building line, but because of its narrower width and greater depth, its rear elevation would project further rearwards by around 10 m. The western flank elevation would be set back 3.34 m from the boundary with No.23 and the eastern flank set back around 11 m from the boundary on that side.

## **5 Comments from third parties**

- 5.1 The application was advertised by means of letters of notification to 41 neighbouring properties, a press and site notice. To date (31.08.2016) 4 letters of objection have been received regarding:

- Loss of a heritage asset
- Highway safety
- Lack of parking

- 5.2 Epsom Civic Society: The scheme would not make a positive contribution to the Borough's visual character and appearance, contrary to Policy DM10.

## **6 Consultations**

- 6.1 County Highway Authority: No objections. Recommends conditions be imposed on any permission granted.
- 6.2 Design and Conservation Officer: No objection.
- 6.3 Tree Officer: No objection.
- 6.4 Policy Officer: No objections.

**7 Relevant planning history**

Application number	Decision date	Application detail	Decision
12/01384/FUL	24.07.2013	Demolition of existing building and the erection of a new block of 14 two bedroom flats, with associated landscaping and parking.	REFUSED Appeal DISMISSED 05.07.2014
15/00316/OUT	30.07.2015	Outline application (access) for the demolition of the existing dwelling and the erection of a new block of 10 self-contained flat units and associated parking.	REFUSED Appeal dismissed 12.01.2016

**8 Planning Policy**

National Policy Planning Framework (NPPF) 2012

Chapter 7: Requiring Good Design

Core Strategy 2007

Policy CS1	General Policy
Policy CS3	Biodiversity and Nature Conservation
Policy CS4	Open spaces and green infrastructure
Policy CS5	Built Environment
Policy CS6	Sustainable Development
Policy CS7	Housing Provision
Policy CS8	Housing Location
Policy CS16	Highways

Development Management Policies Document 2015

Policy DM9	Townscape Character and Local Distinctiveness
Policy DM10	Design Requirements for New Developments
Policy DM 20	Environmentally Sustainable Development Standards/ Renewable Energy
Policy DM4	Biodiversity and New Development
Policy DM5	Trees and Landscape
Policy DM10	Design requirements for new developments
Policy DM11	Housing Density
Policy DM12	Housing standards
Policy DM35	Transport and New Development

Supplementary Planning Guidance

Sustainable Design 2012

Parking Standards for Residential development 2015

## 9 Planning considerations

### Previous Application and Appeal Decision

- 9.1 A similar residential scheme for development (12/01384/FUL) seeking detailed planning permission for the demolition of the existing building and the erection of a new block of 14 two bedroom flats, with associated landscaping and parking was refused under delegated authority in July 2013 on inter alia the following ground:

In the absence of clear and convincing justification for the demolition of the locally listed building which would result in the total loss of a heritage asset, the proposed development would be contrary to Policies BE15, CS5, paragraphs 131-133 of the NPPF and emerging Policy DM8.

- 9.2 The application was dismissed on appeal in May 2014 (Appeal Ref: 2206768), on the grounds of the applicant failing to provide adequate provision for affordable housing, contrary to Policy CS9.

- 9.3 The Inspector stated that whilst there was no doubt that the dwelling was the only house of its type remaining on this part of Alexandra Road, there were similar houses elsewhere in the road. Based on the evidence before her, she found the significance of the heritage asset to be in the artistic merit of the individual elements of the stained glass, which is present in the form of several windows above the stairs and in panels in the front door and an additional hallway door. She stated that whilst the proposals would result in the loss of the building, the significance of the asset could be safeguarded by the retention of the stained glass and its re-use in the proposed building.

- 9.4 In respect of effect of the proposed development of the block of flats on the character and appearance of the area, she noted that the appeal site is situated between two blocks of flats, and that this side of Alexandra Road is dominated by three storey blocks of flats of varying designs and ages. Although the proposed replacement building would be of modern design, she stated that it would relate well to its immediate surroundings and local context.

- 9.5 She concluded that the proposed development would not result in harm to the historic environment and would not conflict with the aims and objectives of policies CS5 and DM8.

- 9.6 Subsequently, a residential scheme for development (15/00316/OUT) seeking outline permission for the demolition of the existing building and the erection of a new block of 10 two bedroom flats, with associated landscaping and parking was refused by the planning committee in July 2015 on the following grounds:

The demolition of the locally listed building would result in the total loss of a heritage asset contrary to Policies BE15, CS5, paragraphs 131-133 of the NPPF and the emerging Policy DM8 (as recommended to be modified following examination).

- 9.7 This application was dismissed on appeal in January 2016 (Appeal Ref: 3133849), on the grounds of the applicant failing to provide adequate provision for affordable housing, contrary to Policy CS9.
- 9.8 The Inspector, however, noted that the proposal would result in the demolition of the building, and that as the building is not statutorily protected as a listed building or within a conservation area the building could be demolished. He stated that whilst the proposals would result in the loss of the building it has previously been accepted that the significance of the asset could be safeguarded by the retention of the stained glass and its re-use in the proposed building. A point which the appellant has accepted and which the Council have suggested a condition to secure. Given the potential for the demolition of the unprotected building, the previous history and the ability to safeguard the elements of the building that are of significance I am satisfied that the proposal resulting in the demolition of the building would be acceptable.
- 9.9 He concluded that the proposed development would not result in harm to the historic environment and would not conflict with the aims and objectives of policies CS5 and DM8.
- 9.6 The Inspector's appeal decisions are therefore a material consideration in assessing this application.

#### Principle of Development

- 9.7 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.
- 9.8 The redevelopment of this site within an already developed residential area is an appropriate and sustainable location for such development and in principle accords with the policies contained within national and local planning policy.

#### Loss of Locally Listed Building

- 9.9 The existing dwelling which is proposed to be demolished is locally listed and is described on the register as "The property is one of the few surviving late Victorian Houses on Alexandra Road, with many of its internal and external features intact. In particular, it's stained glass windows and front door, with plaster mouldings, fireplaces, timber details, staircase internally."
- 9.10 Para 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account and that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 9.11 In her decision the Inspector stated that based on the evidence before him the significance of the heritage asset was the artistic merit of the individual elements of the stained glass, which was present in the form of several windows above the stairs and in the panels in the front door. She concluded that bearing in mind the potential for retaining the stained glass, the scale of the loss of the heritage asset would not be significant.
- 9.12 This application also proposes the demolition of the locally listed building. Whilst this is regrettable the appeal inspector's decision is a material consideration in the determination of this planning application. As such it would be unreasonable to refuse this application on the basis of the loss of this heritage asset. Following on from the Inspector's comments on the windows, an appropriate planning condition requiring details of the retention/preservation of the stained glass windows within the new building is proposed.

#### Density

- 9.13 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 70 units per hectare and whilst policy DM11 states that the density of new housing developments in most cases should not exceed 40 dwellings per hectare, exceptions will be considered if the site enjoys good access to services, facilities and amenities via existing public transport, walking and cycling networks and the surrounding townscape has sufficient capacity to accommodate developments of higher density.
- 9.14 The site is in a relatively sustainable location, in proximity to a bus stop, as well as within 25 minute walking distance to the railway station. The eastern side of Alexandra Road mainly comprises of flatted development and therefore the proposed scheme would be contextually appropriate. It is therefore concluded that the density is appropriate for the site.

#### Visual Impact

- 9.15 Indicative drawings have been submitted showing the position of the new building and its proximity to the site boundaries. The spacing between the building and density of the resulting development would respect the character and grain of the immediate surroundings.
- 9.16 Policy DM13 states that buildings higher than 12m will be inappropriate in all areas of the borough except within identified areas within the Epsom Town Centre Boundary.
- 9.17 This part of Alexandra Road is characterised by flatted development, of varying footprint, bulk, design and massing. Indicative drawings show that the new building would be three storeys in height (with mansard roof accommodation) in response to the built form and scale of the flat roofed three storey block of flats on either side.

- 9.18 Samples of materials, details of the design, scale, height, layout and boundary treatments will all be required by condition as part of the reserved matters.

Residential Amenity

- 9.19 Although the building is shown to project beyond the rear of the adjoining blocks, it would be separated from those buildings by the driveways to their rear parking areas and landscaping. It would therefore not have a materially harmful impact on their respective outlooks.
- 9.20 Habitable room windows in the west flank of the building would face side windows in the adjacent flats, with the potential for mutual overlooking. Habitable room windows in the east elevation of the building would face the flats to the east at No.27 Alexandra Road. Residential amenity concerns would be addressed at the reserved matters stage.

Access

- 9.21 The new building, which would have a rectangular footprint, proposes an access drive down the east side of the block leading to a parking court of 19 car parking spaces and secure cycle parking at the rear. A refuse bin store and a turning head for a refuse lorry are shown at the front of the new building. The access roadway would be constructed taking into account the root protection areas of the protected trees along the east boundary of the site.
- 9.22 The Highways Officer is of the opinion that the development would not be prejudicial to the free flow of traffic and conditions of safety on the road and would therefore comply with Policy CS16.

Sustainable Drainage Systems (SuDS)

- 9.23 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.
- 9.24 The applicant has submitted information with regard to the provision of SuDS as part of their application. The Lead Local Flood Authority (Surrey County Council) is 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.

Affordable Housing

- 9.25 Policy CS9 requires the provision of 20% of the 14 units in the scheme as affordable units, which equates to 2.8 units. In terms of our Supplementary Planning Document (SPD) - Developer Contributions, on site provision of affordable housing will always be sought in the first instance.
- 9.26 Officers have agreed the on-site provision of 2 two bedroom affordable rented units and a commuted sum of £46,862 in lieu of 0.8 of a unit.
- 9.27 The commuted sum would be secured by way of an appropriate legal agreement.

Community Infrastructure Levy

- 9.27 The proposed scheme is CIL liable.

**10 Conclusion**

- 10.1 The proposal seeks to erect a new residential building in a location which is considered appropriate. The new building would not harm the wider character of the area, nor lead to a loss of neighbouring residential amenities. In light of the above it is recommended that outline planning permission is granted.

**11 Recommendation**

Part A:

- 11.1 Subject to a legal agreement being completed and signed by 4 November 2016 to secure the following heads of terms:**
- (a) The provision of 2 two-bedroom affordable rental units on site**  
**(b) A commuted sum of £46,862 in lieu of 0.8 of a unit.**
- 11.2 The Committee authorise the Head of Place Development to grant planning permission 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 appearance, layout, scale and landscaping, hereinafter called "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 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.**

- (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) **No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for 19 vehicles and a minimum of 10 bicycles to be parked, and for vehicles to turn so that they may enter and leave the site in forward gear. The parking/turning area shall be used and retained exclusively for its designated purpose.**

**Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the provisions of policy CS16 of the Core Strategy (2007)**

- (4) **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:**

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

- (5) 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.

- (6) 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 2007.

- (7) Prior to the commencement of the development, details of the retention and preservation of the stained glass windows within the new building, shall be submitted to and approved in writing by the local planning

authority. Thereafter, the development shall be carried out in strict accordance with the approved details.

**Reason:** To safeguard and preserve the significance of the heritage asset in accordance with Policy CS5 of the Core Strategy (2007) and Policy DM8 of the Development Management Policies Document 2015.

- (8) Prior to the first occupation of the new building, "woodcrete" soffit bird and bat boxes shall be installed in accordance with details submitted to and approved by the Local Planning Authority. The boxes shall be retained thereafter.

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

- (9) Prior to the commencement of the development full details of the new areas of hard surfacing shall be submitted to and approved in writing by the local planning authority. Such details shall show that the hard surface 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.

- (10) The development shall not commence until an Ecology and Bat Report has been submitted to and approved by the local planning authority. The approved 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.

- (11) No development shall take place until a scheme to enhance the biodiversity interest of the site has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved and thereafter maintained.

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

- (12) Prior to construction the applicant must in their drainage strategy, provide results from infiltration testing in accordance with BRE Digest 365. The Sustainable Drainage System should then be designed and sized in accordance with these results and shall be submitted to and approved by the local planning authority.

**Reason:** To ensure the drainage design meets the national SuDS technical standards.

- (13) Before the commencement of the construction of the development hereby approved full details of the Micro Drainage calculations and results, for the complete drainage network, must be submitted to and approved by the local planning authority.

**Reason:** To ensure that the design fully meets the requirements of the national SuDS technical standards.

- (14) Before the commencement of the construction of the development hereby approved, evidence of how contaminated water will be adequately treated to prevent groundwater pollution must be submitted to and approved by the local planning authority.

**Reason:** To ensure that the design fully meets the requirements of the national SuDS technical standards.

- (15) Before the commencement of the construction of the development hereby approved, confirmation of ground water levels must be submitted to and approved by the local planning authority.

**Reason:** To ensure that infiltration is feasible for this site.

- (16) Before the commencement of the construction of the development hereby approved, details of how the Sustainable Drainage System will cater for system failure or exceedance events, both on and offsite, must be submitted to and approved by the local planning authority.

**Reason:** To ensure that the proposal has fully considered system failure.

- (17) Before the commencement of the construction of the development hereby approved, details of how the Sustainable Drainage System will be protected and maintained during the construction of the development shall be submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with those approved details.

**Reason:** To ensure that the construction works do not compromise the functioning of the agreed Sustainable Drainage System.

- (18) Prior to construction of the development hereby approved, details of the proposed maintenance regimes for each of the SuDS elements must be submitted to and approved by the local planning authority

**Reason:** To ensure the drainage system is maintained throughout its life time to an acceptable standard.

- (19) Prior to construction of the development hereby approved the following drawings need to be supplied to and approved by the local planning authority:

A drainage layout detailing the exact location of SUDs elements, including finished floor levels

Details of all SuDS elements and other drainage features, including long and cross sections, pipe diameters and respective levels

Reason: To ensure that the design fully meets the requirements of the national SuDS technical standards

- (20) Prior to occupation, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Drainage System has been constructed as per the agreed scheme.

Reason: To ensure the Sustainable Drainage System has been constructed as agreed.

- (21) The residential units hereby approved shall not be occupied until they have achieved a water efficiency standard using not more than 110 litres per person per day maximum indoor water consumption.

Reason: To ensure that the development is sustainable and makes efficient use of water to comply with Policy DM12 of the Development Management Policies 2015.

- (22) The development hereby permitted is based on the following approved plan: Site Plan 1304/RP4

Reason: For the avoidance of doubt and in the interests of proper planning as required by Policy DM10 of the Development Management Policies Document 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 water efficiency standard required under condition 21 has been adopted by the local planning authority through the Development Management Policies 2015. This standard is the 'optional requirement' detailed in Building Regulations 2010, Part G Approved Document (AD) Buildings Regulations (2015), at Appendix A paragraph A1.

The applicant is advised that this standard can be achieved through either:

- a) using the 'fittings approach' where water fittings are installed as per the table at 2.1 in the AD or
- b) using the water efficiency calculation methodology detailed in the AD Part G Appendix A.

**Part B:**

- 11.3 In the event that the section 106 Agreement referred to in Part A is not completed by 4 November 2016, the Head of Place Development be authorised to refuse the application for the following reason:**

**In the absence of a completed legal obligation under section 106 of the Town and Country Planning Act 1990 (as amended), the applicant has failed to comply with CS9 (Affordable Housing) and CS12 (Developer Contributions) of the 2007 Core Strategy in relation to the provision of on-site affordable housing units/ commuted sum in lieu of on-site provision of affordable housing units.**

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## **1 Chase Road Epsom Surrey KT19 8TL**

Demolition of existing buildings on site to allow for the redevelopment of two three-storey (ground plus two-storeys) buildings accommodating a total of 14 flat units with associated car parking and additional works. (Description amended, and amended drawings received 28.08.2016)

<b>Ward:</b>	<b>Town</b>
<b>Contact Officer:</b>	<b>John Robinson</b>

### **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=O1KHZG GYKBV00>

### **2 Summary**

- 2.1 The application property comprises a two-storey building accommodating car rental offices on the ground floor and two flat units on the first floor. To the rear of the site is a one and a half storey building accommodating a work shop/car repair associated with the rental operation. The building is located on the south side of Chase Road. This application seeks permission for the demolition of the existing buildings on site to allow for the erection of two three-storey buildings accommodating 14 self-contained flat units with associated car parking and additional works.
- 2.2 The application is recommended for APPROVAL.

### **3 Site description**

- 3.1 The property currently on the site is an inter-war period two storey building, accommodating car rental offices on the ground floor and two flat units on the first floor. To the rear of the site is a one and a half storey building accommodating a work shop/car repair associated with the rental operation.
- 3.2 The site is located on the south side of Chase Road, and is bounded by the Epsom - Ewell West railway embankment to the east, and the rear gardens of properties fronting Chase Road and Chase End to the west and south west respectively.
- 3.3 The surrounding area is predominantly residential, the immediate area characterised by inter-war period semi-detached houses, with rendered elevations under hipped tile roofs, of similar scale and appearance.

#### **4 Proposal**

- 4.1 This application seeks permission for the demolition of the buildings and the erection of two three-storey buildings accommodating 14 self-contained flats (3 one bedroom, 8 two bedroom, 3 three bedroom) with associated car parking and additional works.
- 4.2 The buildings would be separated from each other by a landscaped courtyard/parking area, with one building fronting Chase Road, and the other to the rear, on the south eastern part of the site.
- 4.3 The flat roofed buildings would have an overall height (to parapet level) of eaves height of 9.3m. The frontage building would respect the established building line and would have a “cranked” front elevation to reflect the site’s splayed highway boundary.
- 4.4 The buildings would have rendered elevations under parapet flat roofs. They would have vertical bi-coloured rendered detailing, concrete sunshades, brick grey metal windows, with concrete cills. The elevations would be further articulated by recessed balconies with glazed balustrades.
- 4.5 The flats would meet national space standards, with access to private patios/balconies for each flat.
- 4.5 Parking for a total of 13 vehicles would be provided, 7 spaces within the undercroft of the building to the rear, 2 spaces in the central courtyard, and 4 spaces in the undercroft of the frontage building. Access to the rear of the site would be provided via the undercroft of the frontage building. A secure cycle store would be located within the frontage building, and a refuse store would be provided in the undercroft area.
- 4.6 Indicative landscaping plans have been submitted with the application. These plans show additional planting is proposed to the western, northern (internal), 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 40 neighbouring properties, a site and press notice. To date (15.08.2016) 2 letters of objection have been received regarding:
  - Visual impact
  - Out of keeping
  - Highway safety
  - Loss of privacy

## 6 Consultations

- 6.1 Highways Officer: No objection. The existing premises on Chase Road is a car hire business with parking and workshops to the rear. Parking takes place on the front forecourt in an uncontrolled manner and there is limited turning within the site. There are regular visitors to the site and multiple trips generated during the working day to a maximum of 17 car movements per hour between 9.00 a.m. and 11.00 a.m.

The existing access is from Hook Road just before the mini roundabout at the junction of Chase Road and Hook Road. There is a short layby at the front of the property, which leads directly into Chase Road giving drivers an option to bypass the roundabout from the site. This arrangement is confusing and not beneficial to pedestrians.

A total of 5 slight accidents have occurred in the vicinity of the property since 2010. All were caused by driver error and not due to the proximity of the access to the mini roundabout. The proposed redevelopment provides 14 flats with parking in a dedicated parking area from a modified access at approximately the same location as the existing. All vehicles will be able to turn within the site and exit in a forward gear. Thirteen parking spaces are provided which is considered adequate in this area so close to the town centre /shops/station etc. It meets the Epsom Parking Standards for a town centre development -although I note this site falls just outside the Local Plan town centre boundary.

The trips generated by 14 flats will be far less than those generated by the car hire business, ranging from 5 movements per hour in the peak hours with a maximum of 7 movements taking place between 7.00 p.m. and 8.00 p.m.

By removing the layby and replacing it with a wide pedestrian footway with no informal parking places and the provision of dropped kerbs for pedestrian accessibility, the development will improve pedestrian facilities. The improvement of the central refuge in Chase Road will provide pedestrians with a crossing point allowing easier access for the residents of the new flats to walk to the shops in Chase Road or to school in Hook Road.

Taking into account the reduced number of traffic movements and the improved pedestrian facilities it is considered that the proposal will be an acceptable development in this location.

- 6.2 Tree Officer: No objection
- 6.3 Contaminated Land Officer: The site was formerly an electrical engineering works, then a motor engineering works and garage with underground fuel tanks, therefore an appropriate condition to be imposed on any permission granted.

## 7 Relevant planning history

Application number	Decision date	Application detail	Decision
07/00983/COU	21.11.2007	Change of use from Car Sales (Sui Generis) to Car Hire and sales (Sui Generis)	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.

Loss of Employment Land

- 9.2 Policy DM 24 of the Development Management Document (2015) outlines that outside of existing employment locations and Epsom Town Centre proposals resulting in the loss of employment floorspace need to demonstrate that the site is no longer suitable for its existing or other employment uses.
- 9.3 The applicants submit that the two buildings on site clearly retain a residential appearance and have simply been altered internally to suit the occupier's requirements. As a result, the site does not offer the type of flexible and accessible commercial floorspace that would lend itself to a continued or alternative employment use. They further submit that the site is not located within a designated employment location and is considered to be an isolated function in terms of its residential surroundings.
- 9.4 In light of the above, it is acknowledged that in its current form the commercial floorspace would not let to conventional office tenants without significant investment, which is unlikely to be forthcoming in the current financial climate. The loss of employment space is therefore, on balance, supported.
- 9.5 Visual Impact
- 9.6 The surrounding area is predominately residential, comprising inter-war period semi-detached houses with rendered elevations, under hipped roofs.
- 9.7 The Design and Access Statement sets out the applicant's neo Art Deco design approach to the proposed buildings. The three storey frontage building has been articulated in both plan and elevation, with a central entry element with subservient stepped wings which responds to the sites splayed street frontage and overall site configuration. The building would be subservient to the adjacent semi-detached house.
- 9.8 The three-storey building to the rear, would have a similar design, with south and north facing fenestration designed as projecting bays to mitigate overlooking to neighbouring properties.
- 9.9 The proposed apartment block would establish its own design character by utilising construction materials, methods and architectural design that would be reflective of the 1930s era, without resorting to pastiche.
- 9.10 The use of render and tiles has been carefully considered and detailed, and would acknowledge the traditional materials used in the surrounding area albeit in a contemporary manner. The proposed fenestration details are well chosen and well mannered, helping to further integrate the building within the site and street scene.
- 9.11 It is concluded that the proposed scheme would not have a harmful impact on the street scene or character of the wider area and would therefore accord with Policy DM9 and DM10.

### Neighbour Amenity

- 9.12 The new building has been designed, and detailed, such that the impact on neighbouring properties would be minimised.
- 9.13 The frontage building would be subservient to the adjacent semi-detached house and would not conflict with a 45-degree outlook angle taken from the nearest rear window of the affected property.
- 9.14 The rear building would be set on the southern and northern boundaries at ground floor level. The upper floors would be set back 2.5m from these respective boundaries, with the roof to the ground floor undercroft parking serving as a green patio, with a linear pleached Barbury hedge, around the perimeter.
- 9.15 A section of the roof/patio would be enclosed with a 1.7m high obscurely glazed screen which would prevent overlooking of the rear gardens of 1 and 2 Chase End.
- 9.16 The windows in the southern and northern elevations have been designed as projecting bays with outlook only to either flank, to prevent direct views and overlooking of the rear gardens of 5 -11 Chase Road and 1-3 Chase End.
- 9.17 The flank elevations of the rear building would face the rear elevations of the affected Chase Road dwellings at a distance of some 23m and around 19m from the rear elevations of the properties in Chase End, which is acceptable.
- 9.18 The application is supported by a Daylight and Sunlight Assessment which concludes that the scheme would be in accordance with the Building Research Establishments Report 209, Site Layout Planning for Daylight and Sunlight: A guide to good practice (second edition, 2011).
- 9.19 It is therefore concluded that 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.

### Amenity Space

- 9.20 Access to private amenity space for the ground floor flats would be provided. The remaining units on the upper floors would all have access to private balconies. Overall, this would be adequate in terms of both size and quality to suit the needs of small family accommodation, and would comply with the requirements of Policy DM12 requirement for amenity space for flatted developments.

### Parking and Access

- 9.21 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".

- 9.22 The submitted entrance details indicate the removal of the existing lay-by, and the footway to the front of the property which currently has a row of bollards marking its forecourt, would be reinstated with the footway increased in line with the new building line.
- 9.23 13 parking spaces are proposed. Our adopted parking standards 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. Whilst the proposed scheme would fall short of the requirement by 3 spaces, the site is in a highly sustainable location, within 10 minutes of Epsom Town Centre, and therefore the parking provision is acceptable.
- 9.24 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

- 9.25 A bin store would be provided for the scheme in the undercroft area of the frontage building.

#### Landscaping

- 9.26 Indicative landscaping plans 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.
- 9.27 Hard landscaping materials such as interlocking brick pavements 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.

#### 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 (Surrey County Council) is 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. It is proposed to provide solar thermal systems for each apartment to generate domestic hot water. A condition is recommended to secure compliance with the Council's sustainability policy.

#### Ecology/Biodiversity

- 9.32 Whilst the proposed scheme, due to the proposed layout would allow limited opportunities to secure a net benefit to the Borough's biodiversity, the provision of a green roof to the rear undercroft parking is welcomed and the provision of additional trees/landscaping is noted.
- 9.33 The application is supported by a Bat Survey which indicates that Evidence of potential bat roosting was noted within the internal roof space of one of the buildings on site and therefore recommends that a Bat Emergence/Re-entry and Activity Survey is undertaken to confirm the nature of the potential roost.
- 9.34 However, it states that due to the small number of droppings present, if found to be in active use, it is likely that the building is used as a summer day roost and any impacts could be avoided through strategic timing of site works (i.e. demolition during winter). It is recommended that a condition requiring bat boxes to be incorporated into the new building be imposed on any permission granted.
- 9.35 Overall the biodiversity improvement to the scheme is acceptable, in accordance with to Policy DM4.

#### Affordable Housing

- 9.36 Policy CS9 seeks 20% affordable housing to be provided on developments of between 5 - 15 dwellings. The proposal for 14 dwellings therefore generates a requirement for 2.8 dwellings to be provided on-site as affordable housing units.
- 9.37 Policy DM21 requires that 25% of proposals for four or more units, be comprised of three bedroom or more units. The applicant proposes to provide 3 three-bedroom flats, which on balance, is acceptable.



- 9.36 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.
- 9.37 The affordable housing viability appraisal submitted alongside this planning application demonstrates that the scheme cannot afford to make either on-site provision or an offsite financial contribution in lieu of on-site provision.
- 9.38 The Council's consultant has assessed the Viability Report and considers that a potentially understated scheme proposal Gross Development Value(GDV) and Residual Land Value (RLV) has been arrived at, and used in a comparison with a potentially over-placed site value benchmark. These would appear to be having the effect of understating the viability position; individually and even more so when the two are put back together. Our consultant's alternative assumptions indicate scope for quite a considerable swing in the outcome that would result in a revised and potentially positive relationship between an adjusted RLV and adjusted benchmark.
- 9.39 The Borough's consultant concludes that a positive relationship of circa £223,000 is shown, in comparison with the Viability Report submission starting point of a circa £600,000 deficit.
- 9.40 The applicant has not submitted evidence to rebut our consultant's conclusion.

#### Community Infrastructure Levy

- 9.40 The scheme is CIL liable

### **10 Conclusion**

- 10.1 The proposed building would sit well in its context. The design of the scheme is of acceptable quality, both in the concept as well as in the details, and therefore would make a positive contribution to the Borough's visual character and appearance. The scheme is therefore recommended for APPROVAL.

### **11 Recommendation**

#### **Part A:**

- 11.1 Subject to a legal agreement being completed and signed by 15 December 2015 to secure the following heads of terms:**

**A commuted sum of £223,000**

- 11.2 The Committee authorise the Head of Place Development to grant planning permission 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) 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. Thereafter, the development shall be carried out in accordance with the approved details.

**Reason:** To enable the local planning authority to exercise control over the type and colour of the materials so as to secure a satisfactory appearance in the interests of the visual amenities and character of the locality as required by Policy CS5 of the Core Strategy 2007 and Policy DM10 - Design Requirements for New Developments.

- (3) No development shall take place until full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and thereafter retained.

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

- (4) No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for a maximum of 13 cars and a minimum of 14 bicycles to be parked. The parking area shall be used and retained exclusively for its designated use.

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the provisions of policy CS16 of the Core Strategy 2007.

- (5) No development shall commence until a Construction Transport Management Plan, to include details of:
- a) parking for vehicles of site personnel, operatives and visitors
  - b) loading and unloading of plant and materials
  - c) storage of plant and materials

- d) programme of works (including measures for traffic management)
- e) HGV deliveries and hours of operation
- f) measures to prevent the deposit of materials on the highway
- g) on-site turning for construction vehicles

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

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the provisions of Policy CS16 of the Core Strategy 2007.

- (6) 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 2007.

- (7) Prior to occupation of the new building, bat and bird boxes shall be installed in accordance with details submitted to and approved by the local planning authority. The boxes shall be retained thereafter.

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

- (8) Prior to the commencement of development, a 1:20 scale vertical section through the front and flank elevations including details of windows (including head, sill and window reveal details), balcony balustrade, rainwater goods, as well as a 1:50 scale typical elevation, 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 the character and appearance of the conservation and wider area in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies Document 2015.

- (9) The residential units hereby approved shall not be occupied until they have achieved a water efficiency standard using not more than 110 litres per person per day maximum indoor water consumption.

**Reason:** To ensure that the development is sustainable and makes efficient use of water to comply with Policy DM12 of the Development Management Policies 2015.

- (10) Before the commencement of construction, the applicant needs to supply evidence that their design is permitted to connect into the surface water sewer and agreement of the discharge rate into the surface water system. This shall be submitted to and approved by the Local Planning Authority.

**Reason:** to ensure the drainage design meets the national SuDS technical standards.

- (11) Prior to construction of the development the applicant needs to supply specific details of discharge rate control device and approved by the local planning authority.

**Reason:** To ensure the drainage design meets the national SuDS technical standards

- (12) Prior to construction of the development hereby approved the following drawings need to be supplied to and approved by the local planning authority:

- a drainage layout detailing the exact location of SUDs elements, pipes, control devices impervious areas and drainage sub-catchments (if applicable)
- details of all SuDS elements and other drainage features, including long and cross sections, pipe diameters and respective levels

**Reason:** To ensure that the design fully meets the requirements of the national SuDS technical standards

- (13) Before the commencement of the construction of the development hereby approved, details of how the Sustainable Drainage System will cater for system failure or exceedance events, both on and offsite, must be submitted to and approved by the local planning authority.

**Reason:** To ensure that the proposal has fully considered system failure.

- (14) Prior to construction of the development hereby approved, details of the proposed maintenance regimes for each of the SuDS elements must be submitted to and approved by the local planning authority

**Reason:** To ensure the drainage system is maintained throughout its life time to an acceptable standard.

- (15) Prior to occupation, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Drainage System has been constructed as per the agreed scheme.

**Reason:** To ensure the Sustainable Drainage System has been constructed as agreed.

- (16) Prior to occupation of the new development, a scheme of public highway improvements as shown on the application drawings including:

i) the alteration of the refuge island in Chase Road to make a crossing point for pedestrians

ii) the removal of the layby to the front of the application site and replacement with a footway

iii) the provision of pedestrian dropped kerbs for accessibility

shall be designed in detail, approved by the Highway Authority and constructed by the developer under an appropriate agreement with the Highway Authority.

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the provisions of Policy CS16 of the Core Strategy 2007.

- (17) The development hereby approved shall not be first occupied unless and until the proposed vehicular modified access to Chase Road has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction measured from 0.6m above the road surface.

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the provisions of Policy CS16 of the Core Strategy 2007.

- (18) Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1.1 to 1.5 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until condition 1.4 has been complied with in relation to that contamination.

#### 1.1 Site Characterisation

An intrusive ground investigation and risk assessment must be undertaken by competent persons and a written report of the findings

must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination including any ground gas and volatile vapours;
- (ii) an assessment of the potential risks to:
  - human health;
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
  - adjoining land;
  - groundwaters and surface waters;
  - ecological systems;
  - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options (if remediation is deemed necessary), and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

#### **1.2 Submission of Remediation Scheme - if deemed necessary**

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared if deemed necessary based on the findings of the site characterisation and risk assessment. This is subject to the approval in writing of the Local Planning Authority (see EEBC Planning Advice note on the assessment and remediation of contaminated land). The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

#### **1.3 Implementation of Approved Remediation Scheme**

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority (see EEBC Planning Advice note on the assessment and remediation of contaminated land). The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the

**effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.**

#### **1.4 Reporting of Unexpected Contamination**

**In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 1.1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 1.2, which is subject to the approval in writing of the Local Planning Authority (see EEBC Planning Advice note on the assessment and remediation of contaminated land).**

**Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 1.3.**

#### **1.5 Long Term Monitoring and Maintenance**

**A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.**

**Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.**

**This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.**

#### **1.6 Certificate of Completion**

**A certificate of completion, shall be provided to the Local Planning Authority by an appropriate person, before occupation of any part of the site by any end user, stating that remediation has been carried out in accordance with the approved remediation scheme and 'that the site is suitable for the permitted end use.**

**Reason: In order to demonstrate that the developed site will be suitable for the proposed use without risk from contaminants to people buildings, services or the environment in accordance with policy DM17**

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

- **A2000 Proposed Location Plan H**
- **A2001 Proposed Site plan H**
- **A2100 Proposed Ground Floor Plan H**
- **A2101 Proposed Level 1 Floor plan J**
- **A2102 Proposed Level 2 Floor plan H**
- **A2103 Proposed Roof Plan J**
- **A3001 Proposed North Elevation Building 1 J**
- **A3002 Proposed South Elevation Building 1 J**
- **A3003 Proposed East Elevation Building 1 H**
- **A3004 Proposed West Elevation Building 1 H**
- **A3005 Proposed North Elevation Building 2 J**
- **A3006 Proposed South Elevation Building 2**
- **A3007 Proposed East Elevation Building 2 H**
- **A3008 Proposed West Elevation Building 2 H**
- **A3101 Proposed Cross Section AA' E**
- **A3102 Proposed Cross Section BB' E**
- **A4101 Proposed Landscaping Ground Floor Plan H**
- **A4102 Proposed Landscaping Levels 1 Floor plan H**
- **A5102 Proposed Accommodation Schedule H**

**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).

**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) No burning of materials obtained by site clearance shall be carried out on the application site.**
- (3) The water efficiency standard required under condition 9 has been adopted by the local planning authority through the Development Management Policies 2015. This standard is the 'optional requirement' detailed in Building Regulations 2010, Part G Approved Document (AD) Buildings Regulations (2015), at Appendix A paragraph A1.**

**The applicant is advised that this standard can be achieved through either:**

- a) using the 'fittings approach' where water fittings are installed as per the table at 2.1 in the AD or**



b) using the water efficiency calculation methodology detailed in the AD Part G Appendix A.

- (4) The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs.

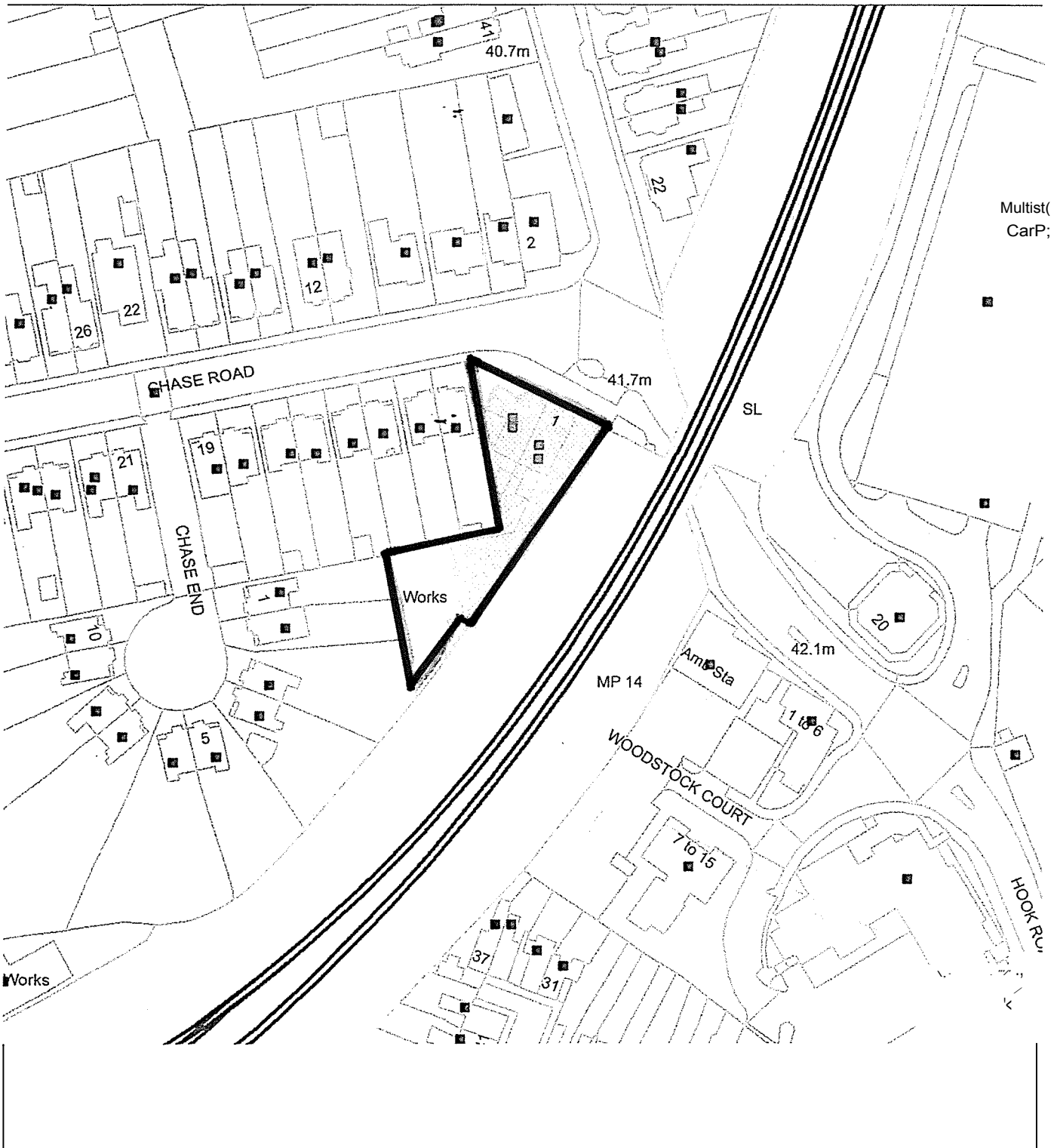
[www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-droppedkerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-droppedkerbs)

**Part B:**

- 11.3 In the event that the section 106 Agreement referred to in Part A is not completed by 4 November 2016, the Head of Place Development be authorised to refuse the application for the following reasons:

In the absence of a completed legal obligation under section 106 of the Town and Country Planning Act 1990 (as amended), the applicant has failed to comply with CS9 (Affordable Housing) and CS12 (Developer Contributions) of the 2007 Core Strategy in relation to the provision of a commuted sum in lieu of the on – site provision of affordable housing units.

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### **37 & 37A Cheam Road Ewell Surrey KT17 1QX**

The demolition of existing two dwellings on site and the erection of a new four-storey building to provide 17 flats and associated parking to the rear. (Amended drawings received 28.07.2016)

<b>Ward:</b>	<b>Nonsuch</b>
<b>Contact Officer:</b>	<b>John Robinson</b>

#### **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=O6ASF1GYL0L00>

#### **2 Summary**

- 2.1 The application site is located on the northern side of Cheam Road, 200m east of the railway line. The land is currently occupied by two detached dwellings. This application seeks permission for the demolition of the houses and the erection of a four-storey building to provide 17 flats and associated parking to the rear.
- 2.2 The application is recommended for APPROVAL.

#### **3 Site description**

- 3.1 The application site is located on the northern side of Cheam Road, 200m east of the railway line. The land is currently occupied by two detached dwellings.
- 3.2 The existing buildings on the site are two storeys with tiled pitched roofs and substantial chimneys. The buildings have a brick plinth with render/hung tile upper elevations. The rear gardens are mainly laid to lawn with mature planting to the rear boundary. The front comprises hard landscaped driveways and parking. Both dwellings have attached single storey garages.
- 3.3 The site is bounded to the west by Charlemont House, a part 3/part 4 storey building, a circa 9 year old scheme of mock Tudor style with pitched roof, which contains 19 flats with substantial parking to the rear.

- 3.4** Dormans Court to the east comprises a circa 1960s flat-roofed three storey building containing 10 flats with parking and single storey garages to the rear. The vehicular access is between the 3 storey building and the application site.
- 3.5** Further to the east and west, the buildings along Cheam Road, and to the rear of the site, comprise 2 storey detached properties of varying architectural styles and scale.

#### **4 Proposal**

- 4.1** This application seeks permission for the demolition of the houses and the erection of a four-storey building to provide 17 flats (6 one bedroom, 5 two bedroom and 6 three bedroom units) and associated parking to the rear.
- 4.2** The flats would meet national space standards, with access to both private balconies and private landscaped amenity space for the ground floor flats. The unit layouts have been designed to meet the requirements of Lifetime Homes.
- 4.3** The flat roofed building would have an overall height of 12.4metres. It would sit below Charlemont House (12.8m) and above Dorman Court (9m), its immediate neighbours. It would be set back 11m from Dormans Court and 7m from Charlemont House. The front building line would align with the neighbouring properties (at the furthest point in the centre of the building) and would recede in “steps” at the sides.
- 4.4** The apartment building would have red brick elevations, partly clad with zinc panels. The building would be articulated by stepped sections of brickwork, with the zinc clad top floor set well back from the floors below. The elevations would be punctuated by recessed and projecting balconies, with the entrance on the eastern flank emphasised by a recessed vertical zinc clad elevation.
- 4.5** Parking for 20 vehicles would be provided in a parking court to the rear of the new building. Access is proposed via a driveway along the eastern flank boundary of the site. The drive way would be single lane in part to control vehicles. There would be sufficient turning space for refuse collection and an on-site waiting area for cars.
- 4.6** 23 bicycle spaces would be provided for residents in a secure cycle store to the rear of the site and a refuse store adjacent to the eastern flank boundary.
- 4.7** Indicative landscaping plans, including an Arboriculture Survey have been submitted with the application. These plans show that the more prominent trees around the boundaries would be retained. The proposal would include the planting of new trees and new hedgerows to outline the boundaries of the proposed ground floor gardens and to further reinforce existing screening along the boundaries of the site. The proposed scheme includes the removal of several trees and other overgrown vegetation across the site, but the removed trees would be mainly of low quality.

## 5 Comments from third parties

5.1 The application was advertised by means of letters of notification to 58 neighbouring properties, a site and press notice. To date (01.09.2016) 19 letters of objection have been received regarding:

- Overdevelopment
- Loss of privacy
- Out of keeping
- Overbearing
- Parking provision
- Highway safety
- Flooding (*Officer Comment: The site does not fall within a Flood Zone*)
- Density

Nonsuch Residents Association: Out of keeping, overdevelopment, and insufficient parking

## 6 Consultations

6.1 County Highways Officer: No objection.

6.2 Tree Officer: No objection.

6.3 Lead Local Flood Authority – is satisfied with the proposed drainage scheme subject to the imposition of relevant conditions.

## 7 Relevant planning history

Application number	Decision date	Application detail	Decision
08/00814/FUL	21.11.2008	Demolition of existing dwellings and construction of ten two-bedroom and two one-bedroom flats and associated parking (Amended drawings received 8.11.2008 and 13.11.2008)	REFUSED  Appeal GRANTED  20.10.2009
12/00580/REN	06.02.2013	Renewal of planning permission 08/00814/FUL (Demolition of existing dwellings and construction of ten two-bedroom and two one-bedroom flats and associated parking).	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 CS9	Affordable Housing
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 principle of demolishing the existing dwellings and the redevelopment of the site has been established through the previous permission (12/00580/REN) for the erection of a building comprising ten two-bedroom and two one-bedroom flats and associated parking.
- 9.2** The redevelopment of this site within an already developed residential area is an appropriate and sustainable location for such development and in principle accords with the policies contained within national and local planning policy.

Density

- 9.3** 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 87 units per hectare and whilst policy DM11 states that the density of new housing developments in most cases should not exceed 40 dwellings per hectare, exceptions will be considered if the site enjoys good access to services, facilities and amenities via existing public transport, walking and cycling networks and the surrounding townscape has sufficient capacity to accommodate developments of higher density.



- 9.4** The site is in a sustainable location, in proximity to a bus stop, as well as within 150m of the Ewell East railway station. The site falls between two existing blocks of flats, both of which exceed 40 dwellings per hectare and therefore the proposed scheme would be contextually appropriate. It is therefore concluded that the density is appropriate for the site.

#### Visual Impact

- 9.5** While the predominant pattern of development in the area is characterised by detached, two-storey inter-war period houses, there are several examples of other forms of development, notably on the immediately adjoining sites. Charlemont House, to the west, is a very substantial, recently built 4-storey development, and to the east, Dormans Court, a circa 1960s 3-storey flat-roofed block of flats.
- 9.6** These neighbouring buildings are very dissimilar from each other architecturally. However, they have some design features in common, including their set back from Cheam Road, their relatively large footprints and substantial massing and bulk compared with the application site's existing houses and other nearby dwellings, and their inclusion of parking areas at the rear.
- 9.7** The new block of flats would occupy a similar, but slightly larger footprint than the previous scheme. The building would have a depth of approximately 24m and a height of around 12.4 metres. The neighbouring properties vary in depth between approximately 19m – 24m, and have heights between 9m – 13m.
- 9.8** In visual terms the scheme would be successful. It would form a transition between its two rather disparate neighbours, having about the same setback from Cheam Road and being approximately intermediate in overall height and footprint. It would appear no more dominant and assertive in the street scene than Charlemont House. The articulated front elevation, with top floor set back, would mitigate the perceived scale and massing. In officer's opinion, it would be more appropriate within this short section of Cheam Road than the two existing dwellings, which now appear somewhat isolated and anomalous within a much changed frontage.
- 9.9** The proposed apartment block would establish its own contemporary design character by utilising construction materials, methods and architectural design that would be reflective of the present era, without resorting to pastiche.
- 9.10** The use of brickwork and metal cladding panels has been carefully considered and detailed, and would acknowledge the traditional materials used in surrounding area albeit in a contemporary manner. The proposed fenestration details and their juxtaposition with a contemporary palette of materials are well chosen and well mannered.
- 9.11** It is concluded that the proposed scheme would not have a harmful impact on the streetscene, or the character and appearance of the wider and would therefore accord with Policy DM8, DM9 and DM10.

### Neighbour Amenity

- 9.12** The new building has been designed, and detailed, such that the impact on neighbouring properties would be minimised.
- 9.13** Windows are limited on the flank elevations and any potential overlooking would be prevented by a combination of obscure glazing and fixed screening. Overlooking from the rear roof terrace to the rear garden of the nearest property in Boleyn Walk would be prevented by a proposed 1200mm high brick parapet wall, which would also prevent overlooking to Dormans Court. Balconies would have glazed 1.7m height flank privacy screens.
- 9.14** The first floor, rear facing windows (serving habitable rooms) and balconies would face the rear garden of the 8 Boleyn Avenue at a distance of some 26m, and habitable room windows in the eastern flank elevation, would face Dormans Court at an oblique distance of 21m, which is acceptable.
- 9.15** The flank walls of the new building would be setback between 7m and 17m from the neighbouring buildings. Loss of daylight to the affected properties would be negligible at this distance.
- 9.16** It is therefore concluded that 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

- 9.17** 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”.
- 9.18** 20 parking spaces are proposed 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.
- 9.19** The County Highways Authority has no objection to the proposal subject to the imposition of highway conditions regarding the provision of the parking spaces. 23 bicycle spaces are provided within a purpose-built storage area which would accord with the requirements of local guidance.

### Refuse

- 9.20** A bin store for waste and recycling would be provided adjacent to the eastern flank boundary. There would sufficient turning space for refuse collection in the front of the site.

Landscaping

- 9.21** Indicative landscaping plans, including an Arboriculture Survey have been submitted with the application. These plans show additional planting is proposed to the flank and rear boundaries to act as a green buffer between the proposed development and the adjacent properties. The proposed scheme includes the removal of several trees and other overgrown vegetation across the site, but the trees to be felled are generally of low quality.
- 9.22** Hard landscaping materials such as brick paviours are proposed to create pathways and areas of hardstanding within the site. The vehicular access way would be permeably paved.
- 9.23** A detailed landscaping scheme will be secured via an appropriate planning condition.

Sustainable Drainage System (SuDS)

- 9.24** SuDS became a material planning consideration on 6 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.
- 9.25** 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 is 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

- 9.26** 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. A Sustainable Energy Strategy has been submitted to demonstrate how the proposal will secure an energy efficient design and minimise its environmental impact. The Strategy confirms best practice for air tightness and U-values (in relation to loss of heat through areas of glazing), high levels of insulation and features such as low energy lighting will provide a reduction in the demand for energy before the inclusion of renewables. The applicant proposes to use photovoltaic panels to provide at least 10% of the energy requirements from renewable resources on site.

### Ecology

- 9.27** The scheme is supported by a Phase 1 Ecological Assessment and a Bat Survey. The Bat Survey stated that there were no signs of bat ingress into the property and no bats were seen emerging from the properties. It is recommended that a condition requiring the installation of bat and bird boxes, as well as the planting of native trees and shrubs be imposed, in order to enhance the value of the site for local wildlife, with a net gain for biodiversity as encouraged by Policy DM4.

### Affordable Housing

- 9.28** Policy CS9 seeks 40% affordable housing to be provided on developments of 15 or more dwellings. The proposal for 17 dwellings therefore generates a requirement for 6.8 dwellings to be provided on-site as affordable housing units.
- 9.29 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.
- 9.30 The affordable housing viability appraisal submitted alongside this planning application demonstrates that the scheme cannot afford to make either on-site provision or an offsite financial contribution in lieu of on-site provision.
- 9.31 The Council's consultant has assessed the Viability Report and whilst they agree that the scheme would not be able to support S.106 contributions and affordable housing at a policy compliant level, they conclude that there would be a surplus of **£21,531.00** so the scheme would be viable and able to fund a commuted sum in lieu of on-site provision of affordable housing.
- 9.32 The commuted sum has been secured by a legal agreement.

### Community Infrastructure Levy

- 9.33 The scheme is CIL liable.

## 10 Conclusion

- 10.1 The proposal meets planning policy objectives and gives the opportunity to redevelop this residential site with a high quality residential scheme.

## 11 Recommendation

### Part A:

- 11.1 Subject to a legal agreement being completed and signed by 14 October 2016 to secure the following heads of terms:

A commuted sum of £21,531.00

- 11.2 The Committee authorise the Head of Place Development to grant planning permission 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) Prior to the commencement of development, details and samples of the external materials to be used for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

- (3) No development shall take place until full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, have been submitted to and approved in writing by the local planning authority. The landscaping shall incorporate the planting of native species of trees and shrubs. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and thereafter retained.

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

- (4) The development works including ground preparation, demolition and construction; shall be carried out in strict accordance with the submitted Arboricultural Method Statement 2016035 April 19th 2016. 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.

- (5) Before the development is occupied, the proposed vehicular/pedestrian/cycle modified access to Cheam Road shall be constructed and provided with visibility zones in accordance with (the approved plans, all to be permanently maintained to a specification to be agreed in writing with the Local Planning Authority.

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the provisions of policy CS16 of the Core Strategy 2007.

- (6) No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for a maximum of 20 cars and a minimum of 23 cycles to be parked, and for vehicles to turn so that they may enter and leave the site in forward gear. The parking/turning area shall be used and retained exclusively for its designated purpose.

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the provisions of policy CS16 of the Core Strategy 2007.

- (7) No development shall commence until a Construction Transport Management Plan, to include details of:
- a) parking for vehicles of site personnel, operatives and visitors
  - b) loading and unloading of plant and materials
  - c) storage of plant and materials
  - d) programme of works (including measures for traffic management)
  - e) provision of boundary hoarding behind any visibility zones

f) HGV deliveries and hours of operation

h) on-site turning for construction vehicles

has been submitted to and approved in writing by the local planning authority. Only the approved details shall be implemented during the construction of the development.

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the provisions of policy CS16 of the Core Strategy 2007.

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

**Reason:** To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers or highway safety or cause inconvenience to other highway users in accordance with Policies DM10 of the Development Management Policies Document 2015 and Policy CS16 of the Core Strategy (2007).

- (9) A report is to be submitted to the local planning authority, within 6 months of the commencement of any use of any part of the building, to demonstrate that the renewable technologies (as detailed in the submitted Sustainability Statement) hereby approved have been fully implemented and are functioning.

**Reason:** In order to promote sustainable construction in accordance with Policy CS6 of the Core Strategy 2007.

- (10) All new photo voltaic panels or tiles shall be fitted flush with the adjoining roof surface and shall not project beyond the plane of the roof.

**Reason:** To safeguard the visual amenities of the area and to ensure a satisfactory appearance to the buildings in accordance with policy DM9 and DM10 of the Development Management Policies Document 2015

- (11) The residential units hereby approved shall not be occupied until they have achieved a water efficiency standard using not more than 110 litres per person per day maximum indoor water consumption.

**Reason:** To ensure that the development is sustainable and makes efficient use of water to comply with Policy DM12 of the Development Management Policies 2015.

- (12) Prior to construction of the development hereby approved, plans and information relating to the following:

- i. A drainage layout detailing the exact location of SUDs elements, pipes. Impervious areas and drainage sub-catchments (if applicable)
- ii. Details of all SUDs elements and other drainage features, including long and cross sections, pipe diameters and respective levels

shall be submitted to and approved by the local planning authority. The development will proceed only in complete accordance with the approved details.

**Reason:** To ensure the design fully meets the national SuDS technical standards.

- (13) Before the commencement of the construction of the development hereby approved, details of how the Sustainable Drainage System will be protected and maintained during the construction of the development shall be submitted to and approved by the local planning authority. The development shall thereafter be carried out in strict accordance with those approved details.

**Reason:** To ensure that the construction works do not compromise the functioning of the agreed Sustainable Drainage System.

- (14) Prior to construction of the development hereby approved, details of the proposed maintenance regimes for each of the SuDS elements must be submitted to and approved by the local planning authority. The approved details shall be fully complied with for the duration of the development.

**Reason:** To ensure the drainage system is maintained throughout its life time to an acceptable standard.

- (15) Prior to occupation, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Drainage System has been constructed as per the agreed scheme.

**Reason:** To ensure the Sustainable Drainage System has been constructed as agreed.

- (16) Prior to the first occupation of the new building, "woodcrete" soffit bird and bat boxes shall be installed in accordance with details submitted to and approved by the local planning authority. The boxes shall be retained thereafter.

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

- (17) The development hereby permitted shall be carried out in accordance with the following approved plans:  
PA-001 revA - Existing site plan



PA-002 revA - Existing elevations  
PA-101 revC - Proposed site plan  
PA-102 revA - Proposed 3-D perspectives  
PA-110 revA - Proposed ground and first floor plans  
PA-111 revB - Proposed second and third floor plans  
PA-112 revB - Proposed roof plan  
PA-120 revA - Proposed section A-A  
PA-130 revA - Proposed north and south elevations  
PA-131 revA - Proposed east and west elevations  
PA-101 revC - Proposed site plan  
PA-150 revB - Refuse truck swept path analysis  
PA-112 revB - Proposed roof plan

**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).

**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 water efficiency standard required under condition 11 has been adopted by the local planning authority through the Development Management Policies 2015. This standard is the 'optional requirement' detailed in Building Regulations 2010, Part G Approved Document (AD) Buildings Regulations (2015), at Appendix A paragraph A1.

The applicant is advised that this standard can be achieved through either:

- a) using the 'fittings approach' where water fittings are installed as per the table at 2.1 in the AD or
  - b) using the water efficiency calculation methodology detailed in the AD Part G Appendix A.
- (3) This form of development is considered liable for the Community Infrastructure Levy (CIL). CIL is a non-negotiable charge on new developments which involve the creation of 100 square metres or more of gross internal floorspace or involve the creation of a new dwelling, even when this is below 100 square metres. The levy is a standardised, non-negotiable charge expressed as pounds per square metre, and are charged on the net additional floorspace generated by a development.

You will receive more information regarding the CIL in due course.

More information and the charging schedule are available online:

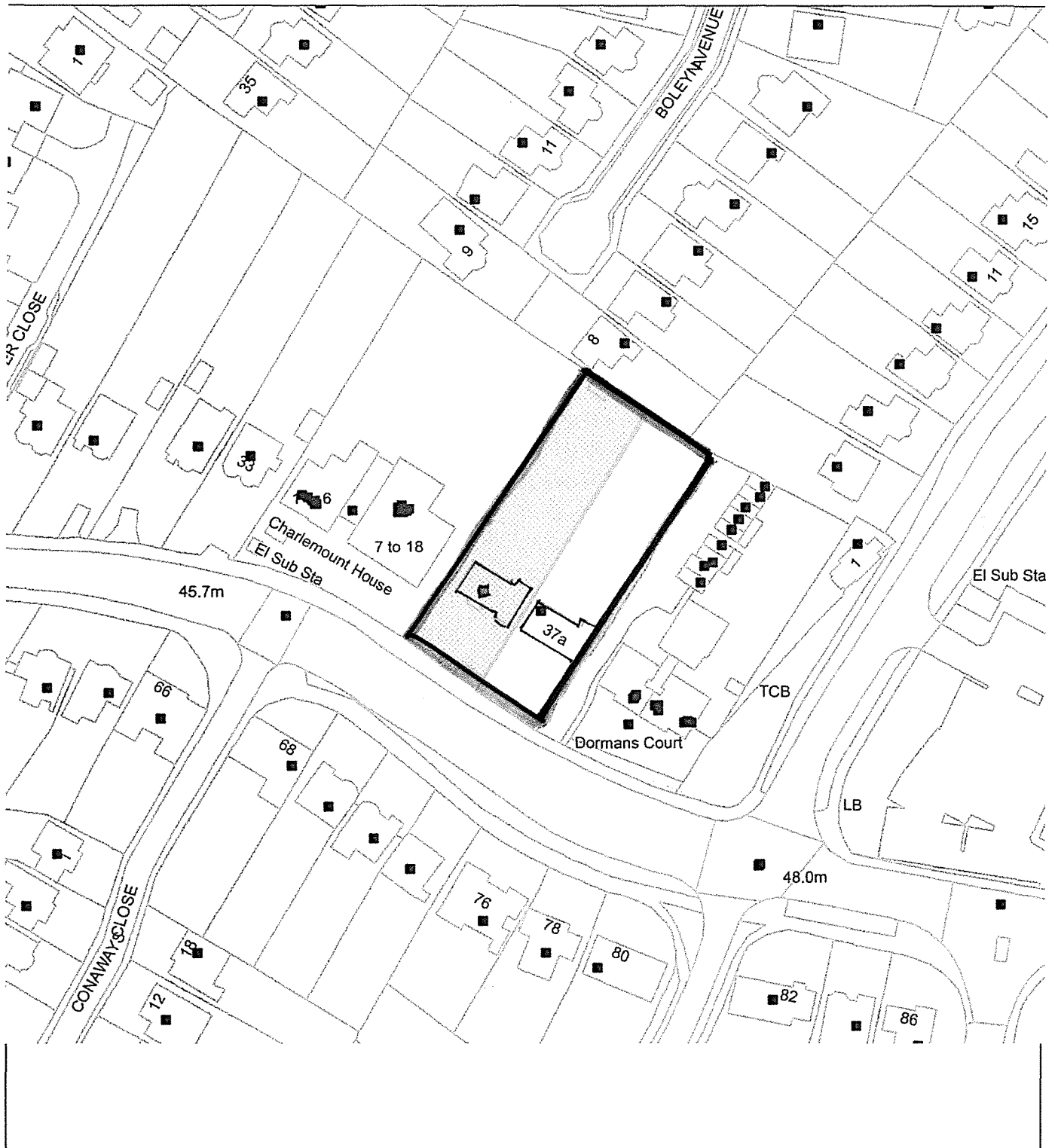
<http://www.epsom-ewell.gov.uk/NR/exeres/74864EB7-F2ED-4928-AF5A-72188CBA0E14,frameless.htm?NRMODE=Published>

**Part B:**

- 11.3 In the event that the section 106 Agreement referred to in Part A is not completed by 14 October 2016, the Head of Place Development be authorised to refuse the application for the following reason:**

**In the absence of a completed legal obligation under section 106 of the Town and Country Planning Act 1990 (as amended), the applicant has failed to comply with CS9 (Affordable Housing) and CS12 (Developer Contributions) of the 2007 Core Strategy in relation to the provision of a commuted sum in lieu of the on –site provision of affordable housing units.**

16/00166/FUL



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**The Roveries, 53 – 63 Cox Lane West Ewell Surrey KT19 9NR**

Demolition of derelict dwelling house and erection of ten flats (four studios, four 2-bed and two 3-bed) in a three storey building with seven parking spaces.

<b>Ward:</b>	<b>Ruxley</b>
<b>Contact Officer:</b>	<b>John Robinson</b>

**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=summary&keyVal=O7MMMZGYL9200>

**2 Summary**

- 2.1 This application proposes the demolition of a derelict dwelling house and the erection of ten flats (four studios, four 2-bed and two 3-bed) in a three storey building with seven parking spaces.
- 2.2 The application has been submitted to committee at the request of the Ward Councillor Jan Mason because of concerns about parking levels and the height of the building.
- 2.3 The application is recommended for APPROVAL.

**3 Site description**

- 3.1 The application site which has an area of 0.07ha is located at the north western end of Cox Lane, close to the junction with Pemberley Close. The site is largely overgrown with small trees and shrubs and is currently occupied by a vacant two storey dwelling which is in a state of disrepair.
- 3.2 The site is located along the historic route of Cox Lane. Cox Lane was re-routed in conjunction with the development of the area as a residential suburb, but the original route remained the main access to the site. The properties to the east of the site are also accessed by the original Cox Lane, whereas beyond the application site to the west, the old road is now totally overgrown and impassable.

- 3.3 Newer residential properties are located to the south, west and east of the site. To the immediate south is a modern housing estate, with a mixture of 2-storey terraced houses (backing onto the application site) and a 4-storey apartment building (slightly further to the south). To the west is a 2-storey terrace. A single-storey detached dwelling is located on the plot to the immediate east. To the north, the site is bounded by a green sward, beyond which is (the re-routed) Cox Lane.

#### **4 Proposal**

- 4.1 This application seeks permission for the demolition of a derelict dwelling house and the erection of ten flats (four studios, four 2-bed and two 3-bed) in a three storey building with seven parking spaces.
- 4.2 The new flat-roofed, three-storey building would have a roughly square footprint, set centrally on the rectangular site. It would be setback some 4.5m from the (rear) northern boundary, 12m from the front (southern boundary) and 1.3m/1m from the respective western and eastern flank boundaries.
- 4.3 Vehicular and pedestrian access would be via (the currently unpaved) Cox Lane. Additional pedestrian access would be provided along the site's northern boundary.
- 4.4 Private amenity space for the ground floor units as well as communal amenity space would be provided.
- 4.5 The building would be of contemporary style and the western and eastern flank elevations would incorporate "green walls", with planting growing on wires attached to the facades. The southern (front) and northern (garden) elevations have been designed as shallow curves, clad in timber, with small rendered elements. A brick internal layer which would sit behind the overall white rendered "shell". These elevations would be further articulated by steel-framed projecting balconies.
- 4.6 It is proposed to provide 7 parking spaces to the front of the building, and a bicycle storage facility. Refuse storage would also be located in the frontage area, adjacent to the parking area.

#### **5 Comments from third parties**

- 5.1 The application was advertised by means of letters of notification to 32 neighbouring properties, a press and site notice. To date (31.08.2016) 7 letters of objection have been received regarding:
- Impact on ecology
  - Out of character
  - Lack of parking
  - Overlooking.

**6 Consultations**

- 6.1 County Highway Authority: No objections. The access road to the property is not adopted highway and the proposed increase in traffic using the access is negligible and would not cause a severe impact on the surrounding highway network. Notes that there appears to be a shortfall of spaces for the development. (see officer comments below at para 9.15).
- 6.2 Tree Officer: No objection. Two low quality trees proposed to be felled.
- 6.3 Contaminated Land Officer: Please place a contaminated land informative on any consent granted due to the fact that the property is situated adjacent to a site formerly occupied by a scrapyards.

**7 Relevant planning history**

<b>Application number</b>	<b>Decision date</b>	<b>Application detail</b>	<b>Decision</b>
15/00489/FUL	15.12.2015	Demolition of existing dwelling house and erection of 8 flats in a two-storey building with associated parking spaces. (Description amended 16.09.2015)	GRANTED

**8 Planning Policy**

National Policy Planning Framework (NPPF) 2012

Chapter 7: Requiring Good Design

Core Strategy 2007

Policy CS1	General Policy
Policy CS3	Biodiversity and Nature Conservation
Policy CS4	Open spaces and green infrastructure
Policy CS5	Built Environment
Policy CS6	Sustainable Development
Policy CS7	Housing Provision
Policy CS8	Housing Location
Policy CS16	Highways

Development Management Policies Document 2015

Policy DM9	Townscape Character and Local Distinctiveness
Policy DM10	Design Requirements for New Developments
Policy DM 20	Environmentally Sustainable Development Standards/ Renewable Energy
Policy DM4	Biodiversity and New Development
Policy DM5	Trees and Landscape
Policy DM10	Design requirements for new developments
Policy DM11	Housing Density
Policy DM12	Housing standards

Policy DM35                      Transport and New Development

Supplementary Planning Guidance

Sustainable Design 2012

Parking Standards for Residential development 2015

**9 Planning considerations**

Principle of Development

- 9.1 The principle of demolishing the dwelling and the redevelopment of the site has been established through the extant permission (15/00489/FUL) for the erection of eight flats in a two-storey building with associated parking spaces.
- 9.2 The redevelopment of this site within an already developed residential area is an appropriate and sustainable location for such development and in principle accords with the policies contained within national and local planning policy.

Visual Impact

- 9.3 The building would have an overall height of 8.64m; around 2.3m higher than the ridge height of the adjoining terrace to the west.
- 9.4 The difference in height between the new building and the adjacent terrace is considered to be acceptable as the top floor would be set back. This would reduce the perceived massing of the building and in any event the building would not be visible in the street scene due to the extensive vegetation/trees along the highway and flank boundaries.
- 9.5 The southern (front) and northern (garden) elevations, which are designed as shallow curves, would reduce the apparent depth of the building as seen from the east and west.
- 9.6 The predominant use of timber cladding (with “green” flank walls) has been carefully considered and detailed, albeit in a contemporary manner. This combination of materials would help to integrate the new building with the retained and proposed landscaping.
- 9.7 It is therefore concluded that the proposed scheme in terms of its design, scale and massing would not have a harmful impact on the character and appearance of both the immediate and wider area and would therefore accord with Policy DM9 and DM10.

Residential Amenity

- 9.8 The front elevation of the proposed scheme would face the rear elevations of the properties in Pemberley Close and Pemberley Chase at a distance of some 20m. This is considered adequate to avoid significant loss of privacy. (It is also noted that existing trees along the boundaries of the affected properties would provide an additional element of screening).



- 9.9 The shallow curved footprint of the front and rear elevations would prevent the new building from conflicting with a 45-degree outlook angle subtended from the nearest ground floor windows of the adjoining properties.
- 9.10 Translucent glazed screens to the terraces on the top floor would prevent overlooking to the neighbouring properties.
- 9.11 A condition requiring the upper floor flank windows to be obscurely glazed would prevent any overlooking of the gardens of the affected adjoining properties.
- 9.12 The proposed scheme would therefore accord with Policy DM10.

Amenity Space

- 9.13 Access to private amenity space for the ground floor flats (Nos 3 and 4) would be provided, whilst flats 1 and 2 would have balconies. First floor flats would also be provided with balconies, and top floor flats would have access to private terraces. Overall, this would be adequate in terms of both size and quality to suit the needs of small family accommodation, and would comply with the requirements of policy DM12 for amenity space for flatted developments.

Parking/Access

- 9.14 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”.
- 9.15 Seven parking spaces are proposed which would comply with the Council’s adopted parking standards. The adopted standards 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. There is no category or requirement for studio flats which are characterised by a single large multipurpose room, within our adopted standards. The development is in a sustainable location, within proximity of a local bus route and the parking provision is therefore acceptable.
- 9.16 A pedestrian access would be provided along the site’s northern boundary, which would enable visitors, to use the public parking spaces in the embayment along Cox Lane, directly opposite the site.
- 9.17 Refuse storage would be provided in a refuse store located at the south-western corner of the site, adjacent to the parking area.
- 9.18 The Highway Authority has no objection in principle to the development.

### Sustainability and Renewable Energy

- 9.19 Core Strategy Policy CS6 requires proposals to demonstrate how sustainable construction and design can be incorporated to improve the energy efficiency of development. The applicants propose to utilise photo-voltaic panels, which they submit would provide 10% of the schemes predicted energy needs from renewable or low carbon sources.
- 9.20 The proposal is indicative in the main and an appropriate planning condition is recommended to secure their inclusion.

### Ecology

- 9.21 Policy DM4 of the Development Management Policy Document states that every opportunity should be taken to secure net benefit to the borough's biodiversity. The application site clearly has some biodiversity and nature potential interest as it contains a number of self-set trees; other vegetation has been felled and left lying on the site, along with areas of dense bramble.
- 9.22 The applicants have submitted a Protected Species Survey which concluded that no bats were found to be using the roof void of the existing dwelling and that the site was not constrained by the presence of great crested newts, dormice, or badgers.
- 9.23 The proposed scheme would incorporate green walls which would provide compensation for the increased building footprint on the site. In addition it is recommended that conditions be imposed requiring the provision of both bat and bird boxes within the site.
- 9.24 In view of the above and the proposed mitigation measures, it is considered that the proposed scheme would be in accordance with Core Strategy Policy CS3 and Policy DM4.

### Trees

- 9.25 The application is supported by a Tree Survey which indicates that two trees are to be felled as a result of the proposed development. The trees to be removed are mainly poor quality and some of the trees could be replaced by appropriate new tree planting. The Tree Officer raises no objection to the proposed scheme. Details of hard and soft landscaping are secured by an appropriate condition.

### Affordable Housing

- 9.26 Policy CS9 requires the provision of 20% of the 10 units in the scheme as affordable units, which equates to 2 units. In terms of our Supplementary Planning Document (SPD) - Developer Contributions, on site provision of affordable housing will always be sought in the first instance.
- 9.27 The applicant submitted a Viability Report which stated that there is insufficient value in the proposal to support the full contribution.

9.28 This evidence has been scrutinised by the Council's independent valuer who is in agreement that whilst the scheme is unable to support a fully policy compliant affordable housing scheme, it would be able to support a level of contributions, albeit at a low level of £44,000.

9.29 Following subsequent negotiations with the applicant's Viability consultants, the applicant has agreed to offer £44,000 as the commuted sum, payable on implementation of the scheme. Officers have agreed that this sum is acceptable, and the commuted sum will be secured by way of an appropriate legal agreement.

Community Infrastructure Levy

9.27 The proposed scheme is CIL liable.

## 10 Conclusion

10.1 The proposal seeks to erect a new residential building in a location which is considered appropriate. The new building would not harm the wider character of the area, nor lead to a loss of neighbouring residential amenities. In light of the above it is recommended that planning permission is granted.

## 11 Recommendation

Part A:

11.1 **Subject to a legal agreement being completed and signed by 4 November 2016 to secure the following heads of terms:**

**A commuted sum of £44,000**

11.2 **The Committee authorise the Head of Place Development to grant planning permission 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 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 2015.**

- (3) No development shall take place until full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and thereafter retained.

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

- (4) No demolition, site clearance or building operations shall commence on site until the protective fencing and other protection measures as shown on the Tree Protection Plan by Andrew Day, dated 7 September 2015, have been installed. At all times until the completion of the development, such fencing and protection measures shall be retained as approved. Within all fenced areas, soil levels shall remain unaltered and the land kept free of vehicles, plant, materials and debris.

**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.

- (5) 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 including means of providing the energy requirements of the development from renewable technologies. The development shall be carried out in strict accordance with the approved details prior to the first occupation of the building, shall be maintained as such thereafter and no change shall take place without the prior written consent of the local planning authority.

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

- (6) The residential units hereby approved shall not be occupied until they have achieved a water efficiency standard using not more than 110 litres per person per day maximum indoor water consumption.

**Reason:** To ensure that the development is sustainable and makes efficient use of water to comply with Policy DM12 of the Development Management Policies 2015.

- (7) No development shall take place until details and location of the installation of bat boxes to enhance the biodiversity interest of the site have been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved and thereafter maintained.

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

- (8) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for 7 vehicles/10 bicycles to be parked. Thereafter the parking area shall be retained and maintained for their designated purpose.

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the provisions of policy CS16 of the Core Strategy 2007.

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

- a) parking for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) storage of plant and materials
- d) programme of works (including measures for traffic management)
- e) provision of boundary hoarding behind any visibility zones
- f) HGV deliveries and hours of operation
- g) vehicle routing
- h) measures to prevent the deposit of materials on the highway
- i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused

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

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the provisions of policy CS16 of the Core Strategy 2007

- (9) The upper floor windows in the flank elevations of the development 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 Document 2015.

- (10) Any trees proposed to be felled as a result of the development hereby permitted shall be replaced by other trees in accordance with a scheme to be submitted to and approved by the local planning authority, and all planting in accordance with such an approved scheme shall be completed within a period of twelve months from the date on which the development of the site is commenced or shall be carried out in the first planting season following completion of the development.

**Reason:** The trees within the site make a substantial contribution to the visual amenities enjoyed by residents in the area and the felling of any trees without replacement would be detrimental to such amenities and contrary to Policies DM5 and DM9 of the Development Management Policies Document 2015.

- (11) Prior to the commencement of development, a 1:20 scale vertical section through the front and flank elevations including details of windows (including head, sill and window reveal details), balcony balustrade, rainwater goods, as well as a 1:50 scale typical elevation, 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 the character and appearance of the wider area in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies Document 2015.

- (12) No development shall take place until full details, of the proposed “green wall”, including a schedule of maintenance for a minimum period of 5 years, have been submitted to and approved in writing by the local planning authority. The approved “green wall” (including planting) shall be implemented prior to the occupation of the development hereby approved and thereafter retained.

**Reason:** To ensure the provision, establishment and maintenance of an appropriate “green wall” in the interests of the visual amenities of the locality in accordance with Policy CS5 of the Core Strategy 2007 and Policies DM5 and DM9 of the Development Management Policies Document 2015.

- (13) The development hereby permitted shall be carried out in accordance with the following plans:

A.03 Site Plan

**A.04 Ground floor**

**A.05 First floor**

**A.06 Second floor**

**A.07 East elevation**

**A.08 South elevation**

**A.09 West elevation**

**A.10 North elevation**

**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) The Council has identified that the property is situated close to a former scrapyardsite that has been remediated. In the event that contamination is found at any time when carrying out the development, works should be suspended and it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken and remediation carried out as is necessary, subject to the approval in writing of the local planning authority.**
- (3) No burning of materials obtained by site clearance shall be carried out on the application site.**
- (4) The water efficiency standard required under condition 6 has been adopted by the local planning authority through the Development Management Policies 2015. This standard is the 'optional requirement' detailed in Building Regulations 2010, Part G Approved Document (AD) Buildings Regulations (2015), at Appendix A paragraph A1.**

**The applicant is advised that this standard can be achieved through either:**

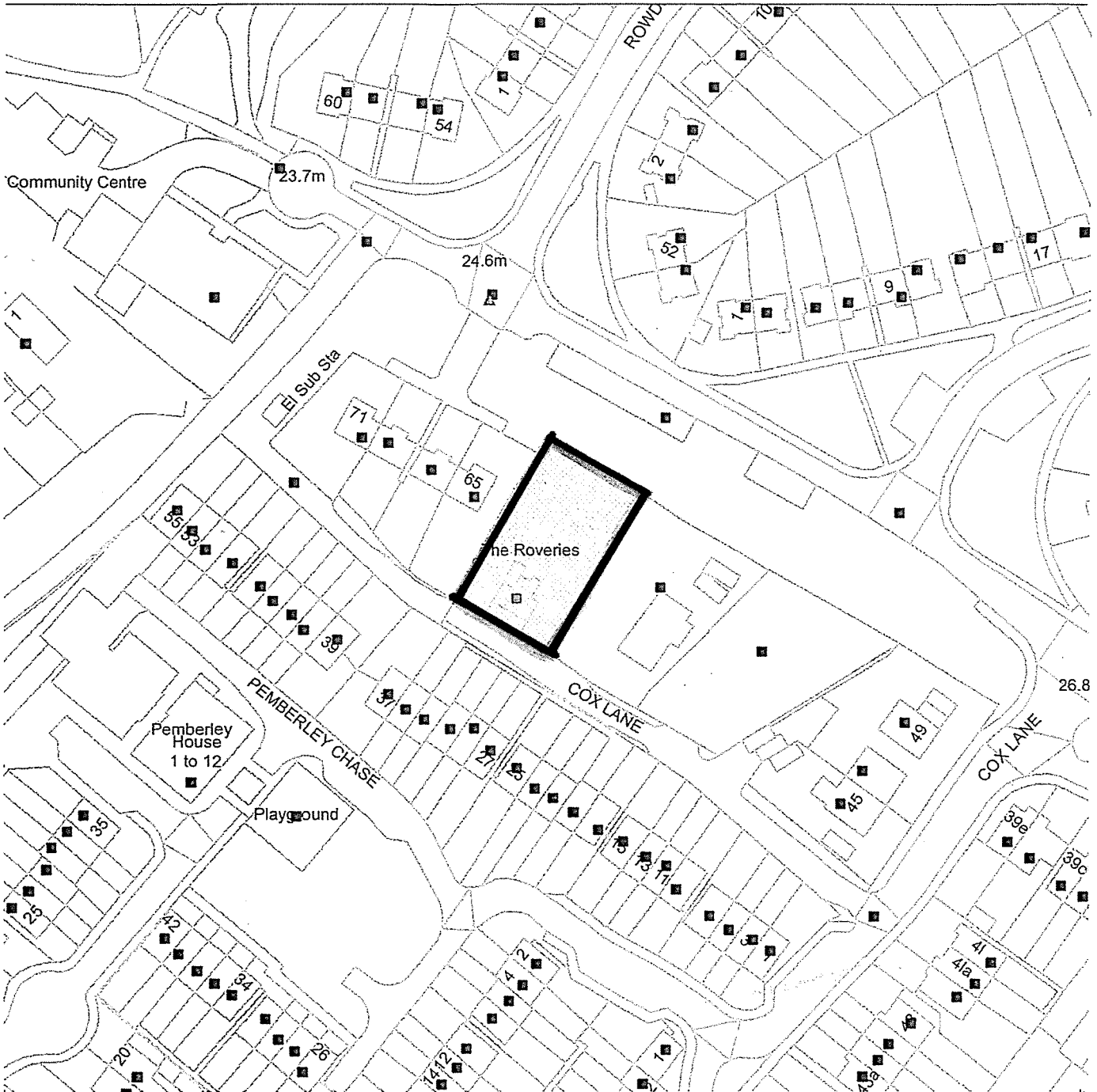
- a) using the 'fittings approach' where water fittings are installed as per the table at 2.1 in the AD or**
- b) using the water efficiency calculation methodology detailed in the AD Part G Appendix A.**

**Part B:**

- 11.3 In the event that the section 106 Agreement referred to in Part A is not completed by 4 November 2016, the Head of Place Development be authorised to refuse the application for the following reasons:**

**In the absence of a completed legal obligation under section 106 of the Town and Country Planning Act 1990 (as amended), the applicant has failed to comply with CS9 (Affordable Housing) and CS12 (Developer Contributions) of the 2007 Core Strategy in relation to the provision of a commuted sum in lieu of the on –site provision of affordable housing units**





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**Equus Equestrian Centre Horton Country Park Horton Lane Epsom KT19 8PT**

Erection of a detached building to accommodate a horse walker and provide storage for agricultural related equipment.

<b>Ward:</b>	<b>Stamford</b>
<b>Contact Officer:</b>	<b>John Robinson</b>

**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=O96HRUGYLJ900>

**2 Summary**

- 2.1 The Equus Equestrian Centre (the application site) is situated in Horton Country Park and is accessed from Horton Lane. The application seeks permission for the erection of a detached building to accommodate a horse walker and provide storage for agricultural related equipment.
- 2.2 This application has been referred to committee as the Council is the freeholder of the site.
- 2.3 The application is recommended for APPROVAL.

**3 Site description**

- 3.1 The Equus Equestrian Centre is situated in Horton Country Park and is accessed from Horton Lane. It provides riding lessons for children and beginners, Horton Country Park rides, children's walk-outs, classical riding lessons, private and semi-private lessons, as well as polo (junior and senior) and show jumping. Full and part time livery facilities are also provided.
- 3.2 The Centre has a substantial indoor riding school building, barns, 60 stables and a long single storey building providing grooms' residential accommodation.
- 3.3 The site falls within the Green Belt.

#### 4 Proposal

- 4.1 The application seeks permission for the erection of a detached building to accommodate a horse walker and provide storage for agricultural related equipment.
- 4.2 The building would be sited west of the existing riding school barn and to the north of existing storage sheds. The access drive which runs along the western boundary, would be maintained.
- 4.3 The 293 sqm building would have a length of 23.05m and a width of 12.7m. The ridge of the roof would be 4.35m high, with an eaves height of 3m. The walls would be made with concrete wall panelling up to 2.4m with tanalised timber cladding above. The building has a pitched roof to be covered with Marley Eternit roofing material.
- 4.4 The application proposes the provision of 11 car parking spaces located between the riding school building and the proposed building.

#### 5 Comments from third parties

- 5.1 Site notice displayed, and the occupiers of 4 neighbouring properties notified via letter. To date (05.09.2016) no letters of objection have been received

#### 6 Consultations

- 6.1 Highways Officer: No objections.

#### 7 Relevant planning history

Application number	Decision date	Application detail	Decision
06/00736/FUL	15.12.2006	Proposed Hay Barn (Retrospective application)	GRANTED
13/01236/FUL	25.03.2014	Erection of a detached stable block to accommodate 6 horses.	GRANTED

#### 8 Planning Policy

##### Core Strategy 2007

- Policy CS1 Sustainable Development  
Policy CS2 Green Belt  
Policy CS5 Built environment

##### Development Management Policies Document 2015

- Policy DM9 Townscape character and local distinctiveness  
Policy DM10 Design requirements for new developments  
Policy DM26 Equestrian Related Development/Employment Uses

NPPF

Green Belt: Paragraph 79

**9 Planning considerations**

Principle of Development

- 9.1 Paragraph 89 of the National Planning Policy Framework (NPPF) states that the construction of new buildings is inappropriate in the Green Belt. Exceptions to this are the provision of appropriate facilities for outdoor sport and recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
- 9.2 The proposal would therefore comply with the objectives of the aforementioned government advice.

Visual Impact

- 9.3 Policy DM26 of the Development Management Policies Document 2015, states that equestrian related development in the Green Belt will be supported where 'new buildings ...are well related to existing buildings and are small in scale'... and where the 'overall size, siting and scale of development including any cumulative impact should not be harmful to the character and openness of the Green Belt.'
- 9.4 It is considered that the location of the proposed building would ensure that there would be no harmful impact on the openness of the Green Belt. The building would be sited in an area that forms part of the existing equestrian centre activities, away from the Country Park and green fields. The northern part of the building would not project further east than the rear most part of the riding school building. It would also have the existing hay barn to its north.
- 9.5 The building would be contained within the 'built' area already in use as part of the equestrian centre and would not encroach further into the Green Belt than the existing built form. The scale and location of the horse walking building would be well related to the existing stables and subordinate to the riding school building.
- 9.6 The "formalisation" of the on-site parking arrangements would not harm the openness of the Green Belt.

Neighbour Amenity

- 9.7 The proposal is not considered to result in any adverse impacts on the amenities of the adjoining properties through loss of light, outlook, overlooking, or noise and disturbance. It would therefore comply with Development Management Policy DM10.

Community Infrastructure Levy

9.8 The scheme is not CIL liable

**10 Conclusion**

10.1 The proposal meets the relevant policies of the NPPF and local policy and would be a suitable development within the Green Belt in this location. Planning permission is therefore recommended for this proposal.

**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:**

**HCP P16 04 SITE LAYOUT; HCP P16 05 PLANS; HCP P16 06 ELEVATIONS Sheet 1; HCP P16 07 ELEVATIONS Sheet 2; HCP P16 03 CONTEXT PLAN**

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

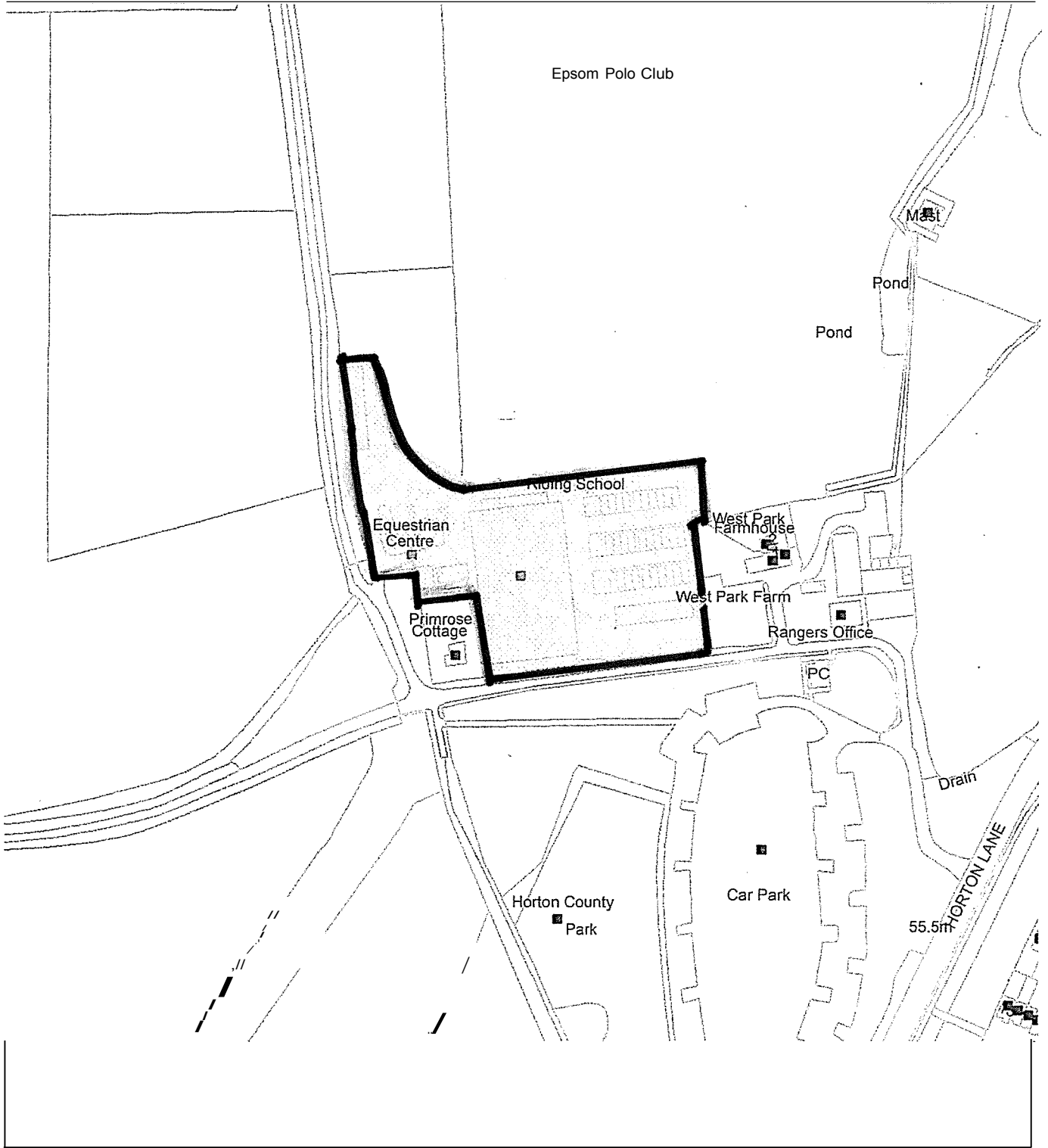
**Informatives:**

(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](mailto:contactus@epsom-ewell.gov.uk).**

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**Horton Park Golf and Country Club, Hook Road, Epsom, Surrey, KT19 8QG**

Erection of driving bay extension and new conservatory to club house

<b>Ward:</b>	<b>Ruxley</b>
<b>Contact Officer:</b>	<b>John Mumford</b>

**1 Plans**

- 1.1 The Council now holds this information electronically. Please click on the following link to access the plans and representations relating to the originally permitted application via the Council's website, which is provided by way of background information to the report.

**Link:** <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OC3W69GYM0T00>

**2 Summary**

- 2.1 The wider application site comprises about 50ha of land that is set on the north-eastern edge of the Horton Country Park and is utilised as a golf course and driving range. The proposed driving bay extension would involve extending the roof frame by a depth of 4.0m in front of the existing driving bays together with various other minor amendments to the existing structure to improve the functioning of the facility.
- 2.2 The glazed conservatory would be positioned on part of the existing terraced seating area outside the rear of the clubhouse building. The site forms part of the Metropolitan Green Belt and the application is referred to Committee for determination because it involves Council owned land.
- 2.3 The application is recommended for APPROVAL as it involves a policy compliant open recreational use in the Green Belt and there are no visual or amenity concerns relating to the proposal.

**3 Site description**

- 3.1 Horton Park Golf and Country Club occupies land owned by Epsom and Ewell Borough Council. The existing facilities comprise an 18-hole and 9-hole complex, a clubhouse with shop and a driving range. Extensive parking is provided alongside the clubhouse, to the north-east of the site and in the northern corner of the site adjacent to Chessington Road frontage is an 18-hole adventure golf course aimed at children.

#### **4 Proposal**

- 4.1 The application seeks permission for the erection of an extended roof overhang with a depth of 4.0m and maximum height of 4.7m to the front of the existing golf driving bays. The extended structure would be provided in profiled metal cladding similar to existing and supported on steel columns. The extension would allow users to have a seating zone when playing within each of the driving bays.
- 4.2 The conservatory would measure 23m (width) x 8m (depth) x 4m (height) and would be immediately adjacent to the western elevation of the club house building. The building would have a brick plinth to match the existing clubhouse building and would have upvc windows and a shallow pitched glazed hipped roof. The conservatory would enable the outside sitting and refreshment area to be used in all weathers.

#### **5 Comments from third parties**

- 5.1 The application was advertised by means of letters of notification to the 17 nearest residential properties on Chessington Road some 140 metres distant to the north. To date (21.09.2016) no letters of objection have been received.

#### **6 Consultations**

- 6.1 Head of Leisure Development – No objections.
- 6.2 Surrey County Council – No objections.

**7 Relevant planning history**

<b>Application number</b>	<b>Decision date</b>	<b>Application detail</b>	<b>Decision</b>
11/00591/FUL	25.11.11	Erection of two-storey extension	Granted
12/01094/FUL	30.04.13	Development of 18 hole adventure golf course involving remodelling of existing bunds and provision of new landscape features including cave with waterfall structure, rock structure, dwarf walls, external seating area and new planting.	Granted
14/00114/FUL	09.09.14	Variation of Condition 4 of 12/01094/FUL (Development of 18 hole adventure golf course involving remodelling of existing bunds and provision of new landscape features including cave with waterfall structure, rock structure, dwarf walls, external seating area and new planting) to include revised layout as built together with associated landscaping details to discharge Condition 2 of 12/01094/FUL.	Granted
15/01261/FUL	17.02.2016	Erection of children's play area structure.	Granted

**8 Planning Policy**

National Policy Planning Framework (NPPF) 2012

Chapter 9: Paragraphs 79-89 Protecting the Green Belt

Core Strategy 2007

Policy CS2 Green Belt

Policy CS13 Community, Cultural and Built Sports Facilities

Development Management Policies 2015

Policy DM10 Design Requirements for New Developments

Policy DM34 New Social Infrastructure

## **9 Planning considerations**

### Impact on the Green Belt

9.1 The application site lies within the Green Belt and accordingly the application needs to be assessed as to its conformity with national Green Belt policy set out within the NPPF and in CS2 of our Core Strategy. The NPPF and the Core Strategy state that the following is considered relevant to this proposal:

- The fundamental aim of Green Belt policy is to keep land permanently open
- Local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities for outdoor sport and recreation
- Exceptions to inappropriate development (buildings) in the Green Belt are... 'provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it' and 'extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building.

9.2 It is considered that the proposed development in the case of the driving range extension is providing appropriate facilities for outdoor sport/recreation and therefore cannot be defined as inappropriate development. The conservatory is a relatively modest extension designed to complement the original building and would meet the criteria set out under Policy DM3 that requires extensions to be no greater than 30% above the volume of the existing building. Furthermore, the siting of the extensions adjacent to the existing buildings and the scale and design of the structures would not have a negative impact on the openness of the Green Belt.

### Residential Amenity

9.3 The proposal would be situated some 140m away from the nearest residential properties that are located across Chessington Road. It is therefore considered that there would be no impact on residential amenity in terms of noise and disturbance.

## **10 Conclusion**

10.1 The application proposal would provide a facility that would enhance the attractiveness and utility of the Golf and Country Club to users and as such this would meet the policy objective under policies CS13 and DM34 to encourage multi-use and flexible use of leisure facilities in the Borough. It would have no harmful impact on the openness of the Green Belt or upon residential amenity.

## **11 Recommendation**

11.1 Planning permission 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 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 and documents: 16042/100, 16042/101, 16042/103, 16042/105, 16042/106.

**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) The development hereby permitted shall be constructed entirely of the materials as detailed on the schedule of materials on the planning application form and as shown on drawings 16042/103 and 16042/105.

**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.

**Informative:**

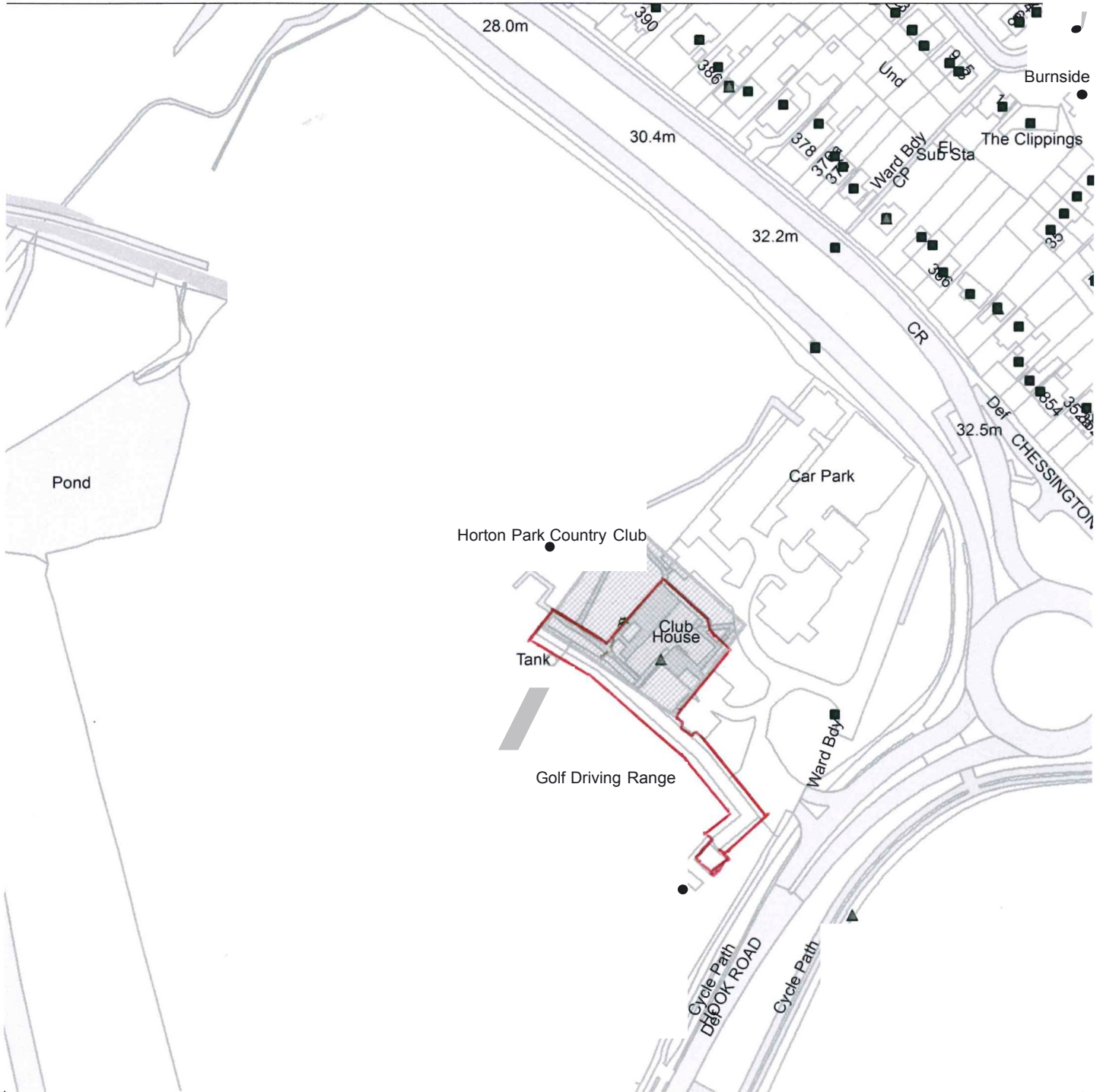
- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.

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16/00749/FUL

Horton Park Golf & Country Club



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**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).

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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