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Legal and Democratic Services



PLANNING COMMITTEE

Thursday 4 October 2018 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 MBE
Councillor John Beckett
Councillor Lucie Dallen
Councillor Jan Mason

Councillor Tina Mountain
Councillor Peter O'Donovan
Councillor Martin Olney
Councillor Vince Romagnuolo
Councillor Clive Smitheram
Councillor Tella Wormington

Yours sincerely

A handwritten signature in black ink, appearing to read "K. Beldan". The signature is fluid and cursive, with a long, sweeping underline.

Chief Executive

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

AGENDA

1. DECLARATIONS OF INTEREST

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

2. MINUTES OF THE PREVIOUS MEETING (Pages 3 - 22)

The Committee is asked to confirm as a true record the Minutes of the Meeting of the Planning Committee held on the 6 September 2018 (attached) and authorise the Chairman to sign them.

3. PLANNING APPLICATION 18/00459/FUL - ASHLEY CENTRE CAR PARK, ASHLEY AVENUE, EPSOM KT18 5AL (Pages 23 - 30)

Proposed installation of perimeter security fencing.

4. PLANNING APPLICATION 18/00626/TPO - 362 CHESSINGTON ROAD, WEST EWELL, SURREY KT19 9EG (Pages 31 - 36)

Application to carry out tree work on a protected tree – Felling of Oak T26 of Tree Preservation Order No. 317 located in the front garden.

5. PLANNING APPLICATION 18/00466/FUL - EPSOM COLLEGE, COLLEGE ROAD, EPSOM KT17 4JQ (Pages 37 - 54)

Demolition of existing buildings and erection of Sixth Form Centre

6. MONTHLY REPORT ON PLANNING APPEAL DECISIONS - AUGUST-SEPTEMBER 2018 (Pages 55 - 60)

This report provides Members with an update on recently decided appeals and identifies any notable decisions.

Minutes of the Meeting of the PLANNING COMMITTEE held on 6 September 2018

PRESENT -

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

Absent: Councillor Lucie Dallen and Councillor Peter O'Donovan

Officers present: Damian Roberts (Chief Operating Officer), Ruth Ormella (Head of Planning), Martin Holley (Planning Development Manager), Louise Mathie (Solicitor), John Robinson (Planning Officer) and Sandra Dessent (Democratic Services Officer)

8 DECLARATIONS OF INTEREST

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

9 MINUTES OF THE PREVIOUS MEETING

The Minutes of the meeting of the Planning Committee held on 19 July 2018 were agreed as a true record and signed by the Chairman.

10 PLANNING APPLICATION 18/00661/REM - NEW DEVELOPMENT OF NESBOT AGRICULTURAL LANE, REIGATE ROAD, EWELL

Description

Variation of Condition 2 (plans) of 17/00429/FUL (Construction of 88 residential dwellings with associated access, open space, car parking, landscaping and other works) to amend plot 36 to a 4 bed 8 person dwelling and amend boundaries to plots 36, 37 and 38

Decision

Variation to condition **PERMITTED** subject to the following conditions:

Conditions:

- (1) **The development hereby permitted shall be commenced within 3 years from the 8 November 2017, the date of the originally approved application 17/00429/FUL that is subject to this application to variation.**

Reason: In order to comply with Section 91 of the Town and Country Planning Act, 1990. (As amended)

- (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, 126 Rev A

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

- (3) The development shall only be carried out in accordance with the external materials approved under application 17/01407/COND dated 4/05/2018.

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 V 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) The development shall only be carried out in accordance with the Construction Transport Management Plan, approved under application 17/01408/COND dated 14/02/2018.

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 development shall only be carried out in accordance with the Travel Plan, approved under application 17/01407/COND dated 04/05/2018.

- (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) The development shall only be carried out in accordance with the February 2018 ground investigation report approved under application 17/01409/COND dated 20/03/2018.

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) The development shall only be carried out in accordance with the Piling and foundation details approved under application 17/01409/COND dated 20/03/2018

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) The development shall only be carried out in accordance with the surface water drainage scheme details approved under application 17/01408/COND dated 14/12/2018

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) The development shall only be carried out in accordance with the bin and cycle store details approved under application 17/01407/COND dated 04/05/2018

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 38 of the National Planning Policy Framework 2018
- (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-andlicences/vehiclecrossovers- 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) 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.
- (10) 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-well.gov.uk/residents/planning/planningadvice/communityinfrastructure-levy-cil-guidance>

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

11 PLANNING APPLICATION 18/00652/REM - HOLLYMOOR LANE DEVELOPMENT SITE, HOLLYMOOR LANE, EPSOM

Description

Variation of Condition 16 (Remediation Scheme) of planning permission 15/01497/FUL to permit the verification report to be completed pre-occupation rather than pre-commencement.

Decision

Variation of condition **PERMITTED** subject to the following conditions:

Conditions:

- (1) The development hereby permitted shall be commenced within 3 years from the 17 March 2016, the date of the originally approved application 15/01497/FUL that is subject to this application to variation.

Reason: In order to comply with Section 91 of the Town and Country Planning Act, 1990. (As amended)

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

12472-SPR-XX-AR-05-03-3_2, 12472-SPR-XX-AR-15-01-3_6, 12472-SPR-XX-AR-15-02-3_6, 12472-SPR-XX-AR-15-03-3_6, 12472-SPR-XX-AR-15-04-3_6, 12472-SPR-ZA-AR-20-01-3_4, 12472-SPR-XX-AR-20-02-3_4, 12472-SPR-XX-AR-20-03-3_4, 12472-SPR-ZA-AR-30-01-3_8, 12472-SPR-ZB-AR-30-02-3_8, 12472-SPR-ZC-AR-30-03-3_7, 12472-SPR-ZA-AR-40-05-3_3, 12472-SPR-ZA-AR-48-07-3_1, 12472-SPR-ZA-AR-48-12-3_2, 12472-SPR-L-90-01-3-2, 12472-SPR-L-90-02-3-2, 12472-SPR-L-90-03-3-2, 12472-SPR-L-90-04-3-2, 12472-SPR-L-90-05-3-2, 12472-SPR-L-90-06-3-2, 12472-SPR-L-90-07-3-2, 12472-SPR-L-90-08-3-2, 12472-SPR-L-90-09-3-2, 12472-SPR-L-90-11-3-2, 12472-SPR-L-90-12-3-2, 12472-SPR-L-95-03-3-2, 12472-SPR-L-90-01-5_3, 12472-SPR-L-90-03-4-5, 2015_06_04 - Daylight and Sunlight report, 12472_DASstatement_20150717_low.pdf, 12472_PS_00-1_1 Planning Statement_20150528.pdf, 22205-col_Services Survey.pdf, Affordable Housing Statement, DS-MER00977-15-120 Rev B, FRA-MER00977-15-39 Rev B, GEA-MER00977-15-100 Part1, GEA-MER00977-15-100 Part2, GEA-MER00977-15-100 Part3, Hollymoor Lane Energy Report R02-Afi.pdf, Hollymoor Lane Waste Minimisation statement,

**MER00977-002-001_topo survey, MER00977-003-001
_Drainage_Water, MER00977-301-001 Rev A Drainage Strategy,
Daytime Bat Survey, RT-MME-118791-01 prelim ecological
assessment, Bat Emergence survey RT-MME-119363, RT-MME-
118791-03, TS-19265 - Full, UHL-EMS-POL-0004 Waste Management
Policy Iss05.pdf.**

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

- (3) The 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 suitable and makes efficient use of water to comply with Policy DM12 of the Development Management Policies 2015.

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

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

- (5) The development shall only be carried out in accordance with the external materials approved under application 16/01642/COND dated 5/04/2017.**

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.

- (6) Prior to the planting of trees, as part of the approved landscaping scheme, details of the tree guards shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details on implementation of the approved landscaping and shall thereafter be retained.**

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

- (7) All planting, seeding or turfing hereby 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.

- (8) 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, E, 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.

- (9) The retail premises hereby approved as part of the development shall be used for Class A1 and for no other purpose (including any other purpose in Class A of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In order to ensure the provision of convenience retailing to meet the needs of local residents and also to safeguard the amenities of the occupiers of neighbouring properties, visual amenity and highway safety in accordance with Policies CS5 and CS16 of the Core Strategy (2007) and Policies DM9, DM10 and DM31 of the Development Management Policies 2015.

- (10) The development hereby approved shall not be first occupied until the proposed vehicular/pedestrian/cycle accesses to Hollymoor Lane and Sefton Road have been constructed and provided with visibility zones in accordance with the approved plans. The access shall be constructed in accordance with the approved details and

shall be permanently maintained and 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.

- (11) The development hereby approved shall not be occupied until space has been laid out within the site in accordance with the approved plans for vehicles and cycles to park. The parking areas shall be permanently retained 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.

- (12) The development shall only be carried out in accordance with the Construction Transport Management Plan approved under application 16/01282/COND dated 17/01/2017.

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

- (13) The development shall only be carried out in accordance with the scheme for the bulk movement of earthworks and/or materials to and from the development site approved under application 16/01282/COND dated 17/01/2017.

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

- (14) Prior to the occupation of the dwelling or the use of the retail unit of the development hereby permitted, electric charging points shall be installed in accordance with Drawing No. 12472_90_11_3-1 and thereafter retained permanently for the use of vehicles of occupiers and visitors to the premises and not used for any other purpose.

Reason: To encourage the use of electric cars in order to reduce carbon emissions in accordance with Policy CS6 of the Core Strategy (2007).

- (15) The development shall only be carried out in accordance with the ground contamination investigation and risk assessment approved under application 16/01224/COND dated 13/06/2018.

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) 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 occupation of the 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. 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 prior to the occupation of development 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.

- (17) 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.

- (18) The development shall only be carried out in accordance with the site survey (filled ground or gas) approved under application 16/01224/COND dated 13/06/2018.

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.

- (19) The development shall only be carried out in accordance with the approved schemes prepared under condition 18 and approved under application 16/01224/COND dated 13/06/2018.

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.

- (20) The development shall only be carried out in accordance with the monitoring and maintenance scheme approved under application 16/01224/COND dated 13/06/2018.

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.

- (21) The residential element of the hereby approved development shall comprise 100% affordable housing provision in accordance with

paragraph 2.15 of the Planning Statement dated 28 May 2015 and Orbit Homes (2020) Ltd - Affordable Housing Statement dated March 2015.

Reason: In the interests of proper planning as required by Policy CS9 of the Core Strategy (2007).

- (22) The approved areas of hard surfacing will be porous or permeable, or shall direct surface water to a porous or permeable surface within the site and shall thereafter be maintained as such.

Reason: To reduce surface water run-off from the site in line with Policy CS6 of the Core Strategy (July 2007) and Policy DM10 of the Development Management Policies 2015.

- (23) The development shall only be carried out in accordance with the details regarding the delivery vehicle layby, relocation of the existing bus stop including shelter, the relocation/provision of street lighting and the provision of new footway works approved under application 16/01364/COND dated 22/07/2017.

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

- (24) The development hereby approved shall not be first occupied unless and until existing accesses from the site to Hollymoor Lane and Sefton Road have been permanently closed and any kerbs, verge, footway, fully reinstated.

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

- (25) The development shall only be carried out in accordance with the SuDS details approved under application 16/01364/COND dated 22/07/2017.

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

Reason: To ensure the Sustainable Drainage System has been constructed as agreed and complies with the requirements of the national SuDS technical standards.

- (27) The development hereby approved shall not be first occupied until a Car Parking Management Plan is submitted to and approved in writing by the local planning authority. It shall include: details of the allocation of car parking spaces and on- site parking controls. The Car Parking Management Plan shall be implemented and maintained thereafter in accordance with the approved details.

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

- (28) The Travel Plan shall be implemented at the first occupation of the development in accordance with the details approved under application 16/01339/COND dated 30/01/2017.

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 38 of the National Planning Policy Framework 2018
- (2) 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.epsomewell.gov.uk/NR/exeres/74864EB7-F2ED-4928-AF5A-72188CBA0E14,frameless.htm?NRMODE=Published>
- (3) If you need any advice regarding Building Regulations please do not hesitate to contact Epsom & Ewell Borough Council Building Control on 01372 732000 or contactus@epsom-ewell.gov.uk
- (4) 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.
- (5) The water efficiency standard required under condition 3 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:

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

- (6) For the avoidance of doubt, the term 'affordable housing' means subsidised housing at below market prices or rents intended for those households who cannot afford housing at market rates. It is usually managed by a registered social landlord.**
- (7) No burning of materials obtained by site clearance shall be carried out on the application site.**
- (8) The applicant is advised to contact Epsom and Ewell Borough Council at an early stage to discuss naming and numbering of the development on 01372 732000. For further information see <http://www.epsom-well.gov.uk/NR/exeres/C41A118E-B550-4CEF-9FA4-5C2BE9869E.frameless.htm?NRMODE=Published>**
- (9) The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and potentially a section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to three months in advance of the intended start date depending on the scale of the works proposed and the classification of the road. Please see: www.surreycc.gov.uk/roads-andtransport/road-permits-and-licences/the-traffic-management-permit-scheme**

The applicant is also advised that consent may be required under Section 23 of the Land Drainage Act 1991. Please see: www.surreycc.gov.uk/people-andcommunity/emergency-planning-and-community-safety/flooding-advice

- (10) The developer is advised that as part of the detailed design of the highway works required by the above planning 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. The Highway Authority will also require that any redundant dropped kerbs will be raised and any verge or footway crossing reinstated to**

conform with the existing adjoining surfaces at the developers expense.

- (11) The applicant is advised to contact the Post Office Ltd with regard to any re-location of the existing box on Hollymoor Lane
- (12) Attention is drawn to Section 20 of the Surrey Act 1985 which requires that when a building is erected or extended, proper provision shall be made for the fire brigade to have means of access to the buildings and any neighbouring building.

12 NON-DETERMINATION PLANNING APPEAL - PLANNING APPLICATION 17/00976/FUL - 91 CHESSINGTON ROAD, WEST EWELL, KT19 9UU

Description

Demolition of existing dwelling and erection of 9 properties (3 x 2 bedroom and 6 x 3 bedroom) with associated works.

Decision

The reasons set out for refusal in the report were agreed by the Committee as the Council's position in defending the appeal.

Reasons for refusal:

- (1) Due to its design, siting, bulk and scale, plots 4 & 5 of the proposed development would have a harmful impact on the privacy and outlook of and would appear overbearing to the neighbouring occupants at No. 89 Chessington Road contrary to Policy CS5 of the Core Strategy (2007) and Policies DM10 and DM16 of the Development Management Policies (2015).
- (2) Insufficient information has been submitted with the application to demonstrate that the proposal would not be harmful to bats with the result that the proposal would fail to comply with Policy CS3 of the Core Strategy (2007) and Policy DM4 of the Development Management Policies (2015).
- (3) The close proximity of the proposed buildings (particularly at Plots 4 and 5) to the large Ash and Sycamore, is likely to have an adverse impact on the living conditions of the occupants of the proposed houses, and is therefore likely to result in future pressure to remove or heavily prune trees to the detriment of the visual amenity of the locality. Furthermore, due to the separation distance retained between Plots 3 and 9, the development would result in potential root damage to trees as during the construction of the proposed dwellings. The application is therefore contrary to the requirements of Policies CS1 and CS5 of the Core Strategy (2007) and Policies DM5, DM10 and DM12 of the Development Management Policies (2015).

- (4) The application proposal would have an unacceptable layout with parking spaces adjacent to Plot 1, which would cause significant harm to the amenities of the potential occupants of the proposed dwelling by reason of noise and disturbance, contrary to CS5 of the Core Strategy (2007) and Policies DM5, DM10 and DM12 of the Development Management Policies (2015).
- (5) Due to the proposed layout, the front windows of the proposed dwellings sited at Plot 7, Plot 8 and Plot 9 would be located in close proximity to rear gardens and to a lesser extent habitable windows of the dwellings at Plot 1, Plot 2 and Plot 3, which would cause overlooking. This would harm the privacy of the potential future occupants with the result that the proposal would fail to comply with Policies DM10 and DM12 of the Development Management Policies (2015).

13 MONTHLY REPORT ON PLANNING APPEAL DECISIONS - JULY 2018

Planning appeals for the period 1 July to 20 August were noted and it was agreed that future reports would include appeal costs where appropriate.

The meeting began at 7.30 pm and ended at 8.10 pm

COUNCILLOR HUMPHREY REYNOLDS (CHAIRMAN)

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Ashley Centre Car Park Ashley Avenue Epsom Surrey KT18 5AL

Proposed installation of perimeter security fencing

Ward:	Town Ward;
Contact:	John Robinson Planning Officer

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=PB0U5RGYKAZ00>

2 Summary

- 2.1 This application proposes the erection of safety fencing to the car park for the parking areas on the first, second, third and fourth floors.
- 2.2 This application has been submitted to committee because the car park is owned by Epsom & Ewell Borough Council.
- 2.3 It is considered that the proposal would not have any detrimental impact on residential or visual amenity and planning permission is recommended for the proposals.

3 Site description

- 3.1 The application site consists of a four storey car park which is part of the Ashley Centre. The car park is situated on the northern side of Ashley Centre.
- 3.2 The area is mixed residential/office/retail in character.

4 Proposal

- 4.1 In summer 2017 the first phase of security fencing was installed over the area of the front entrance/exit.

4.2 This application seeks permission for the erection of 2.2m high weld mesh safety fencing on the existing top level car park parapet and projecting balconies. It is proposed that “weld mesh” panels will be installed within the openings at lower levels.

4.3 All new fencing would have a powder coated black finish.

5 Comments from third parties

5.1 The application was advertised by means of letters of notification to 25 neighbouring properties. To date (04.09.2018) no letters of objection have been received.

6 Consultations

6.1 County Highway Authority: THE COUNTY HIGHWAY AUTHORITY has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements.

6.2 Design and Conservation Officer: No objection in terms of Policy DM8.

7 Relevant planning history

Application number	Decision date	Application detail	Decision
16/01858/FUL	16.05.2017	Proposed installation of perimeter safety fencing for the parking area on the first, second, third and fourth floors in the area of the main entrance/exit for vehicles.	GRANTED

8 Planning Policy

National Policy Planning Framework (NPPF) 2018

Core Strategy 2007

Policy CS1 General Policy

Policy CS5 Built Environment

Development Management Policies Document 2015

Policy DM8 Heritage Assets

Policy DM9 Townscape Character and Local Distinctiveness

Policy DM10 Design Requirements for New Developments

Policy DM35 Transport and New Development

9 Planning considerations

Visual Impact

- 9.1 Policies DM8, DM9 and DM10 of the Development Management Policies Document 2015 and Policy CS5 of the Core Strategy are relevant.
- 9.2 The application site is within proximity of the Epsom Town Centre Conservation Area. The proposals have therefore been assessed in terms of whether they would have an adverse impact on the setting of the adjoining heritage asset.
- 9.3 The new weldmesh safety fence would be visible in the streetscene albeit at high level. Although visually permeable if viewed close-up and head-on, the predominant views are long distance where the fence would appear as a “solid” entity.

- 9.4 However, the fence would be relatively discrete, and if appropriately coloured, would not materially detract from the appearance of the building, which in any event has a functional appearance. The proposal is therefore considered acceptable and would comply with policies DM8, DM9 and DM10.

Residential Amenity

- 9.5 The proposed fencing would be sited approximately 80m away from the nearest residential dwelling. Due to its siting, size, scale and design the proposed fencing would not harm the outlook, daylight or privacy of neighbouring occupants.

- 9.6 The proposed scheme would therefore accord with Policy DM10.

Community Infrastructure Levy

- 9.7 The scheme is not CIL liable

10 Conclusion

- 10.1 The proposal would not harm the visual appearance of the host building or the character of the wider area and adjoining conservation area. In light of the above it is recommended that planning permission is granted.

11 Recommendation

- 11.1 Planning permission is GRANTED subject to the following conditions:

Conditions:

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

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

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

**Drawings S15988-EL (Proposed Elevations, Sheets 1-8 inclusive),
Procter Weld Mesh Data Sheet**

Securi Mesh 358 Data Sheet

Block Plan

Site Plan and Location Plan

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

Informative:

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 38 of the National Planning Policy Framework 2018.**

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Date	24 September 2018
Comments	
SLA Number	71

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362 Chessington Road, West Ewell, Surrey KT19 9EG

Application to carry out tree work on a protected tree - Felling of Oak T26 of Tree Preservation Order No. 317 located in the front garden.

Ward:	West Ewell Ward;
Head of Service/Contact:	Ruth Ormella, Head of Planning

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:

2 Summary

- 2.1 This report is for the Committee to consider whether to agree tree works to a tree protected by a tree preservation order.
- 2.2 The reason why this item is being referred to the Planning Committee for a decision is that the applicant and tree owner is a Borough Councillor.
- 2.3 On 26/07/2018 an application was received from Advance Tree Services Ltd for the felling of an Oak tree in the front garden of 362 Chessington Road as it is deemed that the Oak was a poor quality specimen and in a state of decline.
- 2.4 The Council's Tree Officer has appraised the proposal in regard to the reason given for the proposal its impact on biodiversity and the amenity of the area.
- 2.5 Officers conclude that the Oak is no longer a tree of attractive amenity because of its crown dieback and unbalanced form. It is unlikely that the tree can be improved by tree surgery and therefore it is considered prudent to remove the tree and replant a new tree in this front garden location.

3 Site description

- 3.1 362 Chessington Road is a detached, property built in 1967 which fronts onto Chessington Road. Chessington Road is a B classified road (B284) and is a busy thorough-fare between Chessington and Ewell. In the 1990s the section that passes Horton Park Golf Club was duelled and a new roundabout built just south of the property at the junction with Hook Road. Historically, Chessington Road was a country lane with rural qualities as it passed through farmland with tree lined hedgerows. Many of the Oaks from the former hedges still survive today and can be found in the central reservation and in some of the front gardens. These feature trees give a direct link to a more rural past. The Oak which is the subject of this application is estimated to be about 100 years old. It predates the property but is not as old or large as some of the more notable Oak trees that stand adjacent to Chessington Road which are likely to be older than 150 years old.
- 3.2 Almost the entire frontage to 362 is laid to hardstanding therefore the Oak is the only notable tree feature in the garden. Adjoining front gardens are also extensively covered in hard standing. The closest larger protected Oak trees are located in the front gardens of No 376 and 352A Chessington Road. No. 364 has a number of mature trees but these are located in the rear garden. On the central reservation opposite the address there are two mature Oaks in close proximity.
- 3.3 The subject Oak stands very close to the front boundary of the property. It is 70cm from the front 900mm tall boundary wall, 11m from the garage and 16m from the front of the house. The Oak has attained a height of 12.5m. The crown radius at each of the cardinal points of the compass measures as follows: North 1m, East 5m, South 6.3m and West 3.9m. Stem diameter at 1.5m above ground level measures 850mm

4 Proposal

- 4.1 The proposal is to fell the Oak tree to near ground level. The reason given for the tree work are brief but state it is because of decay in the top of the crown and in the base of the main stem.
- 4.2 The Councils Tree Officer could not find any sign of active decay in the base of the stem but certainly agrees there is advanced decay and dysfunction of the leading stem.

5 Comments from third parties

- 5.1 This application did not require any neighbour notification.
- 5.2 The tree work proposal has been online under the weekly lists of applications received. No objection to the proposal has been received.

6 Relevant planning history

Application number	Decision date	Application detail	Decision
	20/07/1999	Felling of 2 Oak trees & 1 Leaf Maple.	Refused
	21/08/2001	Surgery to 2 Oak trees and 1 Leaf Maple	Refused
	09/06/2003	Surgery to Oak	Permitted

7 Planning Policy

Core Strategy 2007

CS1 and CS6

CS3

CS5

Sustainability in development

Enhancing biodiversity

Conserving and enhancing the built environment

8 Planning considerations

Amenity and Biodiversity Considerations

- 8.1 Having a prominent location right on the property boundary at the point where Chessington Road arcs on the approach to the roundabout, the Oak is definitely a noticeable tree feature of the street scene. The Oak is apparent as both an individual but also as part of the wider tree-scape composition of the area. It would be a tree of high public amenity if it had better aesthetic virtues.
- 8.2 In its current state of decline Officers feel that the tree cannot be regarded as a specimen of beauty. Unfortunately over the years the tree has lost almost the entire branch structure on the north east side of the tree. In addition the tree has lost most of the central leader and is left with a decaying stub of 3m where there was once a functioning crown.
- 8.3 Officers can only speculate as to the cause of the extensive dieback which has eroded at least a third of the crown over the last couple of decades. Dieback of this magnitude is normally linked with root decay but in this case no basal decay is observed. The extensive hard surfacing around the tree may have created an unconducive root environment but it is noted the drive was designed to incorporate more permeable block paving on both garden sides next to the tree. Driveway herbicide leaching into the root zone can also lead to this kind of dieback but again there is no evidence of this.

- 8.4 Whatever has caused the decline it was first observed by the Council Tree Officer over a decade ago and has continued.
- 8.5 Removal of the existing dead and decayed wood, which is required for safety, will leave the tree looking further disfigured and create additional pruning wounds. The crown is severely unbalanced with all the remaining live lateral branches concentrated on just the south side of the tree. In time (if this area of the crown survives) the imbalance will continue to intensify. Branches will etiolate towards the light and this may lead to the risk of branch fracture over the highway.
- 8.6 Such a cycle of dieback and canopy unbalance is unsustainable.
- 8.7 The Oak may help to support wildlife but in this position it can only be in a very modest way.

Community Infrastructure Levy

- 8.8 The proposed works to the tree will not result in the creation of new floorspace. The proposal is not liable for a charge under our Community Infrastructure Levy.

9 Conclusion

- 9.1 The Council's Tree Officer has appraised the condition of the tree and agrees the tree is in an overall poor condition. Although the base appears sound with no apparent signs of basal decay pathogens, the tree has clearly suffered acute dieback in the past and is now disfigured and unattractive.
- 9.2 Retention of the tree is no longer considered sustainable. The position of the protected Oak tree is a prominent one. Despite all the hard surfacing there is a landscape strip on the north east boundary therefore to provide continuity of landscape amenity it is recommended that a replacement tree is planted.
- 9.3 There has been subsidence damage in the area in the past as a consequence the palette of trees to select for planting is limited. Trees specified for replacement have a low capacity for soil drying and are more drought tolerant.

10 Recommendation

- 10.1 Officer consider that the justification for felling are valid and the decision recommendation is to approve the felling subject to planting a replacement tree.

Conditions:

- (1) All tree works shall be carried out to British Standard 3998 and as specified in the application details.**

Reason: To ensure that the tree receives the appropriate treatment and that the tree work is of a satisfactory standard to protect amenity in accordance with Policies CS1 and CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

- (2) A replacement tree shall be planted in the front garden within 2m from the Oak to be felled during the dormant period (November-March) before 31/03/2019. The tree shall be 1 metre in height and selected from one of the following species:

Acer campestre – Field Maple

Carpinus betulus – Hornbeam

Koelreuteria paniculata – Pride of India

Sophora japonica – Pagoda tree

If any tree(s) planted in accordance with this condition are removed, die or in the opinion of the local planning authority become seriously damaged or diseased, within a period of five years after planting, they shall be replaced in the next available planting season with a new tree(s) of the same size, species and number, unless otherwise agreed in writing by the local planning authority.

Reason: To maintain continuity of the tree resource for amenity in accordance with Policies CS1 and CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

Informatives:

- (1) The applicant should inform the Council's Tree Officer (Tel. 01372 732000) at least three working days in advance of the intention to commence the works which have been agreed.
- (2) Please ensure the tree work contractors that work on this tree/s are advised this is an area of Oak Processionary Moth (OPM) activity and therefore they should check the guidance on the Forestry Commission Website www.forestry.gov.uk/opm about the need to report suspected sightings and comply with the good practice guide for handling Oak material in areas affected by OPM.

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Epsom College Road Epsom Surrey KT17 4JQ

Demolition of existing buildings and erection of Sixth Form Centre

Ward:	College Ward
Contact:	John Robinson Planning Officer

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=PB4JIQGYKBI00>

2 Summary

- 2.1 This application seeks permission for the demolition of two separate buildings, including a garage block, and their replacement with a three storey building to accommodate a Sixth Form centre.
- 2.2 The proposed site is located within the Epsom College Major Developed Site in the Green Belt and the replacement building would meet the criteria set out in policy DM2, DM8, DM9 and DM10.
- 2.3 The application is not a departure from the Development Plan and therefore does not require submission to the Secretary of State for consideration under his call-in policy on planning applications.
- 2.4 **The application is therefore recommended for APPROVAL.**

3 Site description

- 3.1 The application site falls within the wider Epsom College campus of around 29ha in total, and includes the Grade II listed Chapel and main college buildings. Dotted around the site are a number of protected trees and other structures relating to the school, including sports pavilions and boarding houses. The extensive school grounds, feature sport facilities for rugby, cricket, football, tennis, netball and hockey.
- 3.2 The site is a designated 'Major Developed Site' within the Green Belt, and the north western boundary abuts the College Road Conservation Area.

- 3.3 The main part of the site, featuring the visitor and vehicular entrance to the site off College Road (north), is enclosed by the historic buildings on the north and eastern sides, with the listed chapel and a further historic building located along the western side. The roadway around this main part of the site is dedicated as a one-way route around, with the additional carriageway width easily accommodating parked vehicles on one side. This roadway provides the main circulation route around this part of the campus, both for vehicles and pupils on foot. Site levels generally fall from south to north.
- 3.4 The existing Sixth Form building, the Philosophy and Theology building and the garage block, which are the subject of this application, are located to the southern end of the campus surrounded by existing College buildings to the west and north and College owned residential properties to the east. To the northern side is an existing central space formed of steps and tiered grass banks.
- 3.5 The existing Sixth Form building is a part single and part two storey building with a pitched roof constructed of red brick and render. The central core of the building is single storey and the elevations are punctuated by large uPVC windows. The Philosophy and Theology building is a two storey building with a pitched roof and is constructed largely of red brick.
- 3.6 There are no TPO trees on the proposed Sixth Form site. However, there are two trees with TPOs including a large pine tree to the eastern side of the site in the back gardens of the College residential properties.

4 Proposal

- 4.1 The application site is currently occupied by two separate buildings, Theology and Philosophy and also Classics and the Sixth Form with garages to the rear. To the northern side is an existing central space formed of steps and tiered grass banks.
- 4.2 This application seeks permission for these buildings to be demolished to allow the construction of a new sixth form centre. The proposed replacement building would be largely on the footprint of the existing buildings that it would replace, (Theology and Philosophy, Classics).
- 4.3 The building would be laid over three floors with the ground floor being set out to provide a café for sixth formers to eat and also to study/ learn in a modern setting either individually or in small groups. Smaller and larger meeting rooms/ 'discussion pods' are also proposed, accessed off the central café area. Dedicated offices for the Heads of Year are also proposed as well as a careers and resources room.

- 4.4 On the first and second floors, a number of teaching rooms are proposed of varying sizes.(For example, larger classrooms and seminar rooms are proposed, as well as smaller meeting rooms ('discussion pods') in addition to practice interview rooms. On each floor, a toilet block and lift are proposed as well as areas for plant.
- 4.5 The building form would comprise three separate zones separated by stair cores that have been pulled/pushed from the main building facade so as to articulate the building. The building would be predominately red brick with areas of the façade incorporating sections of render/stone panels to articulate the façade, with a metal standing seam roof.
- 4.6 To the north west and south east sides of the building, the details of the roof would mirror each other and would incorporate a concealed gutter.
- 4.7 The new building will serve the existing pupils attending the School and would not result in an increase in the number of pupils being taught at the College.
- 4.8 The garages being demolished as part of the proposal are used for storage by both staff and pupils and not used for parking as they are too small for modern cars. Therefore there would be no loss of existing on-site parking.

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 (18.09.2018) no letters of objection have been received.

6 Consultations

- 6.1 Highways Officer: No objections. Condition to be imposed on any planning permission granted
- 6.2 Conservation Officer: While the proposal fails to contribute anything positive to the significance of the designated heritage assets, any harm resulting from the presence of the bulky new building is far from the level which justifies refusal in terms of paragraph 195 of the updated NPPF. The proposal is therefore condoned in terms of Policy DM8.
- 6.3 Policy Officer: No objection
- 6.4 Archaeology Officer: The proposed development is not in an Area of High Archaeological Potential and falls below the 0.4ha threshold above which archaeological assessment is required under Local Plan policy. As such, I have no archaeological concerns.

6.5 SurreyCC (SuDS): No objections. Should planning permission be granted, that suitably worded conditions are applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.

6.6 Tree Officer: No objections

7 Relevant planning history

7.1 There is a long and detailed planning history to the College site, its sporting facilities and listed buildings. None are directly relevant to the current application apart from:

Application number	Decision date	Application detail	Decision
17/00248/PREAPP	25.10.2017	Demolition of two existing buildings and erection of new sixth Form Centre with new landscaping treatment	

8 Planning Policy

National Policy Planning Framework (NPPF) 2018

Chapter 13 Para 143-145

Protecting Green Belt Land

Chapter 8 Para 94

Promoting healthy and safe communities

Core Strategy 2007

Policy CS1 - General policy

Policy CS2 – Green Belt

Policy CS5 - The built environment

Policy CS6 - Sustainability in new developments

Policy CS13 – Community, Cultural and Built Sports Facilities

Development Management Policies Document 2015

Policy DM2 - Infilling within the boundaries of Major Developed Sites

Policy DM4 - Biodiversity and new development

Policy DM5 - Trees and landscape

Policy DM8 – Heritage assets

Policy DM9 - Townscape character and local distinctiveness

Policy DM10 - Design for new developments

D_Policy M36 - Sustainable transport - new development

Policy DM37 - Parking standards

Supplementary Planning Document 2015

Parking Standards

9 Planning considerations

The need for the redevelopment

- 9.1 Policy CS13 confirms that “new community, cultural and built sports facilities, and the upgrading of those existing, will be encouraged, particularly where they address a deficiency in current provision, and where they meet the identified needs”

Paragraph 94 of the NPPF 2018 confirms that “it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education, and they should give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications”

- 9.2 The applicants have submitted convincing evidence in support of the need to redevelopment the current facilities.
- 9.3 In summary, the existing buildings are not 'fit for purpose' in terms of their layout or size to meet the needs and demands of the School and its pupils and therefore, a modern building for Sixth formers is required. It has been identified by the School as an aspiration and is needed to ensure the School can compete in the current market and, more importantly, offer its Sixth form pupils a modern teaching and learning environment
- 9.4 Officers are satisfied that the redevelopment is necessary and therefore the proposal would comply with Policy CS13.

Green Belt Policy

- 9.5 The proposed site is located within the Epsom College Major Developed Site (MDS) in the Green Belt. Policy DM2 sets out three criteria for confirming whether proposals can be supported within a MDS. These are summarised below, and followed by the applicants assessment of the proposal against them ;
 - i) *Have a greater impact on the purposes of including land in the Green Belt than the existing development*
- 9.6 The replacement building is located within the tightly defined boundary of Epsom College which is defined as a Major Developed Site (MDS) in the Green Belt. Therefore, it will have no impact on the growth or sprawl of the nearest built up area, namely Epsom.
- 9.7 Its location within the MDS within the existing built up part of the College, between existing buildings on previously developed land, will have no impact on this purpose and has no real relevance to any towns merging.
- 9.8 The location between the existing buildings such as Mackinder, Raven and the Mathematics blocks, all located within the existing built up part of the College, confirm that there is no encroachment into the countryside.
- 9.9 The proposal will have no impact on the historic parts of Epsom town centre.
- 9.10 There is no derelict land available to be recycled nearby either within or adjacent to the College campus.
 - ii) *Exceed the height of the existing buildings;*

- 9.11 The height of the proposed replacement building would be approximately 16m, compared to the existing building which is 10m. However, the wording of policy DM2 refers to the height of “existing buildings” (note that the plural is emphasised) which suggests that it is not just a comparison of the height of the proposed building against the existing building that needs to be assessed but all existing buildings within that MDS. Therefore, in terms of assessing proposals on the same basis, the assessment of the proposed height of the Sixth Form building should be on the basis of all buildings within the College.
- 9.12 The Height Assessment detailed within the submitted Design & Access Statement, clearly shows the predomination of buildings more than 3 storeys in height to the north and west of the application site.
- 9.13 A massing diagram in the submitted D&A Statement compares the height of the buildings surrounding the application site. The dominance of 3+ storey buildings is evident as is the style of buildings (namely buildings with a large footprint and pitched roof) and use of red brick. The location of the proposed building within the existing cluster of buildings is clear and the Massing diagram shows that the height of the proposed building does not appear higher than the neighbouring buildings, notably the nearby 3 storey MacKinder building
- iii) *Lead to a major increase in the developed proportion of the site.*
- 9.14 The existing buildings to be replaced are all located within the main built up area of the College. The location of this previously developed site in the MDS will not change the developed proportion of the site.
- 9.15 In view of the above, officers concur with the applicant’s submissions that the scheme would meet the criteria contained within policy DM2.

Very Special Circumstances

- 9.16 Officers consider that if the site did not fall within an MDS, the test would rely on whether the proposal would fall under one of the exceptions set out in Paragraph 145 of the NPPF and would therefore not be considered inappropriate development. The most relevant exception is bullet point (c) which refers to “*the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces*”.
- 9.17 The footprint of the building is 19.5% larger and, on this basis, could be considered appropriate. However, the volume and area are increasing by more than this 30%, due to the increase in the overall floor area and height of the new building.
- 9.18 Paragraph 144 confirms that inappropriate development should not be approved except in ‘very special circumstances’, which are considered below:

- The proposed location is on the footprint of the existing building it replaces and is therefore located on previously developed land.
 - There are no alternative locations for the replacement building that would not be more visible or would have a lesser impact on the openness of the Green Belt.
 - In respect of the visual impact of the proposed building, the CGI's submitted with the application confirm that the replacement building would not be visible in views from other parts of the school or from the public highway (notably on Longdown Lane South). The CGI's confirm the existing and 'proposed' views and the site's location surrounded by existing buildings would help to reduce any views of it.
 - The condition of the existing building, as described in the submitted Heritage Assessment confirms that it has passed its 'useful life' and needs redeveloping.
- 9.19 In conclusion, on Green Belt Policy, it is therefore considered that the submitted evidence to justify building within the Green Belt, in the form 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

- 9.20 Epsom College is a Grade II listed building of the mid-19th century, originally comprising a College and associated Almshouses, together with an adjacent Chapel, which is individually listed. The College buildings have been much altered and extended, and many new buildings of little interest have been constructed within the curtilage.
- 9.21 Paragraph 200 of the NPPF (2018) states that new development within the settings of listed buildings should 'enhance or better reveal' the significance of the designated heritage assets and the proposed new structure clearly does neither. However, it is located a considerable distance to the south of the listed buildings and other modern development intervenes.
- 9.22 Although of larger scale than the buildings it would replace, the new building would sit comfortably amidst other (taller) modern buildings on the site and it does not intrude into any important views to or from the designated heritage assets.

- 9.23 The new building would not be visible in the streetscene. It would be built in the same space currently occupied by the “Theology & Philosophy” and “Classics & the Sixth Form” buildings. The location and design of the new building has been informed by the character and constraints of the existing College campus building stock, which is predominately red brick of Victorian Gothic with later additions, as well the existing topography which slopes in two different directions.
- 9.24 The building form would comprise three separate zones separated by stair cores that have been pulled/pushed from the main building facade so as to articulate the building. The three storey building would be predominately red brick with areas of the façade incorporating sections of render/stone panels to articulate the façade, with a metal standing seam roof.
- 9.25 Given the location of the building within the site, the design, scale, massing and appearance are acceptable. When combined with the new landscaped forecourt, there would be a significant improvement, both in visual and “useability” of the immediate area.
- 9.26 The proposed scheme would therefore comply with Policy DM8, DM9 and DM10.

Residential Amenity

- 9.27 Policy DM10 requires development to consider issues relating to privacy, overlooking, daylight/ sunlight, the impact on outlook, noise and disturbance.
- 9.28 In respect of issues relating to daylight/ sunlight, a series of sun path diagrams have been submitted with the application that confirm the shadowing patterns and paths of the proposed development. During the spring and autumn equinox and winter, when shadowing is greatest, these would all be contained within the College grounds and there would be no impact on neighbouring dwellings.
- 9.29 The nearest (College) residential properties are located some 30m to the west and around 50m to the south east. Given that there would be no readily apparent views of the building from the public realm, coupled with the acceptable separation gap and intervening buildings, there would be no impact or harm to the overlooking, outlook and privacy of neighbouring residential occupiers, especially on Longdown Lane South.
- 9.30 The proposed building will replace the existing sixth form and is not intended to accommodate any additional pupils. As there would be no change to the use within the college, there would be no change to impact by virtue of noise.
- 9.31 The scheme would therefore comply with Policy DM10.

Parking/Access

- 9.32 The proposal would not result in any change to the number of pupils attending the Sixth Form or College, and there would be no change to the existing, lawful movements to and from the school. The nearest access to the site is off Longdown Lane South which provides vehicular access to the southern part of the College campus. The nearest car park to the proposed building is to the south, adjacent to the Mathematics block and the tennis courts. There would be no change to the access to this existing car park.
- 9.33 The applicants submit that the garages being demolished as part of the proposal are used for storage by both staff and pupils and not used for parking as they are too small for modern cars. Therefore there would be no loss of existing on-site parking. There are existing cycle parking dotted around the (overall college) site.
- 9.34 The scheme would therefore comply with Policy DM37

Trees and Landscape

- 9.35 The submitted Arboriculture and Planning Integration Report concludes that the existing trees to be lost are category C trees and all trees retained can be protected during the development. Compensatory planting for the trees to be removed will be secured by a suitably worded planning condition.
- 9.36 The new building would be orientated in the same axis as the existing "Theology and Philosophy" and "Classics" buildings. The submitted Landscape Statement indicates that to the north west, the tiered grassed borders are proposed to be removed and replaced by a simpler "sculpted" landscape form that would respond better to the existing levels. The northern side of the site has been designed to create a "quieter more contemplative" environment respectful of the existing College accommodation that surrounds it. To the south a new hard landscaped terrace is proposed that would provide the cafe with direct external access.

Sustainable construction and energy

- 9.37 The application is supported by an Energy Strategy and Sustainability Statement.
- 9.38 The Statement proposes a number of low energy initiatives that will be used in the scheme , amongst which are:
- Building fabric will exceed minimum requirements to reduce unwanted heat loss, solar control implemented to minimise mechanical cooling and overheating. This will include reduced uncontrolled infiltration.

- Openable windows are being assumed in classrooms areas which will allow natural conditioning outside the heating and cooling seasons.
- All primary plant will be high efficiency type.
- The use of low energy LED lighting and enhanced controls.
- Heat recovery to primary ventilation systems.
- Individual classrooms which would typically have natural ventilation will have high efficiency mechanical heat recovery. Classrooms have high fresh air requirements to control CO₂ levels and this air would normally be heated via radiators under the window – and warm air wasted through open windows at high level.
- Air Source heating and cooling with heat recovery.

9.39 A condition securing these initiatives will be imposed should permission be granted.

Ecology and Biodiversity

9.40 A Bat emergence Survey has been prepared by the applicant's consultant to assess the presence or otherwise of bats within the existing building. No roosts were confirmed and therefore no further work or assessments were required.

9.41 The survey concluded that the developed site could be enhanced for the bat species observed to be foraging and commuting across the site during the surveys by the installation of a minimum of five bat boxes on mature trees around the site boundaries/retained buildings. The boxes could be secured by an appropriate condition.

Community Infrastructure Levy

9.42 The scheme would not be CIL liable

10 Conclusion

10.1 The proposal would provide a new Sixth Form building to replace existing buildings which are not 'fit for purpose' in terms of their layout or size to meet the needs and demands of the School and its pupils. It is considered that the scheme would significantly improve the educational facilities available in the Borough in accordance with para 94 of the NPPF.

10.2 The proposed site is located within the Epsom College Major Developed Site in the Green Belt and the replacement building would meet the criteria set out in Policy DM2. The design scale and massing of the building is acceptable and would comply with Policy DM10

10.3 The scheme is therefore recommended for APPROVAL

11 Recommendation

11.1 Planning permission is **GRANTED** subject to the following

Conditions:

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

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

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

Proposed Site Plan (drg ref: 00-DR-A-0900);

Proposed Ground Floor (drg ref: 00-DR-A-1021);

Proposed First & Second Floor (drg ref: 00-DR-A-1022);

Proposed Upper Roof Plan (drg ref: 00-DR-A-1004);

Proposed Site Elevation (drg ref: 00-DR-A-1209);

Proposed Section AA (drg ref: 00-DR-A-1300);

Proposed Section BB (drg ref: 00-DR-A-1301);

Proposed Section CC (drg ref: 00-DR-A-1302);

Proposed Section DD (drg ref: 00-DR-A-1303);

Proposed Elevations NW & SE (drg ref: 00-DR-A-1212 S2 P5)

Proposed Elevations NE & SW (drg ref: 00-DR-A-1213 S2 P5);

Landscape Plan (drg ref: 00-DR-L-1901);

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 and the planting of three trees in front of the building, 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) A report is to be submitted to the Local Planning Authority, within 6 months of the commencement of any use of any part of the building, to demonstrate that the low energy technologies (as detailed in the submitted Sustainability Statement) hereby approved have been fully implemented and are functioning.

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

- (6) The applicant shall within a period of six months following the felling of the trees, the subject of this application, plant the same number of replacement trees of a species and maturity and in positions approved by the Local Planning Authority. In the event that any of these trees should die following planting, they shall be replaced with similar trees in similar positions within six months of the death of each specimen.

Reason: In the interest of amenity, and in accordance with policy and Policies DM5 and DM9 of the Development Management Policies 2015.

- (7) No demolition, site clearance or building operations shall commence on site until the protective fencing and other protection measures as shown on Drawing Number Tree Protection Plan Sept 2017 in the Arboricultural Method Statement produced by GHA trees Ref: GHA/DS/13360:17 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.

- (8) Prior to the first occupation of the new building, a minimum of five “Schwegler” bat boxes shall be installed on mature trees around the site boundaries/retained buildings, in accordance with details submitted to and approved by the local planning authority. The boxes shall be retained thereafter.**
- (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)**
 - (f) HGV deliveries and hours of operation (to minimise conflict and impact on pupils)**
 - (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 construction vehicle movements to or from the site shall take place at peak pupil arrival and departure times considered between the hours of 8.00 and 9.00 am and 3.00 and 4.00 pm nor shall the contractor permit any construction vehicles associated with the development at the site to be laid up, waiting, in Longdown Lane South and College Road during these times**
 - (k) on-site turning for construction vehicles**
- has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.**

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

- (10) The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for:

(a) The secure and covered storage for parking of bicycles within the development site,

(b) Facilities within the development site for cyclist to change into and out of cyclist equipment,

(c) Facilities within the development site for cyclists to store cyclist equipment,

and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To promote sustainable transport in accordance with Policy CS16 of the Core Strategy 2007

- (11) The applicant shall be required to retain novation of the architects (Corde) , as a minimum as executive architects for the approved scheme.

Reason: To maintain architectural quality in accordance with Policy DM10 of the Development Management Policies 2015.

Informatives:

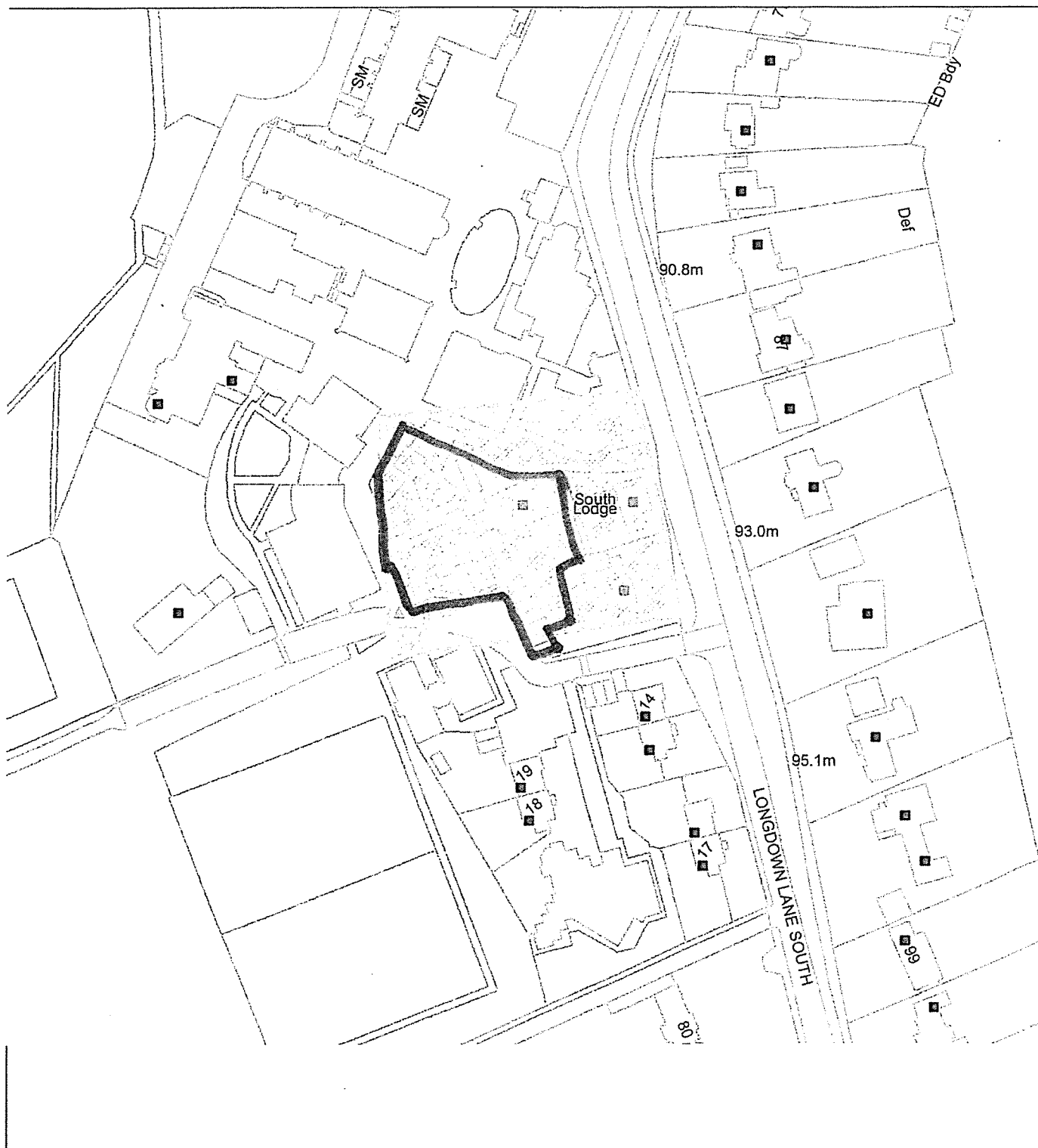
- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 38 of the National Planning Policy Framework 2018.
- (2) The water efficiency standard required under condition 5 has been adopted by the local planning authority through the Development Management Policies 2015. This standard is the 'optional requirement' detailed in Building Regulations 2010, Part G Approved Document (AD) Buildings Regulations (2015), at Appendix A paragraph A1.

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

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

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

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



Scale : 1:1330

Date	24 September 2018
Comments	
SLA Number	18/00466/FUL

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Report on Recent Planning Appeal Decisions

Head of Service/contact

Ruth Ormella Head of Planning

Annexes/Appendices (attached):

Annex 1 – Summary of four appeals

REPORT SUMMARY

This report provides Members with an update on recently decided appeals and identifies any notable decisions.

Attached are summaries of four recent appeals:

- 41 Kendor Avenue, Epsom KT19 8RG
- 7 Persfield Close, Ewell KT17 1PQ
- 17 Eastdean Avenue, Epsom, KT18 7SW
- 167 London Road, Ewell, KT17 2BT

RECOMMENDATION

That the attached appeal summaries are noted.

Notes

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Monthly Report on Planning Appeal Decisions

Report by: Martin Holley, Planning Development Manager/Ruth Ormella, Head of Planning

The planning department has received the following 4 appeal decisions from the 21st August to the 24th September:

Site Address	Planning Reference Numbers	Description of Development	Decision + Costs?
41 Kendor Avenue, Epsom, Surrey KT19 8RG and 19 Upper Court Road, Epsom, Surrey KT19 8RE	17/00469/FUL APP/P3610/W/18/3197951	Demolition of the existing garage and the erection of a detached bungalow and associated parking.	Allowed 22 nd August No costs to either side.
7 Persfield Close, Ewell, Surrey, KT17 1PQ	14/00152/DEV APP/P3610/C/16/3163706	The rear Dormer has been built without planning permission. The rear dormer is not permitted development under the terms of the Town and Country Planning (General Permitted Development (England) Order (2015), as amended, Schedule 2, Part 1, Class B, in that:- 1) The eaves of the original roof have not been maintained or reinstated; and 2) The edge of the enlargement closest to the eaves of the original roof is less than 0.2 metres from the eaves, measured along	Allowed 23 rd August No costs to either side.

		the roof slope from the outside edge of the eaves. 3) The resulting roof-space created by the prior implementation of planning permission 14/01678/FLH is in excess of 50 cubic metres and therefore the rear dormer extension is not permitted development.	
7 Eastdean Avenue, Epsom KT18 7SW	17/00477/CLE APP/P3610/X/17/3185441	Ground floor rear extension	Dismissed 3 rd September No costs to either side.
167 London Road, Ewell, Surrey KT17 2BT	17/00904/TPO APP/TPO/P3610/6560	Felling of Ash tree T1 of TPO 316 located in the rear garden.	Allowed 7 th September No costs to either side.

Summary of Appeal Decisions:

41 Kendor Avenue and 19 Upper Court Road:

The inspector has disagreed with the council that the additional dwelling would be overdevelopment of the site. The inspector has stated that although neither the donor nor proposed property have 10 metre deep gardens, they both have garden areas in excess of the minimum standards and are therefore acceptable.

7 Persfield Close

The inspector has disagreed with the council that the eaves of the roof should have been reinstated and the dormer set back 20cm from the face of the dormer as the permitted development rights in place at the time allowed this and new regulations cannot be retrospectively applied. In addition, the inspector determined that the dormer was started prior to the other roof works and therefore would've been permitted development at the time of construction.

7 Eastdean Avenue:

The inspector supported the council in refusing the application on the grounds that the height of the eaves are more than the 3 metres in height allowed under permitted development.

167 London Road:

The inspector has disagreed with the council stating that as the tree is located in a back garden and barely visible from a public vantage point it could be felled.

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