

# Public Document Pack

Simon Young, Solicitor  
Head of Legal and Democratic Services



## PLANNING COMMITTEE

Thursday 9 November 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](mailto:sdessent@epsom-ewell.gov.uk)

### AGENDA

#### 1. DECLARATIONS OF INTEREST

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

**2. MINUTES OF THE PREVIOUS MEETING** (Pages 3 - 18)

The Committee is asked to confirm as a true record the Minutes of the Meeting of the Planning Committee held on the 5 October 2017 (attached) and authorise the Chairman to sign them.

**3. PLANNING APPLICATION 17/00244/FUL - 111 EAST STREET, EPSOM KT17 1EJ** (Pages 19 - 30)

Demolition of bungalow and erection of a two storey building comprising 1, three bedroom flat and 3 two bedroom flats and associated parking (Description amended and amended drawings received 05.10.2017)

**4. PLANNING APPLICATION 17/00001/FUL - DEVELOPMENT SITE 40-52 UPPER HIGH STREET, EPSOM KT17 4QS** (Pages 31 - 62)

Proposed Mixed Use Development comprising food retail store (Use Class A1) together with 30 residential apartments, access parking, servicing and landscaping.

**5. PLANNING APPLICATION 17/00542/FUL - THE ROYAL AUTOMOBILE CLUB (RAC), WOODCOTE PARK, WILMERHATCH LANE, EPSOM KT18 7EW** (Pages 63 - 84)

Provision of children's facilities within walled garden, including a children's activity centre, indoor swimming pool, café and associated areas, with associated landscaping, engineering works and operations.

**6. SITE VISITS** (Pages 85 - 86)

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

## Minutes of the Meeting of the PLANNING COMMITTEE held on 5 October 2017

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### PRESENT -

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

Absent: Councillor Peter O'Donovan

Officers present: Mark Berry (Head of Place Development), Simon Young (Head of Legal and Democratic Services), Claire Beesly (Assistant Solicitor), Adele Castle (Planning Development Manager) and Sandra Dessent (Democratic Services Officer)

### 27 DECLARATIONS OF INTEREST

In the interest of openness and transparency the following declarations were made:

Planning Application 17/00429/FUL - New Development on NESCOL agricultural Land, Reigate Road, KT17 3DS

Councillor David Wood FCA, Other Interest: Is an acquaintance of the objector of the application.

Planning Application 17/00429/FUL - New Development on NESCOL agricultural Land, Reigate Road, KT17 3DS

Councillor Humphrey Reynolds, Other Interest: Is an acquaintance of the objector of the application.

Planning Application 17/00429/FUL - New Development on NESCOL agricultural Land, Reigate Road, KT17 3DS

Councillor John Beckett, Other Interest: Is an acquaintance of the objector of the application.

Planning Application 17/00429/FUL - New Development on NESCOL agricultural Land, Reigate Road, KT17 3DS

Councillor Michael Arthur MBE FCIOB FCMI, Other Interest: Is an acquaintance of the objector of the application.

### 28 MINUTES OF THE PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 7 September 2017 were agreed as a true record, and signed by the Chairman subject to the amendment of a typographical error on minute no.26, to read ‘...NESCOL agricultural **Land...**’.

- 29 PLANNING APPLICATION 17/00547/REM - ASHLEY HOUSE, ASHLEY ROAD, EPSOM KT18 5AZF

***Description***

Variation of Condition 3 (Plans) of 15/01532/FUL (Conversion and extension of existing office building to provide 8x2 bed and 4x1 bed residential flats together with revised parking layout and external amenity space) to amend northern side annexe (as amended).

***Decision***

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

**Conditions:**

- (1) The development hereby permitted shall be begun before 22.06.2019.

**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 2004.**

- (2) Prior to the commencement of development, details and samples 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 northern annexe 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.**

- (3) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Numbers P101Rev E, P102 Rev E, P110 Rev D, P111 Rev D, P113 Rev B, D110 Rev D, D111 Rev C, D112 Rev C, D113 Rev B, 16.1113/P054 Rev B, 16.1113/P053 Rev B.

**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).**

- (4) The development hereby approved shall not be occupied until space has been laid out within the site in accordance with the approved plans P101 Rev E and P110 Rev D for vehicles and cycles to park

and turning areas provided to enable vehicles to enter and leave the site in forward gear. The parking and turning areas shall be permanently retained exclusively for their designated purpose.

**Reason:** To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policies DM35 and DM37 of the Development Management Policies 2015.

- (5) Details of windows in the north elevation of the Annexe and south elevation of Ashley House of the development hereby permitted that are to be glazed with obscure glass of no less than obscurity level 3 and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed shall be submitted to and approved in writing by the local planning authority prior to first occupation.

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

- (6) 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.

**Informatives:**

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

- 30 PLANNING APPLICATION 17/00548/LBA - ASHLEY HOUSE, ASHLEY ROAD, EPSOM, KT18 5AZF

***Description***

Listed Building Consent for amendments to northern side annexe previously approved under 15/01533/LBA (Conversion and extension of existing office

building with additional floor accommodation above southern wing and erection of a new single storey extension on northern elevation to provide 8x2 bed and 4x1 bed residential flats together with revised parking layout and external amenity space (as amended).

### **Decision**

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

#### **Conditions:**

- (1) The works hereby granted shall be commenced before 22.06.2019.

**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) Prior to the commencement of development, details and samples 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 northern annexe 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.**

- (3) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Numbers P101Rev E, P102 Rev E, P110 Rev D, P111 Rev D, P113 Rev B, D110 Rev D, D111 Rev C, D112 Rev C, D113 Rev B, 16.1113/P054 Rev B, 16.1113/P053 Rev B.

**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).**

- (4) No work shall take place until detailed drawings and/or samples of all new internal and external joinery details including windows (depth of reveal, method of opening, details of heads, cills and lintels), doors frames (architraves, linings, mouldings and beading), staircases (including balusters, newel posts and handrails); beading and skirting boards have been submitted to and approved in writing by the local planning authority. The submitted details of sample elevations shall be at a scale of not less than 1:20, and horizontal/vertical frame sections (including sections through

glazing bars) at a scale of not less than 1:2. The works shall be carried out in accordance with the approved details.

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

- (5) Prior to the commencement of development, details of new fire or acoustic interventions, secondary glazing (if required) and new pipework and extraction fans 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 safeguard the special architectural and historic interest of the listed building in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM8, DM9 and DM10 of the Development Management Policies 2015.

**Informatives:**

- (1) 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.

- 31 PLANNING APPLICATION 16/01900/CAT - 9 LYNWOOD ROAD, EPSOM KT17 4LF

***Description***

Objection to the implementation of a Tree Preservation Order on a group of 5 limes at 9 Lynwood Close Epsom – Tree Preservation Order no. 456.

***Decision***

Tree Preservation Order no. 456 **CONFIRMED** without modification.

- 32 PLANNING APPLICATION 17/00429/FUL - NEW DEVELOPMENT ON NESBOT AGRICULTURAL LAND, REIGATE ROAD, KT17 3DS

***Description***

Construction of 88 residential dwellings with associated access, open space, car parking, landscaping and other works (as amended).

***Decision***

Planning permission is PERMITTED subject to the following conditions:

**Part A**

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

- a) **Transport measures covering: A contribution of £5,000 towards accessibility improvements to the bus stop in Reigate Road at the end of Mongers Lane serving the 470 bus route (Epsom- Sutton) consisting of raised kerbs for 9.0m.**

[Note: the contribution is likely to result in improvements on one side of the road only, adjacent to the entrance of Hazel Mead.]

- b) **The provision of 18 on-site affordable units comprising 11 homes for affordable rent and 7 for shared ownership in accordance with an Affordable Housing Plan. The applicants will be required to reach slab level of construction on 10 units within two years of planning permission having been granted, if not a (viability) review process will be triggered.**
- c) **Detailed arrangements for maintenance of the estate including roads, footpaths, open space, and landscaping within an Estate Management Plan.**

**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 carried out in accordance with the following approved plans and documents: 100 Rev V, 120 Rev H, 121 Rev G, 122 Rev H, 124 Rev A, 140 Rev A, 109 Rev G, 110 Rev G, 112 Rev H, 113 Rev G, 114 Rev F, 115 Rev E, 116 Rev H, HILL21195-11D.**

**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 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.**

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

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

- (5) **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 and F 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.**

- (6) **The development hereby approved shall not be first occupied unless and until both the proposed vehicular / pedestrian accesses to Roman Way and 15m metres of the new access roads have been constructed and provided, with the access provided with visibility zones in accordance with the approved plans and thereafter the access visibility zones shall be kept permanently clear of any obstruction over 0.6m high.**

**Reason: To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.**

- (7) The Units 20, 21, 34, 35, 36, 37, and 38 shown on Drawing No 100 Rev T hereby approved shall not be first occupied unless and until the proposed dropped crossings to Roman Way have 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:** To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.

- (8) No units hereby approved shall be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / turning areas shall be retained and maintained for their designated purposes.

**Reason:** To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policies DM35 and DM37 of the Development Management Policies 2015.

- (9) 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 to 9.15 am and 3.00 to 5.00pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in adjoining residential roads 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: To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.**

- (10) (a) **Prior to the commencement of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide", and in general accordance with the 'Heads of Travel Plan' document produced by Create Consulting Engineers Ltd.**

**(b) And then the approved Travel Plan shall be implemented on occupation of the development, and shall thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.**

**Reason: To encourage travel by means other than private motor vehicles in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM36 of the Development Management Policies 2015.**

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

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

- (12) **Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority) and in accordance with current best practice guidance, the following components of a scheme to deal with any ground contamination and ground gas (including volatile hydrocarbons) related risks shall each be submitted to and approved, in writing, by the local planning authority:**

**1) A preliminary risk assessment which has identified:**

- all previous and current uses;**
- potential contaminants associated with those uses;**

- a conceptual model of the site indicating sources, pathways and receptors; and
- potentially unacceptable risks arising from contamination.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM17 of the Development Management Policies 2015 and the National Planning Policy Framework.

- (13) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM17 of the Development Management Policies 2015 and the National Planning Policy Framework.

- (14) **Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved.**

**Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM17 of the Development Management Policies 2015 and the National Planning Policy Framework.**

- (15) **Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated via a risk assessment carried out in accordance with the Environment Agency's guidance 'Piling into Contaminated Sites' that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.**

**Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM17 of the Development Management Policies 2015 and the National Planning Policy Framework.**

- (16) **No works in connection with surface water drainage for the development hereby permitted shall 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 'Surface Water Strategy, Management and Maintenance Report'**

**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**

**Reason: To prevent an increased risk of flooding and to prevent pollution of the water environment in accordance with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.**

- (17) 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 Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.**

- (18) No above ground works in connection with the development hereby approved shall take place until a scheme for protecting the proposed dwelling(s) from noise from traffic on the adjacent road(s) has been submitted to and approved in writing by the local planning authority. The scheme shall specifically demonstrate the resulting internal noise levels in the living rooms and bedrooms of the proposed development are within the BS8233:2014 indoor ambient noise guidelines using a range of representative properties. The development shall be carried out in accordance with the approved details before any permitted dwelling is occupied unless an alternative period is first agreed in writing by the local planning authority.**

**Reason: To ensure the occupiers of the development are not unduly affected by noise disturbance in accordance with Policy DM10 of the Development Management Policies 2015.**

- (19) No above ground works in connection with the development hereby approved shall take place until a scheme to enhance the biodiversity interest of the site has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in**

accordance with a timetable to be agreed in writing by the local planning authority 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.

- (20) No development shall take place until details of the bin and cycle stores have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented such that prior to the first occupation of each unit, it shall be provided with its' bin and cycle stores and thereafter maintained for the duration of the development.

**Reason:** In the interests of residential and visual amenity in accordance with Policy CS5 of the Core Strategy (2007) and Policy DM10 and DM12 of the Development Management Policies 2015.

- (21) No demolition, site clearance or building operations shall commence on site until the protective fencing and other protection measures as shown on Drawing Number HILL21195-03B (Tree Protection Plan) and as set out in the Arboricultural Method Statement ref HILL21195aia-amsB have been installed. At all times until the completion of the development, such fencing and protection measures shall be retained as approved. Within all fenced areas, soil levels shall remain unaltered and the land kept free of vehicles, plant, materials and debris.

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

- (22) The development shall not be occupied until full details of hard landscape works have been submitted and approved in writing by the local planning authority and the agreed works carried out as approved and thereafter maintained. These details shall include means of enclosure, car park surfaces, the children's play area including play equipment, details of vehicle and pedestrian access and circulation areas.

**Reason:** To ensure the provision, establishment and maintenance of an appropriate hard landscaping 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.

- (23) The development shall not be occupied until details of all external lighting to be installed is submitted to and approved in writing by the local planning authority and the agreed works carried out as approved and thereafter maintained.

**Reason:** In order to safeguard the amenities of the occupiers of the development and visual amenity in accordance with Policy CS5 of the Core Strategy (2007) and Policies DSM9 and DM10 of the Developments Management Policies 2015.

**Informatives:**

- (1)** The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
- (2)** The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
- (3)** The road layout shown on the application drawings does not conform with Surrey Design and is not eligible for adoption.
- (4)** When access is required to be 'completed' before any other operations, the Highway Authority may agree that surface course material and in some cases edge restraint may be deferred until construction of the development is complete, provided all reasonable care is taken to protect public safety.
- (5)** The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs.  
  
[www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs)
- (6)** 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.
- (7)** The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
- (8)** The developer is advised that a standard fee may be charged for input to, and future monitoring of, any Travel Plan.



- (9) Any unilateral undertaking shall be in accordance with Surrey County Council's standard format.
- (10) The developer would be expected to instruct an independent transportation data collection company to undertake the monitoring survey. This survey should conform to a TRICS Multi-Modal Survey format consistent with the UK Standard for Measuring Travel Plan Impacts as approved by the Highway Authority. To ensure that the survey represents typical travel patterns, the organisation taking ownership of the travel plan will need to agree to being surveyed only within a specified annual quarter period but with no further notice of the precise survey dates. The Developer would be expected to fund the survey validation and data entry costs.
- (11) The water efficiency standard required under condition 11 has been adopted by the local planning authority through the Development Management Policies 2015. This standard is the 'optional requirement' detailed in Building Regulations 2010, Part G Approved Document (AD Buildings Regulations (2015), at Appendix A paragraph A1.

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

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

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

More information and the charging schedule are available online

<http://www.epsom-ewell.gov.uk/residents/planning/planning-advice/community-infrastructure-levy-cil-guidance>

- (13) 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.**

### **Part B**

**In the event that the section 106 Agreement referred to in Part A is not completed by 09 November 2017 the Head of Place Development be authorised to refuse the application for the following reason:**

**In the absence of a completed legal obligation under section 106 of the Town and Country Planning Act 1990 (as amended), the applicant has failed to comply with SC9 (Affordable Housing) and CS12 (Developer Contributions) of the 2007 Core Strategy in relation to the provision of affordable housing units, a commuted sum towards transport measures and estate maintenance arrangements.**

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

### **33 SITE VISITS**

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

- 5 Cox Lane, West Ewell KT19 9LR – 17/00121/FUL
- Cedar Lodge, Headley Road, Epsom KT18 6BH – 17/00441/FUL
- Development at Upper High Street, Epsom KT17 4QS – 17/00001/FUL
- 6 The Grove, Epsom KT17 4DQ – 17/00893/FUL
- Epsom House, 10 East Street, Epsom KT17 1HH - 17/00385/FUL

*The meeting began at 7.35 pm and ended at 9.20 pm*

COUNCILLOR HUMPHREY REYNOLDS (CHAIRMAN)

**111 East Street Epsom Surrey KT17 1EJ**

Demolition of bungalow and erection of a two storey building comprising 1 three bed flat and 3 two bed flats and associated parking (Description amended and amended drawings received 05.10.2017)

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

**1 Plans and Representations**

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

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OQ1QTNGYGRE00>

**2 Summary**

- 2.1 This application proposes the demolition of the existing bungalow and the erection of a two-storey building (with roof accommodation) comprising 1 three bed flat and 3 two bed flats.
- 2.2 This application has been submitted to committee at the request of Councillor Neil Dallen who has raised concerns regarding the scale and massing of the proposed building, as well as the parking provision.

**2.3 The application is recommended for APPROVAL**

**3 Site description**

- 3.1 The application site is located on the north west side of East Street, close to the junction with Kiln Lane.
- 3.2 The site comprises a detached bungalow which has a 28m deep rear garden that backs onto a landscaped area of land , beyond which is a petrol filling station which forms part of a retail park.
- 3.3 The bungalow is adjoined to the west by a two-storey pair of maisonettes and to the east by a detached house. The landscaped area to the rear of the site is Council owned, and there is a short cul-de-sac road off Kiln Lane that serves the application site and the two neighbouring properties. The application property has an access off East Street, with parking for two vehicles.
- 3.4 The surrounding area comprises a mix of detached, semi-detached and terraced houses, of varied design, scale and appearance

#### **4 Proposal**

- 4.1 The application seeks permission for the demolition of the bungalow, and the erection of a two-storey building (with roof accommodation) comprising 1 three bed flat and 3 two bed flats.
- 4.2 The new building would maintain the existing East Street building line, but would project around 6m deeper (at ground floor level) and 3.7m deeper (at first floor level) than the adjacent neighbouring dwellings. Parking for 5 cars would be provided to the rear accessed off the cul-de-sac road. Refuse and bicycle storage would be located in the frontage.
- 4.3 The flats would meet national space standards, with access to a communal landscaped amenity space at the rear.
- 4.4 The building would be of “traditional” design with brick/ rendered elevations, paired two storey, tile hung front bays, under a crowned, hipped tile roof, incorporating a front dormer and rear dormer and four rooflights.

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

- 5.1 The application was advertised by means of letters of notification to 6 neighbouring properties, and a site notice. To date (18.10. 2017) 2 letters of objection have been received regarding:
  - The new building according to the plans will extend past the building lines
  - Parking provision
  - Overlooking
  - Out of keeping

#### **6 Consultations**

- 6.1 County Highway Authority: No objections. Conditions to be imposed on any permission granted.
- 6.2 Contaminated Land Officer: The property is close to the Kiln Lane landfill and adjacent to the Sainsburys’ petrol station and therefore an appropriate condition is recommended to be imposed.

#### **7 Relevant planning history**

- 7.1 10/00233/FUL: Erection of bungalow with access to Kiln Lane: REFUSED. Appeal Dismissed

## **8 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 DM11	Housing Density
Policy DM12	Housing Standards
Policy DM 37	Parking Standards

### Supplementary Planning Guidance

Sustainable Design 2016  
Parking Standards for Residential development 2015

## **9 Planning considerations**

### Density

- 9.1 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 96 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.
- 9.2 The site is in a highly 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 (168 East Street) opposite the application site, which has a density of 66 units per hectare, and 97 East Street, which has a density of 180 units per hectare.
- 9.3 The new building would be visible in the street scene and whilst it would be of larger scale and massing than the bungalow it would replace, the ridge and eaves height would be lower than its adjacent neighbours.
- 9.4 It is therefore concluded that the density is appropriate for the site.

### Visual Impact

- 9.5 The proposed building would be of traditional design, which would not be out of character with the surrounding area, which comprises a mix of detached, semi-detached and terraced houses, of varied design, scale and appearance.
- 9.6 The building would have an eaves height of 4.9m, which due to the sites topography would be around 1.2m lower than the adjoining neighbour's eaves heights. The ridge height would similarly be lower than the neighbouring properties.
- 9.7 It is therefore concluded that the proposed scheme in terms of its design, scale and massing would not have a harmful impact on the character and appearance of both the immediate and wider area and would therefore accord with Policy DM9 and DM10.

#### Residential Amenity

- 9.8 The flank elevations of the building are shown to be set back around 1.2m from the respective flank boundaries, and the two storey element would not conflict with a 45 degree outlook angle subtended from the nearest rear facing windows of the affected adjoining properties.
- 9.9 Concerns have been raised regarding overlooking of the rear garden of No 113 East Street. Mutual overlooking of gardens is relatively common in residential areas and as the immediate area in front of the affected dwelling would not be overlooked, it is not considered that there would be significant harm in this respect.
- 9.10 The proposed scheme would therefore not have a materially harmful impact on neighbour amenity in terms of being overbearing, impact on outlook, or overlooking and loss of privacy, and would comply with Policy DC10

#### Amenity Space/Internal Space

- 9.11 Each flat would have access to the communal amenity space, whilst the 3 bed flat would have direct access to private amenity space, in compliance with Policy DM12 – Housing Standards. Internal space would comply with the Nationally Described Space Standard technical requirements.

#### Parking/Access

- 9.12 5 parking spaces are proposed, to the rear of the building, which would comply with the Council's adopted parking standards, which require 3 bedroom flats outside of the Town Centre to have two spaces and 2 bedroom flats to have one space per unit.
- 9.13 Refuse and bicycle storage would be provide in the forecourt area, accessed off East Street.
- 9.14 The Highway Authority has no objection in principle to the development.

- 9.15 It is therefore concluded that there would be no conflict with Policy DM37, which requires developments to demonstrate an appropriate level of off-street parking to avoid an unacceptable impact on on-street parking and local traffic conditions.

Sustainability and Renewable Energy

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

Landscaping

- 9.18 An indicative landscape plan has been submitted, which proposes the frontage area to be laid to turf, with a landscaped strip provided along the highway boundary. The submission of a detailed landscape plan will be secured by an appropriate condition.

Ecology and biodiversity

- 9.19 The scheme is supported by a Bat Roost and Breeding Survey report.
- 9.20 The report states that an initial assessment of the site was taken on the 25th April 2017 and the property was assessed as having low to negligible value for bats. Full physical searches and a dawn / dusk activity surveys were carried out between 26th April and 2nd May 2016. No signs of bat habitation were noted during physical search and dawn/dusk surveys showed no bats emerging from the building. No evidence of breeding birds was noted.
- 9.21 The report concludes that it is unlikely that bats are roosting in the build and that although the current building has little suitability for bat habitation compensation by way of bat boxes being positioned within the site and sensitive design of future buildings to attract bats is recommended.
- 9.22 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.

Community Infrastructure Levy

- 9.23 The proposed scheme is CIL liable.

**10 Conclusion**

- 10.1 The proposed 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 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 5 vehicles to be parked, and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / turning] area 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**

- (8) (a) The vehicular means of access to the development hereby approved shall be from rear access road onto Kiln Lane only.**

**(b) There shall be no means of vehicular access from the development hereby approved to East Street.**

**(c) The development hereby approved shall not be first occupied unless and until a permanent physical barrier fronting East Street has been erected to prevent the formation of unauthorised vehicular access to that road in accordance with the approved plans and thereafter that permanent physical barrier shall be permanently retained and maintained to the satisfaction of the Local Planning Authority.**

**(d) The development hereby approved shall not be first occupied unless and until existing access/es from the site to East Street have been permanently closed and any kerbs, verge, footway, fully reinstated.**

**(e) No development shall commence on site until a pedestrian inter-visibility splay of 2m by 2m has been provided on each side of the access, the depth measured from the back of the footway (or verge) and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility above 0.6m 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**

- (9) 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 9.15 am nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Kiln Lane or Dirdene Gardens during these times**
- 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**

- (10) The windows serving bathrooms in all the dwellings hereby approved shall be glazed with obscure glass of no less than obscurity level 3.**

**Reason: To safeguard privacy of the occupants of adjoining properties as required by Policy DM10 of the Development Management Policies Document 2015**

- (11) Unless otherwise agreed by the Local Planning Authority, the following must be undertaken prior to any development on site, in accordance with current best practice guidance:**

- (i) a site investigation and risk assessment to determine the existence, extent and concentrations of any made ground/fill, ground gas (including volatile hydrocarbons) and contaminants with the potential to impact sensitive receptors on and off site. The scope and detail of these are subject to the approval in writing by the local planning authority. The results of the investigation and risk assessment shall be submitted to and approved by the Local Planning Authority; and**
- (ii) if ground/groundwater contamination, filled ground and/or ground gas is found to present unacceptable risks, a detailed scheme of risk management measures shall be designed and submitted to the Local Planning Authority for approval. The site shall be remediated in accordance with the approved measures and a verification report shall be submitted to and approved by the Local Planning Authority.**

**Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without**

**unacceptable risks to workers, neighbours and other offsite receptors as required by policy CS6 of the Core Strategy 2007**

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

**Floorplans and elevations Rev C  
3404 111 EAST STREET BLOCK PLAN**

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

**Informatives:**

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

**No burning of materials obtained by site clearance shall be carried out on the application site.**

- (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.**

- (3) **The applicant is advised that this standard can be achieved through either:**

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

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

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

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

**More information and the charging schedule are available online**

**<http://www.epsom-ewell.gov.uk/residents/planning/planning-advice/community-infrastructure-levy-cil-guidance>**

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17/00244/FUL



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**Development Site At Upper High Street, Epsom, Surrey**

Proposed Mixed Use Development comprising food retail store (Use Class A1) together with 30 Residential Apartments, Access, Parking, Servicing and Landscaping (as amended)

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

**1 Plans**

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

**Link:** <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ONPY59GYGCN00>

**2 Summary**

- 2.1 The application seeks planning permission for the erection of a mixed use food retail store (Use Class A1) together with 30 residential apartments, access, parking, servicing and landscaping.
- 2.2 The development would provide a total of 112 parking spaces at ground floor level the majority of which would sit below the proposed building which at first floor level would include an A1 Use Class food retail store with a net retail area of 1427 sq m. Above this at second and third floor level would be 30 residential apartments comprising a mix of 8 x 1 bed, 18 x 2 bed and 4 x 3 bed apartments. There would be a landscaped central courtyard to serve the apartments.
- 2.3 The application is referred to the Planning Committee as it is a major application.
- 2.4 **The application is recommended for APPROVAL** as it involves a policy compliant food retail and residential development and there are no visual, residential amenity or other significant concerns relating to the proposal. Traffic and parking issues have been further raised with the applicants and it is considered that the proposed arrangements as set out in the report adequately address any concerns about immediate highway impact and adequacy of the car park.

### **3 Site description**

- 3.1 The application site comprises a vacant, broadly rectangular site totalling 0.48 hectares which is located between Upper High Street and the Depot Road public car park. The site lies to the west of Pikes Hill Conservation Area and to the east of Epsom Town Conservation Area but is within Epsom Town Centre boundary as defined in Policy E1 of Plan E.
- 3.2 The site is cleared of its former retail and office building but it still includes a protected Copper Norway Maple tree near the Upper High Street frontage. Immediately to the west of the site is a 3 storey office building with accommodation in the roof. This building fronts onto Upper High Street and to the rear of this property is Homewater House: a four storey block of retirement homes. To the east of the site is the entrance to the Upper High Street car park and to the south is an electricity sub-station and Depot Road car park. Facing across Upper High Street to the north of the site is Pickard House a 4 storey residential block.
- 3.3 The surrounding area generally comprises a mix of residential and commercial properties given its location on the edge of Epsom Town Centre.

### **4 Proposal**

- 4.1 The application seeks permission for a mixed use development comprising food retail store (Use Class A1) together with 30 residential apartments, access, parking, servicing and landscaping.
- 4.2 The proposed food retail store would be arranged over two storeys with under-croft parking provided along with circulation staircase, lifts and a traveller leading to the food store at first floor level. The gross internal area of the food store excluding the under-croft car park would be 2,844 sq m and would include a sales area of 1,427 sq m and a warehouse area of 504 sq m over two floors. In addition there would be freezer, chiller and bakery areas together with staff welfare facilities at first floor level.
- 4.3 The proposed dwelling mix at second and third floor level would be 8 x 1 bed apartments, 18 x 2 bed apartments and 4 x 3 bed apartments.
- 4.4 Two of the 2 bed apartments are proposed as affordable rented dwellings and one of the 2 bed apartments and three of the 1 bed apartments are proposed as shared-ownership dwellings.
- 4.5 Two entrance cores with staircases and lifts are proposed for access to the apartments: one off Upper High Street in the north-east corner of the site and the other towards the rear southern side of the building accessed via a pedestrian route from Upper High Street or from the Depot Road car park. Access to the apartments would be via an open walkway around a central landscaped amenity area. Each apartment would have a balcony to provide private amenity space.



- 4.6 Access to the site would be via a new car parking and service entrance from Upper High Street near the western boundary. A total of 88 car parking spaces would be provided for the retail store together with 24 cycle parking spaces. A total of 24 car parking spaces would be provided for the residential development together with provision for 1 cycle space for each one or two bedroomed apartment and 2 cycle spaces for each 3 bedroomed apartment.
- 4.7 The applicant has engaged in pre-application discussions with planning officers and a public information event attended by around 150 people also took place in January to inform the local community of the proposed plans.
- 4.8 The applicant has submitted in support of the development proposal a number of technical reports including: Design and Access Statement; Transport Assessment and draft Travel Plan; Arboricultural Implications Assessment and Plan; Car Park Landscaping Plan and Second Floor Planting Plan; Sustainability and Energy Assessment; SuDS Appraisal, Car park lighting Proposal; Daylight, Sunlight and Overshadowing Report; Archaeological Desk based Assessment; Heritage Assessment; Affordable Housing Statement; Viability Assessment; Statement of Community Engagement; Parking Management Statement.

## **5 Comments from third parties**

- 5.1 The application was advertised by means of letters to 352 neighbouring properties, a site and press notice. To date (18.10.17) 27 representations have been received including 13 objections raising the following matters:
  - Have enough supermarkets and convenience stores in Epsom site should just be developed for flats.
  - Lack of information regarding the increased traffic impact and how it will be resolved. Traffic turning right from Church Rd onto the Upper High St will back up and make the 5-ways junction even worse to cross or negotiate in a car than it is already.
  - Dirdene Gardens is already used as a cut through from East St to bypass the town and go along Church Road. Traffic aiming at Lidl is likely to use Dirdene Gardens for that purpose but it is a quiet residential road and cannot take any more traffic.
  - The building of a new store such as Lidl as well as the development of flats will add more traffic to roads that are already congested and cause more people to park illegally on the upper high street road which already occurs and goes unchecked.
  - Increase in noise from traffic and the activity of the store impacting a lot of residents and their sleeping.
  - If this build does go through will checks be put in place to support the burdening traffic, people, speeding in the area and illegal parking.
  - This development would be better if it resembled the houses on the north side of Upper High Street with terraced and semi-detached houses.

- It is a whole floor higher than Homewater House and would adversely affect views. (*Planning Officer comment: the proposed maximum height would only be about 1.5m higher than the ridge height of Homewater House and would be similarly 4 storeys.*)
- Overlooking and overshadowing of neighbours adjoining and opposite and consequent loss of privacy.
- Timing and management of weekend, early morning and evening deliveries to the store to avoid disturbance, and the lack of a noise assessment object to the development as proposed.
- Deliveries require vehicles to reverse in an uncovered yard. Deliveries during the quiet hours of the evening and early morning will inevitably disturb residents living nearby, particularly because of the operation of reversing alarms fitted to lorries (which are seldom suppressed at night). I therefore ask that deliveries are conditioned to be confined to the hours of 0800–1900 on weekdays, and 0900–1600 on Sundays.
- In accordance with the core strategy and policy DM36, the needs of shoppers arriving by cycle should be prioritised, by providing covered cycle spaces immediately adjacent to the store entrance (replacing parking bays if needs be), and not hidden away on the far side of the car park accessible only by cycling more than twice the full length of the car park.
- Constant noise and air pollution from car park and access road.
- Under provision of affordable housing because of assumptions included in financial viability assessment. The developer should be required to meet the standard tariff of affordable housing.
- The transport plan should recognise the needs of staff using public transport by ensuring that start and finish times are flexible around available services.
- Upper High Street is only served by the 166 bus service and the 90 minutes free parking will deter pedestrians.
- Building could cause interference to satellite dish.

5.2 In addition 12 representations in support of the application, including from Epsom Town Residents Association, College Ward Residents Association and Epsom Civic Society, have been received raising the following matters:

- The proposed store with residential accommodation is fully in keeping with the size and location of the site.

- Like the design of the mixed use and 30 flats is a good number of residential units for the area.
- Application would seem to largely concur with the (now rather old) Development Brief for this site and its proximity to the car park is helpful in catering for the car parking which will be necessary.
- This proposal for 1427 sq m net sales space would be one of (the applicant's) smaller units which range from 1300-2560 sq m and this is appropriate for a site at the very edge of the town centre and too far way for many linked journeys. It would serve local residents and provide variety for destination shoppers.
- The housing includes 30 one, two and three bedroom flats around a central courtyard which seems an excellent arrangement and will encourage a sense of community and security.
- The most important benefit this foodstore will bring is in terms of how it will regenerate the Upper High Street area and High Street West, both of which suffer from not having a medium sized "anchor" store.
- Brings a derelict brownfield site back into use and greatly improve the appearance of the environment.
- Epsom has a vacancy for a mid-sized discount supermarket and such a store at this location would be highly suitable as it does not overlap with any similar retail outlet nearby.
- The site is within the Town Centre shopping zone and should bring shopper traffic to this side of town which would be beneficial to nearby shops.
- Epsom desperately needs more housing investment and the 30 apartments planned for above the store will contribute towards meeting local housing need.
- The housing element is dense for the size of the site, however, the provision of mainly 1 or 2 bedroom properties does bring much needed starter accommodation to the area.
- The design appears to be an appropriate size to help regenerate this part of Epsom Town without have a deleterious impact on nearby residential areas or on the nearby Pikes Hill Conservation area.
- The store will provide welcome employment opportunities for local or nearby residents.
- Concern that car parking spaces may be inadequate to prevent cars backing up causing serious congestion on Upper High Street.

- The maximum standard of 102 car parking spaces for the store and an adjusted standard of 30 spaces for the residential flats should be provided to deal with likely demand. *(Planning Officer comment: On the basis of Surrey CC Vehicular and Cycle Parking Guidance (2012) and the identification of the site as being 'Edge of Centre' the car parking requirement relating to the food retail store would be a maximum of 102 spaces for a gross internal floor area of 2844 sq m allowing for a 50% discount for 'Edge of Centre' status. As the store is located adjacent to the Upper High Street Car Park, which has spare capacity most times of the day, it is considered that the reduced level of parking would not lead to increased on-street parking and would be adequate to meet the needs of the store. The residential parking for the development meets the Epsom and Ewell Parking standards of 0.75 spaces per 1 and 2 bed flat and 1 space per 3 bed flat).*
- Delivery vehicles should be required to travel along East Street and to turn left at the Quadrant in order to minimise disruption and noise in the quiet residential streets south of the proposed development.
- There should not be separate entrances for affordable and private apartments unless necessitated by overall design and layout.
- Concern that the building should not appear too massive and out of scale with its neighbours.
- Concerns about servicing arrangements to and within the site and the suggestion that there should be separate rear servicing.

2 'neutral representations' have been received, including from Epsom and Ewell Cycling Action Group raising the following matters:

- Should the application be approved," the integrated footpath and cycleway networks that provide connections to existing networks on Upper High Street and Church Street" (Plan E Policy E14.10) should be a condition of approval under a s.106 agreement and the details agreed in consultation with Epsom & Ewell Cycling Action Group. *(Planning Officer comment: the proposal incorporates a footpath link between Upper High Street and Depot Road car park along the western edge of the site but there is limited scope to contribute to enhanced cycleway networks within the scheme. It is therefore not considered necessary or appropriate to include this within the S106 Heads of Terms).*

## 6 Consultations

- 6.1 Surrey County Council – No objections subject to standard conditions requiring the proposed vehicular access and parking to be laid out prior to first occupation or store opening and a construction transport management plan and Travel Plan to be agreed prior to commencement of development. It is also proposed that there should be a S106 Agreement before the grant of planning permission requiring:
- Right turn facility into site as shown indicatively on Plan 16/0916/SK03 Rev B, construction details to be agreed with the Highway Authority and constructed under Section 278 agreement.
  - Relocation of Bus stop adjacent to store in position to be agreed and provision of shelters and real-time information for relocated stop and existing stop outside no 47 Upper High Street.
  - A contribution of £50,000 towards improvements for Pedestrians at the Quadrant Junction (Church Road/ Upper High Street/ High Street/ East Street junction) as outlined in Plan E An Area Action Plan for Epsom Town Centre (2011) Policy E14
  - Improvements to Pedestrian crossing facilities at the 5 Ways junction ( Upper High Street/ Church Road North/ Church Road South/ Mill Road/ Alexandra Road Junction) to be carried out by the developer under agreement with the Highway Authority
- 6.2 Strategic Housing Manager - The applicants propose to develop a supermarket with 30 residential units, triggering a policy requirement to deliver 12 affordable housing units. However, the applicants submitted evidence to suggest that viability on this scheme is marginal, and they are unable to provide any affordable housing.
- 6.3 The advice of an independent viability consultant reached a different conclusion from the applicants' viability team, and indicated that some affordable housing could be delivered on site. Following negotiation with officers, the applicants have undertaken to provide 6 on-site affordable housing units, representing 20% affordable housing provision against a target for this site of 40%.
- 6.4 The applicants are also required to give an undertaking that if they do not commence development within two years, a viability review will be carried out again to re-assess the viability of delivering a greater proportion of on-site affordable housing.
- 6.5 The scheme will deliver: 2 no. x two bedroom flats for affordable rent, 1 no. x two bedroom flats for shared ownership and 3 no. x one bedroom flats for shared ownership.

- 6.6 Borough Contaminated Land Officer – this site is known to be contaminated due to previous use as a motor engineering works and garages including petrol storage in underground tanks (capacity 22730 – now filled). There was a fuel spill in 1974. A 2006 ground investigation found elevated PAH and TPH. It is accordingly proposed that conditions 11-15 be attached to any grant of planning permission that will satisfy the Borough Council's preventative contaminated land requirements.
- 6.7 Surrey CC as Lead Flood Authority has reviewed the surface water drainage strategy for the proposed development and assessed it against the requirements under NPPF, its accompanying PPG and Technical Standards. It is satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents and can recommend planning permission is granted. It is recommended that should planning permission be granted, suitably worded conditions are applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development and suggests conditions 16 and 17.

**7 Relevant planning history**

<b>Application number</b>	<b>Decision date</b>	<b>Application detail</b>	<b>Decision</b>
03/00748/FUL	18.05.04	Demolition of 40-52 Upper High Street, redevelopment to provide a mixed-use development comprising 73 residential units, associated car parking, A1 (retail) units, A3 (food and drink) unit and car dealership (Amended scheme)	Granted on Appeal
05/01263/FUL	09.06.06	Demolition of existing buildings and redevelopment to provide a retail unit (Use Class 1) with car parking, access, landscaping and associated works.(Amended drawings received 03/05/2006).	Refused
09/00650/FUL	05.02.10	Demolition of 58 Upper High Street and the redevelopment of site (40 -58 Upper High Street) to provide a mixed use development comprising a food retail store (Use Class A1) with a net sales area of 4410 sq m) , ancillary retail unit (Use Class A1-A5) with a net sales area of 60 sq m, in store cafe, 15 one bedroom and 3 two bedroom flat units and 491 associated car parking spaces.	Withdrawn

**8 Planning Policy**

National Policy Planning Framework (NPPF) 2012

Chapter 6: Delivering a wide choice of high quality homes

Core Strategy 2007

Policy CS1 Creating Sustainable Communities  
 Policy CS3 Biodiversity and Designated Nature Conservation Areas  
 Policy CS4 Open Space and Green Infrastructure  
 Policy CS5 The Built Environment  
 Policy CS6 Sustainability in New Developments  
 Policy CS7 Housing Provision  
 Policy CS8 Broad Location of Housing Development  
 Policy CS9 Affordable Housing

Policy CS12	Developer Contributions to Community Infrastructure
Policy CS16	Managing Transport and Travel

Development Management Policies 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 DM17	Contaminated land
Policy DM19	Flood Protection
Policy DM21	Meeting Local Housing Needs
Policy DM22	Housing Mix
Policy DM29	Major New Retail Developments
Policy DM35	Transport and New Development
Policy DM36	Sustainable Transport for new Development
Policy DM37	Parking Standards

Epsom Town centre Area Action Plan (Plan E) 2011

Policy E2	Housing Capacity in the Town Centre
Policy E3	Town Centre Retail Capacity
Policy E7	Town Centre Building height
Policy E9	Public Realm
Policy E10	Improving accessibility and facilities for cyclists
Policy E11	Deliveries to premises
Policy E12	Town Centre parking
Policy E14	Depot Road and Upper High Street Strategic Opportunity Site

Revised Supplementary Planning Document 2014 - Developer Contributions

Supplementary Planning Document 2012 - Sustainable Design

Supplementary Planning Document Parking Standards for Residential Development 2015

Surrey CC Vehicular and Cycle Parking Guidance (2012)

Strategic Housing and Land Availability Assessment – Findings Report (2017)

Strategic Housing Market Assessment (2016)

Environmental Character Study (2008)

Upper High Street, Depot Road and Church Street Development Brief (2012)



## 9 Planning considerations

### Principle of Development

- 9.1 In principle the proposal for a mixed use development comprised of new foodstore and residential on the former Iceland site, Upper High Street, Epsom is policy compliant in terms of retail floorspace and housing numbers. It is located on a sequentially preferable site, within the Epsom Town Centre boundary, which has been allocated for this use. It is a lot closer to what Plan E envisages for this site than previous schemes for the site.
- 9.2 The application site forms part of the wider Upper High Street, Depot Road and Church Street strategic opportunity site. This is identified and allocated in Plan E Epsom Town Centre Area Action under Policy E14. The site allocation policy is further articulated through the associated site specific development brief. Policy and the development brief seek the delivery of a small-medium sized foodstore within the site (between 1767 sq m – 2466 sq m as set out in Policy E3). This site is one of the locations identified (in the development brief) as being suitable. The development brief also seeks the delivery of at least 130 new dwellings, including at least 52 new affordable homes to meet local needs. In respect of the aforementioned policies (and their requirements), the proposal is broadly compliant albeit the scale of affordable housing envisaged would not be delivered through this development proposal for reasons set out further below.

### Layout, Design and Scale.

- 9.3 The layout, scale and massing of the proposed development has been subject to considerable pre-application discussions and has been further negotiated on and revised since the application was submitted. This has resulted in various changes including in particular the setting back at second and third floor level of the front façade to the north-east corner of the building and additional fenestration to the eastern façade of the corner together with layout amendments such as loss of parking spaces next to the vehicular entrance.
- 9.4 The amended scheme as now presented is considered to be of a scale and massing that is acceptable within the site's context and meets the key design requirements of the Upper High Street, Depot Road and Church Street Development Brief. The brief refers to a possible maximum building height of 16.0m and suggests a stepping back from the road frontage to create a graduated transition from the town centre to the adjoining residential area. The maximum ridge height of the building is 16.0m and the stepping back of the residential apartments from the Upper High Street frontage together with the varied roof design incorporating a mix of different sized gables and varied facing materials all combine to reduce the overall mass of the development.

- 9.5 The density of 68.75 dwellings per hectare (dph) exceeds the general guidance of a maximum 40 (dph) set out in Policy DM11. It is however, considered that the applicant has sufficiently demonstrated that the exceptional circumstances relating to accessibility and townscape are met through this proposal, not to mention the expectations for a minimum of 130 dwellings set out for the wider Depot Road and Upper High street strategic site set out in Policy E14 within Plan E.

#### Visual Impact

- 9.6 The external walls are predominantly brickwork with feature brick detailing but it is also proposed to include cladding in different colours to the southern residential entrance and projecting bays together with the use of green walls between the projecting bays on the western elevation. The majority of the Upper High Street elevation at ground and first floor level is glazed with the shopfront extending across the full width of the store and returning across the front part of the western elevation to accommodate the entrance. Above the store frontage would be glazed balconies serving the residential apartments which would be set back behind a band of soft landscaping.
- 9.7 It is proposed in the Design and Access Statement that the internal elevations to the courtyard would be mainly timber cladding with render finishes. Detailed elevations and specification of materials can be reserved by planning condition for the internal courtyard.
- 9.8 It is considered that the scheme as proposed would be visually compatible with its surroundings in terms of design, scale, materials and appearance and would provide an attractive and multi-faceted building that would in terms of form and style meets the principal objectives of the development brief in 'stitching into' the adjacent townscape and which would enhance the setting of the nearby Town Centre and Pikes Hill Conservation Areas.

#### Residential Amenity

- 9.9 The proposed residential accommodation would be provided on two levels and would be accessed via two entrance cores: one off Upper High Street from the north-eastern corner of the site and one from the rear southern side of the building which would be accessed via a pedestrian route from Upper High Street or from the Depot Road car park.
- 9.10 The apartments are proposed around a central landscaped courtyard that would provide a total of 946 sq m of amenity space for the residents of the apartments. Access to the apartments would be via an open walkway around the landscaped courtyard area which would enable windows to be incorporated in the inward facing walls to the amenity area thereby providing the apartments with a dual aspect. In addition each of the apartments incorporate a balcony on the outward face of the building to provide private amenity space for the residents.

- 9.11 Each of the dwellings would comply with the DCLG Technical housing standards – nationally prescribed space standard as referred to under Policy DM12.
- 9.12 It is considered that the proposed residential apartments incorporate appropriate layout and access arrangements, privacy, outlook, external and internal amenity that would meet the needs of future residents and accordingly comply with the design requirements of Policy DM10.
- 9.13 The nearest dwellings immediately to the west of the application site would all exceed the minimum separation distance of 21m between habitable windows considered necessary to safeguard privacy and avoid overlooking.
- 9.14 The applicants have submitted a Daylight, Sunlight and Overshadowing report which demonstrates that the nearest properties at Homewater House, 30-38 Upper High Street, Pickard House, 59-67, 69-73, 56-58 Upper High Street would not be adversely affected in terms of daylight, sunlight or overshadowing.
- 9.15 Concerns have been expressed about the potential for noise and disturbance to nearby residents, especially from the car park and servicing area. It is considered that the separation distances and limited servicing associated with the food retail store would not give rise to an unreasonable level of noise and disturbance in this town centre location.
- 9.16 It is accordingly concluded that the proposed development complies with Policy DM10 in respect of its impact on residential amenity.

Transport, Parking and Access

- 9.17 Vehicular access for both the retail and residential uses would be taken via a new Bellmouth junction with Upper High Street. Pedestrian access into the site would be provided from dedicated footway links alongside the vehicular access, linking the site to the surrounding footway network
- 9.18 The proposals seek to provide a total of 88 parking spaces for food retail use, which based on the Surrey County Council's parking standards would fall within the maximum standard of 102 spaces (based on an overall GIA of 2,844 square metres).
- 9.19 The residential units would be provided with 24 spaces, which is in accordance with this Council's minimum car parking standards, for 'Epsom Town Centre' locations. The proposed development complies with the Council's Parking Standards for Residential Development, December 2015 with each one and two bed apartment having a 0.75 parking space and 3 bed apartments having 1 car parking space.

- 9.20 Cycle parking provision would include 24 spaces associated with the foodstore which would meet the minimum standards of Surrey CC of 23 spaces for a store of this size. The cycle parking provision for the apartments would also meet standards resulting in 1 cycle space for each one or two bedroomed apartment and 2 cycle spaces for each 3 bedroomed apartment: a total of 36 spaces that would be provided in a cycle store accessed near the north-eastern corner of the site from Upper High Street and cycle stores at both residential levels next to the southern entrance core.
- 9.21 The applicant has submitted a Parking Management Statement at the request of the Council to confirm arrangements for ensuring the efficient operation of the car park and for enforcing against use by all day parkers or other non-store shoppers. The management of the car park will be critical to keeping the car park spaces available for store shoppers and proposed measures include:
1. Limiting the duration of stay to 90 minutes - leading to a fine if exceeded
  2. Ensuring that only customers of the shop use the car park by use of an automatic number plate recognition (ANPR) system to record vehicle number plates and requiring customers to provide registration details at check out.
  3. Keeping bays clear of trolleys and inconsiderate parking.
  4. Providing a marshal at peak times if necessary to ensure utilisation of all the spaces available.
  5. Reduce permitted duration of stay if deemed necessary.
- 9.22 It is considered that the above measures should enable the store to make good use of the spaces without vehicles parking on street to the detriment of other highway users. The layout of the car park has been improved to enable more vehicles to stack in the car park waiting for space to become available. This will remove vehicles from the public highway where queuing may cause obstruction and inconvenience to other car drivers. The provision of the right turn facility will also help to keep the carriageway clear for through traffic although it will necessitate the removal of some on street parking bays.

- 9.23 The applicants submitted Transport Assessment confirms that delivery vehicles would be routed from regional distribution centres via A roads and would be limited to two or three vehicles each day with waste material and returns being taken away in the same vehicle. The applicant has separately confirmed that servicing times are not specified in the Transport Assessment given that the store is (probably) some 30 months away from opening and it is therefore not possible to specify precisely how and when the store will be serviced. In broad terms, HGV's will route from the A24 to the west of the site via Upper High Street, which ensures the shortest distance from the site to the strategic highway network. This avoids the need to pass through surrounding residential areas, and will also tie in with HGV movements associated with adjacent retail facilities.
- 9.24 The trips generated by the store have been calculated using survey data from the existing applicant's store at Chessington. This gives equivalent vehicle movements to the store of 121 arrivals in the Friday evening peak hour with 118 departures and 144 arrivals in the Saturday peak hour with 133 departures. Although the figures appear to indicate that parking may be in short supply, the average time of stay within this type of store is 30 minutes, providing a higher turnover of spaces and accounting for the lower parking requirement. The submitted parking accumulation information indicates a peak parking demand on Friday 12.00-13.00 hours of 72 vehicles and 77 vehicles between 11.30-12.00 hours and 13.30-14.00 hours on Saturday. It is accordingly claimed by the applicant that the proposed provision of 88 parking spaces for the store is sufficient to accommodate the anticipated demand. Taking into account the sustainability of the location and the proximity of the public car park it is concluded that there is sufficient parking within the site to cater for the needs of the store.
- 9.25 Many of the trips would be diverted or pass by journeys where motorists link journeys home with a short stop to pick up supplies. Very few, if any trips, undertaken to the store in the peak hour would be new to the network. It is likely that the impact of the increased traffic would be more noticeable during the day at off peak times where trips may be made to specifically shop at the store.
- 9.26 Although there would be an increase in traffic to the store throughout the day, the overall impact of the store on the local highway network as demonstrated by the capacity modelling of the surrounding road network would not be significant.
- 9.27 Policy DM36 requires developments to prioritise the access needs of pedestrians and cyclists in the design of new developments. The proposed development makes provision for each one and two bedroomed apartment to have 1 cycle space and each 3 bedroomed apartment 2 cycle spaces either within a separate store near the northern-eastern corner to the site or a store near the southern core entrance on the second or third floor.

- 9.28 The layout provides for improved pedestrian linkages across the site from Upper High Street to Depot Road car park and other land to the rear in accordance with the requirements of the development brief.
- 9.29 A draft Travel Plan has been submitted which identifies a range of measures designed to promote walking, cycling and use of public transport for employees and customers to the store. It is proposed that a planning condition be imposed to require the submission and approval of a final Travel Plan scheme.
- 9.30 Public transport improvements will be secured through the proposed S106 Agreement to relocate the bus stop currently from where the access to the car park would be to a more convenient position in front of the store with a shelter and real time bus information. Similarly, the bus stop located further to the west on the opposite side of Upper High Street will be improved with the provision of a bus shelter and real time bus information.
- 9.31 Pedestrian improvements suggested by Surrey County Council for the 5 Ways crossroad to the east of the site and Quadrant junction to the west have not been secured through this development because it would have further undermined the viability of the scheme for affordable housing and in any event are not considered essential to make this scheme acceptable.

#### Housing Mix

- 9.32 The proposed housing mix comprises 8 x 1 bed units, 18 x 2 bed units and 4 x 3 bed units. The scheme doesn't therefore strictly comply with the requirements of Policy DM22 which seeks a minimum of 25% 3 bed units in a scheme of 4 or more units. In this case it is considered that there are justifiable exceptional circumstances including the endangering of the viability of the proposal and the location above the food store not being ideally suited to larger family housing.

#### Affordable Housing

- 9.33 The applicants submitted a viability assessment that seeks to demonstrate that it is not viable to deliver the required affordable housing contribution of 12 units (40%) on a 30 unit scheme development. This initially proposed that the development was not capable of making any affordable housing contribution without threatening the viability of the scheme.
- 9.34 An independent consultant reviewed the viability submission on the Council's behalf at two separate stages and as a result of this it has been negotiated with the applicant that the scheme should deliver 2 affordable rented units (2 x 2 bed units) and 4 shared ownership units (1 x 2 bed and 3 x 1 bed units). Whilst the scheme would not deliver a policy compliant affordable housing contribution it is considered that the 6 units (20%) contribution is the best that can be obtained from the scheme.

- 9.35 The Head of Housing and Community supports the affordable housing offer as now presented with a mix of 2 rented and 4 shared ownership units but, as is usual when there is an issue of viability raised by the applicant, it is proposed that there should be a review mechanism in the S106 Heads of Terms requiring the developer to reach slab level of construction on 10 units within two years of planning permission having been granted. If not a (viability) review process will be triggered to ensure that the permission is not 'land banked' in order to avoid a full affordable housing contribution.

#### Landscaping

- 9.36 An Arboricultural Impact Assessment and Method Statement and a landscaping scheme has been submitted with this application. The proposal would result in the loss of a Copper Norway Maple that is protected by TPO No 137 but the loss of which was permitted under the 03/00748/FUL scheme permitted on appeal in 2004. The Arboricultural Implications Report asserts that the proposed new planting would mitigate the loss of the tree.
- 9.37 Landscaping proposals include a strip of landscaping comprising trees and shrubs along the western edge of the site adjacent to the proposed footpath running through the site from Upper High Street to Depot Road. This would serve to screen and separate the car parking and pedestrian route from the occupants of Renaissance House and Homewater House situated immediately to the west. Additional planting is also proposed along the southern and eastern boundaries as well as at second floor level within the central courtyard area.
- 9.38 The Borough Tree Officer is concerned that the proposed planting pits of 1m x 1m x 750mm will not have sufficient soil volumes to sustain the trees and is also concerned that the stock size of the trees is too small to adequately compensate for the loss of the protected Copper Norway Maple. It is accordingly proposed, as agreed with the applicant, that notwithstanding the submitted landscaping condition a planning condition be included requiring the submission of a landscaping scheme for subsequent approval in order to ensure the scheme can comply with the requirements of Policy DM5.

#### Biodiversity

- 9.39 The application would provide landscaping and elements such as a green wall that would all contribute to enhancing the biodiversity of the site in accordance with Policy DM4.

#### Flood Risk and Drainage

- 9.40 Surrey CC as Lead Flood Authority has reviewed the surface water drainage strategy for the proposed development and assessed it against the requirements under NPPF, its accompanying PPG and Technical Standards. It is satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents and can recommend planning permission is granted subject to suitably worded conditions to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.

Sustainability

- 9.41 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. Policy DM12 requires new developments to comply with Part G of Building Regulations for water efficiency.
- 9.42 An Energy and Sustainability Statement has been submitted in support of this application. The documentation states that a comprehensive set of energy and sustainability measures have been incorporated into the design. Detailed features proposed to be incorporated include energy efficient heating systems, movement sensor lighting with reduction of sales area lighting by one-third before and after trading hours to allow for re-stocking, recycling of waste, compacting of waste card and packaging, high levels of insulation to residential units, use of permeable car parking block paving, rainwater harvesting for communal roof terrace plants. It is accordingly concluded that the proposed development would comply with Policy CS6.

Contamination

- 9.43 The Borough Contaminated Land Officer has recommended precautionary conditions in order to comply with the requirements of Policy DM17.

Refuse

- 9.44 Satisfactory provision is made for refuse storage for the residential element within a dedicated bin store areas next to the apartment car parking area and north-east entrance core. The low level of waste from the retail store would be stored in sealed skips within a compound area next to the southern boundary of the site and collected at least twice a week.

Community Infrastructure Levy

- 9.45 The scheme is CIL liable.



Section 106 Agreement

9.46 The applicant has confirmed a willingness to enter into a legal agreement to secure the affordable housing in perpetuity and specific infrastructure contributions to ensure that the development is acceptable in planning terms. Heads of Terms have been agreed and it is expected that a signed S106 Agreement will be completed.

9.47 The Heads of Terms agreed by the applicant include the following:

- Affordable housing (2 affordable rented units & 4 shared ownership units) in accordance with an Affordable Housing Plan and including a review mechanism requiring reaching slab level of construction on a specified number of units (to be agreed) within 2 years of planning permission being granted, if not a viability review process being triggered.
- Highway improvement measures covering:
  - Right turn facility into site;
  - Relocation and upgrading of bus stop adjacent to store and upgrading of shelter on northern side of Upper High St.
- Implementation, management and enforcement of the submitted Parking Management Statement

## 10 Conclusion

10.1 The application proposal meets planning policy objectives and in particular makes an important contribution to meeting the Borough's Plan E Proposals and associated Development Brief guidelines that the Upper High Street site should deliver a small-medium sized foodstore. It also makes a welcome contribution to meeting the Borough's housing needs. It will result in a mixed use development of a design, scale and appearance with no harmful impact on the residential amenity of neighbouring occupiers or upon the visual amenities of the area.

10.2 In view of the above, it is recommended that planning permission is granted subject to the signing of a legal agreement.

## 11 Recommendation

### Part A

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

- (a) **The provision of 6 on-site affordable units comprising 2 homes for affordable rent and 4 for shared ownership in accordance with an Affordable Housing Plan. The applicants will be required to reach slab level of construction on 10 units within two years**

of planning permission having been granted, if not a (viability) review process will be triggered.

- (b) Highway improvement measures covering:
  - (i) Right turn facility into site;
  - (ii) Relocation and upgrading of bus stop adjacent to store and upgrading of shelter on northern side of Upper High Street.
- (c) Implementation, management and enforcement of the submitted Parking Management Statement.

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

**Conditions:**

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

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

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 010001 Rev10, 010002 Rev 8, 010003 Rev 10, 010004 Rev 9, 020002 rev 13, 020001 Rev 13, 030001 Rev 1, 16/0916/SK03 Rev B, 16/0916/TK04 Rev A, 16/0916/TK01 Rev D.

**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 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.**

- (4) 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**

- (5) The development hereby approved shall not be commenced unless and until the proposed vehicular access to Upper High Street 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: To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policies DM35 and DM37 of the Development Management Policies 2015.**

- (6) The development hereby approved shall not be first occupied or first opened for trading unless and until the existing redundant accesses from the site to Upper High Street have been permanently closed and any kerbs, verge, footway, fully reinstated.**

**Reason: To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policies DM35 and DM37 of the Development Management Policies 2015.**

- (7) The development hereby approved shall not be first occupied or first opened for trading unless and until space has been laid out within the site in accordance with the approved plans for and 24 customer cycles and 34 residential cycles to be parked and for the loading and unloading of 1 vehicle and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / loading and unloading / turning areas shall be retained and maintained for their designated purposes. 88 retail customer vehicle spaces and 24 residential vehicle spaces**

**Reason: To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policies DM35 and DM37 of the Development Management Policies 2015.**

- (8) Prior to the commencement of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide", and in general accordance with**

**the 'Heads of Travel Plan' document. The approved Travel Plan shall be implemented on first occupation and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.**

**Reason: To encourage travel by means other than private motor vehicles in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM36 of the Development Management Policies 2015.**

- (9) 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 9.15 am nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Church Road (North and South) Alexandra Road, Mill 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: To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.**

- (10) The residential units hereby approved shall not be occupied until it has 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.

- (11) Before the development hereby permitted commences and in addition to any assessment provided with the application, a ground contamination investigation and risk assessment must be completed. The scope and detail of these are subject to the approval in writing by the local planning authority. The investigation and risk assessment must be undertaken by suitably qualified and accredited persons and a written report of the findings must be produced. The final written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

(i) details of the extent, scale and nature of contamination

(ii) an assessment of the potential risks to:

human health

property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes

adjoining land and occupants

groundwaters and surface waters

ecological systems

archaeological sites and ancient monuments

(iii) details of viable remedial options, and identification of and justification for the preferred option(s).

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

- (12) The development must be carried out in complete accordance with the approved written report. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until appropriate remediation has been undertaken.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to

**ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM17 of the Development Management Policies 2015 and the National Planning Policy Framework.**

- (13) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared by suitably qualified and accredited persons, and shall be submitted to and approved in writing by the local planning authority.**

**The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that, after remediation, as a minimum, the site should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990.**

**The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.**

- (14) Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be prepared by suitably qualified and accredited persons and submitted to the local planning authority for written approval.**

**Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, Policy DM17 of Development Management Policies 2015.**

- (15) In the event that unexpected contamination is found at any time when carrying out the approved development it must be reported in writing to the local planning authority immediately. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared and approved in writing by the local planning authority. Development must accord with the approved details. Following completion of the remediation works, a verification report must be prepared by suitably qualified and accredited persons and submitted to the local planning authority for written approval.**

**Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, Policy DM17 of the Development Management Policies 2015.**

- (16) A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation and the provision of reports on the same must be prepared by suitably qualified and accredited persons, both of which are subject to the local planning authority's written approval. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced by suitably qualified and accredited persons and submitted to the local planning authority. This must be conducted in accordance with Defra and the Environment Agency's Model Procedures for the Management of land Contamination, CLR 11.**

**Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM17 of the Development Management Policies 2015.**

- (17) A Certificate of Completion shall be prepared by suitably qualified and accredited persons and provided to the local planning authority before occupation of any part of the site by any end user, stating that remediation has been carried out in accordance with the approved remediation scheme and that 'the site is suitable for the permitted end use'.**

**Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM17 of the Development Management Policies 2015.**

- (18) 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 'Surface Water Strategy, Management and Maintenance Report'**
- 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 who will maintain the drainage elements and their associated maintenance regimes.**
- f) 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 prevent an increased risk of flooding and to prevent pollution of the water environment in accordance with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.**

- (19) 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 Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.**

- (20) Prior to above ground works commencing details of the lighting to the food retail store outside operational hours which should be designed to minimise the risk of light spillage beyond the development site boundary shall be submitted to and approved in writing by the local planning authority and the lighting shall thereafter be operated in accordance with the approved details.**

**Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy DM10 of the Development Management Policies 2015.**



- (21) The food retail store use hereby permitted shall not operate other than between the hours of 08.00- 22.00 hours Mondays to Saturdays (inclusive) and 10.00-17.00 hours on Sundays.

**Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy DM10 of the Development Management Policies 2015.**

- (22) 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.**

- (23) Prior to the commencement of development, detailed elevational drawings for the internal courtyard at second and third floor level 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.**

**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 developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
- (3) When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.

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

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

- (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.
- (6) The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
- (7) The developer is advised that a standard fee may be charged for input to, and future monitoring of, any Travel Plan.
- (8) Any unilateral undertaking shall be in accordance with Surrey County Council's standard format.
- (9) The developer would be expected to instruct an independent transportation data collection company to undertake the monitoring survey. This survey should conform to a TRICS Multi-Modal Survey format consistent with the UK Standard for Measuring Travel Plan Impacts as approved by the Highway Authority. To ensure that the survey represents typical travel patterns, the organisation taking ownership of the travel plan will need to agree to being surveyed only within a specified annual quarter period but with no further notice of the precise survey dates. The Developer would be expected to fund the survey validation and data entry costs.
- (10) The water efficiency standard required under condition 10 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.

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

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

More information and the charging schedule are available online

<http://www.epsom-ewell.gov.uk/residents/planning/planning-advice/community-infrastructure-levy-cil-guidance>

- (12) 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.

#### Part B

- 11.3 In the event that the section 106 Agreement referred to in Part A is not completed by 21 December 2017 the Head of Place Development be authorised to refuse the application for the following reason:

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

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# 17/00001/FUL

Development Site at Upper High Street, Epsom



Scale: 1:1062

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**The Royal Automobile Country Club (RAC), Woodcote Park Wilmerhatch Lane Epsom**

Provision of children's facilities within walled garden, including a children's activity centre, indoor swimming pool, cafe and associated areas, with associated landscaping, engineering works and operations

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

**1 Plans and Representations**

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

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OSNQC7GYH8000>

**2 Summary**

2.1 Woodcote Park lies approximately one mile south of the town of Epsom, and is adjacent to Epsom Downs Racecourse, which lies to the East. Woodcote Park has been the Country Club of the Royal Automobile Club since 1913. The Club has produced a Masterplan, which was granted consent in June 2015.

2.2 One of the elements granted approval was the provision of children's facilities within the walled garden, including a children's activity centre, indoor swimming pool, and associated areas.

2.3 The scheme design has subsequently been refined, and whilst there are no significant amendments to the extant scheme, the case is being submitted to Committee at the discretion of the Head of Planning and Building Control as it is a "Departure" from the Development Plan.

2.4 The application is recommended for APPROVAL.

**3 Site description**

3.1 Woodcote Park clubhouse is a Grade II\* listed building which offers clubhouse accommodation and dining facilities for members as well as administrative offices. There are also two 18-hole golf courses with associated clubhouse, driving range and health and fitness facilities.

- 3.2 The overall site, which falls within the Green Belt, is bounded by Wilmerhatch Lane and residential properties along The Ridge to the west, Crockingham Wood to the east, to the south by Langley Vale Road, and to the north, by The Durdans Estate. Day-to-day vehicular access is from Wilmerhatch Lane
- 3.3 The walled garden (the application site) sits south west of the main club house, bounded to the north and west by mature woodland and to the south and east by large detached residential properties.
- 3.4 The garden itself is currently overgrown with low-level grass and scrub. Levels drop gradually across the site from south-east to north-west, with a total fall of approximately 7m.
- 3.5 Access into the garden is currently via two existing openings, a pedestrian gate on the north-east corner and a maintenance access archway on the west side of the north wall. As part of the consented works to the wall, three more openings located between the two operating openings would be reinstated.
- 3.6 The garden wall and attached Gardener's cottage are Grade II listed.

#### **4 Proposal**

- 4.1 This application seeks permission for the provision of children's facilities within the walled garden, including a children's activity centre, indoor swimming pool, café and associated areas, with associated landscaping, engineering works and operations.
- 4.2 Whilst the extant MUGA location would be retained, an adjacent (smaller) MUGA is proposed, separated by landscaped terraced seating. A "splash pad" is proposed to be located adjacent to the facilities building, and a new outdoor play area would be located between the facilities building and the garden wall.

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

- 5.1 The application was advertised by means of letters of notification to 14 neighbouring properties, a site and press notice. To date (03.10.2017) 2 letters of support and 3 letters of objection have been received regarding:
  - Security risk
  - Noise and disturbance
  - Visual impact
  - Increased traffic
  - Use of Old Barn Road for service vehicles

#### **6 Consultations**

- 6.1 Highways Officer: No objection subject to the imposition of conditions dealing with:
  - Construction Transport Management Plan
  - Travel Plan



- 6.2 Tree Officer: No objection
- 6.3 Surrey CC (Lead Local Flood Authority) - No objections subject to the imposition of appropriate conditions
- 6.4 County Archaeologist - No objections subject to the imposition of a condition requiring the submission of a Written Scheme of Investigation.
- 6.5 English Heritage: No comments
- 6.6 Environmental Health: Conditions to be imposed on any permission granted
- 6.7 Conservation Officer: No objection

**7 Relevant planning history**

Application number	Decision date	Application detail	Decision
14/01209/FUL	05.06.2015	<p>Redevelopment of Woodcote Park. Detail approval sought for :</p> <p>a) Demolition of the secretariat and administration building and partial demolition of clubhouse with replacement new five-storey (basement, ground and 3 upper levels) motor heritage wing to provide overnight accommodation, offices, banqueting, events and club facilities.</p> <p>b) Demolition of rear ground floor kitchen extension of the clubhouse.</p> <p>c) Creation of new arrival reception to clubhouse, including landscaping and public realm works.</p> <p>d) Restoration of the wall to the Walled Garden.</p> <p>e) Restoration of the Gardener's Cottage including replacement roof, and demolition of single-storey later additions.</p> <p>f) Provision of children's facilities within the Walled Garden, including a children's activity centre, indoor swimming pool, and associated areas.</p> <p>g) Use of existing Gardener's Cottage for activities associated with the Royal Automobile Club and/or for independent C3 use.</p> <p>h) Re-working of access and car parking at the seasonal car park to provide 95 permanent</p>	GRANTED

		<p>spaces.(Amended description 30.01.2015)</p> <p>i) Associated landscaping, ancillary storage and plant, and all associated engineering works and operations.</p> <p>Outline application for:</p> <p>a) Full or partial demolition and redevelopment of Cedars Sports to provide a replacement class D2 leisure facility, to be in accordance with the Cedar Sports Development Parameters, dated November 2014.</p> <p>b) Re-working of access and expansion and re-working of the existing north car park to provide 204 permanent spaces.(Amended description 30.01.2015)</p> <p>c) Associated landscaping, ancillary storage and plant, and all associated engineering works and operations.</p> <p>(Amended scheme drawings received 30.01.2015; Description amended 30.01.2015)</p>	
14/01210/LBA	16.09.2016	<p>Redevelopment of Woodcote Park. Listed Building Consent application for:</p> <p>a) Demolition of the secretariat and administration building and partial demolition of clubhouse with replacement new five-storey (basement, ground and 3 upper levels) motor heritage wing to provide overnight accommodation, offices, banqueting, events and club facilities.</p> <p>b) Internal reconfiguration of clubhouse and demolition of rear</p>	GRANTED

		<p>ground floor kitchen extension of the clubhouse.</p> <p>c) Creation of new arrival reception to clubhouse, including landscaping and public realm works.</p> <p>d) Restoration of the wall to the Walled Garden.</p> <p>e) Restoration of the Gardener's Cottage including replacement roof, and demolition of single storey later additions.</p> <p>f) Provision of children's facilities within the Walled Garden, including a children's activity centre, indoor swimming pool, cafe and associated areas.</p> <p>(Amended design and layout of the children's activity centre, indoor swimming pool, cafe received 30.01.2015)</p>	
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## 8 Planning Policy

### National Policy Planning Framework (NPPF) 2012

Paragraph 17	Core Planning Principles
Chapter 7	Requiring Good Design
Chapter 9	Protecting Green Belt Land
Chapter 10	Meeting the Challenge of Climate Change, Flooding and Coastal Change
Chapter 11	Conserving and Enhancing the Natural Environment
Chapter 12	Conserving and Enhancing the Historic Environment

### Core Strategy 2007

Policy CS1	Sustainable Development
Policy CS2	Green Belt
Policy CS3	Biodiversity
Policy CS5	Built environment
Policy CS16	Managing transport and travel

### Development Management Policies Document 2015

Policy DM4	Biodiversity and new development
Policy DM8	Heritage assets
Policy DM5	Trees and landscape
Policy DM9	Townscape character and local distinctiveness

Policy DM10	Design requirements for new developments
Policy DM35	Transport and new development
Policy DM36	Sustainable Transport for new development
Policy DM37	Parking standards

## 9 Planning considerations

### Previous Application

- 9.1 A similar scheme for development, "Provision of children's facilities within the Walled Garden, including a children's activity centre, indoor swimming pool, cafe and associated areas" forming part of a wide ranging scheme (14/01209/FUL), was granted in June 2015.
- 9.2 The extant permission is therefore a material consideration in assessing this application.
- 9.3 The current scheme differs from the extant scheme in the following ways:
- The proposed building would be set back a greater distance from the listed wall (8m, previously 5m) and a child's play area and youth play area (35m x 8m) would be located in the space between the proposed club building and the existing wall.
  - The roof profile of the proposed building would be amended to a "conventional" low pitched design (previously a barrel vaulted profile)
  - The finished floor level of the ground floor would be lowered (to accommodate a service zone.
  - The plant outbuilding would be relocated further eastwards, towards the restored Gardener Cottage.
  - The extant MUGA location would be retained. An adjacent (smaller) MUGA is proposed, separated by landscaped terraced seating. A "splash pad" is proposed to be located adjacent to the facilities building.

### Green Belt Policy

- 9.4 The site is within the Metropolitan Green Belt. In the Green Belt "inappropriate" development is considered harmful to the Green Belt, and should only be accepted in very special circumstances.
- 9.5 Whilst there is a general presumption against "inappropriate development" in the Green Belt, some development is acceptable in the Green Belt, and this is set out in paragraph 89 of the NPPF:
1. Buildings for agriculture and forestry;
  2. Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;

3. The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
  4. The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
  5. Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
  6. Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
- 9.6 All other development is considered “inappropriate” development and therefore planning permission should be refused unless “very special circumstances” exist.
- 9.7 Paragraph 88 states that Local Planning Authorities "should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations".
- 9.8 Officers are of the opinion that the walled garden cannot be considered as “previously developed land”. Development is not therefore permissible on that ground under Green Belt policy. In addition, many of the proposed uses within the walled garden are not defined as “appropriate” as they comprise indoor sport and recreation.
- 9.9 Despite the building not being visible from “outside” the walled garden, the proposed development would involve a building where previously there were no permanent structures. Lack of visual impact does not equate to a nil effect on openness and consequently the structure would not improve the overall openness of the site. It would have a greater impact on the openness of the Green Belt than the existing development.
- 9.10 The proposal remains inappropriate development as it would harm the openness of the Green Belt and is therefore subject to the very special circumstances test as outlined in the NPPF.

#### Very Special Circumstances

- 9.11 It is therefore considered that proposed scheme could only be justified if very special circumstances that outweigh the harm to the Green Belt can be clearly demonstrated.

- 9.12 The applicant previously put forward a forceful argument for very special circumstances, which was accepted by the Secretary of state. The current scheme is not materially different and therefore whilst it represents inappropriate development having regard to the tests set out in the NPPF, the harm because of inappropriateness is, in this case, outweighed by the benefits of securing substantive heritage, economic and landscape benefits in the long term and this would be in the public interest.
- 9.13 In conclusion, on Green Belt Policy, it is therefore considered that the submitted evidence to justify building within the Green Belt, in the current form now proposed outweighs the principle of inappropriateness and would therefore constitute very special circumstances. The application is therefore in accordance with Core Strategy Policy CS2.

#### Visual Amenity

- 9.14 The split-level Children's Facility Building would have a rectangular footprint.
- 9.15 Internally, the upper ground floor accommodation would be divided between an open-plan entrance/ reception / café / circulation space to the south, and a series of cellular spaces to the north including play areas, WCs, food prep and lift.
- 9.16 From west to east, the lower ground floor would contain the pool hall, the changing area and an air-handling plant room, the latter two built into the ground as it slopes up to the entrance level above.
- 9.17 The pool hall would be glazed on the south and west facades which would provide a strong visual connection to the landscape and a link to an outside water play feature, the "splash pad". The north wall would be largely solid. A continuous strip of glazing is proposed to be retained along the north to emphasize the roof as a separate element and give views to the wall.
- 9.18 The main filtration and boiler plantroom would be located on the north side of the wall, a change to the extant application, which placed the boiler room further west.
- 9.19 The building would have vertical terracotta rainscreen cladding, powder coated aluminium curtain walling, under a zinc standing seam low-pitched roof. The plant room would have vertical hardwood cladding under a lean-to zinc standing seam roof.
- 9.20 The building would be set back 8m from the adjacent garden wall and would not project above the walls.
- 9.21 The design, scale, massing and appearance are acceptable and it is concluded that the proposal would not have a harmful impact on the setting of the walled garden or on the visual amenity of the wider area.

- 9.22 Other work within the walled garden would involve alterations to ground levels, details of which have been provided. There is believed to have been dumping of material within the walled garden in years past and any ground works could have an effect on the setting of the listed wall. It is suggested that a condition is added to the detailed permission requiring information on any proposed ground works to be submitted for approval in advance of any works (Condition no 3).
- 9.23 Details of the proposed play equipment may also be important and a further condition on the detailed permission is proposed to this end (Condition no 4).

Impact on the setting of the listed walled garden

- 9.24 The wall enclosing the kitchen garden is a Grade II listed structure of the late 18th century and the present proposal is broadly consistent with the extant scheme approved under 14/01210/LBA.
- 9.25 The height of the new built form within the enclosed garden would remain below the top of the walls and when compared to the preceding scheme, minor heritage benefit would ensue, as the principal new building would be located further away from the historic masonry. The amendments to the architectural treatment and the rearrangement of various new features within the garden would have no effect on the listed walls and it is considered that they are of limited concern from the conservation perspective.
- 9.26 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. The proposal would provide a sustainable use for the former kitchen garden without harm to the significance of the listed walls and therefore there is no objection in terms of Policy DM8.

Neighbour Amenity

- 9.27 The proposed children's facility building would not give rise to any materially harmful impacts on neighbour amenity in terms of overlooking, loss of privacy or impact on outlook.
- 9.28 The main issue to consider is whether noise disturbance from the new children's recreational activities in the walled garden and the additional traffic would be acceptable.
- 9.29 The current scheme would continue to provide an informal "kids" playing area, and a Multi-use Games Area (MUGA) within the north eastern corner of the walled garden as per the extant scheme, but an additional (smaller) MUGA is proposed to the west of the larger MUGA. These would be at the farthest end of the walled garden from the nearest housing. A "splash pad" is also proposed to be located adjacent to the front elevation of the children's facilities building, as well as two outdoor play areas located between the rear of the building and the historic garden wall.



- 9.30 An updated Noise Impact Assessment Report has been submitted in support of this application. It reassesses the potential noise impact at nearby residential buildings arising from the current revised scheme.
- 9.31 The assessment showed that the informal play areas and the “splash pad” would cause a negligible increase in noise levels at the nearest residential properties when they are in use. (Ambient noise surveys were undertaken during March 2014 and November 2015 to establish the baseline noise levels at residential positions surrounding the Woodcote Park site during the daytime, evening, and nighttime periods. The baseline noise surveys were completed to support the extant scheme for the Walled Garden)
- 9.32 The report summarises that overall, no significant impacts were predicted resulting from MUGA usage at the Walled Garden. The noise predictions assume that one or both MUGAs are used consistently during a one-hour time with no breaks or rest periods for a worst-case assessment. The potential impact could be reduced further by limiting the hours of use of the walled garden to avoid antisocial hours. Proposed Condition no. 15 contains a limit on the times of use of the facilities of the walled garden.
- 9.33 Concerns have been raised by the occupants of “Flintstones” a dwelling which backs on to Old Barn Road, (their rear garden is some 80m from the walled garden) regarding noise from the plant room, and potential noise and disturbance from service vehicles using Old Barn Road.
- 9.34 The plant room is proposed to be relocated further to the east than the extant scheme and given that the structure would be located in excess of 90m from the affected property, it is considered that the noise impact would not be material.
- 9.35 It is proposed to utilise the Old Barn Road to provide service access to the facilities within the Walled Garden (as per the extant scheme). The daily number of service vehicle movements along Old Barn Road is unlikely to have a significant impact on neighbouring properties in terms on noise and disturbance over and above the legitimate authorised existing use of the track. Although it has lain dormant and relatively unused for many years, it is an historic access route to the walled garden and cottage and does not need a separate planning permission to be used in the manner proposed by this application. The applicants have however agreed to limit the hours of deliveries to the application site. (Condition No 17)
- 9.36 It is therefore concluded that subject to restrictive conditions, the proposed scheme would not have a materially harmful impact on neighbour amenity in terms of overlooking, loss of privacy, and noise and disturbance.

#### Parking and Access

- 9.37 A Transport Assessment and Travel Plan have been submitted in support of the application. The Travel Plan has prioritised sustainable travel, which is achieved through: a shuttle bus service from Epsom Train Station to the Woodcote site, encouragement of cycling through increased number of on-site cycle spaces, car sharing, provision of a Guaranteed Ride Home, changing facilities and showers for staff and a Cycle to Work scheme. Surrey County Council has made various comments about the Travel Plan and it is recommended that a condition is imposed requiring the submission of a revised Travel Plan which takes into account these comments and best practice generally (Condition no. 6 ).
- 9.38 The Transport Assessment concludes that the impact of the proposed development would not be significant in terms of transport and parking. Officers and the Highways Officer concur with the conclusion.

#### Trees and Landscaping

- 9.39 Indicative landscaping plans, including an Arboricultural Survey have been submitted with the application.
- 9.40 The proposals represent an opportunity to secure substantial appropriate new planting on the site. The loss of some vegetation will not be serious and there will be an overall net gain in vegetation with appropriate management of the landscape in the future.
- 9.41 A detailed landscaping scheme will be secured via appropriate planning conditions.

#### Flood Risk, Groundwater and Contaminated Land

- 9.42 The site is located within Flood Zone 1. The submitted Flood Risk Assessment states that flood risk from sewer or groundwater on the Woodcote Park Estate is low, but the most significant source of flooding at the site would be from surface water. The drainage strategy proposed uses SUDS techniques for drainage of all surface water from the site. The Environment Agency require a condition ensuring that the development is carried out in accordance with the submitted Flood Risk Assessment and Drainage Strategy.
- 9.43 The Environment Agency also requires a number of conditions (Conditions nos.13 and 14) with regard to groundwater and contaminated land as the site is located over a Secondary Aquifer and there are underground fuel tanks present. The area is therefore very sensitive in terms of groundwater protection. The aquifer may be vulnerable to pollution from any contaminants present at the site unless the proposed conditions are adhered to.

#### Sustainability

- 9.44 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.

- 9.45 The proposed redevelopment has been designed to meet all national and local planning policy objectives and to meet current Building Regulations. It is proposed to install a Combined Heat and Power plant which would provide 25% of the energy consumed by the facilities at Woodcote Park.
- 9.46 The proposal is indicative and further details and implementation of the sustainable measures should be secured through appropriate planning conditions (Condition no.9).

#### Ecology/Biodiversity

- 9.47 An Ecological Appraisal (including a desk study and an extended Phase 1 habitat survey) was previously carried out in relation to the proposed additions/alterations to the clubhouse, Gardeners Cottage, the Spa , the double decked parking area, and the subject of the current application, the Walled Garden.
- 9.48 The Appraisal concluded that subject to mitigation measures being implemented within the development proposals; it is not considered that any habitats or species present within or adjacent to the site would pose a constraint to the development. It is recommended that any permission should be conditioned (Condition no.10 ) to ensure these enhancement measures are implemented and the principles contained in the associated Landscape and Biodiversity Management Strategy – November 2014 should also be followed.

#### Archaeology

- 9.49 The application is supported by an Archaeological Assessment Report and an Archaeological Impact Assessment which concludes that the proposed development may lead to a localised loss of archaeological remains within the walled garden.
- 9.50 It proposes that a watching brief is maintained during clearance and/or construction within and adjacent to the walled garden, in the areas of additional car parking and the new service road and any groundworks associated with extensions to the Cedar Sports Club. This would be secured by an appropriate condition (Condition no.11)

#### Community Infrastructure Levy

- 9.41 The scheme is not CIL liable.

### **10 Conclusion**

- 10.1 The future productive use of the walled garden, is a significant planning objective. The walled garden has not had an economically viable use in recent decades and the proposals bring forward a viable new use for this important asset. National Planning Policy Guidance states that great weight should be afforded to the conservation of heritage assets (para. 132) and the proposals would provide significant enhancements to secure the future of the walled garden which is currently in a neglected state.

- 10.2 There is harm to the Green Belt but the degree of harm and the visual impact of the proposal is outweighed by the benefits.

## **11 Recommendation**

- 11.1 Refer to the Secretary of State with a recommendation to grant planning permission subject to relevant conditions as follows:-**

### **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 within the walled garden, full details of ground works within the walled garden shall be submitted to and approved in writing by the Local Planning Authority and those works shall be carried out strictly only in accordance with those approved details.**

**Reason: To ensure that the works are in keeping with the historic setting of the listed wall and to ensure a satisfactory external appearance of the building in accordance with Policy CS5 of the Core Strategy (2007) and Policy DM8 and DM10 of the Development Management Policies Document – 2015.**

- (3) Prior to the commencement of the development (other than ground works and access construction), details and samples of the materials to be used for the external surfaces of the development hereby permitted 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 ensure a satisfactory external appearance of the building in accordance with Policy CS5 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies Document – 2015**

- (4) Prior to their installation on site, details of the permitted children's outdoor play equipment shall be submitted to and approved in writing with the local planning authority. The development shall be carried out in accordance with the approved details.**

**Reason: To ensure a satisfactory external appearance of the building in accordance with Policy CS5 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies Document – 2015**

- (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) details of all temporary accommodation works including temporary roads, car park, offices**
- (k) Details of waste minimisation strategy- arisings**

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

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

- (6) Prior to the first occupation of the development hereby approved, a revised Travel Plan shall be submitted for the written approval of the local planning authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide", and in general accordance with the 'Heads of Travel Plan' document. The approved Travel Plan shall be implemented on first occupation of the new development and for each and every subsequent occupation of the development, and the Travel Plan should thereafter maintained and developed to the satisfaction of the local planning authority.**

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

- (7) Prior to the commencement of the development (other than ground works and access construction), a landscaping scheme shall be submitted to and approved in writing by the local planning authority, details to include the planting of trees, shrubs, herbaceous plants and areas to be grassed. The landscaping scheme shall include the schedule**

of species, sizes, and planting densities along with the specification for aftercare maintenance. The landscaping shall take place in strict accordance with a phased programme to be agreed as part of the approved details and the planting in each phase shall be maintained for a period of five years, such maintenance to include the replacement of any plants that die.

**Reason:** To ensure the provisions and maintenance of soft landscaping, in the interest of visual amenity as required by Policies CS1, CS2, CS5 of the Core Strategy 2007) and Policy DM5 of the Development Management Policies Document 2015

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

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

- (9) The development shall be constructed in accordance with the measures outlined in Energy and Sustainability Statement, dated October 2014.

**Reason:** To ensure that the development is sustainable and makes efficient use of energy, water and materials in accordance with Policy CS6 of the Core Strategy 2007.

- (10) The development shall be implemented strictly in accordance with the mitigation and enhancement measures outlined in the Ecological Appraisal dated October 2014 (Report Reference - EDP1297\_07e) and the principles set out in the Landscape and Biodiversity Management Strategy November 2014, Family Facility, Woodcote Park, Royal Automobile Club, Epsom Ecology Position Statement 2017 C\_EDP1297\_18, Technical Note: Ecological Update 2016 (ref:C\_EDP1297\_14); and Ecological Management Plan (EMP) (ref: C\_EDP1297\_15b).

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

- (11) The developers shall give at least two weeks' notice to Surrey County Council's Principal Archaeologist of their intention to start work on the site, and shall afford access at all reasonable times to any qualified person nominated by the Local Planning Authority, so that they shall have the opportunity to observe any works involving disturbance of the ground, and record any items of archaeological interest.**

**Reason: It is possible that minor items or features of archaeological interest will be disturbed in the course of the development, and these should be rescued or recorded before they are lost, as required Policy DM8 of the Development Management Policies Document 2015.**

- (12) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.**

**Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DM17 of the Development Management Policies Document 2015.**

- (13) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.**

**Reason: To ensure the development does not impact on local underground infrastructure or harm the future occupants of the site in accordance with Policy CS6 of the Core Strategy 2007 and Policy DM17 of the Development Management Policies Document 2015.**

- (14) The development permitted by this planning permission shall only be carried out in accordance with the approved FRA produced by Atkins dated November 2014 reference no. 5127703\_200/072/DG/007 and Drainage Strategy produced by Precision dated 13/09/17 reference no.002/RAC Drainage Strategy Rev.8**

**Reason: To ensure suitable drainage of the development to reduce risk of flooding in accordance with Policy CS6 of the Epsom and Ewell Core Strategy 2007.**

- (15) The external play facilities and café area in the walled garden shall not be used before 8am or after 6pm between April and October (inclusive) and in the winter months 5 pm on any given day. The facilities within the pool house (within the walled garden) shall not be used before 6am or after 10pm on any given day.

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

- (16) No construction work shall be carried out before 07:30 hours or after 18:30 hours Monday to Friday; no construction work before 08:00 or after 13:00 hours on Saturdays and no construction work of any nature shall be carried out on Sundays or Bank/Public Holidays.

Reason: To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers in accordance with Policy DM10 of the Development Management Policies Document 2015.

- (17) Vehicle service deliveries to the walled garden facilities shall only take place between 8am and 6pm weekdays and between 9am to 1pm on Saturdays.

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

- (18) Prior to the commencement of the development (other than ground works and access construction) The applicant shall submit detailed hydraulic calculations of the final drainage calculation to include the following:

a) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+Climate change allowance) for storm events. Detailed hydraulic calculation of each SUDs feature shall be included.

b) Detailed drawings to include: a finalised drainage layout detailing the location of SUDs elements, pipe diameters, levels, details of how SuDS elements will be protected from root damage and long and cross sections of each SuDS element and including details of any flow restrictions.

c) Half drain time of 24 hours shall be achieved for at least the 1:30 year storm

Reason: To ensure suitable drainage of the development to reduce risk of flooding in accordance with Policy CS6 of the Epsom and Ewell Core Strategy 2007.

- (19) Prior to the commencement of the development (other than ground works and access construction) the applicant shall submit details of how



**the Sustainable Drainage System will cater for system failure or exceedance events, both on and offsite.**

**Reason: To ensure suitable drainage of the development to reduce risk of flooding in accordance with Policy CS6 of the Epsom and Ewell Core Strategy 2007.**

- (20) Prior to the commencement of the development (other than ground works and access construction) the applicant shall submit details of details of how surface water and any associated pollution risk will be dealt with during the construction of the development and how any Sustainable Drainage System will be protected and maintained. The development shall thereafter be carried out in strict accordance with those approved details unless otherwise agreed in writing with the Local Planning Authority**

**Reason: To ensure suitable drainage of the development to reduce risk of flooding in accordance with Policy CS6 of the Epsom and Ewell Core Strategy 2007.**

- (21) Prior to the commencement of the development (other than ground works and access construction) details of maintenance regimes and responsibilities of the drainage and suds elements during the operation and lifetime of the systems shall be submitted. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.**

**Reason: To ensure suitable drainage of the development to reduce risk of flooding in accordance with Policy CS6 of the Epsom and Ewell Core Strategy 2007.**

- (22) 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 suitable drainage of the development to reduce risk of flooding in accordance with Policy CS6 of the Epsom and Ewell Core Strategy 2007.**

- (23) Prior to the occupation of the development hereby permitted the applicant shall submit a MUGA noise management and monitoring plan.**

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

- (24) Any weldmesh fencing, panels or similar materials used to enclose the MUGAs shall be securely clamped with resilient fixings to avoid vibrations, and any advertising signs in proximity to the playing surface**

shall be made from vinyl or other material which is resistant to the generation of impact noise.

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

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

1524\_105 P7; 1524\_110 P15; 1524\_111 P14; 1524\_112 P2; 1524\_120 P9;

1524\_121 P2; 1524\_125 P2; 1524\_126 P1; 1524\_130 P6;

(90)LP001 R09 - General Arrangement Plan

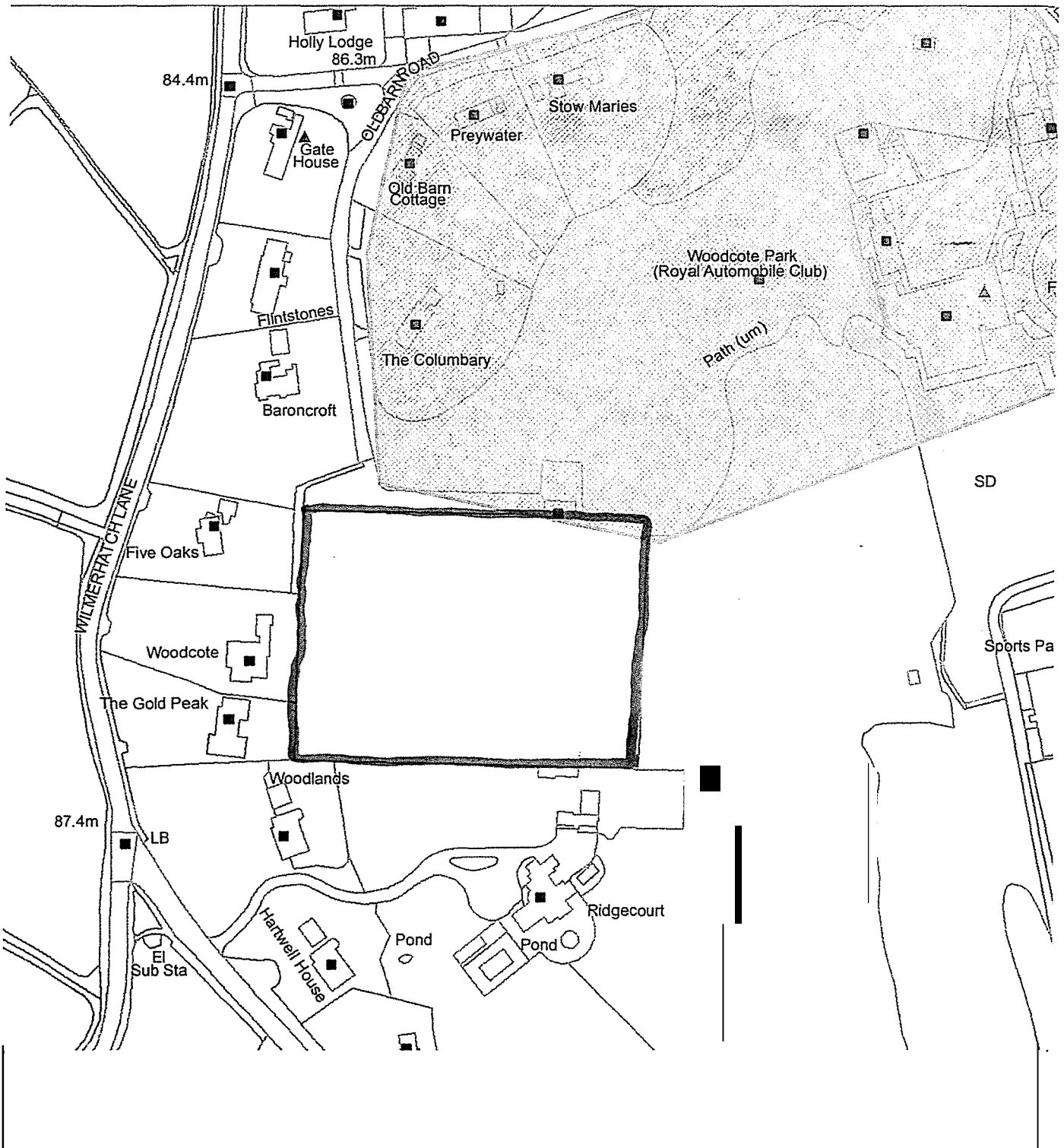
(90)LP002 R01 - Landscape Colour Masterplan

**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 applicant should note that under the terms of the Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds. Any works to trees should take place outside of the bird breeding season and if this is not possible an inspection for breeding birds should be carried out by a qualified ecologist no more than 24 hours prior to any works taking place.
- (3) The applicants are reminded of the need to secure a European Protected Species Mitigation Licence from Natural England prior to the commencement of any works hereby approved.

17/00542/FUL



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**SITE VISITS**

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

**REPORT SUMMARY**

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

**RECOMMENDATION:**

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

*Notes*

**1 Implications for Community Strategy and Council's Key Priorities**

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

**2 Details**

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

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

- 5 Cox Lane, West Ewell KT19 9LR – 17/00121/FUL
- Cedar Lodge, Headley Road, Epsom KT18 6BH – 17/00441/FUL
- 6 The Grove, Epsom KT17 4DQ – 17/00893/FUL
- Epsom House, 10 East Street, Epsom KT17 1HH - 17/00385/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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