

Public Document Pack

Simon Young, Solicitor
Head of Legal and Democratic Services



PLANNING COMMITTEE

Thursday 15 June 2017 at 7.30 pm

Council Chamber - Epsom Town Hall

PART ONE (OPEN TO THE PRESS AND PUBLIC)

The Agenda items below that attract public speakers will be taken first – the resulting order of the Agenda will be disclosed by the Chairman at the start of the meeting.

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 David Reeve (Vice-Chairman)
Councillor Michael Arthur
Councillor John Beckett
Councillor Lucie Dallen
Councillor Neil Dallen
Councillor Jan Mason

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

Yours sincerely

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

Head of Legal and Democratic Services

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

AGENDA

1. DECLARATIONS OF INTEREST

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

2. MINUTES OF THE PREVIOUS MEETING (Pages 3 - 6)

The Committee is asked to confirm as a true record the Minutes of the Meeting of the Planning Committee held on the 11 May 2017 (attached) and authorise the Chairman to sign them.

3. PLANNING APPLICATION 16/01802/FUL - THE KIRKGATE, 19-31 CHURCH STREET EPSOM KT17 4PF (Pages 7 - 14)

Demolition of the existing entrance and the erection of a two storey front extension incorporating a glazed entrance porch. (Description amended and amended drawings received 24.05.2017)

4. PLANNING APPLICATION 17/00092/CMA - THE CHALK PIT COLLEGE ROAD, EPSOM KT17 4JA (Pages 15 - 26)

Retrospective change of use from a Waste Transfer Station to Material Recycling Facility.

5. PLANNING APPLICATION 16/00933/FUL - DEVELOPMENT SITE AT 65 LONDON ROAD, EWELL KT17 2BL (Pages 27 - 40)

Erection of a Class A1 convenience supermarket and associated parking, access servicing and landscaping. (Amended drawings received 09.05.2017).

6. PLANNING APPLICATION 16/01897/REM - PREMIER INN, 1 THE PARADE, EPSOM KT18 5BY (Pages 41 - 54)

Variation of Condition 22 (Approved drawings) of planning permission 15/01839/FUL to facilitate internal layout changes (including the provision of an additional 9 rooms) and various external minor fenestration and elevation amendments.

7. PLANNING APPLICATION 16/01421/FLH - 18A WORPLE ROAD, EPSOM KT18 5EF (Pages 55 - 66)

Proposed demolition of existing single storey extension. Proposed construction of two storey rear extension, part-first floor side extension, and single storey side and rear extension.

8. SITE VISITS (Pages 67 - 68)

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

Minutes of the Meeting of the PLANNING COMMITTEE held on 11 May 2017

PRESENT -

Councillor Humphrey Reynolds (Chairman); Councillor Mike Teasdale (Vice-Chairman);
Councillors Michael Arthur, John Beckett, Peter O'Donovan, Martin Olney,
David Reeve, Vince Romagnuolo, Clive Smitheram, David Wood and Tella Wormington

In Attendance:

Absent: Councillor Jan Mason and Councillor Tina Mountain

Officers present: Adele Castle (Planning Development Manager), James Udall
(Planning Officer) and Sandra Dessent (Democratic Services Officer)

66 DECLARATIONS OF INTEREST

No declarations of interest were made by Councillors in items on this Agenda.

67 MINUTES OF THE PREVIOUS MEETING

The Minutes of the previous meeting held on 12 April 2017 were agreed as a true record and signed by the Chairman, subject to the Committee noting that Councillor Neil Dallen was not absent as stated and Councillor Tella Wormington had been a member of the Planning Committee since January 2017.

68 PLANNING APPLICATION 16/01858/FUL - ASHLEY CENTRE CAR PARK, ASHLEY AVENUE, EPSOM KT18 5AL

Description

Proposed installation of perimeter safety fencing for the parking area on the first, second, third and fourth floor in the area of the main entrance/exit for vehicles.

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 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 DM8, DM9 and DM10 of the Development Management Policies 2015.

- (3) The development hereby permitted shall be carried out in accordance with the following approved documents: ACCP-002 REV A, Design & Access Statement, Securi Mesh 358 Tech Sheet, Weld Mesh Tech Sheet.

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) No part of the development including foundations or guttering, shall encroach upon the adjoining property.
- (3) Works related to the construction of the development hereby permitted, including works of demolition or preparation prior to building operations shall not take place other than between the hours of 08.00 to 18.00 hours Mondays to Fridays; 08.00 to 13.00 hours Saturdays; with no work on Saturday afternoons (after 13.00 hours), Sundays, Bank Holidays or Public Holidays.
- (4) 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.

69 PLANNING APPLICATION 16/01788/FLH - 18 GAYFERE ROAD, STONELEIGH KT17 2JX

Description

Erection of hipped roof over existing side dormer with front and side roof lights and erection of a part single/part two storey side and rear extension and rear dormer window (amended drawings received 27.04.2017).

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 of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- (2) The external finishes of the development hereby permitted, including making good to the retained fabric, shall match in material, colour, size, style, bonding, texture and profile those of the existing building.

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) The development hereby permitted shall be carried out in accordance with the following approved documents: 020 REV A, 021 REV A, 022 REV A, 023 REV A & 024 REV A received 27.04.2017

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

- (4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, or other form of openings other than those shown on the approved plans, shall be inserted in the flank elevations of the development hereby permitted.

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) No part of the development including foundations or guttering, shall encroach upon the adjoining property.**
- (3) Given that the proposed works will be undertaken on or close to a boundary with the neighbouring properties, the applicant is reminded of the requirements of The Party Wall Act 1996 which amongst other things requires adjoining owners to be notified of the proposals, and their agreement sought to the proposed works.**
- (4) Works related to the construction of the development hereby permitted, including works of demolition or preparation prior to building operations shall not take place other than between the hours of 08.00 to 18.00 hours Mondays to Fridays; 08.00 to 13.00 hours Saturdays; with no work on Saturday afternoons (after 13.00 hours), Sundays, Bank Holidays or Public Holidays.**
- (5) 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**

70 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 applications:

- 65 London Road, Ewell KT17 2BL – 16/00933/FUL
- 18a Worple Road, Epsom KT18 5EF - 16/01421/FLH
- Development site at Upper High Street, Epsom KT17 4QS – 17/00001/FUL

The meeting began at 7.30 pm and ended at 8.03 pm

COUNCILLOR HUMPHREY REYNOLDS (CHAIRMAN)

The Kirkgate 19 - 31 Church Street Epsom Surrey KT17 4PF

Demolition of the existing entrance and the erection of a two storey front extension incorporating a glazed entrance porch. (Description amended and amended drawings received 24.05.2017)

Ward:	Town
Contact Officer:	John Robinson

1 Plans and Representations

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

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OMFQ90GYG4200>

2 Summary

- 2.1 The application seeks permission for the demolition of the existing entrance and the erection of a two storey front extension incorporating a glazed entrance porch.
- 2.2 This application has been submitted to committee at the request of Cllr Tella Wormington.

2.3 The application is recommended for APPROVAL

3 Site description

- 3.1 The application site comprises a c1990's, four-storey office building (The Kirkgate) located on the eastern side of Church Street, at its junction with Depot Road.
- 3.2 The surrounding area comprises a variety of uses including office and commercial uses with car parking, residential, retail and educational uses, a fire station, cinema and a church. The site is flanked to the north, east and west by commercial properties of differing styles and appearance. To the south, the site is bound by the Epsom fire station.
- 3.3 Immediately opposite the site, on the western side of Church Street, is Hope Lodge, a Grade II Listed Building. The site is located between the Church Street Conservation Area to the south, and the Epsom Town Centre Conservation Area, extending to the north west and north east of the site.

4 Proposal

- 4.1 The application seeks permission for the removal of the existing bricked entrance to The Kirkgate, and its replacement with a new entrance area.
- 4.2 The proposed new entrance would be located on the north-eastern elevation which forms the existing main entrance to the offices. The existing single storey entrance “wings” would be in-filled at first floor level and the existing entrance doors would be replaced by new glazing and doors.

5 Comments from third parties

- 5.1 The application was advertised by means of letters of notification to 6 neighbouring properties, and site notice. A letter of objection was received from the Epsom Civic Society regarding:

- Failure to reinforce local distinctiveness
- Impact on conservation area
- Impact on setting of the listed building
- Inappropriate design (size and appearance)

The scheme has been subsequently amended and the Society commented as follows:

“We could have hoped for a closer relationship with the existing building but it avoids some of the past excesses and it is probably time to put it before the Committee”.

6 Consultations

- 6.1 Conservation Officer: The proposal causes no harm to the significance of Hope Lodge - a Grade II listed building on the opposite side of Church Street. There is no objection in terms of Policy DM8.

7 Relevant planning history

- 7.1 None relevant

8 Planning Policy

Local Development Framework – Core Strategy 2007

Policy CS5 The Built Environment

Development Management Policies Document – 2015

Policy DM8 Heritage Assets

Policy DM9 Townscape Character and Local Distinctiveness

Policy DM10 Design Requirements for New Developments

9 Planning considerations

Visual Impact

- 9.1 The existing building is a dominant presence in the streetscene, with Church Street (and to a lesser extent, the return Depot Street elevation) articulated by a series of vertical, four-storey bays. However this relative symmetry is interrupted by the extremely awkward design approach to the corner (and the entrance to) the building. The asymmetrical corner elevation comprises a clock “tower” surmounted by a cupola, whilst the ground floor entrance comprises two sections, each under a lean-to pitched roof.
- 9.2 As a result of its awkward angular design, the entrance, in its current form, is incoherent as there is no clear and legible route to the entrance doors, and moreover, it detracts from the overall appearance of the existing building. The proposed reconfigured entrance porch would clearly identify the entrance and would result in the removal of the unattractive lean-to roofed additions to the building.
- 9.3 The first floor element of the extension (which would have windows that would reflect the proportions of those on the rest of the building, in contrast to the glazed curtain walling to the porch below) would be set back from the edge of the ground floor. This would result in a first floor that would remain visually recessive and subordinate to the ground floor whilst reflecting the proportions and detail of the main building.
- 9.4 Overall the design of the new entrance is acceptable and would represent a considerable improvement (physical and visual) to the existing entrance arrangement to the building, and would enhance the appearance of the overall building.
- 9.5 It would not have a harmful impact on the setting of the nearby listed building or on the character and appearance of the adjacent conservation areas. It would therefore comply with Policy DM8, DM9 and DM10.

Neighbour Amenity

9.6 The proposed scheme would result in no material harm to the living conditions of neighbouring residential properties in terms of outlook, overlooking, loss of privacy or noise and disturbance.

Community Infrastructure Levy

9.7 The proposed development would not be CIL liable

10 Conclusion

10.1 In light of the above it is recommended that planning permission is granted.

11 Recommendation

11.1 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) The development hereby permitted shall be constructed entirely of the materials as detailed on Drawing No. ML/KG.303C

Reason: To secure a satisfactory external appearance in the interests of the visual amenities of the locality as required by Policy DM10 of the Development Management Policies Document 2015

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

ML.KG.201 D; ML.KG.303 C; ML.KG.304

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

Informatives

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

- (2) If you need any advice regarding Building Regulations please do not hesitate to contact Epsom & Ewell Borough Council Building Control on 01372 732000 or contactus@epsom-ewell.gov.uk.

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The Chalk Pit, College Road, Epsom, Surrey, KT17 4JA

Retrospective Change of use from a Waste Transfer Station to Material Recycling Facility

Ward:	Nonsuch
Contact Officer:	John Mumford

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/simpleSearchResults.do?action=firstPage>

2 Summary

- 2.1 This application seeks permission for the retrospective change of use from a Waste Transfer Station situated at The Chalk Pit, College Road, Epsom to a Material Recycling Facility.
- 2.2 The operation involves "waste disposal" and the application is therefore a "County Matter" and falls to be determined by Surrey County Council. The Borough Council has been invited by the County Council to submit a recommendation to inform their decision making process. The application is due to be determined by Surrey County Council's Planning and Regulatory Committee on 12 July 2017.
- 2.3 The application has been referred to Committee by Councillor David Wood, a local ward member, in order that the County Council can be informed of local concerns.
- 2.4 The site falls within the Green Belt.
- 2.5 It is recommended that OBJECTIONS are made to Surrey County Council because of unresolved environmental issues and impacts arising from the proposal upon the living conditions of nearby residents and the local area generally as set out in the report.**

3 Site description

- 3.1 The Chalk Pit is an industrial and commercial site of approximately 1.8ha and is located on the northern side of the A2022 College Road some 2km southeast of Epsom Town Centre. Access to The Chalk Pit and the application site is gained via the A2022 College Road. The Chalk Pit hosts numerous commercial land uses including several waste management facilities. Although The Chalk Pit is bounded to the north and south by open fields, built-up residential areas are located to the west and south-east with the nearest dwelling situated some 70m to the east of The Chalk Pit.
- 3.2 The application site comprises an area of approximately 0.21ha situated in the south-eastern corner of The Chalk Pit and consists of an open sided steel portal frame canopy building measuring about 19.5m x 10m. Within the building is a mechanical trommel with a rotating drum and vibrating screen plates to sort waste and next to the building is a mechanical picking station where individual types of materials are separated out by hand.
- 3.3 The application site is not covered by any archaeological constraints and is in Flood Zone 1 (land with the lowest probability of flooding), though the site lies within the catchment area of a source protection zone (SPZ 2) designated to protect groundwater to supply human consumption.

4 Proposal

- 4.1 The applicant began operating from the application site during 2010. Since that time, unauthorised activities which are normally associated with a recycling operation were noted by Surrey County Council as taking place within the application site, including a power screener being brought onto the site in May 2011, a mechanical picking station being installed in September 2014, the stationing of a trommel in December 2015, and the use of a concrete crusher from April 2016.
- 4.2 This application is therefore seeking to regularise the use of this recycling plant by applying for a retrospective change of use to a Materials Recycling Facility (MRF). According to the plans submitted as part of the application, the land where this change of use has been applied for includes roughly the northern half of the area previously permitted to operate as a WTS under CLEUD ref: APP/X/95/B3600/2321 dated 17 April 1998, and a small part of land to the west of the CLEUD area, where no planning permission for waste development or activities has previously been permitted. The application does not include the southern half of the CLEUD area, or any of the land or buildings to the west of the application site, where the applicant currently stores skips, parks lorries and repairs company vehicles.

- 4.3 The applicant argues that there is a need for the operational use of the mobile trommel on site as processing material on site reduces the need for double handling of much of the material – which would involve transportation to another facility and thence to final destinations. Thus the applicant believes that the trommel plays an important role in material recovery and may substantially reduce likely transportation and other environmental costs. Officers accept that the use of the trommel will facilitate waste recovery and so enable waste to move up the hierarchy.

5 Comments from third parties

- 5.1 This Council as a consultee on a County planning application does not separately consult neighbouring residential occupiers; this is a matter for Surrey County Council. Nevertheless, an objection has been directly received from a nearby residential occupier on Longdown Lane North raising the following matters:
- strongly oppose the intrusively noisy trommels that recycle aggregates by rotating stones and the crushing them. The specific objection about the trommel has been that it is sited on an elevated area within The Chalk Pit, against the quarry edge, and thus the incessant grinding generated simply reverberated, on occasions, above the rest of The Pit, out into surrounding residential roads like Longdown Lane North and Links, with an uncontrolled "booming effect";
 - by granting this retrospective change of use to recycling materials, there will then be nothing stopping the applicant and the other waste companies in the Pit, to apply to introduce more trommels in the future, creating yet more unbearable noise and dust for residents, in an inappropriate location;
 - With potential serious issues for many residents and students in Epsom, and indeed The Chalk Pit's workforce, potentially affecting drinking water supplies, asbestos dust inhalation, and environmental noise damage - and given that SCC have confirmed the current operator is unauthorised for recycling activities - we hope an effective containment plan can be quickly put in place by SCC and/or the EA, rather than further years of indecision and inaction.

6 Consultations

- 6.1 Surrey County Council, as Highway Authority, has commented that it is also a consultee to Surrey County Council's Planning and Regulatory Committee and will be making comments directly to that Committee.

- 6.1 Borough Environmental Health Officer has noted that the applicant considers a separate noise assessment to be unnecessary and proposes instead a condition from a nearby similar operation to be applicable. This view is not accepted and it is proposed that the applicant should conduct a fresh BS4142 assessment on the basis that BS4142 has been revised since the above mentioned condition was applied. Additionally it should be for the applicant to positively demonstrate that the addition of his activities won't increase the overall noise emissions by anything over 5dB at the Nearest Sensitive Receptor (NSR) and if it does the applicant should provide for noise mitigation either physical or management.
- 6.2 Borough Contaminated Land Officer has commented that the site is environmentally sensitive and also extremely vulnerable, being excavated into the Lewes Nodular Chalk that constitutes a principal aquifer with no protection afforded by lower permeability deposits. Part of the property also lies within a Source Protection Zone 2 and within the East Street Epsom Safeguard Zone for drinking water. Due to the hydrogeological sensitivity of the setting, the Environment Agency Groundwater Team will wish to be consulted on this application. It is my understanding that an Environment Agency Environmental Permit (reference EPR/QP3398VB) is in place for the site.
- 6.3 Borough Contaminated Land Officer comments on the planning application are likely to be relevant to the Environment Agency.
- 6.4 Much of the waste arrives in skips, including from domestic refurbishments. As such, there is the possibility that asbestos containing materials (ACM) will be present either due to inadvertent inclusion (lack of recognition at source) or deliberate concealment. Hand sorting of skip wastes would have a high likelihood of identifying ACM and allow for immediate segregation. If a mechanical trommel is used to sort waste there is greater potential for ACM not to be identified and for asbestos containing dust to be generated via agitation. I would therefore like to see a management programme put in place to identify, mitigate and monitor the risk to workers and others from asbestos containing dust. This could include, for example, personal and boundary monitoring.
- 6.5 There is a proposal to collect runoff water from treatment and storage areas and use this for dust suppression. To ensure that risks to the principal aquifer beneath the site are minimised, I suggest that, as a minimum, contaminant acceptability criteria would need to be agreed and for the collected water to be tested and used only if contaminant concentrations were below the agreed criteria. The application supporting information also states that "the site benefits from a natural slope to the south" whereas a steep slope eastwards is evident. A drainage survey would be needed to allow for the design of a system for collecting water from treatment areas for possible re-use where quality is deemed acceptable.

- 6.6 There were other areas of concern noted during the Borough Contaminated Land Officer's site visit relating to just outside the application boundary including fuel spillage and vehicle washing that could be potentially polluting to the chalk aquifer.

7 Relevant planning history

Application number	Decision date	Application detail	Decision
94/00714/CMA		<p>Lawful Development Certificate (LDC) for use of land for a skip hire depot involving the use of four skip lorries and 120 skips, and for the storage and transfer of waste.</p> <p>LDC for the use of approximately 200 sqm of land for the storage and transfer of up to 26,000 tonnes of waste per calendar year</p>	<p>Objection</p> <p>LDC Granted on appeal 09.05.1996 under ref APP/X/95/B3600/002321</p> <p>LDC separately Granted on appeal on 17.04.1998 under ref APP/X/95/B3600/002321</p>
09/00237/CMA (for another operator elsewhere on site)	19.11.2009	Use of land for Asbestos waste transfer with associated concrete hardstanding	<p>Objection</p> <p>Surrey County Council Granted 20.11.2009</p>
13/00289/CMA (for another operator elsewhere on site)	16.10.2013	Retention of a mobile trommel and for the continued use of the site for a skip hire business, waste transfer and as a materials recovery facility.	<p>No Objection</p> <p>Surrey County Council Granted 17.03.2014</p>
14/00958/CMA (for another operator elsewhere on site)	02.10.2014	Erection of new building (62.4sqm) and use of land of some 0.017ha within the Chalk Pit for waste recovery activities comprising: the importation, deposit, storage, sorting, transfer and distribution of up to 10,400 tonnes per annum of commercial and industrial skip waste materials such as concrete, soils, hardcore, wood, plastic, paper and	<p>No Objection</p> <p>Surrey County Council Granted 11.03.2015</p>

		card, metals and green waste within new building; the erection of new fencing; and provision of an HGV parking and turning area.	
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8 Planning Policy

National Policy Planning Framework (NPPF) 2012

Core Strategy 2007

Policy CS2	Green Belt
Policy CS6	Sustainability in New Developments

Development Management Policies 2015

Policy DM10	Design Requirements for New Developments
Policy DM17	Contaminated land
Policy DM25	Development of Employment Premises
Policy DM36	Sustainable transport for New Development

9 Planning considerations

Background

- 9.1 The site has an extensive history of commercial use dating back many years from its use as a mineral working and as a large sawmill and lumberyard in the 1940's. The application site itself currently operates on land originally granted planning permission in 1994, under ref: EP91/0359/0202, for the temporary retention of a Waste Transfer Station (WTS). The operator then applied for a CLEUD in 1998 for the storage and transfer of up to 26,000 tonnes of waste per calendar year on the same site, which was granted on appeal under ref: APP/X/95/B3600/2321 dated 17 April 1998.
- 9.2 Subsequent planning permissions have permitted the retention of an open-sided building for the transfer of waste (ref: EP95/0611 dated 30 November 1998); installation of a weighbridge (ref: EP03/0380 dated 18 September 2003); erection of a retaining wall to provide a secure boundary between two land uses (ref: EP08/0417 dated 25 July 2008); and, retention of a first floor addition to portable site office accommodation, siting of a secure container/store, and siting of a portable toilet block (ref: EP08/0418 dated 30 July 2008).

Impact on the Green Belt

- 9.3 The application site is located in the Metropolitan Green Belt. The development proposed is inappropriate and planning permission should only be granted if very special circumstances exist which clearly outweighs the harm caused. The ongoing commercial waste use of the application site has been established through a Certificate of Lawful Existing Use or Development (Ref APP/X/95/B3600/2321) confirming the use of the application site for storage and transfer of up to 26,000 tonnes of waste per calendar year.
- 9.4 Officers are not convinced that sufficient evidence has been provided by the applicant to justify the additional recycling activities (which involve mechanical devices that generate noise and dust) as amounting to the very special circumstances which clearly outweigh the harm to the Green Belt in this case.

Highways, Traffic and Access

- 9.5 The County Highway Authority (CHA) has been consulted on the application and has commented that in the absence of supporting transportation information it is not possible to assess how the operation of a site and consequent traffic generation as a material recycling facility differs, or not, from the permitted use as a waste transfer station. Whilst no modifications to the Chalk Pit access off College Road or internal roads are proposed along with no increase in staff or change to working hours an objection is still raised on the grounds of lack of information to determine the impact of the proposal on the highway network.

Residential Amenity

- 9.6 The proposal would be situated some 180m to the east of the nearest residential properties that are located on College Road. The proposal would create noise by way of the HGV vehicle movements associated with the operation of the site; the loading and unloading of skip vehicles and notably the use of a mobile trommel on the application site. It is clear from the comments received from a neighbouring resident and from the Borough Environmental Health Officer that there could be an unacceptable impact on residential amenity in terms of noise and disturbance. It is considered essential that the County Council require the applicant to undertake a BS4142 noise assessment to demonstrate that the addition of the recycling activities won't increase the overall noise emissions by anything over 5dB at the Nearest Sensitive Receptor (NSR). If it does however, the applicant should be required to provide for noise mitigation to achieve this standard. If the County Council is minded to grant planning permission then it is essential that an appropriate planning condition for noise is imposed.

- 9.7 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution. Paragraph 120 states that planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects of pollution should be taken into account.
- 9.8 Government policy states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented with an application (Paragraph 121). Government policy also states at paragraph 122 that local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively.
- 9.9 Policy CS 6 of the Epsom and Ewell Core Strategy 2007 states that proposals for development should result in a sustainable environment and reduce, or have a neutral impact on upon pollution. In order to conserve natural resources, minimise waste and encourage recycling it is the responsibility of the waste planning authority to ensure new development for waste facilities minimises the emission of pollutants including noise pollution into the wider environment.
- 9.10 The hours of operation for this application are proposed as 0700 to 1800 Mondays to Fridays and 0700 to 1300 on Saturdays which would be the same as existing. The operating hours should be limited by planning condition on any new consent if planning permission were minded to be granted by the County Council.

Water Environment Pollution Controls

- 9.11 The site lies on the Lewes Nodular, Seaford and Newhaven Chalk Formation. The formation is classified as principal aquifer in terms of the large amounts of water it can yield for supply and its ability to provide base flow to watercourses which support aquatic ecology. The proposed development lies within the catchment area of a source protection zone (SPZ 2) designated to protect groundwater to supply human consumption. Therefore the site is located within an area of high risk regards groundwater protection.
- 9.12 Officers are of the opinion that the imposition of appropriate planning conditions on any new consent are necessary in order to safeguard against possible future contamination issues at the site.

Air Quality and Dust

- 9.13 Paragraph 124 of the Framework, states decisions should take into account the presence of Air Quality Management Areas (AQMA) and the cumulative impacts on air quality from individual sites in local areas. However no AQMA applies to the application site. Paragraph 144 of the Framework, states that local planning authorities should ensure that any unavoidable, dust and particle emissions are controlled, mitigated or removed at source.
- 9.14 The application site is situated below the ground level of the surrounding areas and as a result is screened by the 'quarry face' in the north-eastern region of The Chalk Pit. Further, at the perimeter of the site, known as the 'pit rim' which can be described as the intervening land between the open fields beyond which are residential dwellings and the application site, small shrubs and trees are present. This provides further physical screening of the application site assisting in the mitigation of any adverse air quality and dust impacts stemming from the operational activities within the application site.
- 9.15 The proposal involves the processing storage, transfer and processing of mixed waste materials. Trommel fines are a by-product of screening the mixed waste materials, the trommel fines themselves are fine particles. Thus, the proposal holds the potential to generate dust emissions through the operational activities of the application site which is only intensified further through the trommel fines produced in using the mobile trommel on site.
- 9.16 It is suggested that the County Council should require a dust risk assessment be carried out to provide reassurance over this issue, in accordance with IAQM Guidance. Residential properties are located approximately 180m to the west of the application site. The IAQM construction dust guidance scopes out sensitive receptors at a distance of more than 350m from a source. There appears to be inadequate information submitted with regard to air quality management in order to dispel the fears of receptors being adversely affected.

10 Conclusion

- 10.1 The application raises a number of significant environmental issues which need to be resolved before any grant of planning permission is considered by Surrey County Council. Epsom Borough Council objects to the application as it is currently submitted and would wish to be consulted on any additional information that may be put forward by the applicant.

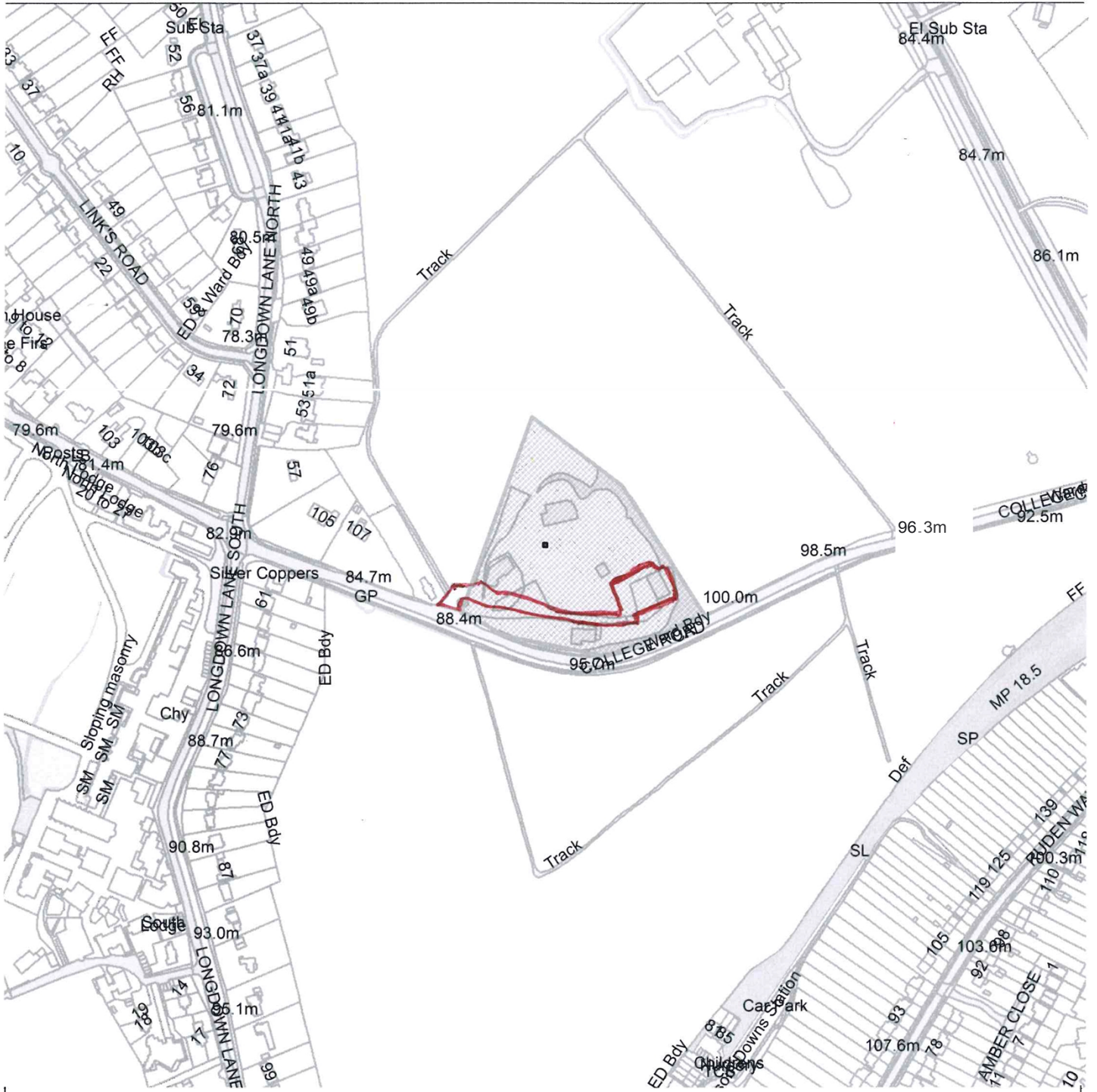
11 Recommendation

- 11.1 An OBJECTION is made to Surrey County Council because of unresolved environmental issues and impact arising from the proposal upon the living conditions of nearby residents and the local area generally and a lack of transportation information to allow an adequate assessment of the impacts of the proposal as set out in the report.**



1700092/CMA

The Chalk Pit



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Development Site at 65 London Road Ewell Surrey

Erection of a Class A1 convenience supermarket and associated parking, access, servicing and landscaping. (Amended drawings received 09.05.2017)

Ward:	Stoneleigh
Contact Officer:	John Robinson

1 Plans and Representations

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

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ODY3I1GYMBZ00>

2 Summary

The application site is currently vacant. This application seeks permission for the erection of a two and a half storey building, comprising a new Lidl food store at the first and second floor, with car parking and delivery accommodation to the ground floor level.

- 2.1 The application is recommended for REFUSAL.

3 Site description

- 3.1 The application site, approximately .3ha in extent, is located in a prominent corner position at the junction of the A24 (London Road) and the A240 (Ewell By-Pass), and was previously occupied by the Organ and Dragon Public House.
- 3.2 Vehicular access to the site is off London Road opposite a petrol filling station.
- 3.3 Adjacent to the site on the Ewell By-Pass is a group of houses with extensive back gardens which bound the north of the application site, along with the back gardens of those properties on Elmwood Drive. Adjacent to the site on London Road, is Stability House, a former dwelling now converted into offices, with residential accommodation on the upper floor.
- 3.4 The site is within a mixed use area around the junction. There is a designated local shopping parade on the opposing corner of the junction (Ewell By-Pass) which contains around 15 shops in various retail and service uses. Other uses in the area include a car showroom, petrol filling stations, storage warehouse, Territorial Army centre, United Reform Church and offices.

- 3.5 Surrounding this predominately commercial area, are the residential areas of Ewell and Stoneleigh, consisting of primarily detached and semi-detached inter-war period houses. The London Road recreation ground and Nonsuch Park are also in proximity.

4 Proposal

- 4.1 This application seeks permission for the erection of a 2.5 storey building, accommodating a new Lidl food store at the first and second floor levels, (GIA: 1985m²) with car parking and delivery accommodation to the ground floor level. Access to the sales floor would be via a traveller. Externally the works would comprise customer car parking and a service area for the delivery of goods to the store, plus an amenity area, to the rear of the site.
- 4.2 The building would be of contemporary design, with the external walls to the store building consisting of brick cladding, "alucobond" cladding, and curtain walling. The Ewell By-Pass and London Road elevations would have brick facades with ground floor openings to provide light and ventilation to the car park behind the facade. Full height glazing would be provided to the traveller to the southern elevation and corner of the building. The flank (north west) elevation would incorporate a full height green wall.
- 4.3 The building would have a low angle, mono-pitched roof, with the high point along the front elevation along London Road, reducing in height to the rear following the direction of the traveller.
- 4.4 A total of 61 customer car parking spaces would be provided for the store with the majority located in the ground floor undercroft carpark and the remainder around the perimeter of the site.
- 4.5 A single entrance and exit from the car park would be onto London Road, located to the rear of the building. The service area would be located at the rear of the building.
- 4.6 The existing green planting facing the junction would be replaced with new landscaping to overcome the levels differences on site, and the green space behind 77 London Road would be improved and a new green amenity space is proposed.

5 Comments from third parties

- 5.1 The application was advertised by means of letters of notification to 150 neighbouring properties, a site and press notice. To date (22.05.2017) 154 letters of objection have been received regarding:
- Cars queuing to enter the proposed site would cause severe disruption and congestion.
 - The area is already well served with local supermarkets in the area – Tesco Metro opposite Homebase, Sainsburys Local, Co-Op and M&S opposite Organ & Dragon.
 - Local school children walking to and from school would not be safe as they would have to cross where the Lidl car park would be and the

increase in traffic would make it extremely difficult to cross the roads safely.

- The development will be very unsightly.
- Impact on cyclists (Cyclists southbound on the A24 approaching the major crossing of the A240 already have difficulty moving across into the correct lane for continuing to cycle into Ewell village. This could become an almost impossible manoeuvre when there is a queue of motor vehicles waiting to turn into the Lidl main entrance.
- Visual impact
- Out of keeping
- Highway safety
- Loss of outlook (To No 153 Ewell-By Pass)

6 Consultations

- 6.1 Highways Officer: Recommends refusal. Refer to paragraphs 9.27 – 9.33 for further details
- 6.2 Tree Officer: No objection
- 6.3 Policy Officer: Recommends refusal. It is considered that a mixed use development of retail and residential would be desirable at this location and would be considered a preferable form of sustainable development over a single use scheme. The proposed single use of the site is considered to be unsustainable contrary to Policy CS1 and CS8.

7 Relevant planning history

Application number	Decision date	Application detail	Decision
12/00685/FUL	13.12.2012	Change of use from Restaurant (Class A3) and Bar (Class A4) use to Restaurant (Class A3) and Hot Food Takeaway (Class A5) use with associated improvements to the access and car parking areas.	REFUSED Appeal DISMISSED 25.09.2013

8 Planning Policy

Core Strategy 2007

Policy CS1	Sustainable Development
Policy CS3	Biodiversity
Policy CS5	Built environment
Policy CS6	Sustainability in new developments
Policy CS8	Broad Location of Housing Development
Policy CS15	Role of Local Centres

Policy CS16 Managing transport and travel

Development Management Policies Document 2015

Policy DM4 Biodiversity and new development
Policy DM5 Trees and landscape
Policy DM8 Heritage Assets
Policy DM9 Townscape character and local distinctiveness
Policy DM10 Design requirements for new developments
Policy DM13 Building heights
Policy DM29 Major New Retail Developments
Policy DM35 Transport and new development
Policy DM36 Sustainable Transport for new development
Policy DM37 Parking standards

Housing Site Allocations Consultation Paper 2011

Site Allocations Policies Document: Other Sites Consultation Paper 2013

9 Planning considerations

Previous Application and Appeal Decision

- 9.1 In September 2012 (reference 12/00685/FUL) planning permission was refused to turn the vacant building into a KFC restaurant and takeaway. The application was also refused on Appeal in May 2013. The focus of the 2013 Appeal largely related to highway and transport issues, and the effect of the proposed development on highway safety and the free flow of traffic on London Road (A24).
- 9.2 In his decision the Inspector concluded that “the impact of the appeal scheme on the free flow of traffic and highway safety including parking and access by service vehicles would be severe. It would have a seriously adverse impact on the safety and efficiency of London Road (A24) and the Ewell Bypass in this location. These are the determining factors in this case. This would be contrary to LP Policy MV8 (3) and Policy CS16 of the CS as well as the Framework”.
- 9.3 The Inspectors decision is therefore a material consideration in the assessment of the current application.

Principle of Development

- 9.4 The application site is located in the built-up area of Epsom. It is previously developed land and in a sustainable location. It is not within a conservation area. The redevelopment of this site is therefore appropriate in principle, subject to compliance with relevant development plan policies.

Potential impact on Housing Land Supply

- 9.5 This site was identified in the Site Allocations - Other Sites consultation, where it was proposed as an extension to the adjoining Castle Parade Local Centre. This site is a logical extension to the local centre, with an historic commercial use and commercial interest in the site. On that basis a retail development could provide a good fit within the proposed amended boundary. The Other Sites Document has progressed to the pre- submission stage has been subject to public consultation and serves as a material consideration in the determination of this application.
- 9.6 It is also noteworthy that the site was considered as part of the Housing Site Allocations Consultation (2011). The outcome of that process was that following public consultation, the site was identified and confirmed as Preferred Housing Site Allocation by the Borough Council's Planning Policy Sub Committee (February 2012). Since then the site is included within our Housing Trajectory for 20 units (flatted development), being projected to come forward at the latter end of the plan period. This is also a material consideration. It is the Borough Council's intention that the site be subject to a comprehensive mixed use redevelopment and that it be incorporated into the boundary of the local centre.
- 9.7 In sequential terms, it is considered that the application site would be preferable to other locations in the borough; where a similar sized retail store has been proposed. The applicant has stated that they are specifically seeking retail representation in the Ewell Village area and on that basis this site is considered to be an appropriate location.
- 9.8 The site is currently being re-assessed as part of the revised Strategic Housing Land Availability Assessment (SHLAA 2017). The revised SHLAA is assessing the site on the basis that it would be suitable to accommodate some form of mixed use scheme. It is highlighted that the Borough is highly constrained, and available, deliverable and developable sites are in short supply. This site is in a highly accessible location with good access to Ewell Village and its amenities. It is therefore considered that a site such as this one, with some identified housing potential, must be optimised to provide an element of housing, (including the provision of much needed affordable housing), alongside the commercial use in a mixed use scheme.
- 9.9 The submitted Design and Access Statement states that a mixed use development is not achievable on the site, due to the site's size constraints not allowing for policy compliant parking provisions for both the retail and residential elements. This is considered to be an inadequate explanation, and more detail is needed.
- 9.10 It is considered that a mixed use development of retail and residential would be desirable at this location and would be considered a preferable form of sustainable development over a single use scheme. The proposed single use of the site is considered to be unsustainable contrary to Policy CS1 and CS8, which require the development and use of land to contribute positively to the social, economic and environmental improvements necessary to achieve sustainable development.

Visual Impact

- 9.11 The new building would occupy a prominent site at the junction of the Ewell By Pass and London Road. The crossroads is characterised by substantial buildings on each corner; the Grade II listed Honda dealership, and petrol station on the western side of the junction, the three storey shopping parade on the southern corner, and the BP petrol filling station on the eastern corner.
- 9.12 The surrounding area is architecturally diverse and the design approach to the new building, which is overtly contemporary, is acceptable. The approach has been to make a distinction between each elevation of the development by the use of differing materials and the articulation of the building in both plan and elevation.
- 9.13 A contemporary palette of materials is proposed comprising brick cladding, "alucobond" cladding, curtain walling, as well as a green wall to a section of the flank elevation.
- 9.14 Whilst the new building would be set forward of both the Ewell By Pass and London Road building lines, it is considered that it has successfully addressed in design terms, the conflicting demands of providing a necessary "landmark" building whilst being contextually appropriate. The building would be no higher than the shopping parade on the opposite corner of the junction, and would act an appropriate transition between the residential buildings to the north west and north east. The proposed building would establish its own distinctive design character and would visually complete the existing gap in the current four corners of this important junction.
- 9.15 It is concluded that the proposed scheme would accord with Policy DM8, DM9 and DM10

Neighbour Amenity

- 9.16 The new building would be set forward around 5.5m forward of the adjacent dwelling at No 153 Ewell By Pass. This relationship is considered to be acceptable and would not have a material impact on the outlook from the front windows of the affected dwelling.
- 9.17 The north west flank wall, with an eaves height of 10m, would face the adjacent dwelling at No 153 at a distance of between 4 - 5m, along the entire depth of the affected neighbour's rear garden. The new building would conflict with a 45 degree outlook angle taken from the nearest ground floor rear facing window in the affected dwelling and whilst the proposed introduction of a green wall along part of this elevation is welcomed, it would not be sufficient to mitigate both the perceived and actual impact on the rear outlook from the affected dwelling.
- 9.18 The north eastern flank elevation of the new building would be set back around 1-1.5m from the rear garden boundary of No 1 Elmwood Drive. This minimal set back would result in an overbearing and dominant impact on the rear garden of the affected property, and lead to an unacceptable sense of enclosure.

- 9.19 The northern edge of the car parking area would be separated from the adjoining flank boundary of the front and rear gardens to No 153 Ewell By-Pass, by a 4-5m wide landscaped "buffer". The rear gardens of No 1 and 3 Elmwood Drive, abut the north western boundary of the application site, whilst part of the parking to the rear of the new building would abut the flank boundary of the rear garden to No 1. To mitigate the potential noise impact, it is proposed to safeguard the amenity of the affected properties by requiring the submission of details of an acoustic fence to be erected along the common flank boundaries.
- 9.20 Furthermore, in order to mitigate the impact at what might generally be considered to be quieter times of day it is proposed to impose conditions limiting the store opening times to 7am - 8pm Monday to Sunday, including Bank Holidays. Officers are satisfied that, subject to suitable conditions, activity within the service yard would not impact detrimentally on nearby residential properties. A condition would also be recommended to control the hours during which vehicles may make deliveries to the site to minimise the impact.
- 9.21 It is therefore concluded that the proposed scheme would have a materially harmful impact on neighbour amenity in terms of being overbearing in the outlook of No 153, and leading to an unacceptable sense of enclosure to the rear garden of No 1 Elmwood Drive, but that any noise and disturbance arising from the new store could be adequately controlled/mitigated against.

Highway Safety Parking and Access

- 9.22 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".
- 9.23 A Transport Assessment (TA), Draft Travel Plan (DTP) and a Car Park Management Plan (CPMP), have been submitted by the applicant. The TA examines the proposed development in terms of vehicular access, the provision of parking for vehicles on site and the potential increase in traffic on adjacent roads.
- 9.24 The T/A indicates the following:

Comments raised by both the Highways Authority and the Inspector associated with the 2013 Appeal have been taken into account;

Car and cycle parking would be provided in accordance with relevant standards. The development proposals include 58 parking spaces for the foodstore. The Surrey County Council 'Parking Standards' SPD requires a maximum of 106 spaces. A parking accumulation assessment indicates that Peak parking demand on the Friday occurs between 12:00-13:00 hours, reaching 46 vehicles. This reduces to 32 vehicles during the established network evening peak period. Parking demand reaches 49 vehicles between 11:30-12:00 hours and 13:30-14:00 hours on the Saturday. It is apparent therefore that the proposed provision of 61 parking spaces for the Lidl store is sufficient to accommodate the anticipated demand.

The redevelopment of the site would not result in a material increase in vehicle movements on the surrounding highway network in each of the assessed peak periods;

Junction capacity modelling of the surrounding road network has been undertaken, which demonstrates that the proposal would not have a material impact on delay through the network;

An Interim Travel Plan has been prepared to promote sustainable travel modes to/from the site; and

A Car Park Management Plan has been produced with the aim of managing the Lidl car park.

9.25 The applicants propose to contribute by way of a Section 106 agreement to improve the pedestrian crossing at the Ewell By Pass/London Road junction in the following ways:

- Provide tactile paving where none is provided on all arms of the junction (both London Road arms of the junction); and
- Introduce pedestrian signal controls to all arms that do not currently benefit from provision (again likely to be both London Road arms).

9.26 The TA concludes that in view of the above, the proposal is considered to be acceptable in transport terms and meets with local and national policy criteria. The assessment work undertaken has shown that there would not be any demonstrable harm arising from the proposed scheme and it will not cause any severe impacts.

9.27 The County Highways Officer comments as follows:

9.28 The submitted parking accumulation assessment is based on the premise that very few customers will remain on site for a full hour and yet the trip generation shows 82 cars arriving in the peak hour. Obviously this equates to more arrivals per hour than the number of parking spaces and if every vehicle stayed for an hour in store there would clearly be a shortfall of 24 spaces.

9.29 However, I accept that not all vehicles will stay in store for as long as an hour. Looking at the data from other stores (para 6.8 of the TA) I have compared this proposed store with Morden which is more typical of Surrey than the other two stores shown. This suggests that 51.5% of customers stay for less than 30 minutes and the other 49% stay for 30 minutes or longer. In a 60 minute period this equates to 40 spaces occupied for more than 30 minutes leaving 18 spaces available for 41 vehicles.

- 9.30 Assuming each of these spaces is occupied twice during that time, the car park can accommodate an additional 36 vehicles leaving 5 waiting or searching for a space in the car park. Whilst I appreciate that this is not an exact science the turnover of spaces is dependent on the ability to scan the entire car parking area quickly to find available spaces, and also on how quickly vehicles can leave the car park. In this location where queuing on A24 London Road is common, exiting the car park to turn right will not be a quick process. If as a result of lack of parking, delivery bays are occupied by customer vehicles the entrance to the car park will be blocked by delivery vehicles trying to access the delivery bay. This in turn will lead to vehicles queuing in London Road. Whilst the modelling carried out by the transport consultants demonstrates additional queuing on A240 (East and West) could be ameliorated by changes to the signal timings; this would cause longer queues on the (A24) London Road where adjoining residential areas are likely to be affected by rat running to avoid the longer queuing times.
- 9.31 It should be noted that the applicant's transport consultant has recently submitted evidence to Kingston Borough Council to support an increase in the parking area of 24 spaces for the Lidl at Leatherhead Road Chessington, in order for that car park to operate efficiently. The size of this store is smaller in terms of gross internal area (1275sqm as opposed to 1988sqm) although the net retail floor area is larger (1,063sqm vs 826sqm). Currently at peak times vehicles park on street, in delivery bays and on footways adjacent to the store as it only has 50 customer spaces and 2 staff spaces. The increased parking area would increase capacity to 74 spaces for customers and 2 spaces for staff.
- 9.32 I am of the opinion that this store on Epsom's Boundary more closely indicates the type of operation that will occur in Ewell and I would not be happy to see this type of activity taking place at or around the A24/A240 junction.
- 9.33 There are no significant mitigation measures provided for pedestrians other than the widening of the footways in Kingston Road and London Road. There is no improvement to pedestrian crossings on the A24/A240, nor is there any cycle provision other than cycle parking shown in the plans. The new vehicular access to the site is significantly wider than the existing, which is a disadvantage to pedestrians needing to cross it.
- 9.34 In view of the above, refusal is therefore recommended on the following grounds:
- The proposed car parking provision within the site is inadequate to accommodate the demands of staff and customers of the store. This will lead to queuing on both the A240 Kingston Road (East and West) and the A24 London Road, whilst customers wait for space to become available in the car park, causing severe congestion at this very busy junction.
 - The additional traffic movements associated with the proposed development at the signalised junction of A24 and A240 will increase queuing and congestion on both roads and as a result, will have a severe adverse impact on the safety, and efficiency of traffic on the surrounding highway network.

- It has not been demonstrated to the satisfaction of the County Highway Authority, that pedestrian movements to and from the store have been adequately catered for causing detriment to the safety and convenience of pedestrians in the local neighbourhood who may be discouraged from walking to the store because of the lack of crossing facilities at the access to the store and on the A24 London Road particularly at the traffic signals.

9.35 The proposed scheme would therefore be contrary to Policy DM37 of the Development Management Policy Document 2015 and CS16 of the Core Strategy 2007

Landscaping

9.36 The existing green planting facing the junction would be replaced with new landscaping to overcome the levels differences on site, and the green space behind 77 London Road would be improved and a new green amenity space is proposed.

9.37 A detailed landscaping scheme, including details (and future management) of the proposed green wall would be secured via appropriate planning conditions.

Sustainable Drainage System (SuDS)

9.38 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.

9.39 The applicant has submitted information with regard to the provision of SuDS as part of their application. The Lead Local Flood Authority at Surrey County are satisfied that the proposed drainage scheme would meet the requirements set out in paragraphs 051, 079 and 080 of the revised NPPF Planning Practice Guidance (PPG) for Flood Risk and Coastal Change. They recommend that should planning permission be granted, that suitably worded conditions are applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.

Sustainability

9.40 Policy CS6 requires development to reduce or have a neutral impact on pollution and climate change. It also requires proposals to demonstrate how sustainable design and construction can be incorporated to improve energy efficiency. The applicants submit that the proposed development would be built to the "highest specifications" with enhanced insulation levels and sustainable construction technologies and eco-friendly systems incorporated into the building design.

Ecology/Biodiversity

- 9.41 The proposed scheme would incorporate a landscaped buffer along the north west boundary, a green wall to part of the north western flank elevation, as well as a landscaped amenity space to the west of the new building. This would introduce increased opportunities for biodiversity enhancements to the site. The scheme would therefore comply with Policy DM4 which requires that every opportunity should be taken to secure net benefit to the Borough's biodiversity.

Community Infrastructure Levy

- 9.40 The scheme is CIL liable

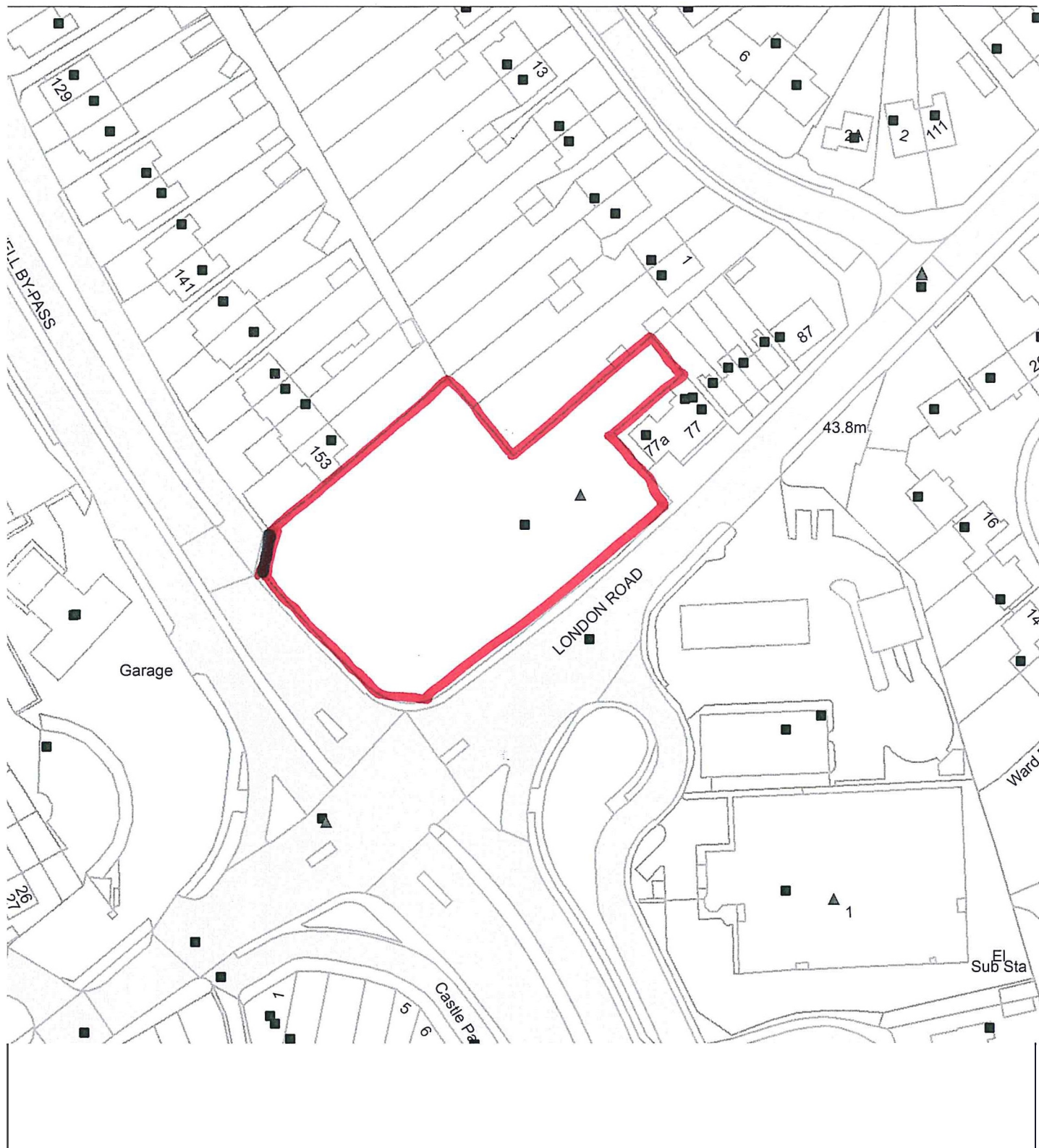
10 Conclusion

- 10.1 Due to the overall buildings size, bulk and height it would appear as a dominant and overbearing element in the outlook from the adjacent property at No 153 Ewell By Pass and would lead to an unacceptable sense of enclosure to the rear garden of No 1 Elmwood Drive.
- 10.2 It is also considered that due to the inadequate parking provision, and the additional traffic movements generated by the proposed development, the proposed scheme would have a seriously adverse impact on the safety and efficiency of London Road (A24) and the Ewell Bypass in this location. The scheme is therefore recommended for REFUSAL.

11 Recommendation

- 11.1 Planning permission is **REFUSED** on the following grounds:
- (1) **The proposed building due to its design, scale height and massing would appear as a dominant and overbearing element in the outlook from No 153 Ewell By Pass, contrary to Policy DM10 of the Development Management Policies Document 2015.**
 - (2) **The proposed building due to its design, scale, height and location would lead to an unacceptable sense of enclosure to the rear garden of No 1 Elmwood Drive contrary to Policy DM10 of the Development Management Policies Document 2015**
 - (3) **The proposed car parking provision within the site is inadequate to accommodate the demands of staff and customers of the store. This will lead to queuing on both the A240 Kingston Road (East and West) and the A24 London Road, whilst customers wait for space to become available in the car park, causing severe congestion at this very busy junction, contrary to Policy DM37 of the Development Management Policies Document 2015 and Policy CS16 of the Core Strategy 2007**
 - (4) **The additional traffic movements associated with the proposed development at the signalised junction of A24 and A240 will increase queuing and congestion on both roads and as a result, will have a severe adverse impact on the safety, and efficiency of traffic on the surrounding highway network, contrary to Policy CS16 of the Core Strategy 2007**

- (5) It has not been demonstrated to the satisfaction of the County Highway Authority, that pedestrian movements to and from the store have been adequately catered for, causing detriment to the safety and convenience of pedestrians in the local neighbourhood who may be discouraged from walking to the store because of the lack of crossing facilities at the access to the store and on the A24 London Road particularly at the traffic signals, contrary to Policy CS16 of the Core Strategy 2007.**
- (6) A mixed use development of retail and residential would be a preferable form of sustainable development over a single use scheme at this location. The proposed single use of the site would therefore be unsustainable, contrary to Core Strategy Policy CS1 and CS8.**



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Premier Inn 1 The Parade Epsom Surrey

Variation of Condition 22 (Approved drawings) of planning permission 15/01839/FUL to facilitate internal layout changes (including the provision of an additional 9 rooms) and various external minor fenestration and elevation amendments.

Ward:	Town
Contact Officer:	John Robinson

1 Plans and Representations

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

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ON67FKGY06R00>

2 Summary

- 2.1 The application seeks the variation of Condition 22 of the extant planning permission 15/01839/FUL to facilitate internal layout changes (including the provision of an additional 9 rooms) and various external minor fenestration and elevation amendments.
- 2.2 This application has been submitted to committee at the request of Cllr Tella Wormington.
- 2.3 The application is recommended for APPROVAL**

3 Site description

- 3.1 The application site has an area of 0.13 hectare and is occupied by the Epsom Comrades Club. The club occupies a part 2 storey and part single storey building and has total ground floor area of 339 m² covering around 26% of the site. The club has an in and out driveway and there is car parking marked out for 17 cars at the east side of the building and informal parking for around 6 cars at the front. The first floor comprises a currently vacant flat and a club meeting room.
- 3.2 The site is adjoined to the west by the Argos store, to the east by the Town Hall and to the rear by Spread Eagle Walk which includes the former Spread Eagle Public House, a Grade II listed building. Opposite the site lies a residential flatted development at 7 Ashley Road and to the east of that the former magistrate courts site, a residential scheme of 46 flats with a medical centre. Further to the east lies the Old Pines, a Grade II listed building, now used as a clinic.
- 3.3 The site is not listed nor within conservation area but it abuts the Epsom Town Centre Conservation Area along the northern and western boundary

- 3.4 Members may recall that planning permission (15/01839/FUL) was granted in June 2016 for the demolition of the existing Comrades Club facility and erection of new four-storey building comprising a 57-bed hotel (Use Class C1) with ancillary restaurant/bar and new Comrades Club facilities.

4 Proposal

- 4.1 The application seeks the variation of Condition 22 (Approved Drawings) :

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

Site Location Plan (Ref: 3640-OS-001); Proposed Ground Floorplan (Ref: 3640-P-101 Rev D); Proposed First Floorplan (Ref: 3640-P-102 Rev D); Proposed Second Floorplan (Ref: 3640-P-103 Rev C); Proposed Third Floorplan (Ref: 3640-P-104 Rev C); Proposed Fourth Floorplan (Ref: 3640-P-105 Rev D); Proposed Roof plan (Ref: 3640-P-106 Rev C); Proposed Roof Plan in Context (Ref: 3640-P-107 Rev B); Proposed South Elevation (Ref 3640-P-110 Rev G); Proposed North Elevation (Ref: 3640-P-111 Rev C); Proposed East Elevation (Ref 3640-P-112 Rev F) Proposed West Elevation (Ref: 3640-P-113 Rev C); Cross Section A (Ref: 3640-P-120 Rev B); Cross Section B (Ref: 3640-P-121 Rev B); Long Section C (Ref: 3640-P-122 Rev B); South Elevation in Context (3640-P-126 Rev A) Proposed Access arrangement 2015/2503/001 Rev E

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).

of planning permission 15/01839/FUL to facilitate internal layout changes (including the provision of an additional 9 rooms) and various external minor fenestration and elevation amendments

- 4.2 The internal amendments proposed are as follows:

- Minor alterations to the internal layout to facilitate the introduction of 9 new bedrooms;
- Relocation of the staff room and staff changing facilities to the ground floor and a reduction in the size of the hotel restaurant; and
- Reduction in the size of the upper floor linen rooms and increase in the ground floor linen provision to provide a central linen room with ancillary storage on upper floors.

- 4.3 The external amendments proposed are as follows:

- new windows along the south elevation including 2 new dormer windows at third floor level;
- Addition of 3 new windows along the north elevation including 1 new dormer at third floor level;

- Amendments to the ground floor shop front arrangement to suit the revised elevational composition;
- Amendment to the glazing and external door to the ground floor hotel linen intake on the south elevation to include a shop front elevation to match adjacent hotel and Comrades Club entrances;
- Omission of pilasters along rear north elevation and repositioning of the acoustically screened plant by 2.5m to align with the rear of the stairwell.

5 Comments from third parties

5.1 The application was advertised by means of letters of notification to 49 neighbouring properties, press and a site notice. To date (10.05.2017) one letter of objection has been received regarding:

- Adding a further nine rooms to this development will result in considerably more intrusion into my privacy as a resident of Chelsea Court.
- Noise and disruption
- Traffic congestion
- Inadequate parking provision

6 Consultations

6.1 County Highway Authority: No objections. As there is no change to the access and servicing arrangements and the principle of the hotel has already been established there are no further requirements from the Highway Authority. Conditions to be imposed on any permission granted.

7 Relevant planning history

- 7.1 08/01453/FUL: Demolition of existing Comrades Club and erection of new 82 bedroom hotel and replacement of Club facilities (As amended by drawing Nos.0809-11A, 12A and 13A); REFUSED. Dismissed on Appeal 2010
- 7.2 11/00353/FUL: Demolition of existing Comrades Club facility and erection of new four-storey building comprising a 77-bed hotel with bar/cafe and new Comrades Club facilities (Amended proposal 02.12.11): REFUSED. Dismissed on Appeal 2013, *solely on the grounds that the applicants failed to provide an appropriate, completed legal agreement to secure a financial payment towards infrastructure improvements.*
- 7.3 15/01839/FUL: Demolition of existing Comrades Club facility and erection of new four-storey building comprising a 57-bed hotel (Use Class C1) with ancillary restaurant/bar and new Comrades Club facilities. (Amended drawings received 26.05.2016): GRANTED

8 Planning Policy

Core Strategy 2007

Policy CS1	Sustainable Development
Policy CS3	Biodiversity
Policy CS5	Built environment
Policy CS6	Sustainability in new developments
Policy CS13	Community, cultural and built sports facilities
Policy CS14	Epsom Town Centre
Policy CS16	Managing transport and travel

Development Management Policies Document 2015

Policy DM4	Biodiversity and new development
Policy DM5	Trees and landscape
Policy DM8	Heritage assets
Policy DM9	Townscape character and local distinctiveness
Policy DM10	Design requirements for new developments
Policy DM13	Building heights
Policy DM25	Development of employment premises
Policy DM35	Transport and new development
Policy DM36	Sustainable transport for new development
Policy DM37	Parking standards

Plan E – An Area Action Plan for Epsom Town Centre (April 2011)

Policy E7 Town Centre Building Height

Policy E17 (h) Other Opportunity Sites: Comrades Club, The Parade

9 Planning considerations

Principle of Development Previous Application

9.1 The principle of demolishing the building previously on the site and constructing a hotel and associated facilities was established through planning application 15/01839/FUL. Permission is now sought to vary this earlier planning permission. This report will not repeat the previous assessment of the proposed development but will focus on the changes to the extant scheme.

Visual Impact

- 9.1 The changes would include the introduction of additional dormers to the north elevation and a variation on the fenestration pattern of the ground floor of the principal south elevation. Overall, the traditional design character of the proposed building would remain and would continue to respond to its local context. The ground floor would be rusticated render with the upper floors being in brick, surmounted by a slate roof. The rendered pilasters will add visual interest to the elevation. The proposed changes to the ground floor entrances would visually improve the appearance of the building, by introducing moulded rendered pillars to separate the expanse of glazing and a continuous moulded stall riser below.
- 9.2 At roof level, minor changes to the design of the dormers are proposed to reduce the width of the window surrounds. The windows would however, remain of the same size to that consented, and therefore the traditional hierarchy of the floors would be maintained, with the roof level forming a visually recessive element. The additional windows to the eastern bay of the south façade would not impact on the balanced rhythm of the principal southern façade which is an important feature of the local townscape.
- 9.3 It is therefore concluded that the proposed changes to the external appearance of the extant scheme would not impact on the character and appearance of development or on the surrounding area. The development would therefore be in accordance with Policies CS1, CS5, DM9 and DM10

Neighbour Amenity

- 9.4 The front of the hotel would face the windows of the flats at 'Chelsea Court', set directly opposite the application site, at a distance of in excess of 17m. Two additional dormer windows are proposed, but due to the intervening public highway, it is judged that the occupants of the flats would suffer no undue loss of residential amenity in terms of overlooking, or loss of light. A degree of evening activity is expected in a town centre location, and the neighbouring residential properties would not suffer undue noise and disturbance as a result of 9 additional bedrooms.
- 9.5 There are no other residential properties which would be affected by the amended scheme in amenity terms.

Parking and Access

- 9.6 The extant scheme provides two spaces within the site as disabled car parking bays. It is proposed that these spaces would be shared between the club and the hotel. The proposed development would be reliant of the use and availability of other public car parks in the vicinity of the development, of which there are 6 in and around the town centre.
- 9.7 Whilst there is no proposed change to the footprint of the proposal, the original Transport Statement, Travel Plan and Delivery and Servicing Management Plan have all been updated and have been submitted in support of this Application. They provide the revised analysis of transport and accessibility considerations.

- 9.8 The Transport Assessment reiterates that given the highly accessible town centre location and the availability of numerous public car parks it is considered that a significantly reduced level of on-site car parking would be appropriate. The provision of zero on-site car parking has been previously accepted as part of the previous application history, as well as by previous appeal decisions.
- 9.9 In view of the above, it is considered that the proposed additional nine bedrooms would not be material and in any event, the overall room count would remain substantially less than that deemed acceptable at appeal in 2013.

10 Conclusion

- 10.1 The proposed changes are accepted as minor material amendments to the original permission. It is therefore considered that a variation of Condition 22 of permission reference 15/01839/FUL under Section 73 of the Town and Country Planning Act 1990, to amend the approved drawings, should be granted permission.

11 Recommendation

- 11.1 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 commenced within 2 years from the 22/06/2016, the date of the originally approved application 15/01839/FUL that is subject to this application to vary.**

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 any works excluding site preparation works, archaeological investigations, site investigation works (including environmental investigations), works of demolition, ground remediation works and foundation work, 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. Details shall include the render/plaster, bricks, timber sash windows to the hotel and windows and doors to the Club, entrance and delivery doors to the hotel, lead details of the dormer windows, guttering details, slate roof. 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) Prior to the commencement of any works excluding site preparation works, archaeological investigations, site investigation works (including environmental investigations) works of demolition, ground remediation works and foundation work full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, shall be submitted to and approved in writing by the local planning authority. These details shall include areas of paving, SUDS (sustainable urban drainage system), means of enclosure along boundary, parking bay demarcation, external lighting and cycle storage racks, plant stock sizes and species (indigenous) and numbers. 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 shall not be occupied until details, sections and plans of the roof-level plant enclosure have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

- (5) 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 Epsom and Ewell Local Development Framework Core Strategy 2007.

- (6) The development hereby approved shall not be first opened for trading unless and until the proposed vehicular modified access to The Parade 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: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users as required by Policy CS16 of the Core Strategy (2007)

- (7) A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users as required by Policy CS16 of the Core Strategy (2007)

- (8) The development hereby approved shall not be first opened for trading unless and until space has been laid out within the site in accordance with the approved plans for vehicles / cycles to be parked and for the loading and unloading of 1 vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / loading and unloading / turning areas shall be retained and maintained for their designated purposes.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users as required by Policy CS16 of the Core Strategy (2007)

- (9) The development hereby approved shall not be first opened for trading unless and until existing redundant westernmost access from the site to The Parade has been permanently closed and any kerbs, verge, footway, fully reinstated.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users as required by Policy CS16 of the Core Strategy (2007)

- (10) All development shall be in accordance with the Construction Transport Management Plan approved under application 16/00541/COND dated 6 September 2016.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users as required by Policy CS16 of the Core Strategy (2007)

- (11) On first occupation of the development the applicant shall:
Implement the approved travel plan on first occupation and for each subsequent occupation of the development, thereafter maintain and develop the travel plan to the satisfaction of the Local Planning Authority.

Reason: To minimise reliance on the use of the private motor car in accordance with and Plan E and Policy CS16 of the Core Strategy (2007)

- (12) Prior to the commencement of any works, excluding above ground site preparation works, the applicant will secure the implementation of a programme of archaeological work in accordance with the Written Scheme of Investigation approved under application 16/00541/COND dated 6 September 2016.

Reason: The site is of high archaeological potential and it is important that the archaeological information should be preserved as a record before it is destroyed by the development as required by Policy DM8 of the Development Management Policies Document 2015.

- (13) Before any part of the Hotel is used a Service Management Plan shall be submitted to and agreed in writing by the Local Planning Authority and shall include proposals for all deliveries to take place after 07:00 and before 18:00. The development shall be carried out in accordance with the approved details.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users as required by Policy CS16 of the Core Strategy (2007)

- (14) No demolition, site clearance or building operations shall commence unless tree protection measures, including ground protection, for the Irish Yew have been installed in accordance with details approved under application 16/00605/COND dated 8 September 2016. No trenches, pipe runs for services and drains shall be sited within 3m of the trunk of any tree retained on site. Such protective measures shall be maintained during the course of development.

Reason: To enable the Local Planning Authority to ensure the retention of trees on the site protected from damage in the interests of visual amenity as required by Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

- (15) No construction work shall be carried out in such a manner as to be audible at the site boundary before 07.30 hours on Monday to Friday or after 18.30 hours on Monday to Friday; no construction work shall be audible at the site boundary before 08.00 and after 13.00 hours on Saturdays and no construction work of any nature shall be carried out on Sundays or Bank Holidays or Public Holidays.

Reason: To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties as required by Policy DM10 of the Development Management Policies Document 2015.

- (16) All SuDS elements of the development hereby approved must be in accordance with the detailed layouts and SuDS elements approved under application 16/00605/COND dated September 2016.

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

- (17) All SuDS elements of the development hereby approved must cater for system failure or exceedance events, both on and offsite, in accordance with the details approved under application 16/00605/COND dated 8 September 2016.

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

- (18) All SuDS elements of the development hereby approved must be protected and maintained during the construction of the development in accordance with the details approved under application 16/00605/COND dated 8 September 2016.

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

- (19) All SuDS elements of the development hereby approved must be maintained in accordance with the details approved under application 16/00605/COND dated 8 September 2016.

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) Prior to the commencement of any works excluding site preparation works, archaeological investigations, site investigation works (including environmental investigations), works of demolition, ground remediation works and foundation work details of "swift" bricks" shall be submitted to and approved by the Local Planning Authority. The bricks shall be installed in accordance with the approved details.

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

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

Site Location Plan (Ref: 3640-OS-001);

Proposed Ground Floorplan (Ref: 3640-P-101 Rev K);

Proposed First Floorplan (Ref: 3640-P-102 Rev H);

Proposed Second Floorplan (Ref: 3640-P-103 Rev I);

Proposed Third Floorplan (Ref: 3640-P-104 Rev G);

Proposed Fourth Floorplan (Ref: 3640-P-105 Rev F);
Proposed Roof plan (Ref: 3640-P-106 Rev F);
Proposed Roof Plan in Context (Ref: 3640-P-107 Rev D);
Proposed South Elevation (Ref 3640-P-110 Rev M);
Proposed North Elevation (Ref: 3640-P-111 Rev G);
Proposed East Elevation (Ref 3640-P-112 Rev J);
Cross Section A (Ref: 3640-P-120 Rev F);
Cross Section B (Ref: 3640-P-121 Rev E);
Long Section C (Ref: 3640-P-122 Rev D);
South Elevation in Context (3640-P-126 Rev E); and,
Proposed Access Arrangement 2015/2503/001 Rev E.

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 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
- (3) The developer is advised that a standard fee may be charged for input to, and future monitoring of, any Travel Plan the Developer would be expected to instruct an independent transportation data collection company to undertake the monitoring survey. This survey must conform to a TRICS Multi-Modal Survey format consistent with the UK Standard for Measuring Travel Plan Impacts as approved by the Highway Authority. To ensure that the survey represents typical travel patterns, the organisation taking ownership of the travel plan will need to agree to being surveyed only within a specified annual quarter period but with no further notice of the precise survey dates. The

Developer would be expected to fund the survey validation and data entry costs.

- (4) A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk.**

**Application forms should be completed on line via
www.thameswater.co.uk/wastewaterquality**



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18A Worple Road, Epsom, Surrey, KT18 5EF

Proposed demolition of existing single storey side extension. Proposed construction of two storey rear extension, part-first floor side extension, and single storey side and rear extension.

Ward:	Town
Contact Officer:	Charlotte Nimmo

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=OIHNA7GY08I00>

2 Summary

- 2.1 The application seeks permission for the construction of extensions to a residential property within a designated conservation area.
- 2.2 This application has been submitted to committee at the request of Cllr Tella Wormington.
- 2.3 The application is recommended for APPROVAL**

3 Site description

- 3.1 The application site comprises a residential corner plot located at the junction of Heathcote Road, Downside and Worple Road, facing south east across the Worple Road Conservation Area. The site includes a protected Magnolia tree, TPO ref. 146/T3, located at the front of the dwelling.
- 3.2 The north east and part of the south east and south west elevations are considered to form the principal views of the dwelling within the conservation area. The dwelling is a two storey detached house which features a simple gabled roof. The property benefits from two single storey side extensions incorporating a double garage.
- 3.3 Members may recall that an earlier application for planning permission (15/01234/FLH) was refused, and the following appeal dismissed in August 2016, for the construction of a two storey side and rear extension incorporating a residential annexe and additional loft conversion.

4 Proposal

- 4.1 The application seeks permission for the construction of a two storey rear extension, first floor side extension, and single storey side and rear extension (to replace an existing side extension). Revised plans for the scheme were accepted on 24 March 2017.
- 4.2 No alterations to the existing double garage or garden amenity space are proposed.

5 Comments from third parties

- 5.1 The application was advertised by means of letters of notification to 11 neighbouring properties, and a site notice. To date (01.06.2017) 3 letters of objection have been received from residents regarding:
- 'Huge improvement' on previous scheme
 - Importance of matching materials
 - Adverse impact on character and appearance of surrounding area (relating to original scheme)
 - Loss of privacy from side window of first floor extension (relating to original plans submitted)
 - Loss of light from first floor extension (relating to revised plans)
 - Overlooking from first floor extension (relating to revised plans)
- 5.2 Epsom Civic Society have commented once on each set of plans:
- January 2017: The scheme is an improvement on the previous proposal as it attempts to retain the original elevation to Worple Road. The elevation to Heathcote Road would result in a haphazard appearance as a result of the incoherent and independent extensions. The Society holds the view that the work would cause harm to the building and the conservation area and the application should be refused,
 - March 2017: The revised plans do little to alleviate the problems previously raised and the revised scheme is believed to still cause harm to the building and the conservation area.

6 Consultations

- 6.1 Design and Conservation Officer: There is no repetitive pattern nor a prevailing architectural form or style at this point in the street scene. A sympathetic alteration is therefore unlikely to harm either the eclectic character of the street scene or the significance of the designated area as a whole. Due to its prominent corner location, three of the four elevations of the host dwelling have a strong presence in the street scenes of both Worple Road and Heathcote Road. It is therefore essential for any new work to make a positive contribution to the two streetscapes so that key qualities of both the Worple Road and Church Street conservation areas remain unharmed. The proposed envelope and simple, gabled roofscape of the side addition achieve a reasonably balanced relationship with the host dwelling. However, it is preferable for the first floor side extension to be attached to the northern façade (Heathcote Road) to avoid crowding the neighbouring dwelling.
- 6.2 In the amended form there is no objection to the proposed two storey rear addition, as it remains subordinate to the host dwelling and the existing elevational hierarchy is unaffected. There would be no objection to a modest single storey side or rear extension. However, the single storey element must be contained to the rear of the host dwelling and the presently proposed 'wrap around' effect entirely avoided.
- 6.3 Addendum to comments above, dated 10 May 2017: The ensuing harm is far from the level which justifies refusal in terms of para. 133 of the NPPF. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, para. 134 advises that the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. It is therefore recommended that an 'on-balance' planning decision be made in this case.

7 Relevant planning history

- 7.1 15/01234/FLH: Two-storey side and rear extension, incorporating the creation of a residential annexe. Loft conversion. (Description amended 11.01.2016 and amended drawings received 21.01.2016) (Description amended 25.01.2016). REFUSED by Committee. Appeal dismissed August 2016.
- 7.2 16/01080/FLH: Demolish single storey side extension and erect 2-storey side and rear and part single storey side extensions. WITHDRAWN as invalid

8 Planning Policy

Core Strategy 2007

Policy CS1	General Policy
Policy CS5	Built Environment

Development Management Policies Document 2015

Policy DM5	Trees and Landscape
Policy DM8	Heritage Assets

Policy DM9	Townscape Character and Local Distinctiveness
Policy DM10	Design Requirements for New Developments
Policy DM37	Parking Standards

Supplementary Planning Guidance

Householder Design Guidance 2004

Parking Standards for Residential Development 2015

9 Planning considerations

Previous Application

9.1 A previous application (15/01234/FLH) for the construction of a two storey side and rear extension, incorporating the creation of a residential annexe, and loft conversion was refused by the Committee in February 2016 on the following grounds:

- The bulk and form of the proposed extensions would have a serious adverse impact on the character and appearance of the surrounding area, situated within the Church Street and Worple Road Conservation Areas. The proposal would therefore conflict with Policies DM8, DM9 and DM10 of the Development Management Policies Document - September 2015 and Policy CS5 of the Core Strategy 2007.

This decision was upheld by the Planning Inspectorate at appeal in August 2016

9.2 This application seeks to address the previous reason for refusal in the following ways:

- The revised scheme has no additions to the main roof slopes to maintain the original character of the property
- The extensions are contained to the southern/south west corner of the site to reduce the overall impact on visual and neighbour amenities

Impact on visual amenity

9.3 Policies DM8 and DM9 of the Development Management Policies Document 2015 relate to the distinctiveness of the designated Worple Road Conservation Area, and the ways in which the Council can maintain and enhance the local character of this heritage asset through new development. Policy DM9 states that planning permission will be granted where proposals positively contribute to the visual amenities of the Borough, considering specifically:

- Compatibility with local character and the relationship to the existing townscape and wider landscape;
- The surrounding historic and natural environment;
- The setting of the proposal site and its connection to its surroundings; and

- The inclusion of locally distinctive features and use of appropriate materials
- 9.4 Additionally, section 3.9 of the supporting text to Policy DM9 states that 'new development should enhance and complement local character, and be capable of integrating well into existing areas'. The Worple Road Conservation Area map shows that the applicant property is considered a 'positive' building but is not a focal point of any important views within the area.
- 9.5 Part of Policy DM10 of the Development Management Policies Document 2015 is also relevant with regard to good design principles. The policy states that local character and distinctiveness can be identified through several elements which must be respected, maintained or enhanced through development, including:
- Scale, layout, height, form (including roof forms), massing;
 - Plot width and format which includes spaces between buildings;
 - Typical details and key features such as roof forms, window format, building materials and design detailing of elevations, existence of grass verges etc.
- 9.6 The applicant has greatly revised the previously refused scheme and amended the current application to reflect comments on the works proposed. The proposed extensions will ensure the retention of the existing simple gable roof form of the dwelling and the parapet detail topping the existing flat roofed single storey side extensions; this will maintain the principal locally distinctive features of the dwelling.
- 9.7 Additionally, the two storey elements of the work will remain subservient to the principal roof through lower gabled roof profiles, and the first floor side extension will be set back 0.9m from the front elevation of the dwelling. This ensures the original building design and height is respected as the two extensions will form a modest bulk to the less visible south west flank. Large trees and shrubs along the shared boundary with No. 20 Worple Road, in addition to the protected Magnolia on site, will go some way towards screening the proposed first floor side extension from view.
- 9.8 To the rear, the two storey extension will sit pleasantly behind the dwelling and will again be partially screened by a large tree on the north east site boundary. The relationship between the dwelling and its neighbour No. 20 will remain unchanged as there is no clear viewing gap into the conservation area between the two properties when viewed from Heathcote Road. The extensions will therefore have a limited impact on the existing relationship of this dwelling with its neighbours in the street scene.

- 9.9 The single storey extension to the side and rear, along the north east flank elevation, are unlikely to impact the local character of the area. The side element visible from the front will exactly replace the existing extension, and the work to the rear is unlikely to be visible from the public realm in Heathcote Road. There will also be some natural screening from the boundary line tree as mentioned above.
- 9.10 It is considered that the works will blend well within the eclectic street scene and character along Worple Road, and will be sufficiently screened by large tree or shrub specimens to reduce the visual impact along Heathcote Road. The two key features of the simple dwelling, its gable roof and parapet detailing to extensions, will be maintained to ensure this corner plot dwelling remains locally distinctive and the original building design respected.
- 9.11 Paragraph 133 of the NPPF states that planning permission should be refused where development will lead to substantial harm to or total loss of significance of a designated heritage asset. The relatively small scale of the proposed works at this dwelling will not result in any substantial harm to the qualities of the Worple Road Conservation Area, nor to the character of the dwelling, and so it is concluded that the proposal is found to comply with local policies DM8, DM9 and DM10.

Impact on residential amenity

- 9.12 Policy DM10 states that development should 'have regard to the amenities of occupants and neighbours, including in terms of privacy, outlook, sunlight/daylight, and noise and disturbance'. The supplementary planning guidance document for householder applications gives further information as to how impacts on neighbours can be actively lessened through design.
- 9.13 Two of the objections from neighbours relate to the original scheme. The points stated under section 5 of this report show which comments were specific to the original plans; it is considered that these can be disregarded following the submission of the revised plans.
- 9.14 One letter was received from the rear neighbour of the applicant, No. 1 Heathcote Road, relating to the potential loss of privacy and light from the side extension at first floor level. The site plan shows that the distance between the two properties at first floor level is approximately 24m, or 21m including the proposed two storey rear extension. During the officer's site visit, photographs from the rear first floor rooms show that the view towards this rear neighbour is obstructed by trees and shrubs at the shared boundary; direct overlooking into habitable rooms would therefore be unlikely following the construction of the proposed side extension.
- 9.15 The potential loss of light is considered to be no worse than currently experienced by the residents of No. 1, and again the distance between the two properties results in the strong likelihood that the side extension will not cause adverse impact to neighbouring amenities.

- 9.16 The closest neighbouring property, No. 20 Worple Road, is a flat conversion and is set slightly behind the applicant property No. 18A. There is a distance of 1m to the shared boundary from No. 18A, and a distance of approximately 5m between the dwellings themselves. The addition of the side extension at first floor level is not considered to adversely impact the neighbouring property as there will be no flank windows to the extension, following the supplementary planning guidance.
- 9.17 It is found that the proposals will overall have minimal impact on neighbour amenities; the distance to neighbouring properties and general compliance with guidance for householder applications results in an improved scheme which is considered to comply with Policy DM10 of the Development Management Policies Document 2015.

Parking standards

- 9.18 The dwelling currently provides four bedrooms and will have a total of six under the proposed extensions. This requires a minimum of three off-street parking spaces to be provided at the property in order to comply with Borough-wide standards.
- 9.19 The proposed extensions will not affect the existing double garage or double drive; the site is found to comfortably provide four off-street parking spaces for vehicles of an average size.
- 9.20 It is considered that the proposal fully complies with Policy DM37 of the Development Management Policies Document 2015 and the Parking Standards for Residential Developments 2015 Supplementary Planning Document

Tree protection

- 9.21 The works are unlikely to affect the protected Magnolia tree located at the front of the property. However, implementation of a tree protection plan during the works would be prudent.
- 9.22 It is recommended that, to ensure full compliance with Policy DM5 of the Development Management Policies Document 2015, a condition is imposed requiring an Arboricultural Method Statement to be submitted prior to works commencing on site.

CIL

- 9.23 The original plans were calculated to increase the internal floorspace by 99.48sqm. This falls below the 100sqm threshold for CIL liability
- 9.24 The revised scheme is calculated to increase the internal floorspace by 104.79sqm. The application is therefore CIL liable

10 Conclusion

- 10.1 It is considered that the proposed construction of a two storey rear extension, part-first floor side extension, and single storey side and rear extension is acceptable as the scheme is found to comply with relevant local planning policy; it is therefore recommended that this application be APPROVED.

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 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, received on 24 March 2017: 671/10A, 671/11A, 671/12A, and 671/13A.

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 external finishes of the development hereby permitted, including making good to the retained fabric, shall match in material, colour, size, style, bonding, texture and profile those of the existing building.

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.

- (4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, dormer windows, rooflights, doors or other form of openings other than those shown on the approved plans, shall be inserted in any elevation of the development hereby permitted.

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

- (5) No development shall take place until an Arboricultural Method Statement (detailing all aspects of construction and staging of works) and a Tree Protection Plan in accordance with British Standard

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

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

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) Works related to the construction of the development hereby permitted, including works of demolition or preparation prior to building operations shall not take place other than between the hours of 08.00 to 18.00 hours Mondays to Fridays; 08.00 to 13.00 hours Saturdays; with no work on Saturday afternoons (after 13.00 hours), Sundays, Bank Holidays or Public Holidays.**
- (3) 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.**
- (4) 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/residents/planning/planning-advice/community-infrastructure-levy-cil-guidance>**

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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).

- Development site at Upper High Street, Epsom |KT17 4QS 17/00001/FUL

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

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

2.3.2 If the application is large and/or complex

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

WARD(S) AFFECTED: ALL

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