

Public Document Pack

Simon Young, Solicitor
Head of Legal and Democratic Services



PLANNING COMMITTEE

Thursday 7 September 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 5 - 8)

The Committee is asked to confirm as a true record the Minutes of the Meeting of the Planning Committee held on the 20 July 2017 (attached) and authorise the Chairman to sign them.

3. PLANNING APPLICATION 17/00256/FUL - 5 ALEXANDRA ROAD, EPSOM KT17 4BH (Pages 9 - 28)

Demolition of the existing building and redevelopment of the site to provide eight two-bedroom and two three-bedroom flats in a three/four storey building with accommodation in a lower ground, ground, first and second floor arrangement formation of a new vehicular access from Alexandra Road and the provision of eleven parking spaces (Amended drawings received 16.08.2017)

4. PLANNING APPLICATION 16/01448/FUL - 2 CHASE ROAD, EPSOM KT19 8TL (Pages 29 - 40)

Part two-storey/part single-storey flank extension to accommodate two affordable flat units (one, one bed flat to east of existing building and one three bedroom flat). Demolition of a garage to rear, with associated parking and landscaping. (Amended drawings received 25.07.2018).

5. PLANNING APPLICATION 17/0034/FUL - 55 CHRIST CHURCH MOUNT, EPSOM KT19 8LZ (Pages 41 - 58)

Demolition of existing detached house and construction of a new detached dwelling house.

6. PLANNING APPLICATION 16/01145/FUL - BIRCHCROFT AND HOLLYDENE, COURT LANE, EPSOM KT19 8JP (Pages 59 - 74)

Demolition of two vacant dwellings, one garage and annexe, and the construction of a new three storey flatted development comprising thirteen flats (three, one bed flats, six two bed flats and four three bed flats) and associated parking and landscaping works. (Amended drawings received 18.04.2017).

7. PLANNING APPLICATION 17/00063/FUL - NONSUCH PARK MANSION, NONSUCH PARK, EWELL ROAD, CHEAM SM3 8AL (Pages 75 - 82)

Erection of a shelter

8. PLANNING APPLICATION 17/00232/FUL - LONGMEAD SOCIAL CENTRE, SEFTON ROAD, EPSOM, KT19 9HG (Pages 83 - 88)

Relocation of a window and the installation of a new external door and access ramp. (Amended drawings received 05.06.2017).

9. PLANNING APPLICATION 17/00445/LBA - BOURNE HALL, SPRING STREET, EWELL KT17 1UD (Pages 89 - 94)

Listed building consent for proposed replacement of existing light fittings with LED light fittings in Museum and Library areas of Grade II listed building.

10. PLANNING APPLICATION 17/00378/REM - 39 OAKS SQUARE, WATERLOO ROAD, EPSOM KT19 8AS (Pages 95 - 102)

Variation of condition 15 of planning permission ref: 98/00104 dated 31/03/99 to allow an extension of opening hours of food and drink premises for an extra hour on Friday and Saturday evenings from 23:00 until 24:00, on Christmas Eve (evening 23:00 until 01:00 on Christmas Day, New Year's Eve (evening) 23:00 until 01:30 on New Year's Day, St. George's Day 23:00 until 24:00, St. Patrick's Day 23:00 until 24:00, and Halloween 23:00 until 24:00.

11. SITE VISITS (Pages 103 - 104)

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

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Minutes of the Meeting of the PLANNING COMMITTEE held on 20 July 2017

PRESENT -

Councillor Humphrey Reynolds (Chairman); Councillor David Reeve (Vice-Chairman); Councillors Michael Arthur, John Beckett, Alex Clarke (as nominated substitute for Councillor Tina Mountain), Lucie Dallen, Neil Dallen, Jan Mason, Peter O'Donovan, Martin Olney, Vince Romagnuolo, Clive Smitheram and David Wood

In Attendance:

Absent: Councillor Tina Mountain

Officers present: Mark Berry (Head of Place Development), Simon Young (Head of Legal and Democratic Services), Adele Castle (Planning Development Manager), John Robinson (Planning Officer) and Tim Richardson (Democratic Services Officer)

9 DECLARATIONS OF INTEREST

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

10 MINUTES OF THE PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 15 June 2017 were agreed as a true record and signed by the Chairman.

11 PLANNING APPLICATION 16/01145/FUL - BIRCHCROFT & HOLLYDENE COURT LANE EPSOM SURREY KT19 8JP

Description

Demolition of two vacant dwellings, one garage and annex, and the construction of a new 3 storey flatted development comprising 13 flats (3 one bed flats, 6 two bed flats and 4 three bed flats) and associated parking and landscaping works.

Decision

To **DEFER** a decision on this application until the next meeting of the Committee for the following reasons:

To ask the applicant whether they would be willing to make a financial contribution to improve pedestrian access to the site. The Committee considered that the pathway which currently provided access to the site was not in sufficient condition for use should the application be granted, and developed. The Committee considered that pedestrians would be

required to access the site using the highway surface if the condition of the pathway was not improved.

The Committee noted that the application currently permitted the applicant to elect that the Council retain an affordable housing deposit of £346,198 rather than providing two affordable housing units in the linked application 16/01448/FUL if they so chose. The Committee considered that this option should not be provided to the applicant, and that if this application was granted, it should include within its conditions that 2 affordable housing units be provided in the linked application 16/01448/FUL.

- 12 PLANNING APPLICATION 16/01448/FUL - 2 CHASE ROAD EPSOM SURREY KT19 8TL

Description

Part two-storey/part single-storey flank extension, to accommodate two affordable flat units (1 one bed flat to east of existing building and 1 three bed flat). Demolition of garage to rear, with associated parking and landscaping.

Decision

To **DEFER** a decision on this application until the next meeting of the Committee for the following reason:

As this application was linked to planning application 16/01145/FUL (considered as an earlier item of this agenda and deferred to the next meeting) the Committee considered that this item should also be deferred to the next meeting. The Committee's decision regarding application 16/01145/FUL is detailed in Minute no. 11 above.

- 13 PLANNING APPLICATION 17/00093/FUL - SURGERY COX LANE COMMUNITY CENTRE COX LANE WEST EWELL, SURREY KT19 9PS

Description

Replacement windows.

Decision

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

Conditions:

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

Reason: To comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2005

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

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

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

Drawing No COX L – 003A; COX L – 004A

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.

14 PLANNING APPLICATION 17/00198/ADV 39 THE OAKS SQUARE
WATERLOO ROAD EPSOM SURREY KT19 8AS

Description

Erection of an internally illuminated fascia sign.

Decision

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

Condition(s):

- (1) **Standard Advertisement Conditions**
- (2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Signage details received 22.05.2017

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

Informative(s):

- (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.**

15 SITE VISITS

The Committee reviewed and considered a list of site visits and decided that the following two applications should be removed from the list:

- Amber Cottage, Grove Road, Epsom, KT1F 4DF – 17/00167/FUL
- The White Horse Public House, 63 Dorking Road, Epsom KT18 7JU

The Committee also decided that a visit should be held at the appropriate time in connection with the following application:

- 5 Cox Lane, West Ewell KT19 9LR - 17/00121/FUL

The meeting began at 7.30 pm and ended at 8.38 pm

COUNCILLOR HUMPHREY REYNOLDS (CHAIRMAN)

5 Alexandra Road Epsom Surrey KT17 4BH

Demolition of the existing building and redevelopment of the site to provide 8 two-bedroom and 2 three-bedroom flats in a three/four storey building with accommodation in a lower ground, ground, first and second floor arrangement, formation of a new vehicular access from Alexandra Road and the provision of 11 parking spaces. (Amended drawings received 16.08.2017)

| | |
|-------------------------|----------------------|
| Ward: | College |
| Contact Officer: | John Robinson |

1 Plans and Representations

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

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OQ5532GYGRZ00>

2 Summary

- 2.1 The application property comprises an inter-war period, two-storey building accommodating a chiropractic clinic on the ground floor, with the remainder in residential use. The building is located on the south side of Alexandra Road. This application seeks permission for the demolition of the building and the erection of a part three-storey/part four-storey block of 8 two-bedroom and 2 three bedroom apartments, the formation of a new vehicular access onto Alexandra Road and the provision of ancillary car parking.
- 2.2 The application is recommended for APPROVAL.

3 Site description

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

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

4 Proposal

- 4.1 This application seeks permission for the demolition of the building and the erection of a part three-storey/part four-storey building accommodating 8 two-bedroom and 2 three-bedroom flats in a lower ground, ground, first and second floor arrangement.
- 4.2 The flats would meet national space standards, with access to both private patios/balconies and communal landscaped amenity space for the flats.
- 4.3 The building is taller towards the rear and would have an eaves height of 9.37m along the Alexandra Road front elevation, and an eaves height of 11.86m along the rear elevation. No part of the new building would project forward of the established building line within the site. The building's footprint would be approximately 13.5m wide along the frontage, and would progressively widen out along the eastern flank to around 17m in width, with an overall depth of 21.5m.
- 4.4 The flat-roofed building would have brick elevations with grey uPVC fenestration. The front and rear elevations would be further articulated by recessed/projecting balconies with metal balustrades, with the entrance/staircase element clad in wood veneer panels.
- 4.5 Parking for 11 vehicles would be provided to the front of the building (including 4 undercroft spaces). A secure cycle store would be located adjacent to the entrance, abutting the flank boundary with No 7 Alexandra Road, and bin storage within the undercroft.

5 Comments from third parties

5.1 The application was advertised by means of letters of notification to 19 neighbouring properties, a site and press notice. To date (16.08.2016) 10 letters of objection have been received regarding:

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

Epsom Civic Society: Insufficient parking. Lack of architectural character. Lack of adequate landscaping to the front of the property. The height and bulk of the rear part of the building is of concern and gives the impression of over-development . Recommend refusal as contrary to Policies DM9 and DM10

6 Consultations

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

6.2 Tree Officer: No objection.

7 Relevant planning history

| Application number | Decision date | Application detail | Decision |
|--------------------|---------------|--|---|
| 00/00848/FUL | 31.01.2001 | Extension of existing surgery at ground floor level and removal of condition 7 of application 86/0136/0072 to allow more than one consultant to operate at any one time. | GRANTED |
| 15/01770/FUL | 16.09.2016 | Demolition of existing property and redevelopment of the site to provide 9 two bedroom flats and 1 three bedroom flat in a three-storey block with accommodation in the roof space formation of a new access onto Alexandra Road and the provision of ancillary car parking. (Description amended 17.08.2016 and amended drawings received 25.08.2016) | REFUSED Appeal dismissed 08.02.2017 |

8 Planning Policy

National Policy Planning Framework (NPPF) 2012

| | |
|--------------|---|
| Paragraph 17 | Core Planning Principles |
| Paragraph 32 | Transport |
| Chapter 6 | Delivering a Wide Choice of Quality Homes |
| Chapter 7 | Requiring Good Design |

Core Strategy 2007

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

| | |
|-------------|-------------------------------|
| Policy CS16 | Managing transport and travel |
|-------------|-------------------------------|

Development Management Policies Document 2015

| | |
|-------------|---|
| Policy DM4 | Biodiversity and new development |
| Policy DM5 | Trees and landscape |
| Policy DM9 | Townscape character and local distinctiveness |
| Policy DM10 | Design requirements for new developments |
| Policy DM11 | Housing density |

| | |
|-------------|---|
| Policy DM12 | Housing standards |
| Policy DM13 | Building heights |
| Policy DM19 | Development and flood risk |
| Policy DM21 | Meeting Local Housing Need |
| Policy DM22 | Housing mix |
| Policy DM35 | Transport and new development |
| Policy DM36 | Sustainable Transport for new development |
| Policy DM37 | Parking standards |

9 Planning considerations

Previous Application and Appeal Decision

- 9.1 A similar residential scheme for development (15/01770/FUL) seeking detailed planning permission for the demolition of the existing building and the redevelopment of the site to provide 9 two bedroom flats and 1 three bedroom flat in a three-storey block with accommodation in the roof space, was refused by Committee in September 2016 on inter alia the following grounds:

1. The proposed building due to its generic design, detailing, and lack of coherence fails to take the opportunities available for improving the character and quality of the local area, and does not make a positive contribution to the Borough's visual character and appearance, contrary to Policy DM9, DM10 and DM11 of the Development Management Policies Document 2015

2. The proposed building due to its design, scale height and massing would appear as a dominant and overbearing element in the streetscene, contrary to Policy DM9 and DM10 of the Development Management Policies Document 2015

3. The proposed scheme would lead to a material diminution of rear garden land, which collectively forms part of a larger swathe of green infrastructure, which contributes to the amenity of surrounding residents, contrary to Policy DM10, DM11 and DM16 of the Development Management Policies Document 2015 and Policy CS1 of the Core Strategy 2007.

4. Without an appropriate agreement to secure the provision of two affordable housing units the proposal is contrary to the provisions of Policy CS9, and CS12 of the Epsom and Ewell Core Strategy (2007)

5. The proposed scheme would not provide at least 25% of the housing units as three bedroom units and therefore would fail to meet the requirement of Policy DM22 of the Development Management Policies Document 2015

- 9.2 In his decision the Inspector noted that the Written Ministerial Statement which was made on 28 November 2014 whereby small scale development of 10 units or less and less than 1,000m² should not be subject to contributions to affordable housing, among other things, was a material consideration to be weighed in the balance. He stated that whilst information had been provided by the Council on the affordability of homes in the Borough when compared with others in Surrey, there did not appear to be a compelling reason to set aside the Statement of Government policy, so that in with regard to Policy CS9, he concluded that there was no need to provide affordable housing in this instance.
- 9.3 The Inspector also dealt with the matter of housing mix in some detail. He concluded that the facts appear to be that schemes with no 3-bedroom flats have been acceptable elsewhere in the borough and therefore the proposed housing mix of 9x2 beds and 1x3 bed was acceptable.
- 9.4 The Inspector's appeal decision is therefore a material consideration in assessing this application.
- 9.5 This application seeks to address the previous reasons for refusal in the following ways:
- The pitched roofs and the mansard style roofs have been omitted from the design and a more contemporary approach to the appearance of the building is proposed.
 - The new proposed building has been set further back into the site and it is proposed to sink the lower ground floor approximately 1.4 metres into the ground to reduce the overall impact of the building on its immediate neighbours.
 - The car parking has been removed from the rear part of the site, and relocated to the front.

Principle of Development

- 9.6 The application site is located in the built-up area of Epsom. It is previously developed land and in a sustainable location just over 300m from Epsom Town Centre. It is not within a conservation area and the character and appearance of those conservation areas located nearby would not be adversely affected by this development. Furthermore the existing building is not listed. In principle, it therefore accords with the policies contained within national and local planning policy regarding the intensification of previously developed sites.

Density

- 9.7 Policy DM11 - Housing Density states that in principle, proposals for new housing that make the most efficient use of sites within the borough's urban area will be supported. The scheme proposes a density of 77 units per hectare and whilst policy DM11 states that the density of new housing developments in most cases should not exceed 40 dwellings per hectare, exceptions will be considered if the site enjoys good access to services, facilities and amenities via existing public transport, walking and cycling networks and the surrounding townscape has sufficient capacity to accommodate developments of higher density.
- 9.8 The site is in a sustainable location, in proximity to a bus stop, a cycle route, as well as within walking distance of Epsom railway station. The surrounding area is characterised by a mixture of building types, including residential buildings with densities in excess of 40 units per hectare, including a flatted scheme (No 3 Alexandra Road) adjoining the application site to the west, which has a density of 57 units per hectare. The size, bulk and massing of the building does not over dominate the site and its neighbours and there are no adverse amenity impacts. In these circumstances therefore a higher density on such a site is entirely appropriate and no objection is raised.
- 9.9 It is therefore concluded that the density is appropriate for the site.

Layout, Design and Scale

- 9.10 The borough's recently adopted Policies DM9 and DM10 encourage high quality development and indeed planning permission will be granted for proposals, which make a positive contribution to the borough's visual character and appearance.
- 9.11 The surrounding area is architecturally diverse and whilst pitched roofs are widely used, their shape and form vary considerably and a number of nearby buildings have flat roofs, including the recently completed neighbouring building (No 3).
- 9.12 The Design and Access Statement sets out the applicant's (revised) design approach to the proposed building. A more contemporary approach to the appearance of the building has been taken, comprising a flat-roofed, part three- storey/part four-storey building. Whilst it would establish its own distinctive design character with the use of brickwork, contrasting "timber" cladding panels, large window openings, and articulation in both plan and elevation, it would reference the new development at 3 Alexandra Road, in terms of its bulk, mass and scale. In referring to No 3, the Inspector considered that the introduction of contemporary proportions and use of materials should now be regarded as a prominent part of the street-scene and one that will appear interesting and attractive. Officers are of the opinion that this is relevant to the application site also.

- 9.13 The use of contemporary materials has been carefully considered and detailed, and would acknowledge the traditional materials used in the surrounding area albeit in a contemporary manner. The principle of this type of design approach has been accepted next door and it is considered that the current scheme would make a positive contribution to the borough's visual character and appearance in accordance with Policy DM9 and DM10.
- 9.14 The removal of the mansard style roofs as was previously proposed significantly reduces the scale, height and massing of the building. The Inspector commented on the previous scheme "that...the proposed forward placement on the plot relative to the angled and set-back position of the neighbouring flats would result in the appearance of greater bulk".
- 9.15 The new proposed building has also been set further back into the site so that the front of the building would be in the same relative location as the neighbouring block of flats at No 7.
- 9.16 The applicants submit that by relocating the building in this way, the flanks of the proposed development would largely not be visible from any plot along Alexandra Road, as these views would be effectively blocked by No 3 and No 7. They further submit that Number 3 Alexandra Road would now be set considerably forward of the proposed building, thus further reducing the visual impact of the proposed building.
- 9.17 The proposal is for a four-storey building and concerns were raised over this element of the building in the refused scheme. In the current proposal, it is proposed to sink the lower ground floor approximately 1.4m into the ground to reduce the impact of this part of the building. This would result in the four-storey element of the building being only approximately 900mm higher than the front three-storey part of the building.
- 9.18 The ground floor level of the proposed scheme would be approximately 1m above the ground floor level of No 3 Alexandra Road. This level would also be approximately 1m below the ground floor level of No 7, to the east. The proposed building when viewed from Alexandra Road would therefore appear as a three-storey block in keeping with the two adjoining properties and of a similar size and scale to the recently completed building at number 3.
- 9.19 As a result, officers are of the opinion that the building would not dominate its neighbours or give an undesirable impression of over-development to the detriment of the character and appearance of the area.
- 9.20 In order to address reason for refusal no.3 parking is provided at the front of the site accessed via a central driveway off Alexandra Road. The Inspector commented on the refused application: "the use of land to the rear for parking would cause harm to the character and appearance of the area and the perception of open green space." The application site is considerably wider than the adjoining plots and the proposed arrangement is acceptable in street scene terms subject to an acceptable landscaping scheme. It is also noted that No 7 has a substantial block of garages to the rear.

- 9.21 The proposed building would project approximately 2.5m in total beyond the rear of the No 3 Alexandra Road, allowing for the retention of a significant proportion of the rear garden so that the site continues to form part of a larger swathe of green infrastructure. The proposed scheme would therefore accord with Policy DM4.

Neighbour Amenity

- 9.22 The new building has been designed, and detailed, such that the impact on neighbouring properties would be minimised.
- 9.23 Concerns have been raised regarding loss of privacy, as well as loss of light to the occupants of No 7 Alexandra Road. There are three windows in the flank elevation to number 7, which serve non-habitable rooms.
- 9.24 On the flank elevation of the proposed development that would face onto No 7, there are windows to the first and second floor landing/stairwells. A condition requiring all of these windows to be glazed with obscure glass could be imposed. This would ensure no loss of privacy.
- 9.25 The proposed windows to the bedrooms and living rooms in flats 7 and 10 would not face the affected building and would therefore not impinge on the privacy of the affected occupants.
- 9.26 At its nearest point, the eastern flank wall of the new building would face the flank elevation of No 7 at a distance of around 5m and loss of daylight, to the affected south orientated property would not be significant at this distance.
- 9.27 The new building would not conflict with a 45 degree outlook angle taken from the inner reveal of the nearest rear window of the affected properties at No 3 and No 7 respectively.
- 9.28 It is therefore concluded that the proposed scheme would not have a materially harmful impact on neighbour amenity in terms of overlooking, loss of privacy, daylight or being overbearing in their outlook.

Parking and Access

- 9.29 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”.
- 9.30 11 parking spaces are proposed which would comply with the council’s adopted parking standards, which require 1 and 2 bedroom flats outside of the town centre to have 1 space per unit (a total of 8 spaces for these flats is required), and 3 bedroom flats to have 1.5 spaces (a total of 3 spaces for these flats is required).
- 9.31 The County Highways Authority has no objection to the proposal subject to the imposition of highway conditions regarding the provision of the parking spaces. Cycle spaces are provided within a purpose-built storage area which accords with the requirements of local guidance.

Refuse

- 9.32 A bin store would be provided in the undercroft area. The store would have the requisite capacity for bins in compliance with the council’s guidance on refuse storage.

Landscaping

- 9.33 Indicative landscaping plans, including an Arboricultural Survey have been submitted with the application. These plans show additional planting is proposed to the eastern flank boundary, and along the highway boundary.
- 9.34 Hard landscaping materials such as brick paviours are proposed to create pathways and areas of hardstanding within the site.
- 9.35 A detailed landscaping scheme, including details of the foundation design and construction methods will be secured via appropriate planning conditions.

Sustainable Drainage System (SuDS)

- 9.36 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.

- 9.37 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

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

Ecology/Biodiversity

- 9.39 The previous intrusion to the rear of the site, (as a result of the access drive and rear parking area) has now been addressed. The revised scheme would allow for the retention of the open land to the rear, which collectively forms part of the larger swathe of green infrastructure.
- 9.40 The applicants submit that it is proposed to landscape this area with a variety of trees and shrubs, which would enhance the appearance of the area and improve the bio-diversity of the land, in accordance with contrary Policy DM4 which requires that every opportunity should be taken to secure net benefit to the Borough’s biodiversity.

Affordable Housing

- 9.41 Policy CS9 seeks 20% affordable housing to be provided on developments of between 5-15 dwellings. The proposal for 10 dwellings therefore generates a requirement for two dwellings to be provided on-site as affordable housing units.
- 9.42 Notwithstanding the above requirement, in view of the recent appeal decision (refer to paragraph 9.2 above), the Council will not be seeking the provision of affordable housing units in this instance.
- 9.43 Policy DM21 requires that 25% of proposals for four or more units, be comprised of three bedroom or more units. The scheme would provide two three-bedroom flats, which would be equivalent to a provision of 20%. However in view of the Inspectors acceptance of a shortfall of one 3-bed unit in the previous scheme, this shortfall is acceptable.

Community Infrastructure Levy

9.44 The scheme is CIL liable.

10 Conclusion

10.1 The current scheme, in officer opinion, has addressed the previous grounds for refusal. The proposed building would sit well in its context. The design of the scheme is of sufficient quality, both in the concept as well as in the details, to make a positive contribution to the borough's visual character and appearance and there is no adverse impact on neighbour amenity. The scheme is therefore recommended for APPROVAL.

11 Recommendation

11.1 Planning permission is **granted** subject to the following conditions:

Conditions:

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

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

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

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

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

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

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

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

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

- (6) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for 11 vehicles / 10 cycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / turning areas shall be retained and maintained for their designated purposes.

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

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

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

(b) loading and unloading of plant and materials

(c) storage of plant and materials

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

(e) provision of boundary hoarding behind any visibility zones

(f) HGV deliveries and hours of operation

(g) vehicle routing

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

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

(j) no HGV movements to or from the site shall take place between the hours of 8.00 and 9.00 am and 5.00 and 6.00 p.m. nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Upper High Street, Church Road, Mill Road, Bridge Road during these times

(k) on-site turning for construction vehicles

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

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

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

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

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

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

- (10) Prior to the commencement of any development works, including ground preparation and demolition, the tree protection measures as set out in the Tree Protection Plan dated 1 September 2016 produced by Harper Tree Consulting shall be implemented/erected and shall remain in place for the duration of the construction works. The protection barriers shall only be removed on the completion of all construction activity and with the written agreement of the local planning authority. All works shall be carried out in strict accordance with the approved details.**

Reason: To 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 Document 2015

- (11) Prior to the commencement of the development details of sustainability measures shall be submitted to and approved in writing by the local planning authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials including means of providing the energy requirements of the development from renewable technologies. The development shall be carried out in strict accordance with the approved details prior to the first**

occupation of the building, shall be maintained as such thereafter and no change shall take place without the prior written consent of the local planning authority.

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

- (12) The first and second floor windows serving the stairwell/landings in the eastern flank elevation of the development hereby permitted shall be glazed with obscure glass of no less than obscurity level 3, and shall thereafter be permanently retained as such.

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

- (13) Prior to the commencement of development, a 1:20 scale vertical section through the front, rear and flank elevations including details of windows (including head, sill and window reveal details), balcony balustrade, position of rainwater goods, as well as a 1:50 scale front elevation, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of the character and appearance of the conservation and wider area in accordance with Policy CS5 of the Core Strategy 2007 and Policies DM9 and DM10 of the Development Management Policies Document 2015

- (14) Prior to construction of the development hereby approved, plans and information relating to the following:
- A drainage layout detailing the exact location of SUDs elements, pipes. Impervious areas and drainage sub-catchments (if applicable)
 - Details of all SUDs elements and other drainage features, including long and cross sections, pipe diameters and respective levels

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

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

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

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

- (16) 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.

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

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

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

15-176-P-009D; 15-176-P-003D; 15-176-P-001D; 15-176-P-002;

15-176-P-004; 15-176-P-005; 15-176-P-011C

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).

Informative(s):

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.**
- (2) The water efficiency standard required under condition 9 has been adopted by the local planning authority through the Development Management Policies 2015. This standard is the 'optional requirement' detailed in Building Regulations 2010, Part G Approved Document (AD) Buildings Regulations (2015), at Appendix A paragraph A1.**

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

- (a) using the 'fittings approach' where water fittings are installed as per the table at 2.1 in the AD or**
- (b) using the water efficiency calculation methodology detailed in the AD Part G Appendix A.**
- (3) This form of development is considered liable for the Community Infrastructure Levy (CIL). CIL is a non-negotiable charge on new**

developments which involve the creation of 100 square metres or more of gross internal floorspace or involve the creation of a new dwelling, even when this is below 100 square metres. The levy is a standardised, non-negotiable charge expressed as pounds per square metre, and are charged on the net additional floorspace generated by a development.

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

More information and the charging schedule are available online:

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

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

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17/00256/FUL



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2 Chase Road Epsom Surrey KT19 8TL

Part two-storey/part single-storey flank extension, to accommodate two affordable flat units (1 one bed flat to east of existing building and 1 three bed flat). Demolition of garage to rear, with associated parking and landscaping. (Amended drawings received 25.07.2017)

| | |
|-------------------------|----------------------|
| 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=OIN5LBGYFGG00>

2 Update

- 2.1 This application was considered by the planning committee on 20 July 2017 and was subsequently deferred for the following reasons:
- This application is "linked" to application 16/01145/FUL and the committee noted that the suggested heads of terms in the legal agreement gave the applicant the option to elect that the council retain an affordable housing deposit of £346,198 rather than providing two affordable housing units in the linked application 16/01448/FUL if they so choose. Members' preference was that if this application was granted, two affordable housing units should be provided in the linked application 16/01448/FUL.
 - The proposed legal agreement has now been amended to ensure that the developer shall build and transfer the affordable housing units prior to the occupation of some of the Hollydene/Birchcroft flats (in the linked application 16/01145/FUL). Alternatively, the council can elect to retain the deposit in lieu of this provision and use it for affordable housing elsewhere in the borough (refer to paragraph 10.12 below).
- 2.2 The applicant has also submitted amended floorplans, which indicate a reduced footprint of the proposed side extension and more of a set back from the Hook Road highway boundary.

3 Summary

- 3.1 This application proposes the erection of a part two-storey/part single-storey extension to a two storey building, to accommodate two affordable flat units (One 1 bed and one 3 bed flat). An existing garage is proposed to be demolished in order to provide parking and amenity space.

3.2 This application has been submitted to committee as it is “linked” to application 16/01145/FUL, (Item 6 on the agenda). The affordable housing requirement of the aforementioned application would be met by this application.

3.3 The application is recommended for APPROVAL

4 Site description

4.1 The application site is located on the northern corner of Chase Road and Hook Road and has an area of 309m².

4.2 The site consists of a former semi-detached, hipped roofed house which has been converted into a retail A1 unit at ground floor level, with a 3 bedroom maisonette above, and a single garage to the rear.

4.3 Along the boundary with Hook Road to the east of the property, a brick wall with a high fence delineates a large area of hardstanding as a private zone for deliveries and parking. To the rear of the property, between the garage and the retail unit is another area of hardstanding for customer parking, separated from No 4 Chase Road by a wall.

4.4 The site falls within a predominately residential area, and Chase Road is characterised by a limited variation in architectural style, with the majority of properties being two storey with pebble dash rendered elevations, under pan tiled pitched roofs.

5 Proposal

5.1 This application seeks permission to erect a part two storey/part single flank extension to a two storey building, to accommodate two affordable flat units (One 1 bed and one 3 bed flat). An existing garage is proposed to be demolished in order to provide parking and amenity space.

5.2 The two storey element of the flank extension would have a width of 5m and a depth of 7m, with the ground floor, flat roofed, single storey element projecting a further 4m to the rear (11.3m overall depth).

5.3 A one bedroom flat would occupy the extension on the ground floor, whilst a three bedroom flat would occupy the existing first floor and the first floor of the new extension.

5.4 The extension would have rendered elevations under a subservient hipped roof, and the existing fascia board to the existing (retained) shop would be removed.

5.5 A new pedestrian access for the ground floor flat would be located along the east boundary, off Hook Road. Access to the first floor flat would be via a flight of stairs along the eastern flank elevation, accessed from the rear parking area.

5.6 The existing single garage at the north (rear) of the site would be demolished, and two (tandem) parking spaces provided for the three bed flat, and a single parking space for the one bed flat.

5.7 Deliveries to the shop would take place to the rear.

5.8 Amenity space would be provided to the rear for the one bed flat and a roof terrace for the first floor, three bed flat.

6 Comments from third parties

6.1 The application was advertised by means of letters of notification to 10 neighbouring properties, and site notice. To date (24.08.2017) no letters of objection have been received.

7 Consultations

7.1 County Highway Authority: No objections. Conditions to be imposed on any permission granted.

8 Relevant planning history

8.1 None relevant

9 Planning Policy

Core Strategy 2007

| | |
|-------------|-------------------------|
| Policy CS1 | General Policy |
| Policy CS5 | Built Environment |
| Policy CS6 | Sustainable Development |
| Policy CS7 | Housing Provision |
| Policy CS8 | Housing Location |
| Policy CS16 | Highways |

Development Management Policies Document 2015

| | |
|-------------|---|
| Policy DM9 | Townscape Character and Local Distinctiveness |
| Policy DM10 | Design Requirements for New Developments |
| Policy DM12 | Housing Standards |

Supplementary Planning Guidance

Sustainable Design 2016

Parking Standards for Residential development 2015

10 Planning considerations

Visual Impact

10.1 The new extension would be visible in the street scene. Although the eaves level of the existing and proposed dwellings would match, the proposed building would step in on both the front and back elevations so that the ridge height would be lower and the extension would therefore be visibly subservient to the original building. The removal of the fascia board to the existing shop would be an improvement as would be the new elevation, which would be of a more domestic scale and appearance.

- 10.2 There was some concern at the last committee meeting that the extension was disproportionately large. In response to these concerns the width of the extension has been reduced and the extension is now suitably subservient for this corner plot.
- 10.3 It is therefore concluded that the proposed scheme in terms of its design, scale and massing would not have a harmful impact on the character and appearance of both the immediate and wider area and would therefore accord with Policy DM9 and DM10.

Residential Amenity

- 10.4 The application proposes a first floor roof terrace to serve the new (extended) flat on the upper floor. To prevent overlooking of the adjoining property No.4 Chase Road a privacy screen is proposed along the flank wall of the terrace. The terrace would face (directly) the nearest residential property to the north, No.41 Hook Road, at a distance of around 35m, which would not result in a loss of privacy and is therefore acceptable. The intervening road between the application site and No.22 to the east would provide sufficient mitigation for any overlooking.
- 10.5 The proposed scheme would therefore accord with Policy DM10

Amenity Space

- 10.6 Private amenity space (15m²) would be provided to the rear of the ground floor flat, and a roof terrace (16m²) for the first floor flat in compliance with policy DM12's requirement for amenity space for new dwellings. Internal space would meet the requirements of the Technical Housing Standards – Nationally Described Space Standard.

Parking/Access

- 10.7 The ground floor flat would be provided with one parking space and the upper floor three bed flat with two parking spaces. This would comply with the Council's adopted parking standards. Deliveries to the retained retail unit would take place to the rear of the site, accessed via a driveway off Hook Road. Refuse provision would be provided in the rear service area. A condition (No 11) requiring details of the refuse store/enclosure is imposed.
- 10.8 The Highway Authority has no objection in principle to the development.

Sustainability and Renewable Energy

- 10.9 Core Strategy Policy CS6 requires proposals to demonstrate how sustainable construction and design can be incorporated to improve the energy efficiency of development.
- 10.10 An appropriate planning condition is recommended to secure their inclusion.

Landscaping

- 10.11 The large area of tarmac and crazy paving surrounding the property is proposed to be landscaped. Whilst parking is to be provided to the rear, grass would be introduced on the site along the perimeter of the ground floor flat. Details of hard and soft landscaping are secured by an appropriate condition.

Affordable Housing

- 10.12 The proposed scheme would provide two affordable flat units. An application for 13 flats on a site in Court Lane, Epsom (reference 16/01145/FUL) is under consideration elsewhere on this agenda. This scheme would be required to provide 2.6 affordable units and officers have agreed to off-set this provision against the units provided in this application. The "off-site" provision of the two units would be secured by a suitable legal agreement. The legal agreement requires the commuted sum and an affordable housing deposit to be paid to EEBC prior to commencement of development at Hollydene/Birchcroft or Chase Road, whichever is the earliest, and it provides that the developer must build and transfer the affordable housing units prior to the occupation of some of the Hollydene/Birchcroft flats. Alternatively, the Council can elect to retain the deposit in lieu of this provision and use it for affordable housing elsewhere in the borough.

Community Infrastructure Levy

- 10.13 The proposed scheme is CIL liable.

11 Conclusion

- 11.1 The extended building would not harm the wider character of the area, nor lead to a loss of neighbouring residential amenities. It would also provide much-needed affordable flat units in the Borough. In light of the above it is recommended that planning permission is granted.

12 Recommendation

Part A

- 12.1 Subject to a legal agreement being completed and signed to secure the following heads of terms:**

(a) A commuted sum of £79,892.00

(b) The provision of 1 one-bedroom and 1 three-bedroom affordable rental units.

(c) An affordable housing deposit of £346,198

- 12.2 The Committee authorise the Head of Place Development to grant planning permission subject to the following conditions:**

Conditions:

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

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

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

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

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

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

- (4) Prior to the commencement of the development details of sustainability measures shall be submitted to and approved in writing by the local planning authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials including means of providing the energy requirements of the development from renewable technologies. The development shall be carried out in strict accordance with the approved details prior to the first occupation of the building, shall be maintained as such thereafter and no change shall take place without the prior written consent of the local planning authority.**

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

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

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

- (6) No development shall take place until details and location of the installation of bat and bird boxes to enhance the biodiversity interest of the site have been submitted to and agreed in writing by the local**

planning authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved and thereafter maintained.

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

- (7) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for 3 vehicles to be parked. Thereafter the parking area shall be retained and maintained for their designated purpose.**

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

- (8) The development hereby approved shall not be first occupied unless and until the proposed widened vehicular access to Hook Road has been constructed in accordance with the approved plans.**

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

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

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

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

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

(j) no HGV movements to or from the site shall take place between the hours of 8.30 and 9.15 am nor shall the contractor permit any HGVs associated with the development at the site to be laid up and waiting, in Chase Road Hook Road or other nearby residential roads, during these times

Only the approved details shall be implemented during the construction of the development.

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

- (11) No development shall take place until details of the design, external appearance and decorative finish of all fences, gates, walls, refuse store and any other means of enclosure have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details prior to the development first being occupied and shall thereafter be retained.

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

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

1761-08G; 1761-09C; 1761-10B; 1761-11C; 1761-12C

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

Informatives:

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012
- (2) The property is situated close to a former saw mill. In the event that contamination is found at any time when carrying out the approved development, works should be suspended and it must be reported in writing immediately to the Local Planning Authority. In that event, an investigation and risk assessment must be undertaken and remediation

carried out as is necessary, subject to the approval in writing of the Local Planning Authority.

- (3) No burning of materials obtained by site clearance shall be carried out on the application site.
- (4) The water efficiency standard required under condition **5** has been adopted by the local planning authority through the Development Management Policies 2015. This standard is the 'optional requirement' detailed in Building Regulations 2010, Part G Approved Document (AD) Buildings Regulations (2015), at Appendix A paragraph A1.

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

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

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

- (5) This form of development is considered liable for the Community Infrastructure Levy (CIL). CIL is a non-negotiable charge on new developments which involve the creation of 100 square metres or more of gross internal floorspace or involve the creation of a new dwelling, even when this is below 100 square metres. The levy is a standardised, non-negotiable charge expressed as pounds per square metre, and are charged on the net additional floorspace generated by a development.

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

More information and the charging schedule are available online

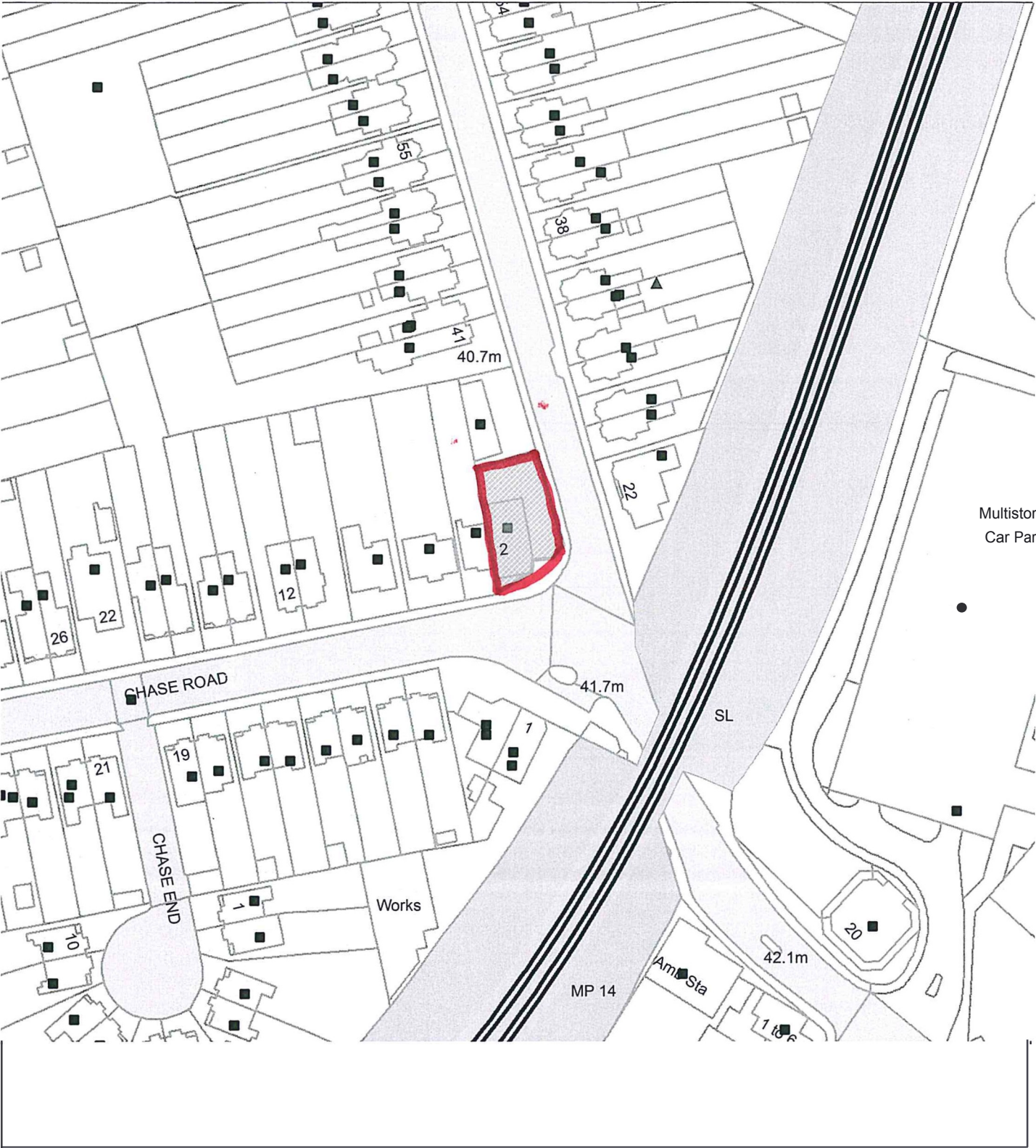
<http://www.epsom-ewell.gov.uk/NR/exeres/74864EB7-F2ED-4928-AF5A-72188CBA0E14,frameless.htm?NRMODE=Published>

Part B

- 12.3 In the event that the section 106 Agreement referred to in Part A is not completed by 16 October 2017, the Head of Place Development be authorised to refuse the application for the following reason:
- 12.4 In the absence of a completed legal obligation under section 106 of the Town and Country Planning Act 1990 (as amended), the applicant has failed to comply with CS9 (Affordable Housing) and CS12 (Developer Contributions) of the 2007 Core Strategy in relation to the provision of affordable housing units, and a commuted sum in lieu of the on –site provision of affordable housing units.

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16/01448/FUL



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55 Christ Church Mount, Epsom, Surrey, KT19 8LZ

Demolition of existing detached dwelling house and construction of a new detached dwelling house

| | |
|-------------------------|--------------------|
| Ward: | Stamford |
| Contact Officer: | James Udall |

1 Plans and Representations

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

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OQTOF0GYGW100>

2 Summary

- 2.1 This application proposes the demolition of an existing dwelling and the erection of a detached house with associated parking.
- 2.2 This application has been submitted to committee at the request of Councillors Tina Mountain and Martin Olney.
- 2.3 The application is recommended for APPROVAL**

3 Site description

- 3.1 The application site, which has an area of 1,360m², is located on the north-western side of Christ Church Mount. The application site comprises of a two storey detached dwelling with a hipped roof. The property is set back from the road by a small front garden and is characterised by a two storey front projection with a gable roof and has a two-storey side projection with an integral garage. The property also has a part single/part two-storey rear projection.
- 3.2 The adjacent property to south No.53 is a detached bungalow with a single storey front projection under a gable roof. No.53 has an attached garage and single storey side projection and a rear porch. The adjacent dwelling to the north No.57 is a two storey detached dwelling with a single storey front projection under a catslide roof. No.57 has a two-storey side/rear extension with an integral garage. The property also has a single storey side/rear extension.
- 3.3 The site falls within a predominately residential area, characterised by relatively large detached dwellings of traditional appearance and scale with a number of properties being extended.

4 Proposal

- 4.1 This application seeks permission to demolish the existing dwelling and erect a new detached house in its place.
- 4.2 The replacement house would be of traditional style, with a crowned roof. The proposed dwelling would also have a two storey front projection under a gable feature. The proposed property would also have an integral garage, a single storey rear projection and a rear pergola.

5 Comments from third parties

- 5.1 The application was advertised by means of letters of notification to 11 neighbouring properties. To date (24.08.2017) 18 letters of objection have been received from 14 neighbouring dwellings regarding:
 - Not in keeping.
 - Adverse Visual Impact.
 - Design.
 - Impact on Character.
 - Privacy.
 - Drainage/Flooding.
 - Generation of Noise and Disruption.
 - Contrary to policy
 - The extent of construction and the full height windows to the rear would affect the privacy of No 57 and reduce the daylight to the SW corner rooms.
 - It appears that this revised application fails to address fully all the objections that led to the refusal of the previous application, in particular, the design, bulk and layout of the proposed building is out of character with properties in the immediate and wider area.
 - The side wall is 2.0m from the boundary with No 53. The Householder Applications Supplementary Planning Guidance section 3.6 requires the distance from the side wall to the boundary to be a minimum of 2.5m.
 - The rear wall extends 1.3m beyond the rear wall of No 53. Section 3.2 of the Single Plot and other types of Residential Infill Supplementary Planning Guidance, states that the new building should not project beyond the adjoining building if it is closer to the boundary than 3m.

- The proposed increased eaves level and roof height gives an unnecessary bulky appearance for the plan area of the proposed structure. It does not complement the adjacent properties. The proposed roof level has been raised to the roof ridge level of No 57. However, the proposed structure has an 8 m by 8 m (64m²) flat roof area at this level, which significantly increases the bulk of the structure. The new footprint is stated as being 21% greater than the existing but it is much greater in volume than the existing house.
- Previously the original house has been extended to its current form.
- The introduction of roof eaves has extended the proposed building line, defined by the roof line of the proposed structure. The proposed perimeter of the North side of the proposed roof to within 500mm of the property boundary and building line of No 57.
- Drawing No.AO4.21 appears to show a fence line between No 55 and No57. This does not exist.
- The proposed first floor rear building line should not extend beyond the building line of our first floor.
- The proposed single storey extension to the rear should not extend beyond our single storey building line. The proposed single storey roof level is 0.5m above our single storey roof level. Our internal floor to ceiling height is 2.5m and so the proposed roof height appears excessive.
- The ground floor window to the garage on the north side elevation nearest the front of the proposed structure is directly opposite our lounge window in the south elevation which will affect our privacy. Our window is not shown on the submitted proposed plans. The proposed window should be removed or be above internal head height and have obscured glass.
- The numerous windows in the flank walls would also adversely affect neighbour privacy unless they were glazed with obscured glass.
- We have concerns that the design at present will allow further development under permitted development rights which will affect our privacy.
- Others have argued that the development is sustainable, however as the applicant has pointed out, the average Baufritz house take 78 years to become carbon neutral. Bearing in mind this is a prefab house, 78 years is probably longer than it will last. This also takes no account of the environmental damage, waste disposal and carbon footprint involved in demolishing a perfectly good existing house.
- The surface water design does not adequately address the surface water run-off from the rear garden and does not stop surface water from flowing on to our property.

- Research commissioned by the Government-funded Empty Homes Agency compared the amount of carbon dioxide given off in building new homes and in refurbishing old ones. They found that building a new home emitted four and-a-half times as much carbon dioxide as refurbishing an existing dwelling.
 - The roof configuration lends itself to conversion to a living space at some point in the future and this might cause further privacy issues.
 - The demolition, basement groundworks and duration of the build, will cause unreasonable disturbance.
 - The proposed construction using prefabricated modular units is inflexible leading to infringements. The use of modular units leads to extra height and a large basement and roof space.
 - There should be a construction method statement, detailing how the prefabricated units will be delivered and craned into place, without road closures. Although residential, the road includes a large primary school, which leads to heavy traffic twice a day.
 - The local comments about flooding have not been understood by the applicant or SCC. The old field drains of the former marshy Manor Park were damaged by house building in the 1990s. Since then the back gardens of 49 to 57 flood during heavy rain and drain sideways into the ditch that runs between 57 and 59, continuing between 32 and 34. The proposed basement will attract this ground water. If heavy rain occurs during construction, the excavation could collapse.
 - Impact on outlook, overbearing, loss of daylight/sunlight and overlooking to No 53 and No.55 Christ Church Mount.
 - The submitted drawings do not show the flank windows of No.57 which would be overlooked by the proposal.
- 5.2 To date (24.08.2017) 4 letters of objection have been received from 4 dwellings situated outside Epsom & Ewell Borough Council regarding:
- Not in keeping.
 - Adverse Visual Impact.
 - Design.
 - Impact on Character.
 - Privacy.
 - Drainage/Flooding.
 - Generation of Noise and Disruption.
 - Contrary to policy

- 5.3 To date (24.08.2017) three letters of representation have been received from the Epsom Civic Society supporting the new design of proposed front elevation and the external materials but raising concerns with regard to the quality of the drawings and neighbour amenity.
- 5.4 To date (24.08.2017) 12 letters of support from 11 neighbouring dwellings have been received regarding:
- Sustainability
 - Drainage
 - Design
 - Scale

6 Consultations

- 6.1 County Highway Authority: No objections.
- 6.2 Surrey County Council: We are satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents and can recommend outline planning permission is granted. We would however recommend that should outline 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 (please see below).
- 6.3 Ecology Officer: "I think the ecology report for this is ok. I think we should have a condition relating bat boxes built in to the building. The report suggests a bat box on a tree, however these are not as durable and only last a limited time".

7 Relevant planning history

| Reference number | Proposal | Decision | Decision date |
|-------------------------|--|---------------------|----------------------|
| 16/00544/PREAPP | demolition of existing house and construction of a new build detached dwelling on the same site | Pre-App Completed | 27 July 2016 |
| 16/01074/FUL | Demolition of existing detached dwelling house and construction of a new detached dwelling house on the same site. | Application Refused | 17 February 2017 |

8 Planning Policy

NPPF 2012

Chapter 7: Paragraphs 56-68 Requiring Good Design

Core Strategy 2007

| | |
|-------------|--------------------------------------|
| Policy CS1 | General Policy |
| Policy CS3 | Biodiversity and Nature Conservation |
| Policy CS5 | Built Environment |
| Policy CS6 | Sustainable Development |
| Policy CS7 | Housing Provision |
| Policy CS8 | Housing Location |
| Policy CS16 | Highways |

Development Management Policies Document 2015

| | |
|-------------|---|
| Policy DM4 | Biodiversity and New Development |
| Policy DM5 | Trees and Landscape |
| Policy DM9 | Townscape Character and Local Distinctiveness |
| Policy DM10 | Design Requirements for New Developments |
| Policy DM12 | Housing Standards |
| Policy DM19 | Development & Flood Risk |
| Policy DM37 | Parking Standards |

Supplementary Planning Guidance

Sustainable Design 2016

Parking Standards for Residential development 2015

Single Plot and Other Types of Infill Development Planning Guidance 2003

Householder Applications: Supplementary Planning Guidance 2004

9 Planning considerations

Principle of Development

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

Visual Impact and Design

- 9.2 Planning permission was originally refused for the demolition of the existing dwelling and the erection of a new property under reference: 16/01074/FUL. One of the reasons for refusal was because of its design, bulk, scale, siting and layout, which was at odds with the prevailing dwelling typology in the immediate and wider area, and the new dwelling was therefore seen as an incongruous element in the street scene.
- 9.3 The revised application has taken a traditional design approach to the front elevation, which respects the character of the area. The eaves height of the proposed dwelling, while higher than the existing dwelling, would be approximately 0.5m lower than the previous proposal, which reduces the bulk and scale of the proposed dwelling.

- 9.4 While the proposed eaves are still higher than the eaves of No.57, a detailed assessment of eaves heights has been carried out.
- 9.5 This assessment shows that there are a number of dwellings in the area, which have differing eaves levels. For example while No.33-39 have similar eaves levels, No.41 and No.43 are higher. No.55, No.57 and No.59 have similar eaves levels however, No.59 appears to have a marginally higher eaves height to No.57. Similarly on the other side of Christ Church Mount there is variation.
- 9.6 It is therefore considered that the proposed eaves would not be so much higher than neighbouring properties so as to harm the character and appearance of the area.
- 9.5 The existing dwelling has a width of approximately 11.3m while the proposed dwelling would have a width 12m. The existing dwelling has a maximum height of 8.3m while the proposed dwelling would have a maximum height of 8.8m. The proposed dwelling would not be significantly wider or greater in height than the existing dwelling.
- 9.6 The building would be sited 2m from the shared boundary with No.53 and 1.2m from the shared boundary with No.57. The gaps between the houses in this road differ in size considerably. The proposed gaps to the boundaries would not therefore be out of keeping in the area. It is felt that the proposed dwelling would sit comfortably within the application site.
- 9.7 The proposed dwelling would have a similar overall height to the existing property at No.57. The application property differs to No.57, in that the neighbouring dwelling has a taller roof and because the application property's roof is crowned, it allows a taller building to the eaves. There is some variety with the roof forms in the road, in that they differ slightly in scale and design. The proposed crown roof would therefore not harm the visual appearance or character of the area.
- 9.8 It is concluded therefore, that the proposed scheme in terms of its design, scale and massing would sit comfortably within the plot and would not have a harmful impact on the character and appearance of both the immediate and wider area and would therefore accord with Policy DM9 and DM10.

Residential Amenity

- 9.9 Concerns have been raised that the proposal would fail to comply with the Council's Single Plot and other Types of Infill Development Supplementary Planning Guidance and the Householder Extensions SPG.
- 9.10 The Single Plot and Other Types of Infill Development Planning Guidance advises that the rearward projection of any new building at first floor level should not normally exceed the rear building line of the adjoining building where the new building is within 3 metres of the common boundary.
- 9.11 While the first floor of the proposed dwelling would not project the rear building line of No.57 (as extended), it would project past the rear building line of No.53.

- 9.12 However, the Single Plot and Other Types of Infill Development Planning Guidance is only best practice advice and other material planning consideration must be taken into consideration when assessing an application and considering whether a proposal would harm the outlook, privacy, daylight and amenities of neighbouring occupants.
- 9.13 The two storey built form of the proposed dwelling would not encroach over 45-degree line taken from the edge of the rear windows of neighbouring occupants.
- 9.14 It is noted the proposed dwelling would encroach over a 45-degree angle taken from the edge of windows in the flank elevation of No.53 and No.57. However, this does not form part of the test criteria. Furthermore, the built form of the dwelling would be sited approximately 5.2m from the flank windows of No.53 and 4m from the flank windows at No.57. Due to the separation distance retained, it is not considered that the proposal would have a significantly harmful impact on the outlook of or light received by neighbouring occupants.
- 9.15 Concerns have been raised that the proposal would harm the daylight of neighbouring occupants at No.53. The SPG on householder extensions advises that two storey extensions should not encroach over a 43-degree daylight angle take form a point 2.5m above the shared boundary with neighbouring occupants.
- 9.16 While this is normally only used for extensions, it can also be used by proposals for replacement dwellings to ensure that the proposal would not harm the daylight of neighbouring occupants, but it is advice only. However, when using this approach a balancing exercise must be undertaken taking into account the existing property's effect on the daylight of neighbouring occupants.
- 9.17 The existing property does not breach the daylight angle with regard to No.53 but does with regard to No.57. The proposed dwelling would breach the 43-degree daylight angle with regard to No.57 but not by a significant degree and it is noted that the rooms affected by any potential loss of light would be sited approximately 5.2m from the proposed dwelling. The proposed dwelling would not therefore result in a significant loss of light to neighbouring occupants and it would not be justified to recommend that planning permission be refused in this instance.
- 9.18 Concerns were also raised by occupants at No.57 that due to the height, depth and design of the proposed dwelling, the proposal would result in a loss of light to the nearest first floor rear bedroom window at No.57, which has a flank and rear window.
- 9.19 It is noted that the two-storey rear element of the proposed dwelling would encroach over a 43-degree daylight angle taken from the shared boundary with No.57 however the new dwelling would be sited 4m from the side of the first floor window, which would leave enough space to allow daylight into the first floor bedroom.

- 9.20 Furthermore, the window continues along the rear elevation and as previously noted the proposed two-storey element of the new dwelling would not encroach over a 45-degree angle taken from the edge of the rear window.
- 9.21 Concerns were raised that the full height doors at ground floor level on the flank elevation facing No.53 would result in a loss of privacy. The proposed doors would be sited 2m from the shared boundary with No.53 and would face onto screening which would obscure views. Due to the separation distance and screening retained, the proposed doors would not significantly harm the privacy of neighbouring occupants.
- 9.22 The proposed dwelling would have ground and first floor flank windows close to the boundary with neighbouring occupants. However, the privacy of neighbouring occupants could be adequately protected by the imposition of a condition requiring the first floor windows to be obscure glazed and fixed shut up to a point 1.7m above internal floor area.
- 9.23 The applicant has stated that the chosen windows would not fix shut but that the window would be only openable in such a way as to reduce any overlooking concerns. It is considered that this could be acceptable but the detail would need to be submitted to the Local Planning Authority for assessment. A suitably worded condition is recommended.
- 9.24 Concerns were also raised by neighbouring occupants that the proposal would have full height rear windows at first floor level which would cause overlooking. The SPG advises that two storey extensions should avoid full height windows. However, it should be noted that this is guidance only and provided there was no significant loss of privacy, this would be acceptable,
- 9.25 In this instance, the proposed windows would be sited approximately 3.3m from the shared boundary with No.53 and 2.7m from the shared boundary with No.57. It is considered that an adequate separation distance would be retained to ensure that the proposed windows would not harm the privacy of neighbouring occupants.
- 9.26 Comments were received by neighbouring occupants that the proposed windows should not be used as balconies. The proposed windows would not have balconies and planning permission would be required should the owner wish to install any.
- 9.28 Given that the proposed single storey rear projection could potentially be used as a balcony a condition is recommended to address this issue.
- 9.29 In conclusion, the proposed scheme will not result in any significant loss of light, outlook privacy or be overbearing such that permission should be refused. The proposals would therefore accord with Policy DM10.

Amenity Space

- 9.30 The rear garden of the dwelling would be in excess of the minimum required depth and area of 10m and 70m² respectively, and would therefore comply with policy DM12's requirement for amenity space for new dwellings.

Layout

- 9.31 Policy DM12 requires a minimum of 128m² of internal floor area for a 5 bedroom 8 person two storey dwelling. The proposed dwelling, with a gross internal floor area of approximately 142.7m², would meet this requirement. The scheme can therefore be considered to be compliant with Policy DM12

Parking/Access

- 9.32 The new dwelling would provide one parking space within a detached garage, and a further two spaces could be accommodated within the paved driveway. This would comply with the Council's adopted parking standards, which require 4+ bedroom houses to provide 3 spaces per unit.
- 9.33 The Highway Authority has no objection in principle to the development.

Sustainability and Renewable Energy

- 9.34 Core Strategy Policy CS6 requires proposals to demonstrate how sustainable construction and design can be incorporated to improve the energy efficiency of development. A Sustainability Statement has been submitted to demonstrate how the proposal would secure an energy efficient design and minimise its environmental impact.
- 9.35 An appropriate condition requiring these details could reasonably be imposed on any permission granted.
- 9.36 It is noted that concerns have been raised by neighbours over how long it would take for the property to become carbon neutral and comments have been received stating that it would better for the applicant to retain the dwelling and add sustainable technology.
- 9.37 The Sustainability Statement submitted states that Baufritz Houses have triple glazed windows and due to their construction would have a high degree of airtightness, which would reduce the amount of energy required to heat the building. The Statement also advises that an average Baufritz house can effectively store CO² emissions for a period of 78 years and would normally include ventilation systems with heat recovery and rain water harvesting while the timber used for the house would be logged from sustainable forests. It is considered that this could be controlled by a suitably worded condition.
- 9.38 Furthermore, the submitted plans show that the proposed dwelling would have solar hot water panels.
- 9.39 It is considered that on balance, the proposed dwelling would comply with this part of Policy CS6. No objection is raised in this instance.

Ecology

- 9.40 Policy DM4 of the Development Management Policy Document states that every opportunity should be taken to secure net benefit to the Borough's biodiversity.

- 9.41 The applicants have submitted a Bat and Bird Scoping Survey, which found no evidence of roosting bats or birds. The Local Planning Authority Ecology Officer has found the report to be acceptable.
- 9.42 The Ecology Officer has requested a condition requiring bat boxes to be built in to the dwelling. The report suggests a bat box on a tree, however the Ecology Officer is of the opinion that these types of boxes are not as durable and only last a limited time. Notwithstanding the above, the proper placement of bird and bat boxes could be controlled by the imposition of a condition requiring, details and location of the installation of bat and bird boxes to enhance the biodiversity interest of the site to be submitted to and agreed in writing by the local planning authority.
- 9.43 In view of the above and the proposed mitigation measures, it is considered that the proposed scheme would be in accordance with Core Strategy Policy CS3 and Policy DM4.

Drainage and Flooding

- 9.44 Concerns have been raised by neighbours that the proposal would result in an increase in risk of flooding. A Site Runoff and SUDs Report has been submitted as part of the application and has been assessed by Surrey County Council Sustainable Drainage and Consenting Team who have raised no objection to the proposal but have advised that drainage conditions be imposed on any grant of planning permission.
- 9.45 It is noted that neighbouring occupants have stated that “the local comments about flooding have not been understood by the applicant or SCC. The old field drains of the former marshy Manor Park were damaged by house building in the 1990s. Since then the back gardens of 49 to 57 flood during heavy rain and drain sideways into the ditch that runs between 57 and 59, continuing between 32 and 34. The proposed basement will attract this ground water. If heavy rain occurs during construction, the excavation could collapse”.
- 9.46 As previously noted SCC have assessed the proposal and have not raised any objection to the scheme. The application site is not within a flood zone and any further drainage matters would be a building control matter. It would therefore not be justified to recommend that planning permission be refused on this basis.

Other Matters

- 9.47 Concerns have been raised by neighbouring occupants that the proposed dwelling could be further extended at a later date, without planning permission under permitted development rights, which would have an adverse impact on the neighbouring occupants.
- 9.48 It is justified in this instance to impose a condition removing permitted development rights.

Community Infrastructure Levy

- 9.27 The proposed scheme is CIL liable.

10 Conclusion

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

11 Recommendation

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

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

- (3) No development shall take place until full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, have been submitted to and approved in writing by the local planning authority. The 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) Prior to the commencement of the development details of sustainability measures shall be submitted to and approved in writing by the local planning authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials including means of providing the energy requirements of the development from renewable technologies. The development shall be carried out in strict accordance with the approved details prior to the first occupation of the building, shall be maintained as such thereafter and

no change shall take place without the prior written consent of the local planning authority.

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

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

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

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

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

- (7) Access to the flat roof area of the development hereby permitted shall be for maintenance or emergency purposes only and the flat roof shall not be used as a balcony, roof garden, patio or similar amenity area.**

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

- (8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting or amending those Orders with or without modification), planning permission shall be required in respect of development falling within Schedule 2, Part 1, Classes A, B, C, D, E, F, G and H of that Order.**

Reason: To ensure that development within the permitted Classes in question is not carried out in such a way as to prejudice the appearance of the proposed development or the amenities of future occupants of the development or the occupiers of adjoining property in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM10 and DM12 of the Development Management Policies 2015.

- (9) The first floor flank windows and the garage window of the development hereby permitted shall be glazed with obscure glass of no less than obscurity level 3, and shall thereafter be permanently retained as such.**

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

- (10) Prior to the commencement of development, details and samples of the proposed windows, especially the side windows, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.**

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

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

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

- (12) The development hereby permitted shall not commence until the detailed design of the surface water drainage scheme have been submitted to and approved in writing by the planning authority. Those details shall include:**

a) A design that satisfies the SuDS Hierarchy and follows the principles set out in the approved drainage strategy

b) Detailed drawings showing drainage layout, long or cross sections of each drainage element, pipe sizes and invert and cover levels.

c) Appropriate calculations to the elements above showing how the national SuDS standards have been met (if different from approved strategy).

d) Details of outline construction phasing and how surface water and any associated pollution risk will be dealt with during the construction of the development, and how any on site drainage systems will be protected and maintained

e) Details of where any exceedance flows (i.e. rainfall greater than design or flows following blockages) would run to, avoiding risks to people and property.

Reason: To ensure the design meets the technical stands for SuDS, does not increase flood risk on or off site and is suitable maintained throughout its lifetime in accordance with Policy CS6 of the Core

Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

- (13) Prior to the first occupation of the development, 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 Urban Drainage System has been constructed as per the agreed scheme.**

Reason: To ensure the Sustainable Drainage System is designed to the technical standards in accordance with Policy CS6 of the Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

- (14) No part of the development, hereby approved shall commence until evidence has been submitted to, and approved by the council, outlining how the development shall achieve not less than a 10% saving in energy requirements.**

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

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

A03.01 Proposed Site Plan

A04.01 Proposed Basement Plan

A04.02 Proposed Ground Floor Plan

A04.03 Proposed First Floor Plan

A04.04 Proposed Attic Plan

A04.05 Proposed Roof Plan

A04.10 Proposed Section

A04.20 Proposed Front Elevation

A04.21 Proposed Rear Elevation

A04.22 Proposed South Elevation

A04.23 Proposed North Elevation

A04.25 Existing & Proposed Street Elevation

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

Informatives:

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012
- (2) The water efficiency standard required under condition **5** has been adopted by the local planning authority through the Development Management Policies 2015. This standard is the 'optional requirement' detailed in Building Regulations 2010, Part G Approved Document (AD) Buildings Regulations (2015), at Appendix A paragraph A1.

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

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

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

- (3) The applicant should note that under the terms of The Conservation of Habitats and Species Regulations 2010, Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds or roosting bats which are also European Protected Species.

You should note that the work hereby granted consent does not override the statutory protection afforded to these and other protected species and you are advised to seek expert advice if you suspect that the demolition would disturb any protected species. Please note that a European Protected Species Licence will be required to allow the proposed development to proceed lawfully. Further details can be found at:

<https://www.gov.uk/environmental-management/wildlife-habitat-conservation>

- (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/NR/exeres/74864EB7-F2ED-4928-AF5A-72188CBA0E14.frameless.htm?NRMODE=Published>

55 Christ Church Mount



Scale: 1:1062

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| Comments | |
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Birchcroft & Hollydene Court Lane Epsom Surrey KT19 8JP

Demolition of two vacant dwellings, one garage and annex, and the construction of a new 3 storey flatted development comprising 13 flats (3 one bed flats, 6 two bed flats and 4 three bed flats) and associated parking and landscaping works.(Amended drawings received 18.04.2017)

| | |
|-------------------------|----------------------|
| Ward: | Stamford |
| 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=OFZ0V2GYMOW00>

2 Update

- 2.1 This application was considered by the planning committee on 20 July 2017 and was subsequently deferred for the following reasons:
- To ask the applicant whether they would be willing to make a financial contribution to improve pedestrian access to the site. The committee considered that the pathway, which currently provided access to the site, was not in an acceptable condition for use should the application be granted, and the site developed. The committee were concerned that pedestrians would end up walking in the road to access the site if the condition of the pathway was not improved.
 - The committee noted that the suggested heads of terms gave the applicant the option to elect that the Council retain an affordable housing deposit of £346,198 rather than providing two affordable housing units in the linked application 16/01448/FUL if they so chose. Members' preference was that if this application was granted, two affordable housing units should be provided in the linked application 16/01448/FUL.
- 2.2 Officers are of the opinion that it would be unreasonable to request a financial contribution towards the improvement of the existing footpath which is presently in a satisfactory condition and therefore fit for purpose. The request for a financial contribution in this instance would therefore, fail to meet the requirements of regulation 122 (CIL Regulations 2010) whereby a planning obligation should be necessary to make the development acceptable, directly related to the development and fairly and reasonably related in scale and kind to the development.

- 2.3 The proposed legal agreement has now been amended to ensure that the developer shall build and transfer the affordable housing units prior to the occupation of some of the Birchdene/Hollydene flats. Alternatively, the council can elect to retain the deposit in lieu of this provision and use it for affordable housing elsewhere in the borough (refer to paragraph 10.33 below).

3 Summary

- 3.1 The application site is located at the end of Court Lane and is currently occupied by two detached dwellings. This application seeks permission for the demolition of the houses and the erection of a 3 storey flatted development comprising 13 flats and associated parking and landscaping works.
- 3.2 This application is “linked” to application 16/01148/FUL, (Item 4 on this agenda). In lieu of the required on-site provision of affordable housing, it is proposed that off-site provision would, in part, be met by this application.
- 3.3 The application is recommended for APPROVAL.

4 Site description

- 4.1 The application site is located at the end of Court Lane, on the northern western side. The land is currently occupied by two detached dwellings.
- 4.2 The property is bounded to the rear (north west) by a public footpath forming part of the Court Recreation Ground, beyond which (at a higher level) are the rear gardens of properties fronting West Hill Avenue. The north eastern flank boundary abuts both the public parking area and the south western boundary of the “Court Lodge” development, a three storey flatted scheme which is currently being constructed. To the west, the site is bounded by detached dwellings “Clayhill Lodge” and “Allonby”.
- 4.3 The site is located in a suburban, residential area on the edge of Epsom Town Centre. Surrounding residential properties (to the north west and south west) consist primarily of detached houses within generous plots, whilst higher density development, including West Hill Court are located to the east of Court Lane.
- 4.4 The site is located in proximity to the Stamford Green Conservation Area.

5 Proposal

- 5.1 This application seeks permission for the demolition of the two vacant dwellings, one garage and annex, and the construction of a new 3 storey flatted development comprising 13 flats (3 one bed flats, 6 two bed flats and 4 three bed flats) and associated parking and landscaping works.
- 5.2 The building, which would have an “L” shaped footprint, would be set back some 3m from the edge of the car parking area, 3m from the highway boundary, and 9.1m from the boundary with Clayhill Lodge.

- 5.3 The flat-roofed building would be terraced in form, stepping down from 3 storeys to a single storey towards the northwest and south-west boundaries. Primary living spaces would be arranged around a courtyard, to the rear of the site.
- 5.4 The contemporary elevational style of the building (similar to the adjacent Court Lodge scheme) would comprise a brick internal layer which would sit behind the overall white rendered "shell". The flank elevation of each storey would be curvilinear, and the façade would be further articulated by further elements such as chamfered window reveals, box windows and Juliette balconies.
- 5.5 The flats would meet national space standards, with access to both private terraces and communal landscaped amenity space. The unit layouts have been designed to meet the requirements of the Lifetime Homes standard.
- 5.6 It is proposed to provide 17 parking spaces to the rear and side of the building, and a bicycle storage facility. Vehicular and pedestrian access would be via the existing driveway access to Hollydene.
- 5.7 Refuse storage would be located in the south eastern corner of the site.

6 Comments from third parties

- 6.1 The application was advertised by means of letters of notification to 51 neighbouring properties, a site and press notice. To date (15.05.2017) 8 letters of objection have been received regarding:
 - Overdevelopment
 - Loss of privacy
 - Out of keeping
 - Loss of outlook (4a Meadway, 14 West Hill Avenue, 4 Meadway, 12 West Hill Avenue, 2a Meadway)
 - Parking provision
 - Highway safety
 - Density

7 Consultations

- 7.1 County Highways Officer: No objection.
- 7.2 Tree Officer: No objection.
- 7.3 Lead Local Flood Authority – is satisfied with the proposed drainage scheme subject to the imposition of relevant conditions.

8 Relevant planning history

| Application number | Decision date | Application detail | Decision |
|--------------------|---------------|---|---|
| 89/00557/OUT | 23.11.1989 | Hollydene, Birchcroft & Court Lodge, Court Lane, West Hill, Epsom. - Demolition & redevelopment to provide 19 No. two-bedroom houses for elderly persons & 19 No. car parking spaces. | REFUSED Appeal GRANTED 07.01.1991 |
| 15/00492/FUL | 22.10.2015 | Demolition of existing property to provide new 3-storey flatted development comprising a mixture of 1, 2 and 3 bed units (totalling 10 units) and associated parking. | REFUSED. Appeal GRANTED 09.06.2016 |

9 Planning Policy

National Policy Planning Framework (NPPF) 2012

| | |
|----------------------------|---|
| Paragraph 17 | Core Planning Principles |
| Chapter 6 | Delivering a Wide Choice of Quality Homes |
| Chapter 7 | Requiring Good Design |
| Paragraph 32 | Promoting sustainable transport |
| Paragraphs 051,079 and 080 | Flood Risk |

Core Strategy 2007

| | |
|-------------|---------------------------------------|
| Policy CS1 | Sustainable Development |
| Policy CS3 | Biodiversity |
| Policy CS5 | Built environment |
| Policy CS6 | Sustainability in new developments |
| Policy CS7 | Housing Provision |
| Policy CS8 | Broad location of housing development |
| Policy CS9 | Affordable Housing |
| Policy CS16 | Managing transport and travel |

Development Management Policies Document 2015

| | |
|-------------|---|
| Policy DM4 | Biodiversity and new development |
| Policy DM5 | Trees and landscape |
| Policy DM8 | Heritage Assets |
| Policy DM9 | Townscape character and local distinctiveness |
| Policy DM10 | Design requirements for new developments |
| Policy DM11 | Housing design |
| Policy DM12 | Housing standards |
| Policy DM13 | Building heights |
| Policy DM19 | Development and Flood Risk |
| Policy DM21 | Meeting Local Housing Need |

| | |
|-------------|---|
| Policy DM22 | Housing mix |
| Policy DM35 | Transport and new development |
| Policy DM36 | Sustainable Transport for new development |
| Policy DM37 | Parking standards |

10 Planning considerations

Principle of Development

- 10.1 The principle of demolishing the existing dwellings and the redevelopment of the site has been established through the previous permission (89/00557/OUT) for the demolition and redevelopment to provide 19 two-bedroom houses for elderly persons and associated parking.
- 10.2 The redevelopment of this site within an already developed residential area is an appropriate and sustainable location for such development and in principle accords with the policies contained within national and local planning policy.

Density

- 10.3 Policy DM11 - Housing Density states that in principle, proposals for new housing that make the most efficient use of sites within the borough's urban area will be supported in principle. The scheme proposes a density of 70 units per hectare and whilst policy DM11 states that the density of new housing developments in most cases should not exceed 40 dwellings per hectare, exceptions will be considered if the site enjoys good access to services, facilities and amenities via existing public transport, walking and cycling networks and the surrounding townscape has sufficient capacity to accommodate developments of higher density.
- 10.4 In his decision (appeal reference 3139792) regarding the adjacent site at Court Lodge planning ref: 15/00492/FUL, the Inspector considered that the appeal site was in a highly sustainable location and therefore found the density of approximately 66 dph would not conflict with Policy DM11. He considered that whilst the character of the residential areas to the north west including West Hill Avenue and Meadway could be considered low density, the appeal site should also be considered in the context of the properties to the east of Court Lane including West Hill Court which would suggest that a higher density would be appropriate.
- 10.5 Taking into account the Inspector's comments and that the site is in a sustainable location, in close proximity to a bus stop, a cycle route, as well as within easy walking distance of Epsom railway station, it is therefore concluded that the density is appropriate for the site.

Visual Impact

- 10.6 The footprint and design of the building would, in part, be a response to the shape of the adjacent Court Lodge scheme. The mass of the proposed building would be arranged along the north west flank boundary to maximise views out to the park, whilst enclosing a private courtyard to the rear. This would provide a buffer to the adjacent property Clayhill Lodge.

- 10.7 The building would have an overall height of 9.7m, and would step down in a series of “terraces” towards the north west and south west edges of the building. The reduction in building height from three storeys to single storey, and its articulation in both plan and elevation would reduce its perceived scale and massing.
- 10.8 The proposed development would be three storeys but being approximately 9.7m in height would be comparable to a two storey house with a pitched roof and lower than the scheme approved for West Hill Court which would be 10.4m to ridge height. The proposed development has therefore appropriately addressed local character in terms of height and would meet the objectives of Policy DM13 of the Development Management Policies Document which addresses building heights.
- 10.9 With regard to the adjacent Court Lodge scheme, the Inspector noted that the local context demonstrates a variety in massing and scale, and consequently the local character lacked uniformity. It was felt that the opportunity had been taken to address the requirements of Policy DM9 with a distinctive architectural form which was of an appropriate scale and massing and neither dominant nor incongruous in its local setting. The application scheme reflects a similar design approach to that of its neighbour, and when viewed together could be judged to form a harmonious whole.
- 10.10 The predominant use of render (with inset brick panels) has been carefully considered and detailed, albeit in a contemporary manner. The proposed fenestration details and their juxtaposition with a contemporary palette of materials are well chosen and mannered. Overall the proposed materials and detailing are of high quality and the new building would complement its attractive sylvan setting.
- 10.11 It is concluded that the proposed scheme would not have a harmful impact on the street scene, or the character and appearance of the wider and would therefore accord with Policy DM8, DM9 and DM10.

Neighbour Amenity

- 10.12 The new building has been designed, and detailed, such that the impact on neighbouring properties would be minimised.
- 10.13 Concerns regarding overlooking have been raised by the occupants of properties in Meadway and West Hill Avenue. The flank (north west) elevation of the proposed scheme would face the rear elevations of the properties in Meadway and West Hill Avenue at a distance of between 35m–40m, and the front (south west) elevation would face the rear elevation of Clayhill Lodge at a distance of 42m. The respective separation gaps would be considerably above the minimum usually considered adequate to avoid significant loss of privacy. Whilst the new building would face the flank wall of the Court Lodge scheme (currently under construction), the windows in the affected building would be obscurely glazed.

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

Internal Layout

- 10.15 The internal layout would comply with the Nationally Described Space Standards technical requirements.

External Layout

- 10.16 'Secured by Design' principles have been applied to the development in terms of its design, layout and landscaping to minimise the risk of crime and maximise security, creating a safer environment.
- 10.17 The proposed flats would address the street positively with their frontages so as to provide passive surveillance of the public realm. Principal windows would be located on the frontages to promote a sense of neighbourhood, thus improving the perception of security.

Parking and Access

- 10.18 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".
- 10.19 17 parking spaces are proposed which would comply with the Council's adopted parking standards which require 1 and 2 bedroom flats outside of the town centre to have 1 space per unit, and 3 bedroom flats to have 1.5 spaces. 18 bicycle spaces are provided within a purpose-built storage area which would accord with the requirements of local guidance.
- 10.20 Vehicular and pedestrian access would be via the existing driveway access to Hollydene, and should planning permission be granted, the access is proposed to be shared with the adjacent Court Lodge development.
- 10.21 The County Highways Authority has no objection to the proposal subject to the imposition of highway conditions regarding the provision of the parking spaces.

Refuse

- 10.22 A bin store for waste and recycling would be provided within the building and in a self-contained bin store adjacent to entrance to the application site. There would sufficient turning space for refuse vehicles in the adjacent public car parking area.

Landscaping

- 10.23 Several trees were felled on the site prior to the submission of the current scheme. Indicative landscape drawings have been submitted and an appropriate condition requiring the submission of a detailed landscaping plan which secures new tree planting to an acceptable level is imposed.
- 10.24 Hard landscaping would include bonded gravel to the shared surface and block pavements to surface car parking. Paths would be delineated in buff paving slabs.
- 10.25 Hard landscaping materials such as brick pavements are proposed to create pathways and areas of hardstanding within the site. The vehicular access way would be permeably paved.
- 10.26 A detailed landscaping scheme will be secured via an appropriate planning condition.

Sustainable Drainage System (SuDS)

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

Sustainability

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

Ecology and biodiversity

- 10.31 The scheme is supported by a Phase 1 Ecological Assessment and a Bat Survey. No badger setts were located on site. The Bat Survey stated that there were no signs of bat ingress into the property and no bats were seen emerging from the properties. The proposed scheme would incorporate green roofs which would provide compensation for the increased building footprint on the site. It is recommended that a condition requiring the installation of bat and bird boxes, as well as the planting of native trees and shrubs be imposed, in order to enhance the value of the site for local wildlife, with a net gain for biodiversity as encouraged by Policy DM4.

Affordable Housing

- 10.32 Policy CS9 seeks 20% affordable housing to be provided on developments of between 5 and 14 dwellings. The proposal for 13 dwellings therefore generates a requirement for 2.6 dwellings to be provided on-site as affordable housing units.
- 10.33 Officers have agreed that an off-site provision of the two units (at No 2 Chase Road, application reference 16/01148/FUL), and a commuted sum (£79,892) in lieu of 0.6 of a unit would be acceptable. An affordable housing deposit of £346,198 is required to be paid to EEBC prior to commencement of development at Hollydene/Birchcroft (the application site) or Chase Road, whichever is the earliest. The developer must build and transfer the affordable housing units prior to the occupation of some of the Hollydene/Birchcroft flats. Alternatively the council can elect to retain the deposit in lieu of this provision and use it for affordable housing elsewhere in the borough.
- 10.34 The affordable housing units and the commuted sum will be secured by a legal agreement.

Community Infrastructure Levy

- 10.35 The scheme is CIL liable.

11 Conclusion

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

12 Recommendation

Part A

- 12.1 **Subject to a legal agreement being completed and signed to secure the following heads of terms:**

(a) A commuted sum of £79,892.00

(b) The off-site provision of 1 one-bedroom and 1 three-bedroom affordable rental units.

(c) An affordable housing deposit of £346,198

12.2 The Committee authorise the Head of Place Development to grant planning permission subject to the following conditions:

Conditions:

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

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

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

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

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

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

- (4) No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for a maximum of 17 cars and a minimum of 18 cycles to be parked, and for vehicles to turn so that they may enter and leave the site in forward gear. The parking/turning area shall be used and retained exclusively for its designated purpose.**

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

- (5) No development shall commence until a Construction Transport Management Plan, to include details of:**
- a) parking for vehicles of site personnel, operatives and visitors**
 - b) loading and unloading of plant and materials**
 - c) storage of plant and materials**
 - d) programme of works (including measures for traffic management)**
 - e) provision of boundary hoarding behind any visibility zones**
 - f) HGV deliveries and hours of operation**
 - g) vehicle routing**
 - (h) measures to prevent the deposit of materials on the highway**
 - (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused**
 - (j) no HGV movements to or from the site shall take place between the hours of 8.30 and 9.15 am and 3.15 and 4.00 pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in West Hill, Pound Lane, Meadway or Marshalls Close during these times**
 - (k) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority.**

Only the approved details shall be implemented during the construction of the development.

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

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

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

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

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

- (8) Prior to construction of the development hereby approved, plans and information relating to the following:
- i. A drainage layout detailing the exact location of SUDs elements, pipes, impervious areas and drainage sub-catchments (if applicable)
 - ii. Details of all SUDs elements and other drainage features, including long and cross sections, pipe diameters and respective levels

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

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

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

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

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

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

- (11) 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.

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

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

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

1749_02 A

1749_10 A

1749_11 A

1749_12 A

1749_13 A

1749_14 A

1749_15 A

1749_16 A

1749_17 B

1749_20 A

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

Informatives:

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.**
- (2) The water efficiency standard required under condition 7 has been adopted by the local planning authority through the Development Management Policies 2015. This standard is the 'optional requirement' detailed in Building Regulations 2010, Part G Approved Document (AD) Buildings Regulations (2015), at Appendix A paragraph A1.**

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

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

- (3) This form of development is considered liable for the Community Infrastructure Levy (CIL). CIL is a non-negotiable charge on new developments which involve the creation of 100 square metres or more of gross internal floorspace or involve the creation of a new dwelling, even when this is below 100 square metres. The levy is a standardised, non-negotiable charge expressed as pounds per square metre, and are charged on the net additional floorspace generated by a development.

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

More information and the charging schedule are available online:

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

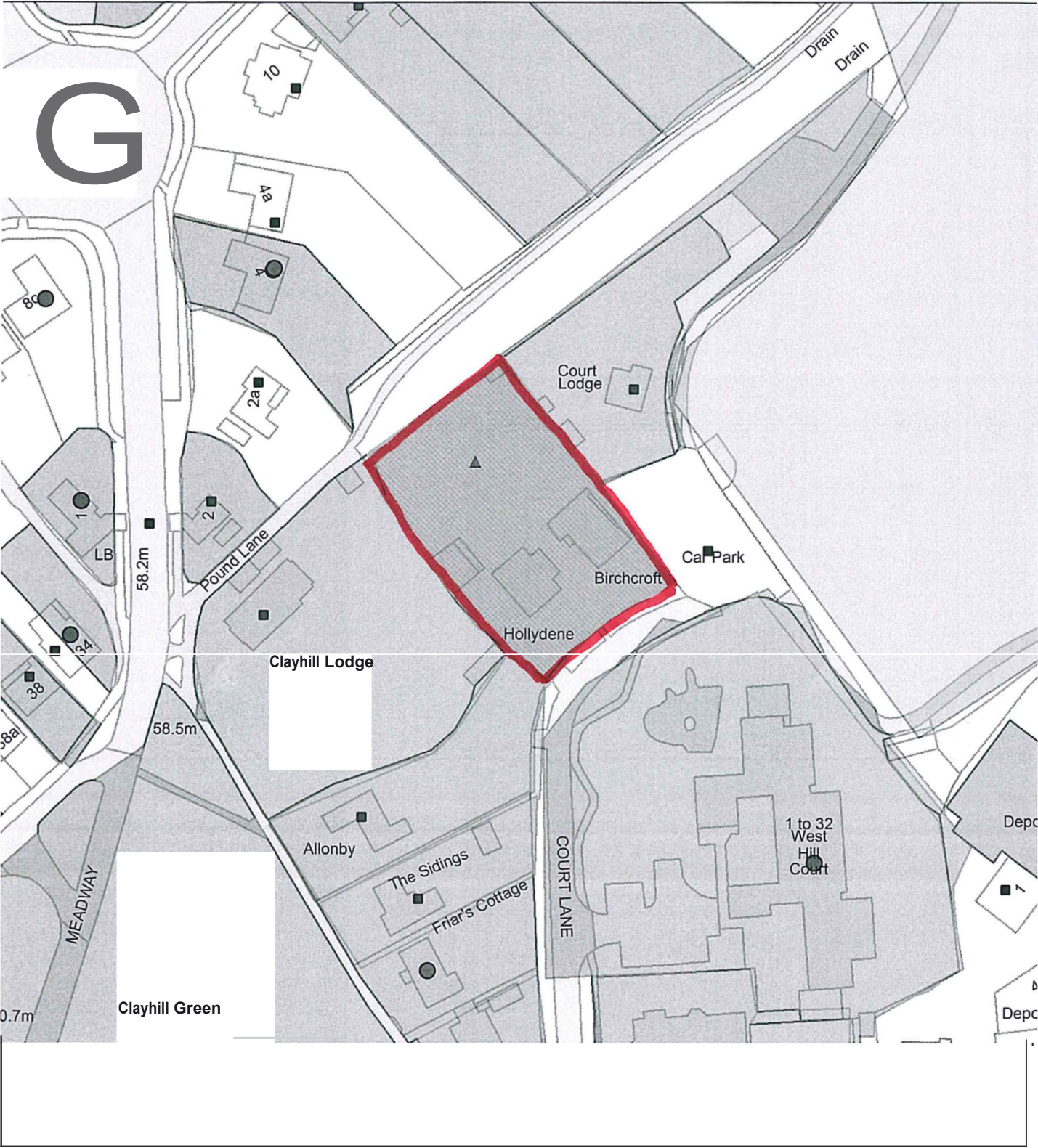
- (4) No construction work shall be carried out in such a manner as to be audible at the site boundary before 07:30 hours or after 18:30 hours Monday to Friday; no construction work shall be audible at the site boundary before 08:00 or after 13:00 hours on Saturdays and no construction work of any nature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

Part B

- 12.3 In the event that the section 106 Agreement referred to in Part A is not completed by 16 October 2017 the Head of Place Development be authorised to refuse the application for the following reason:
- 12.4 In the absence of a completed legal obligation under section 106 of the Town and Country Planning Act 1990 (as amended), the applicant has failed to comply with CS9 (Affordable Housing) and CS12 (Developer Contributions) of the 2007 Core Strategy in relation to the off-site provision of affordable housing units , and a commuted sum in lieu of the off-site provision of affordable housing units

16/01145/FUL

Birchcroft and Hollydene



Scale : 1:1062

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| Date 07 July 017 | |
| Comments | |
| SL CN).01P11J 1 | |

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Nonsuch Park Mansion, Nonsuch Park, Ewell Road, Cheam, Surrey, SM3 8AL
Erection of shelter.

| | |
|-------------------------|--------------------|
| Ward: | Nonsuch |
| Contact Officer: | James Udall |

1 Plans

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

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

2 Summary

- 2.1 The wider application site comprises about 91ha of land that is set in the middle of the Nonsuch Park and consists of a Grade II* listed building with currently a mixture of museum, educational and catering uses designed by Sir Jeffry Wyattville in 1802 for Mr. Samuel Farmer. The building was previously extended in 1845. To the west of the building lies, a walled kitchen garden divided from it by the northern end of the Fir Walk. The southern part of the gardens is shown on the Tithe map of 1839, the northern section post-dating this survey.
- 2.2 The proposed shelter would be situated within the walled garden. The shelter would be a Palram Arcadia 5000, constructed of powder-coated Aluminium structure, supporting galvanised steel arches and joints, galvanised steel 80x80 mm poles and twin-wall polycarbonate roofing. It would have a depth of 5.02m a width of 3.62m and a maximum height 2.42m. It would not be readily visible from the public domain and would be secured to paving slabs by bolts, which will enable it to be dismantled, or moved in the future if necessary.
- 2.3 The site forms part of the Metropolitan Green Belt and the application is referred to Committee for determination because it involves Council owned land.
- 2.4 The application is recommended for APPROVAL as it involves a policy compliant use in Strategic Open Space and there are no visual, heritage or amenity concerns relating to the proposal.

3 Site description

- 3.1 The application site occupies land owned by Epsom and Ewell Borough Council and comprises of Grade II* listed building with currently a mixture of museum, educational and catering uses designed by Sir Jeffry Wyattville in 1802 for Mr. Samuel Farmer. The building was previous extended in 1845. To the west of the building lies, a walled kitchen garden divided from it by the northern end of the Fir Walk. The southern part of the gardens is shown on the Tithe map of 1839, the northern section post-dating this survey.
- 3.2 Parking is provided to the north of the kitchen garden as well to on the southern side of the park.

4 Proposal

- 4.1 The application seeks permission for the erection of a shelter situated within the walled garden. The shelter would a Palram Arcadia 5000, constructed of powder-coated Aluminium structure, supporting galvanised steel arches and joints, galvanised steel 80x80 mm poles and twin-wall polycarbonate roofing.
- 4.2 It would have a depth of 5.02m a width of 3.62m and a maximum height 2.42m. It would not be readily visible from the public domain and would be secured to paving slabs by bolts, which will enable it to be dismantled, or moved in the future if necessary.
- 4.3 Comments from third parties
- 4.4 The application was advertised by means of letters of notification to the 3 nearest residential properties and a site notice was displayed. To date (24.08.2017) no letters of objection have been received.

5 Consultations

- 5.1 Historic England – “On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant”.
- 5.2 Conservation Officer – “The proposed structure is concealed within a Walled Garden at Nonsuch Park. It is a free standing element with little visual presence and it can be easily deconstructed and removed. Its use indirectly contributes to the sustainability of the adjacent Grade II* Nonsuch Park House, the Grade II listed Park and Garden, and the Grade II listed wall, while causing no harm to their significance.
- 5.3 The importance of sustaining and enhancing the significance of heritage assets, while keeping them in viable and appropriate uses, is emphasised throughout section 12 of the NPPF and para. 132 requires great weight to be given to their conservation.
- 5.4 The proposal is a reversible intervention which causes no harm to the significance of the designated heritage assets and there is no objection in terms of Policy DM8”.

5.5 London Borough Of Sutton – No objections received

6 Relevant planning history

| Reference number | Proposal | Decision | Decision date |
|-------------------------|---|-----------------------|----------------------|
| 03/01405/FUL | Conversion of garage into museum. | Application Permitted | 12 May 2004 |
| 03/01433/LBA | Conversion of a Garage into a museum and external alterations. | Application Permitted | 12 May 2004 |
| 09/00817/LBA | Installation of extract duct from ground-floor kitchen, through first-floor window and terminating on first-floor flat roof behind parapet. Removal of lower half of sash window and replacement with metal panel at exit point of duct | Application Permitted | 11 February 2010 |
| 12/00385/LBA | Restoration and rebuilding facade of bothy and reprovision of seat | Application Permitted | 30 August 2012 |

7 Planning Policy

National Policy Planning Framework (NPPF) 2012

Chapter 12: Paragraphs 126-141 Conserving and enhancing the historic environment

Core Strategy 2007

CS6 Strategic Open Space

Development Management Policies 2015

DM8 Heritage Assets
Policy DM10 Design Requirements for New Developments

8 Planning considerations

Impact on Strategic Open Space

- 8.1 The application site lies within Nonsuch Park, which is designated as Strategic Open Space. Policy CS4 of the Epsom & Ewell Borough Council Core Strategy 2007 states that “Development which results in a deficit of open space provision will not be permitted”.
- 8.2 The proposed shelter would be sited within a walled garden and would not be readily visible from outside the garden. The proposed structure would have a depth of 5.02m a width of 3.62m and a maximum height 2.42m. Due to its siting, scale and design the proposed shelter would not create a deficit of open space provision.

Impact on the Visual Appearance of Listed building and Character of the Area

- 8.3 Paragraph 129 of the Planning policy Framework states that “Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal”.
- 8.4 Policy DM8 of the Development Management Document 2015 states that Epsom & Ewell Borough Council “will resist the loss of our Heritage Assets and every opportunity to conserve and enhance them should be taken by new development”.
- 8.5 The Conservation Officer has assessed the proposal and advised that the proposed structure would be concealed within a Walled Garden at Nonsuch Park. It would be a freestanding element with little visual presence and it could be easily deconstructed and removed. Its use indirectly contributes to the sustainability of the adjacent Grade II* Nonsuch Park House, the Grade II listed Park and Garden, and the Grade II listed wall, while causing no harm to their significance. It is therefore considered that the proposal would comply with Policy DM8.

Residential Amenity

- 8.6 Due to its size, scale, design and siting the proposal would have no impact on any nearby residential dwellings. It is therefore considered that there would be no impact on residential amenity in terms of noise and disturbance.

9 Conclusion

- 9.1 The application proposal would not have an adverse impact on the Strategic Open Space, heritage assets, the character of the area or neighbouring occupants.

10 Recommendation

- 10.1 Planning permission granted subject to the following conditions:

Conditions:

- (1) **The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

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

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Drawing Numbers NLNSP-002 REV A and NLNSP-003 REV A.

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) Prior to the commencement of development, details shall be submitted to and approved in writing by the local planning authority of the materials to be used for the external surfaces of the development including all making good works, demonstrating that the finishing materials match those of the existing building/structure in size, colour, texture, profile, finish, bonding and pointing. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the special architectural and historic interest of the listed building / In the interest of the character and appearance of the conservation area **** in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM8, DM9 and DM10 of the Development Management Policies 2015.

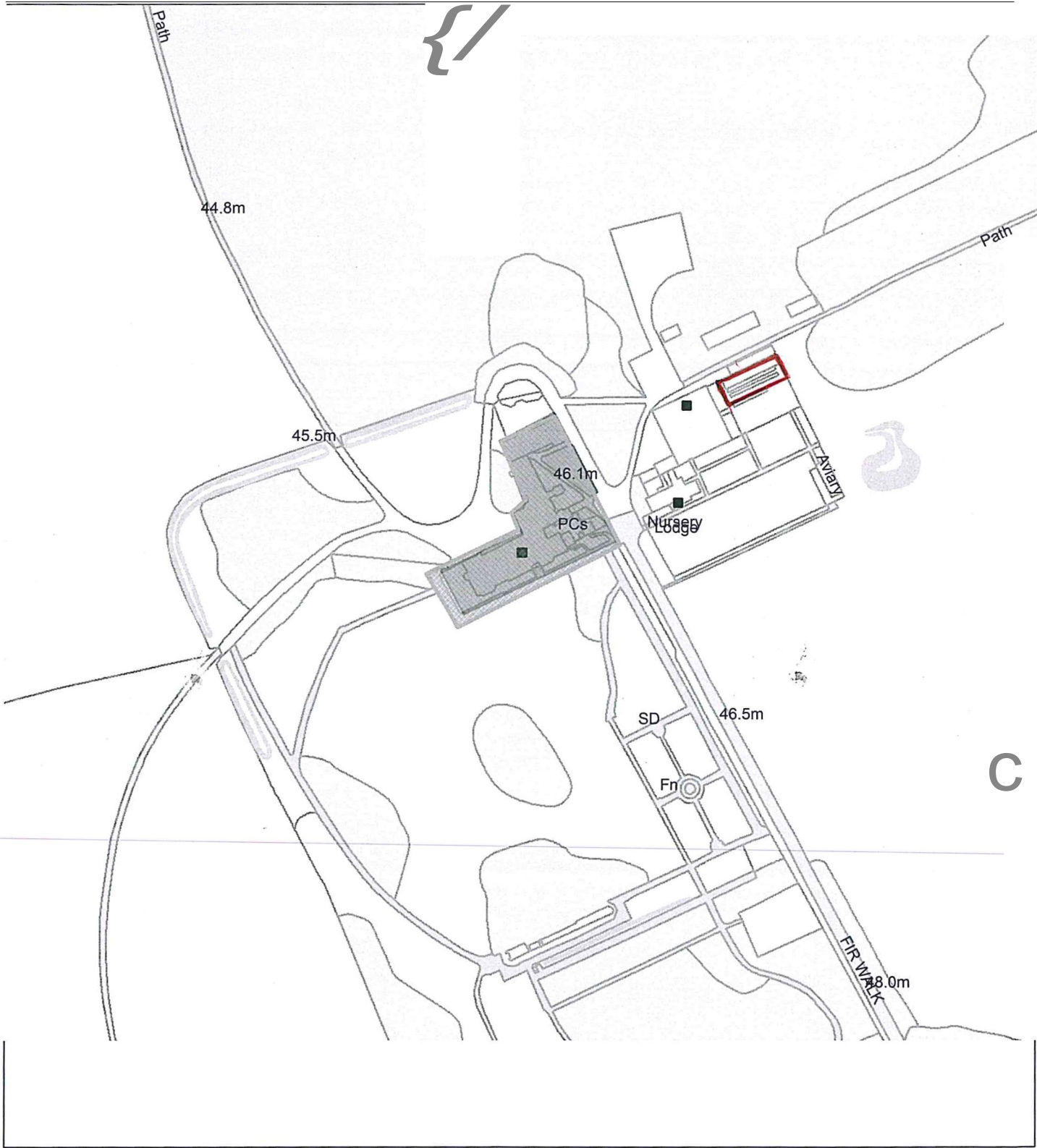
Informatives:

- (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.

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17/00063/FUL

Nonsuch Park



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Longmead Social Centre Sefton Road Epsom Surrey KT19 9HG

Relocation of a window and the installation of a new external door and access ramp.
(Amended drawings received 05.06.2017)

| | |
|-------------------------|----------------------|
| Ward: | Court |
| 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=OPVS27GYGQE00>

2 Summary

- 2.1 The application site comprises the council owned Longmead Social Centre. This application seeks permission for the relocation of a window and the installation of a new external door and access ramp and is being presented to committee as it is a council owned building.
- 2.2 The application is recommended for APPROVAL.

3 Site description

- 3.1 The application site, which comprises a single storey brick clad building, is located on the southern side of Sefton Road.
- 3.2 The site is located in a predominately-residential area, consisting of c1960's terraced, maisonettes and flatted blocks.

4 Proposal

- 4.1 This application seeks permission for the relocation of a window and the installation of a new external door to the new 'treatment room' and a level access ramp in the south eastern flank elevation.

5 Comments from third parties

- 5.1 The application was advertised by means of letters of notification to 1 neighbouring properties, and a site notice. To date (21.08.2017) no letters of objection have been received.

6 Consultations

- 6.1 Highways Officer: No comments.

7 Relevant planning history

| Application number | Decision date | Application detail | Decision |
|--------------------|---------------|--------------------|----------|
| | | None relevant | |

8 Planning Policy

Core Strategy 2007

Policy CS1 Sustainable development
Policy CS5 Built environment

Development Management Policies Document 2015

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

9 Planning considerations

Visual Impact

9.1 The proposed relocated window, new door and access ramp would be tucked away on the south eastern elevation and would not be very visible in the street scene. The proposed changes are minimal and given their location, would not have a harmful impact on the character and appearance of the building, and overall would accord with Policy DM9 and DM10. There is no objection to the changes proposed.

Neighbour Amenity

9.2 The proposals are minor in nature and would have no impact on neighbour amenity, thereby according with Policy DM10.

Community Infrastructure Levy

9.3 The scheme is not CIL liable.

10 Conclusion

10.1 . The scheme is therefore recommended for APPROVAL.

11 Recommendation

11.1 Planning permission is **granted** subject to the following conditions:

Conditions:

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

Reason: To comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2005

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

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

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

Drawing No Long-gp-002B; No Long-gp-003A

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) 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.

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17/00232/FUL

COUNCIL



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Bourne Hall, Spring Street, Ewell, Surrey, KT17 1UD

Listed Building Consent for proposed replacement of existing light fittings with LED light fittings in Museum and Library areas of Grade II listed building.

| | |
|-------------------------|------------------------|
| Ward: | Ewell |
| 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=ORU3I5GYH2U00>

2 Summary

- 2.1 The application seeks Listed Building Consent for the installation of replacement LED light fittings within the museum and library areas of Bourne Hall, a Grade II listed building.
- 2.2 This application has been submitted to committee because the site is a Council-owned property.
- 2.3 The application is recommended for APPROVAL**

3 Site description

- 3.1 The application site is a public library and social centre with Grade II listing, set in grounds on the edge of Ewell Village. The circular building is of "a striking design, notable for its space-age flair and the generous, top-lit principal interior space" (Historic England, 2017).
- 3.2 The specific area relevant to this application is the library and museum within the building, at ground floor and mezzanine level across the south-east section of the building. The light fittings here are fluorescent tubes measuring 1800mm x 600mm set in banks of three above the library and single panels above the museum.

4 Proposal

- 4.1 The application seeks Listed Building Consent for the installation of new LED light fittings within the existing lighting panels at Bourne Hall. The new light fittings measure 600mm x 600mm; a new ceiling tile will be inserted between each fitting as demonstrated on the plans.

5 Comments from third parties

- 5.1 The application was advertised by site notice. To date (21.08.2017) no letters of objection have been received.

6 Consultations

- 6.1 Design and Conservation Officer: Bourne Hall is a recently designated Grade II listed building of the late 1960s. The importance of sustaining and enhancing the significance of heritage assets, while keeping them in viable and appropriate use, is emphasised throughout section 12 of the NPPF and para. 132 requires great weight to be given to their conservation.
- 6.2 The present proposal facilitates sustainable use of the listed building by replacing an existing lighting system of no interest, with a modern LED system. As the new elements replace an existing system, their installation has minimal impact on existing building fabric.
- 6.3 The work facilitates sustainable and appropriate use of the designated heritage asset without harming its significance, and there is no objection in terms of Policy DM8.

7 Relevant planning history

- 7.1 N/A

8 Planning Policy

Core Strategy 2007

Policy CS1

General Policy

Policy CS13

Community, Cultural and Built Sports Facilities

Development Management Policies Document 2015

Policy DM8

Heritage Assets

Supplementary Planning Guidance

Ewell Village Conservation Area

9 Planning considerations

Impact on Listed Building

- 9.1 The new LED light fittings will utilise the existing fittings within the ceiling panels and so will have no material effect on the fabric of the listed building. The Conservation Officer states that, although the lighting system is of no significance to the listing, the work will allow the continued sustainable use of Bourne Hall.
- 9.2 The proposal therefore complies with Policy DM8 of the Development Management Policies 2015.

Impact on community facilities

9.3 The upgrading of the existing facilities at Bourne Hall is encouraged and it is considered that the new LED fittings will enhance the present uses of the site and ensure it remains a viable and positive community asset.

9.4 The scheme is found to comply with Policy CS13 of the Core Strategy 2007.

10 Conclusion

10.1 It is considered that the proposed replacement of the existing light fittings in the museum and library areas of Bourne Hall would have a positive impact on the use of the building as a community facility, and would not cause harm to the fabric of the listed building. The scheme therefore complies with relevant local planning policy and it is recommended that this application be APPROVED.

11 Recommendation

11.1 Planning permission is approved, subject to the following conditions:

Conditions:

- (1) The works hereby granted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 (1) (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 52 (4) of the Planning and Compulsory Purchase Act 2004.

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans, received on 29 June 2017: 'Radiance Mounting Kits' 21LFT 30705 Issue 2 PN 2551B Sep 15, 'Radiance Thorlux Lighting' Apr 15; the following approved plans, dated 26 June 2017: Bourne-002A; and the following approved plans, dated 31 March 2017: Bourne-001A.

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) 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.**

17/00445/LBA

Bourne Hall



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39 The Oaks Square Waterloo Road Epsom Surrey KT19 8AS

Variation of condition 15 of planning permission ref: 98/00104 dated 31/03/99 to allow an extension of opening hours of food and drink premises for an extra hour on Friday & Saturday evenings from 23:00 until 24:00, on Christmas Eve (evening) 23:00 until 01:00 on Christmas Day, New Year's Eve (evening) 23:00 until 01:30 on New Year's Day, St George's Day 23:00 until 24:00, St Patrick's Day 23:00 until 24:00, and Halloween 23:00 until 24:00.

| | |
|-------------------------|----------------------|
| 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=OR7VJLG YGYX00>

2 Summary

- 2.1 The application site comprises a ground floor bar premises located in The Oaks Square, which forms part of the overall Epsom and Oaks Square development. This application seeks permission for the variation of a condition restricting operating hours attached to the original planning permission for the redevelopment of the wider site when the formerly named Oaks and Derby Squares were developed, in order to extend the present operating hours.
- 2.2 The application is recommended for (temporary) APPROVAL.

3 Site description

- 3.1 The application site comprises modern bar premises located in The Oaks Square, which forms part of the overall development Epsom Square (formerly known as Derby Square) and Oaks Square, which is a mixed commercial, community and residential development.
- 3.2 The entrance to the premises is via the smaller of the two squares, Oaks Square, which comprises 39 residential flats. There are flats located immediately above the application premises, on the first, second floor and third floors.
- 3.3 Oaks Square is also used by pedestrians and cyclists as a short cut between the station and the High Street.

4 Proposal

- 4.1 This application seeks permission to for the variation of condition 15 of planning permission 98/00104 dated 31/03/99 to allow an extension of opening hours of food and drink premises for an extra hour on Friday & Saturday evening from 23:00 until 24:00, Christmas Eve (evening) 23:00 until 01:00 on Christmas Day, New Year's Eve (evening) 23.00 until 01:30 on New Year's Day, St George's Day 23:00 until 24.00, St Patrick's Day 23:00 until 24:00, and Halloween 23:00 until 24:00.

Comments from third parties

- 4.2 The application was advertised by means of letters of notification to 41 neighbouring properties. To date (17.08.2017) one letter of objection has been received regarding;
- I oppose the request to extend licence hours due to the already constant noise, foot traffic, social impacts and general quality of life that is caused by other premises in the area. This predominantly residential area does not need more bars open late to attract more foot traffic and people lingering drunk after midnight.

5 Consultations

- 5.1 Highways Officer: No comments.
- 5.2 Environmental Health Officer: No objections. I can confirm this applicant has worked closely with this team in connection with his recent premises licence application for identical opening times to those contained in this planning application. This has resulted in improvements to the building so as to offer increased noise insulation. Also included as conditions were:
- No customers to use outside seating area after 22.00 hours and all furniture to be removed by 22.30 hours.
 - No customers will be allowed to take drinks to the outside area after 22.00 hours.
 - All furniture removed by 22.30 hours.
 - The use of the outside designated smoking area will be monitored during licensing hours, and the numbers of smokers permitted in the outside area will be limited to 10 at any one time from 21.00 hours Sunday to Thursday 22.00 hours Friday and Saturday and on non-standard timings. No liquid refreshment to be taken into this area.
 - There shall be no new admittance to the premises after 23.00 hours on Friday and Saturday and non-standard timings.
 - A double door entrance lobby shall be installed, with doors closed from 22.00 hours, except for egress and access to the premises.
- 5.3 Surrey Police Crime Reduction Advisor: No objection received.

6 Relevant planning history

| Application number | Decision date | Application detail | Decision |
|--------------------|---------------|---|----------|
| 98/00104/FUL | 31.03.1999 | Mixed Use Development comprising health club, GP surgery, public library, community facilities, 39 2-bed residential units, retail units (Mix of A1, A2 and A3. | GRANTED |
| 06/01091/FUL | 01.02.2007 | Variation of condition No. 15 of 98/00104 to extend opening hours until midnight Fridays and Saturdays and 2am on Christmas Eve and New Years Eve. | GRANTED |

7 Planning Policy

The National Planning Policy Framework (NPPF) 2012

Core Strategy 2007

| | |
|-------------|---|
| Policy CS1 | Sustainable Development |
| Policy CS5 | Built environment |
| Policy CS6 | Sustainability in New Developments |
| Policy CS13 | Community, Cultural and Built Sports Facilities |
| Policy CS14 | Epsom Town Centre |

Plan E Epsom Town Centre Area Action Plan 2011

| | |
|-----------|--|
| Policy E6 | Leisure, cultural and community facilities provision |
|-----------|--|

Development Management Policies 2015

| | |
|-------------|---|
| Policy DM9 | Townscape Character and Local Distinctiveness |
| Policy DM10 | Design Requirements for new development |
| Policy DM34 | New Social Infrastructure |

8 Planning considerations

Residential Amenity

- 8.1 The National Planning Policy Framework (NPPF) states that there are three dimensions to sustainable development, including economic, social and environmental and that their roles are mutually dependent. It advocates a proactive approach towards meeting the needs of local businesses and the promotion of healthy communities. Paragraph 123 of the NPPF states that planning decisions should recognise that development will often create some noise. At the same time, planning decisions should seek to avoid noise from giving rise to significant adverse impacts on health and quality of life.

- 8.2 Consistent with this, Policy CS6 of the Core Strategy (2007) seeks to ensure that development results in a sustainable environment, which includes minimising the emission of pollutants such as noise. Policy DM10 of the Development Management Policies 2015 states that new development should have regard to the living conditions of existing residents with regard to noise and disturbance.
- 8.3 The application premises are located directly below residential flats with habitable windows and open balconies, at first, second and third floor level. The application site faces the bar “Slug and Lettuce” on the opposite side of the square, above which are three floors of residential accommodation which similarly include flats with open balconies. Within the immediate vicinity, there are in excess of one hundred residential flats at Hudson House next to Epsom Station.
- 8.4 Condition 15 of planning permission ref: 98/00104/FUL was imposed to safeguard the amenities of nearby residents by restricting the hours when local residents would be exposed to noise and disturbance. Clearly customers entering, leaving and standing outside the premises late at night and early in the morning have the potential to disturb local residents, including their sleep patterns, which could impact on both their health and quality of life.
- 8.5 Policy E6 of the Epsom Town Centre Area Action Plan 2011 seeks to promote a thriving evening economy but the supporting text in paragraph 4.37 makes it clear that an over concentration of late night venues could lead to an increase in noise, disturbance and anti-social behaviour. It is considered that great care must be taken to ensure the right balance is struck between promoting a vibrant evening and night-time economy and protecting residential occupiers from undue noise and disturbance, particularly at unsociable hours.
- 8.6 However it is noted however that the “Slug and Lettuce”, opposite the application premises, benefits from similar operating hours as that proposed by this application. The restrictive conditions attached to the premises licence are also noted and would mitigate any potential increase in noise, disturbance and anti-social behaviour.
- 8.7 The proposal to further extend the opening hours would therefore, strike the appropriate balance required by Policy CS14 and Policy DM10 to enhance environmental quality, sustainability and protect residential amenities whilst supporting a flourishing night-time economy.
- 8.8 However, notwithstanding the above, it is recommended that temporary permission for a period of three years be granted to allow the Council to monitor the impact of the extended opening hours.

Visual Impact

- 8.9 The application does not propose any external alterations and accordingly there would be no impact on the visual amenities arising from the development.

Community Infrastructure Levy

8.10 The scheme is not CIL liable.

9 Conclusion

9.1 The scheme is therefore recommended for APPROVAL.

10 Recommendation

10.1 Planning permission is **granted** subject to the following conditions:

Conditions:

- (1) The extended operating hours hereby permitted shall be terminated on or before 7 September 2020 when this permission expires.

Reason: To ensure that the circumstances are reviewed at the expiration of the period permitted to ensure the development complies with Policy DM10, of the Development Management Policies Document 2015 and Policy CS14 of the Core Strategy 2007.

- (2) The operating hours of the premises shall be as follows:

Sunday –Thursday 08:00-23:00, Friday & Saturdays 08:00-24:00, Christmas Eve (evening) 08:00- 01:00 on Christmas Day, New Year’s Eve 08:00- 01:30 on New Year’s Day, St George’s Day 08:00- 24:00, St Patrick’s Day 08:00-24:00, and Halloween 08:00- 24:00.

Reason: To restrict the proposed use to daily periods which are acceptable having regard to the proposed location and to ensure that they proposed use does not prejudice the enjoyment by neighbouring occupiers of their properties as required by Policy DM10 of the Development Management Policies Document 2015

Informatives

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

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SITE VISITS

| | |
|---|---------------------------|
| <u>Report of the:</u> | Head of Place Development |
| <u>Contact:</u> | Mark Berry |
| <u>Annexes/Appendices (attached):</u> | None |
| <u>Other available papers (not attached):</u> | 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).
- 5 Cox Lane, West Ewell KT19 9LR - 17/00121/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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