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Legal and Democratic Services



PLANNING COMMITTEE

Thursday 22 March 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
Councillor John Beckett
Councillor Lucie Dallen
Councillor Neil Dallen
Councillor Jan Mason

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

Yours sincerely

A handwritten signature in black ink, appearing to read 'J.C. Beldan'.

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 - 16)

The Committee is asked to confirm as a true record the Minutes of the Meeting of the Planning Committee held on the 22 February 2018 (attached) and authorise the Chairman to sign them.

3. PLANNING APPLICATION 17/01378/FUL - HORTON CHAPEL, HAVEN WAY, EPSOM KT19 7HA (Pages 17 - 32)

Refurbishment and conversion of existing Chapel (Use Class D1) to an Arts and Performance Centre (Use Class D1 and D2) , including performance zone, creative learning , exhibition and cafe zone, new entrance glazed canopy, new 57 space car park parking access road; associated external works including soft and hard landscaping.

4. PLANNING APPLICATION 17/01379/LBA - HORTON CHAPEL, HAVEN WAY, EPSOM KT19 7HA (Pages 33 - 42)

Refurbishment and conversion of existing Grade 2 Listed Chapel to an Arts and Performance Centre, including new entrance canopy, external repairs to the building fabric, internal alterations to building.

5. PLANNING APPLICATION 17/01426/FUL - THE ROYAL AUTOMOBILE CLUB (RAC), WOODCOTE PARK, WILMERHATCH LANE, EPSOM KT18 7EW (Pages 43 - 62)

Extension to existing sports club, reconfiguration to existing tennis courts, demolition of existing plant room and associated landscaping, engineering works and operations.

6. SITE VISITS (Pages 63 - 64)

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

7. REPORT ON RECENT PLANNING APPEAL DECISIONS (Pages 65 - 72)

This report follows on from recommendations in the Planning Improvement Action Plan 2017 to provide members with an update on recently decided appeals and identifies any decisions of note.

Minutes of the Meeting of the PLANNING COMMITTEE held on 22 February 2018

PRESENT -

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

Absent: Councillor Tina Mountain

Officers present: Damian Roberts (Chief Operating Officer), Danny Surowiak (Principal Solicitor), Adele Castle (Planning Development Manager), John Robinson (Planning Officer) and Sandra Dessent (Democratic Services Officer)

56 DECLARATIONS OF INTEREST

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

57 MINUTES OF THE PREVIOUS MEETING

The Minutes of the Meeting of the Planning Committee held on 28 January 2018 were agreed as a true record and signed by the Chairman.

58 PLANNING APPLICATION 17/01275/FUL - CHALK LANE HOTEL, CHALK LANE, EPSOM KT18 7BB

Description

Conversion of hotel and various alternations and extensions to the listed buildings to accommodate 21 dwelling units, car and cycle parking and private and communal gardens. (Amended drawings received 18.01.2018)

Decision

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

Part A

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

- a) A commuted sum of £143,940 in lieu of off-site affordable housing contributions.

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

Conditions:

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

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

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

Reason: To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM8, DM9 and DM10 of the Development Management Policies 2015.

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

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

- (4) No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for a maximum of 29 cars and a minimum of 27 bicycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking area shall be used and retained exclusively for its designated use.

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

- (5) The proposed development shall not be occupied until the layby on Chalk Lane north of the access has been removed and replaced with a footway in accordance with a scheme to be submitted to and approved in writing with the Local Planning Authority, all to be permanently retained.

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

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

- a) parking for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) storage of plant and materials
- d) programme of works (including measures for traffic management)
- e) provision of boundary hoarding behind any visibility zones
- f) HGV deliveries and hours of operation
- g) vehicle routing
- h) measures to prevent the deposit of materials on the highway
- i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- j) no HGV movements to or from the site shall take place between the hours of 8.00 and 9.15 am and 3.15 and 4.00 pm (adjust as necessary according to individual school start and finish times) nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Chalk Lane, Woodcote End or any other adjacent roads during these times has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

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

- (7) Prior to the occupation of the development, a Travel Statement shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, and Surrey County Council's "Travel Plans Good Practice Guide", to provide details of leisure, retail, employment, education and medical land uses within 2km walking distance and 5km cycling distance of the site and bus

and train facilities within 400 metres and 800 metres of the site, to each of the 21 dwellings.

And then the approved Travel Statement shall be implemented upon first occupation of the site and for each and every subsequent occupation of the development.

Reason: In recognition of Section 4 “Promoting Sustainable Transport” in the National Planning Policy Framework 2012.

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

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

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

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

- (10) Prior to the commencement of works, details of the location and appearance of service meters shall be submitted to and agreed in writing by the local planning authority. The works shall be carried out in accordance with the approved details.

Reason: To control and safeguard the character and appearance of the historic buildings and new build elements in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM8 and DM9 of the Development Management Policies 2015.

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

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

- (12) The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. Those details shall include:
- a) A design that satisfies the SuDS Hierarchy
 - b) A design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS
 - c) Details of how the Sustainable Drainage System will cater for system failure or exceedance events, both on and offsite,
 - d) Details of how the Sustainable Drainage System will be protected and maintained during the construction of the development,
 - e) Finalised drawings ready for construction to include: a finalised drainage layout detailing the location of SUDs elements, pipe diameters and their respective levels and long and cross sections of each SuDS Element
 - f) A management and maintenance plan that details maintenance regimes and responsibilities

Reason: To ensure that the principles of sustainable drainage are incorporated into the development and to reduce the impact of flooding in accordance with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

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

Reason: To ensure the Sustainable Drainage System is designed to the technical standards and to ensure that the principles of sustainable drainage are incorporated into the development and to reduce the impact of flooding in accordance with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

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

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

1530-20a	Site Plan As Proposed
1530-21c	GF As Proposed
1530-22a	FF As Proposed
1530-23a	SF As Proposed
1530-24a	Roof As Proposed
1530-25b	Context Elevn To Woodcote End
1530-26a	Context Elev To Chalk Lane
1530-27a	Context Elev To Carpark
1530-28a	Context Elev To Garden
1530-29	Sectional Elev Old Buildings
1530-30b	End Elevations Heathcote House
1530-31	Section BB Thru Old Bldgs
1530-32a	Section AA Thru Woodcote Cottage
1530-34	Elevation Locations
1530-35b	Elevation 1
1530-36a	Elevation 2
1530-37	Elevation 3
1530-38	Elevation 4
1530-39a	Elevation 5
1530-40a	Elevation 6
1530-41a	Elevation 7
1530-42a	Elevation 8
1530-43a	Elevation 9
1530-44b	Elevation 10
1530-45a	Elevation 11

1530-46	Elevation 12
1530-47	Elevation 13
1530-48a	Elevation 14
1530-49b	Elevation 15
1530-50	Demolitions Overview
1530-51	Woodcote Co GF Alterations
1530-52	Woodcote Co FF Alterations
1530-53	Woodcote Co SF Alterations
1530-54	Heathcote Ho GF Alterations
1530-55	Heathcote Ho FF Alterations
1530-56	Overview GF Alterations
1530-57	Overview FF Alterations
1530-61a	Bikestore Details
1530-62a	Wildlife Box Details
1530-63	Carpark Details

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

- (15)** No development to Heathcote House shall take place until details of the investigatory groundworks in respect of the Western Red Cedar have been submitted to and approved by the local planning authority. The works shall be carried out in strict accordance with the recommendations of this report as agreed by the local planning authority.

Reason: To protect the tree on site 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.

- (16)** No demolition, site clearance or building operations shall commence on site until the protective fencing and other protection measures as shown on Drawing Number TPP1_CLH Rev A in the Arboricultural Method Statement by ACS (Trees) Consulting dated 14 November 2017 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.

- (17) No development shall take place until details of secure bicycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the local planning authority. These facilities shall be fully implemented and made available for user prior to the occupation of the development hereby permitted and shall thereafter be retained for such use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM36 of the Development Management Policies 2015.

Informatives:

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

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

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

square metre, and are charged on the net additional floorspace generated by a development.

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

More information and the charging schedule are available online

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

- (4) You are advised that no construction work should be carried out in such a manner as to be audible at the site boundary before 07.30 hours on Monday to Friday or after 18.30 hours on Monday to Friday; no construction work should be audible at the site boundary before 08.00 and after 13.00 hours on Saturdays and no construction work of any nature shall be carried out on Sundays or Bank Holidays or Public Holidays.
- (5) The applicant is advised that the provision of allocated parking spaces for occupants of the flat units would be encouraged and supported.

Part B

In the event that the section 106 Agreement referred to in Part A is not completed by 6 April 2018 the Head of Place Development be authorised to refuse the application for the following reason:

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

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

- 59 PLANNING APPLICATION 17/01276/LBA - CHALK LANE HOTEL, CHALK LANE, EPSOM KT18 7BB

Description

Conversion of hotel and various alterations and extensions to the listed buildings to accommodate 21 dwelling units, car and cycle parking and private and communal gardens (Amended drawings received 18.01.2018).

Decision

Listed Building consent is **GRANTED**, subject to the following conditions:

Conditions:

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

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

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

Reason: To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM8, DM9 and DM10 of the Development Management Policies 2015.

- (3) Prior to the commencement of development, details for the careful removal of those partitions and divisions and linking elements using hand tools only, including making good, shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.

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

- (4) All new roofs to the flat roofed dormers shall be covered with lead, of the appropriate code and laid in accordance with the most recent specifications of the Lead Sheet Association.

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

- (5) All new and replacement flashings shall be lead, of the appropriate code and laid in accordance with the most recent specifications of the Lead Sheet Association.

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

- (6) Prior to the commencement of internal works, details of the interfaces between old and new partitions and walls, including

horizontal and vertical sections at a minimum scale of 1:10 shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

- (7) No work shall take place until detailed drawings and/or samples of all new internal and external joinery details including windows (frames, depth of reveal common sight line with no trickle vents, through glazing bars, method of opening, details of heads, cills and lintels), doors frames (architraves, linings, mouldings and beading), weatherboarding (type, lap, fastening and finishing edges); eaves verge boards, external posts and brackets staircases and balconies (including balusters, newel posts and handrails); beading and skirting boards have been submitted to and approved in writing by the local planning authority. The submitted details of sample elevations shall be at a scale of not less than 1:20, and horizontal/vertical frame sections (including sections through glazing bars) at a scale of not less than 1:2. The works shall be carried out in accordance with the approved details.

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

- (8) All new plumbing and drainage shall be run internally except for the vents, the details of which shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

- (9) No development shall take place until details of all new or replacement external chimneys, flues, extract ducts, vents, grilles and meter housings have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details. All new external flues, pipework and grilles shall be cast metal and finished in black.

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

- (10) Details of all new hoppers and downpipes (which shall be cast iron or cast aluminium and painted black) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

- (11) Prior to the commencement of works to the existing and new roofs, details including sections and fixings of all new cast iron or cast aluminium rainwater goods shall be submitted to and approved in writing by the local planning authority. Where cast iron currently exists, it shall be retained and reused. The development shall be carried out in accordance with the approved details.

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

- (12) No works shall take place until a full schedule and specification of repairs and works including specifications and method statements has been submitted to and approved in writing by the local planning authority, to include:

- Lath and plaster walls
- floors
- lath and plaster ceilings
- rewiring using existing wiring runs. Where new wiring runs are proposed, details of routes and surface mounted trunking shall be provided
- provision of service runs for heating systems including service pipes and radiators

The works shall thereafter be carried out in accordance with the approved details.

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

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

1530-20a, 1530-21a, 1530-22a, 1530-23a, 1530-24a, 1530-25a, 1530-26a, 1530-27a, 1530-28a, 1530-29, 1530-30a, 1530-31, 1530-32a, 1530-34, 1530-35a, 1530-36a, 1530-37, 1530-38, 1530-39a, 1530-40a, 1530-41a, 1530-42, 1530-43, 1530-44a, 1530-45a, 1530-46, 1530-47, 1530-48a, 1530-49a, 1530-50, 1530-51, 1530-52, 1530-53, 1530-54, 1530-55, 1530-56, 1530-57, 1530-61a, 1530-62a, 1530-63

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 186-187 of the National Planning Policy Framework 2012**

60 REPORT ON RECENT PLANNING APPEAL DECISIONS

The Committee received summaries for three recent appeals, as follows:

- ALDI Former Dairy Crest Site – 15/01346/FUL
- 78 Gayfere Road – 17/00381/FLH
- 24 Redwood Drive – 17/00115/MMA

It was noted that all three appeals were dismissed.

61 SITE VISITS

It was agreed that site visits should be held at the appropriate time in connection with the following applications.

- 346 Chessington Road, West Ewell, KT19 9EG – 17/01274/FUL
- Langley Vale Memorial Woodland Site, Headley Road, Langley Vale, Epsom – 17/01450/FUL
- Former Police Station, Church Street, Epsom, KT17 4PS – 17/01586/FUL

The meeting began at 7.30 pm and ended at 8.40 pm

COUNCILLOR HUMPHREY REYNOLDS (CHAIRMAN)

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Horton Chapel Haven Way Epsom Surrey KT19 7HA

Refurbishment and conversion of existing Chapel (Use Class D1) to an Arts and Performance Centre (Use Class D1 and D2) , including performance zone, creative learning , exhibition and cafe zone, new entrance glazed canopy, new 57 space car park parking access road; associated external works including soft and hard landscaping.

Ward:	Court
Contact Officer:	John Mumford

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=P0XY9AGYINJ00>

2 Summary

- 2.1 This application proposes the restoration and conversion of the chapel including various alterations to facilitate the new use as an arts and performance centre. The application only relates to the listed building aspects of the proposed development. Amendments have been made to the proposed building works that make the proposals acceptable in all respects.

- 2.2 **The application is therefore recommended for APPROVAL.** The proposal would facilitate an excellent re-use of this building in a manner that is entirely appropriate to the listed status of the building and compatible with its fabric. They would also secure its removal from the Historic England list of buildings at risk and hopefully provide for its future successful restoration and up-keep.

3 Site description

- 3.1 Horton Chapel is a Grade II listed building and a substantial, brick-built, very early twentieth-century building that used to service the Epsom hospital cluster. It has significant historic and architectural merit but has been redundant since the substantial closure of the Psychiatric hospitals in the late 1990s/early 2000s. It originally had a long colonnaded nave but this was subdivided in 1961 to form two smaller spaces, with the chapel use preserved at the altar end. The West end became known as the Harewood Hall. The internal features include a pipe organ, pulpit and a rood screen bearing two war memorial plaques and there are impressive Doric columns and barrel-vaulted roof.

- 3.2 The setting of the chapel is a green space with some tree cover. The area around the chapel is undeveloped and enclosed by a 1.8-metre-high chain-link fence.
- 3.3 The site falls within the Horton Conservation Area.

4 Proposal

- 4.1 The proposed community use would comprise a number of elements. The existing partition separating the former Harewood Hall from the Chapel would be replaced with another in the same position. This would incorporate provision for storage, individual WCs and a wet cupboard. The former Harewood Hall itself would continue to be used as an auditorium with space for 120 seats and a stage area and the aisles would be used variously for further storage, access and toilet facilities.
- 4.2 A mezzanine level is proposed to be created above the north aisle with full-height glazing overlooking the auditorium below. This would be used for teaching purposes.
- 4.3 The main Chapel area is proposed to be set out for use as a teaching and exhibition space together with a café and associated kitchen and servery replacing the vestry at the East end of the North aisle. The café seating would be in the chancel area, behind the rood screen, and the exhibition/teaching space would occupy the existing main congregation area. The pews are proposed to be removed and the pulpit and lectern relocated.
- 4.4 Within this main area of the chapel there would be teaching modules that are designed to compartmentalise the space without there being any permanent physical structures. These mobile U-shaped modules would incorporate acoustic attenuation and create wrap-around temporary teaching space enclosures including built-in screens and projectors.
- 4.5 New drain runs to the north and south of the building will connect with an existing sewer that runs to the West of the building. Electric heating will be provided by sixteen free-standing fan-coil units around the perimeter of the principal spaces. Full-height secondary glazing is proposed to the main windows and four new conservation rooflights are proposed to improve natural light above the existing nave area.
- 4.6 The main entrance area would be adapted to improve accessibility and a new light-weight canopy would be erected on the exterior. An office with ticket window is proposed on the right-hand side under the organ loft.
- 4.7 All other existing exterior doors would be fitted with ramps and will serve mainly as fire escapes. The former vestry door will provide staff access from the kitchen/servery to the bin store and an external seating area. This area, beyond the Eastern end of the Chapel, would potentially provide open-air space for the café.
- 4.8 A new bin store and shelter for twenty bicycles would be provided at each end of the building respectively.

- 4.9 Externally, the 57 parking spaces are proposed to be laid out in two blocks; one to the rear of the chapel and the other on the Western end of the site, with a new access road feeding directly off Haven Way. An entrance pathway is to be created directly from Haven Way to the front door. The perimeter of the site is proposed to be enclosed on the frontage by 1.2-metre-high railings with new brick piers at the vehicular entrance and a separate pedestrian gate. The existing perimeter fence will remain on the north side.
- 4.10 The applicants say that their vision is to renovate and convert Horton Chapel into a new community arts centre that will provide a suitable space for local people of all ages and backgrounds to enjoy a programme that enriches, educates, entertains and inspires.
- 4.11 Their stated aims are:
- To provide a year-round focus for the vibrant artistic talent, culture and creativity in Epsom and Ewell
 - To provide creative and educational opportunities for the local community
 - To preserve and maintain Horton Chapel on a sustainable income-generating model and,
 - To ensure the heritage of the area is retained and promoted through a permanent exhibition, accessible free of charge
- 4.12 The applicant's intention is: *"...to create an inspirational hub within the building and its grounds, that offers a dynamic and varied programme of events, courses and creative opportunities for the local community; a place where people from Epsom & Ewell and the surrounding areas can come to experience the arts, as audiences, participants and supporters."*
- 4.13 They state that activities would include special events, performances of all kinds, screenings and exhibitions, as well as hands-on opportunities to learn a variety of creative and artistic skills through high quality facilities and tuition. They intend to offer flexible rehearsal, performance and teaching spaces for hire to local artists and organisations and to provide community space for hire. The exhibition and café would be: *"...a focal point for local people, open to all"* including schools and other groups. They propose to link with local partners and offer skills training and work-place learning opportunities.
- 4.14 The application is supported by the following documents:
- Arboricultural Report
 - Building Condition Survey
 - Road Safety Assessment
 - Design & Heritage Statement
 - Ecology Appraisal
 - Environmental Noise Survey and Plant Noise Assessment Report
 - Car Parking Statement

5 Comments from third parties

- 5.1 The application was advertised by means of letters of notification to 42 local properties and a press and site notice. To date (08.03.2018) no comments have been received in response.

6 Consultations

- 6.1 County Highway Authority: Further to our correspondence in relation to the above site, the CHA have considered both the submitted and further information provided.

In a review of this information, the CHA are not of the opinion that this provides justification for the level of on-site parking.

What has been submitted is not sufficient evidence to conclude there would be no highway impact, consequently the CHA object to the proposals as currently submitted.

- 6.2 Tree Officer: Comments made on the revised parking layout that shows potential impact from incursion under the canopies of existing trees. Applicants requested to consider further minor adjustments to layout, to provide details of service runs, including cables for bollard lighting, to confirm “no-dig” construction where required (to avoid undue damage to tree roots) and to confirm all trees proposed to be retained.

- 6.3 Conservation Officer: Detailed comments raised. Summary of concerns:

- Excessive height of boundary treatment requires justification.
- The need for two refuse bin storage enclosures requires justification.
- Design of the secondary glazing frames requires amendment
- Design of the servery area must be simplified
- Further consideration must be given to the mezzanine and the partitioning for toilet facilities

The Conservation Officer’s detailed comments on the interior works will be cited in full in the associated report on the application for Listed Building Consent – Ref. 17/01379/LBA

- 6.4 Environmental Health Officer: Having consulted the planning projections, site location and considered its proximity to the nearest residential properties I see no major cause for concern from an Environmental Health perspective.

The noise survey and plant noise assessment report conclusion states that the proposed plant equipment will have appropriate attenuation via a barrier around the noise producing equipment which should limit any disruptive noise to the nearest residential properties to below appropriate levels. I agree with the report methodology so no further conditions related to noise should be placed on the development.

6.5 Countryside Officer (Ecologist):

As there are bats present on the site it is important that the recommendations in the report are implemented, therefore I think a condition should be attached requiring the production of an implementation plan to ensure that the recommendations are followed.

In addition I have a concern that although repairs to the roof which would affect the bats are not part of the planning application, it seems likely that repairs to roof will occur in the future, I would like to know if there is a way to ensure the proper licencing and mitigation regarding bats occurs if this does happen.

7 Relevant planning history

None recorded

8 Planning Policy

Core Strategy 2007

Policy CS1	General Policy
Policy CS3	Biodiversity and Nature Conservation
Policy CS5	Heritage Assets and Built Environment
Policy CS6	Sustainable Development
Policy CS16	Managing Transport and Travel

Development Management Policies Document 2015

Policy DM8	Heritage Assets
Policy DM9	Townscape Character and Local Distinctiveness
Policy DM10	Design Requirements for New Developments
Policy DM4	Biodiversity and New Development
Policy DM5	Trees and Landscape
Policy DM19	Development and Flood Risk
Policy DM37	Parking Standards

Epsom Hospital Cluster Conservation Area Character Appraisal & Management Proposals 2009

9 Planning considerations

Land use principles

- 9.1 Since this chapel was acquired by the Council in c.2004 there has been significant residential and other development in the area surrounding and adjacent to the site. This is one of the last remaining undeveloped redundant hospital-related buildings. The Chapel has been vacant for about at least 15 years and is in poor condition.
- 9.2 The applicants are proposing to use the Chapel for performing arts, teaching and exhibitions. Such a use is to be welcomed as the proposal will entail the restoration and re-use of this important listed building and will provide a community hub for the "Cluster", which is also to be welcomed.
- 9.3 The principle of the proposal is entirely acceptable in planning and listed building terms and would deliver completion of the original concept for this building as set out in the master plan for the development of the Hospital Cluster. If successful, this would enable the realisation of long-held planning objective. The detail of the proposal is, however, discussed below.

Community Use

- 9.4 It will be important in planning terms to secure the future community use of this site as originally envisaged for this building. Also, it is likely that the proposal will involve the use of S106 funding from the West Park development that was expressly given for the provision of a community facility.
- 9.5 As the Council is currently the owner of the land a section 106 agreement to secure future community use cannot be entered into. However, as a part of the disposal of the land it is likely that the Council will be requiring the applicant to enter into a community use agreement as a part of any disposal of the property.

Green Belt policy

- 9.6 Whilst the development is within the Green Belt the majority of the proposed work relates to the interior fabric of the building and as such will not be contrary to the purposes of the Green Belt. The most significant external alterations would be the creation of a car park and the erection of a new boundary fence. The configuration of the car park has been amended and the resultant layout would have less impact on the openness of the Green Belt. Nonetheless, the car park itself is not strictly "appropriate development" in terms of Green Belt policy as set out in the National Planning Policy Framework.
- 9.7 It is acceptable on occasion for very special circumstances to justify "inappropriate development". All of the proposed physical works are necessary to facilitate the effective re-use of this important listed building and any harm to the green belt is therefore outweighed by these very special circumstances.

- 9.8 The proposed boundary fence is now proposed to be 1.2 metres in height, having been reduced from the 1.8 metres originally proposed. This will help to reduce any impact on the openness of the green belt and the design of the proposed works around the building is such that any adverse impact on openness would be minimised.
- 9.9 The proposal is therefore considered to be acceptable in green belt terms.

Protecting the listed building

- 9.10 The desirability of sustaining and enhancing the significance of heritage assets and putting them to uses consistent with their conservation is emphasized in Section 12 of the National Planning Policy Framework (NPPF). Horton Chapel is presently at risk, having been redundant for a lengthy period and with options for sustainable new uses limited by a restrictive covenant. Although understood to be structurally sound, the building is in relatively poor condition and continues to deteriorate. Historically appropriate, 'like for like' repairs and the replacement of impermeable surface finishes with breathable alternatives are welcomed throughout.
- 9.11 The Conservation Officer's comments are considered in more detail in the report on the application for Listed Building Consent – Ref. 17/01379/LBA.

Protecting and enhancing the setting of the listed building and the character and appearance of the Conservation Area

- 9.12 The Chapel occupies a park-like, sylvan setting which acts as a gentle foil to the imposing architectural form of the ecclesiastical building. Other than allowing views of the Chapel to remain unobstructed, the existing boundary fence contributes little and there is no objection in principle to the proposed replacement, which is visually permeable and of good quality materials. However a characteristic feature of the Chapel's setting is its openness and it was felt that the 1.8m-high fence would disrupt that and somewhat diminish the open, park like quality of the setting. The applicants have therefore agreed to reduce the height of the proposed boundary fence to 1.2 metres.
- 9.13 From the conservation perspective, the need for extensive, hard-surfaced driveways and parking areas is regretted. However, it is acknowledged that they are necessary and the specification of sympathetic surfacing somewhat mitigates their alien presence. As noted at pre-application stage, individual parking bays should be discretely delineated by contrasting materials, rather than by visually intrusive painted lines in order to avoid an urban appearance and details of this are required under proposed condition no. 7.
- 9.14 The materials selected for the construction of the access way, paths and parking spaces are proposed to be Marshalls "Piora" blocks with a gravel hoggin paving for the parking spaces. There are a number of proposed "bollard" lights that would be attached to wooden posts. The overall impact will be suitably informal and visually appropriate to the setting.

- 9.15 The proposed ground floor layout shows external service equipment and refuse bins discretely located to the north of the building and concealed behind 'hit-and-miss' fencing. However the original site layout showed a secondary, prominently located bin enclosure adjacent to the pedestrian entrance which would have been a visual detractor. The applicants have subsequently agreed to remove this as the main bin store adjacent to the building is adequate and the bins can be easily wheeled-out to the road frontage on collection day without the need for a special enclosure.
- 9.16 While the presence of the new driveways and car-parking areas will undoubtedly alter the visual quality of the setting, they will not change it to the extent that significant harm would arise. Some change is necessary to facilitate a viable new use and the balance of hardstanding to green space will ensure that the overriding sylvan character will remain. The imposing form of the Chapel will remain pre-eminent and the alterations to its setting are effectively mitigated by the heritage benefits ensuing from securing a sustainable new use for the listed building.

Impact on residential amenity

- 9.17 Policy DM10 requires development to have regard to the amenities of occupants and neighbours, in terms of privacy, outlook, sunlight/daylight, noise and disturbance. There are some residential properties to the south of the site but the separation distance is such that no undue disturbance should arise.
- 9.18 Environmental health have been consulted and they do not propose any condition be imposed in relation to the external plant which is proposed.

Access and parking provision

- 9.19 In terms of impact on the highway network there should be significant impact from the proposed use due to the relatively low frequency and number of vehicle movements and the capacity of the surrounding road network.
- 9.20 The highway authority have raised an objection based on the lack of evidence to demonstrate that there will not be an adverse impact on the public highway. The applicant has not submitted a full Transport Assessment but has provided details of anticipated parking demand based on the various uses proposed within the building. This is a credible summary and officers conclude that the use of this building in the manner proposed is unlikely to lead to an excessive over-spill of off-site parking. The 57 spaces proposed should be adequate for most times of the day and for most occasions and any degree of over-spill in this location is unlikely to have a significant adverse highway impact.
- 9.21 The quantum of parking also strikes the right balance between accommodating the legitimate needs of the development and protecting a good proportion of the green space around the chapel. We will need details of the type, nature, construction and materials of the parking areas and roads. As part of the application a justification of the number of car parking spaces should be provided.

- 9.22 The existing access point is sufficient to service the site although the restrictions to through traffic along Haven Way, other than buses means that traffic approaching the site will have to do so from a Westerly direction. The Highway Authority have stated that they have no intention of relaxing the Traffic Regulation Order that is in place.
- 9.23 Services/refuse collection – bin storage should be considered as part of the application. It needs to be located close to the site frontage to enable refuse collectors to retrieve bins from the public highway but designed in such a way so as not to adversely affect the listed building. If the facilities are within the site, you should provide details in the submission demonstrating that there is adequate space for the bins and vehicle parking/manoeuvring.

Trees and landscape

- 9.24 A full and detailed tree survey has been provided and most of the significant trees are to be retained. There is likely to be some impact on those trees in proximity to proposed new areas of hard standing. Comments from the tree officer have resulted in amendments to the second parking layout proposals so as to mitigate any adverse effect on a Chestnut and a Lime tree on the north side of the main car park. The plan as now amended address those concerns subject to the imposition of proposed conditions nos. 3 and 7.

Biodiversity

- 9.25 The applicants have provided an ecological survey, details of proposed mitigation measures and proposed biodiversity enhancements.
- 9.26 The ecological survey identifies the presence of bats, as would be expected in an unoccupied building of this age. Whilst the number of suitable openings is limited it is evident that bats do use the building to a limited extent and that they enter the roof void, possibly as a summer roost. The works proposed include repairs to the roof and it is likely that roof coverings will need to be removed and replaced. Any work involving potential disturbance to the bats will need to be licenced by Natural England. An appropriate condition (Condition 8) and Informative (Informative 3) is proposed to ensure that the works are carried out in a sensitive manner.
- 9.27 Suitable biodiversity enhancements, including additional plant species, log and brush piles and bird boxes, are also proposed to be secured under Condition 8.

Resources, energy and flood risk

- 9.28 Sustainability should be a key consideration in the design of development, as set out in Core Strategy Policy CS6. In the case of this building, the proposed works will incorporate limited energy efficiency measures. The secondary glazing will improve the thermal efficiency of the structure and works will need to be undertaken in accordance with the Building Regulations. At this stage, it seems unreasonable to lay additional financial burdens on the proposed project but, in time, the south facing roof slopes could lend themselves to discrete, demountable solar photovoltaic arrays that would pay-back over a relatively short time-frame.

- 9.29 Nonetheless, for now, the proposals are considered acceptable in terms of Policy CS6. They will bring an existing wasted resource, in the form of an empty building, back into productive use.
- 9.30 Drainage within the external car park areas is proposed to allow natural filtration within the site. There is no identified flood risk on the site and the proposed arrangements are considered satisfactory as the ratio of hard-standing to green space is relatively modest. Water run-off can be potentially absorbed through filtration within the site without causing a problem beyond its boundaries.

10 Conclusion

- 10.1 The proposed conversion of Horton Chapel will facilitate the regeneration and renewal of an existing building of some prominence and importance. The original conception of the Hospital Cluster redevelopment was that Horton Chapel would fulfil a community centre function and, if this project comes to fruition, it will end years of uncertainty and decline.
- 10.2 The applicants have been accommodating of all the Council's policy requirements and have adjusted their proposals, both at the pre-application stage and subsequently, to address all of the issues that have been raised. The plans as now conceived are fully compatible with protecting the heritage of the building and the Conservation Area and in accord with planning policy.
- 10.3 The application is therefore recommended for APPROVAL.

11 Recommendation

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

Conditions:

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

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

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

- (3) Prior to the commencement of any development works, including ground preparation, details of the tree protection measures to accord with British Standard 5837 shall be submitted to an approved in writing by the Local Planning Authority and the approved measures shall be implemented/erected and shall remain in place for the duration of the construction works. The protection barriers shall only be removed on the completion of all construction activity and with the written agreement of the Local Planning Authority. All works shall be carried out in strict accordance with the approved details.**

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

- (4) No part of the building shall be occupied until space has been laid out within the site in accordance with the approved plans for a maximum of 57 cars and a minimum of 20 bicycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking area shall be used and retained exclusively for its designated use.**

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

- (5) No development shall commence until a Construction Transport Management Plan, to include details of:**
- (a) parking for vehicles of site personnel, operatives and visitors**
 - (b) loading and unloading of plant and materials**
 - (c) storage of plant and materials**
 - (e) provision of boundary hoarding behind any visibility zones**
 - (f) HGV deliveries and hours of operation**
 - (g) vehicle routing**
 - (h) measures to prevent the deposit of materials on the highway**
 - (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused**
 - (j) no HGV movements to or from the site shall take place between the hours of 8.00 and 9.15 am and 3.15 and 4.00 pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in the vicinity during these times.**

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

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

- (6) The proposed parking spaces shall be constructed using the materials stated in the application. Before work on their construction commences details of the means of delineation of the individual spaces on the ground (integral to the surface) shall be provided to and approved in writing by the Local Planning Authority and the work shall be carried out in accordance with those approved details.**

Reason: To ensure a satisfactory appearance that is compatible with the setting of a listed building and the character and appearance of the Conservation Area. To accord with Policy DM8 of the Development Management Policies Document 2015.

- (7) All underground services (including cabling for lighting bollards) shall be carried-out in accordance with the NJUG Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees – Issue 2.**

Reason: To ensure that the existing tree roots are protected from damage 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) Before the commencement of the development an Ecological Implementation Plan, setting out how and when the recommendations contained in the applicant's Ecological Impact Assessment produced by New Leaf Ecology and dated September 2017 will be implemented, shall be submitted to and approved in writing by the Local Planning Authority. Any works shall thereafter only be undertaken in accordance with the approved Implementation Plan.**

Reason: To ensure that the recommendations in the Ecology Report are implemented in the interests of protecting the identified species on the site including bats, to secure the enhancements to biodiversity proposed and to comply with Policy CS3 of the Core Strategy 2007 and Policy DM4 of the Development Management Policies 2015.

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

1778-EX-01	Site Location
1778-EX-02	Existing plan and roof plan
1778-EX-03	Existing Elevations

1778-EX-04	Existing Sections
1778-SK-20-K	Proposed Ground Floor plan
1778-SK-21-J	Proposed Sections
1778-SK-22-C	Proposed Roof Plan
1778-SK-23-J	Proposed Site Plan
1778-SK-25-C	Proposed SW & NE Elevations
1778-SK-26-C	Proposed NW & SE Elevations
1778-SK-27-A	Mobile teaching pods
1778-SK-28	Internal Elevations Office Screen
1778-SK-29	Proposed Entrance screen
1778-SK-30-B	Internal Elevations Servery Bar
1778-SK-31-A	Services Entries and Excavations
1778-SK-32	Internal elevations secondary glazing
1778-SK-33	Roof level - rooflights and vent grills
1778-SK-34-B	Car Park Lighting
1778-SK-35	External Bin Stores

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

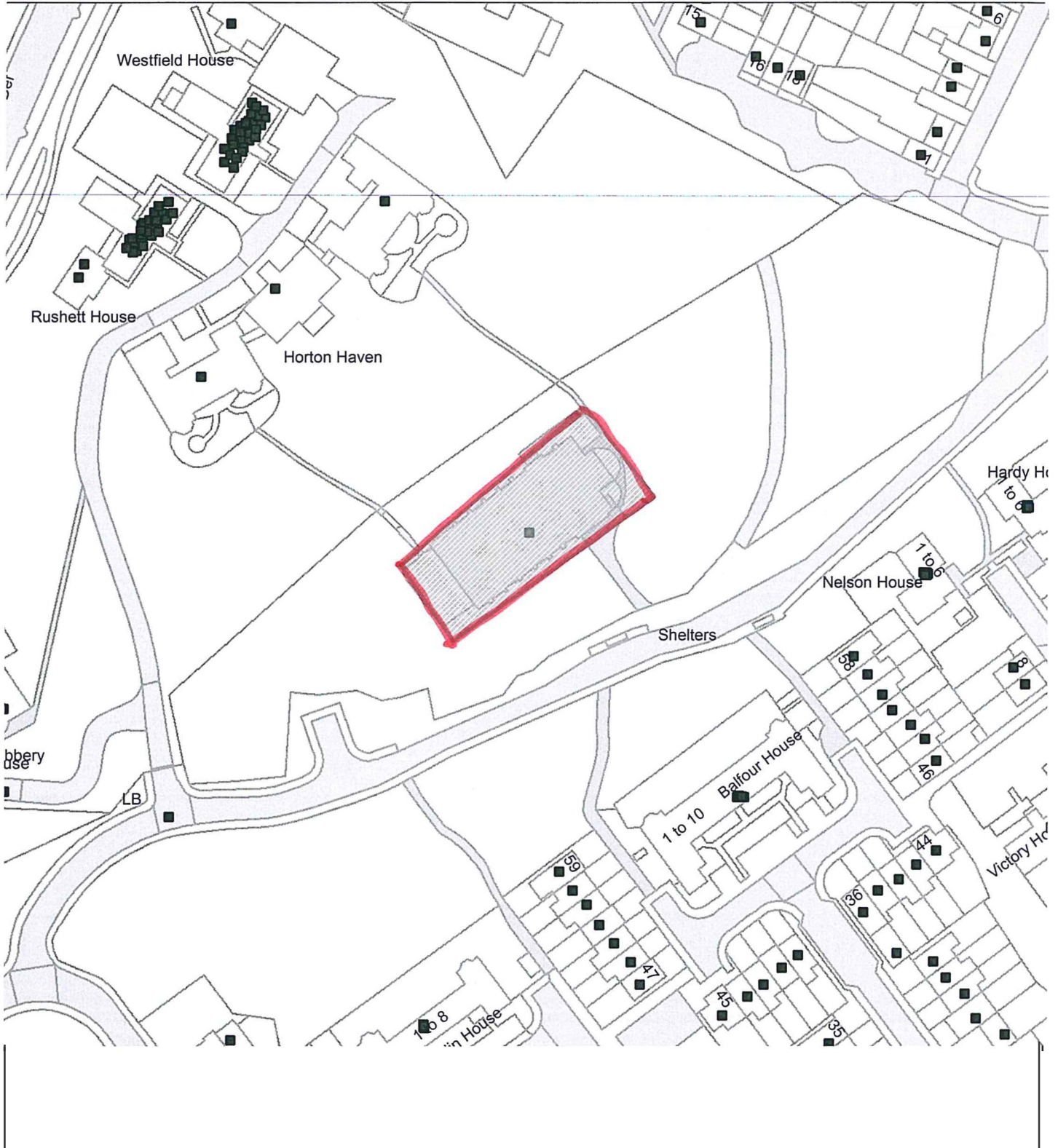
Informatives:

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012**
- (2) Please note that this planning permission does not convey approval for new signs that require separate consent under the Advertisement Regulations 2007. Such would need to be the subject of a separate application for Advertisement Consent.**
- (3) Any works to the roof (including the installation of the proposed new roof lights is likely to involve potential disturbance of bats, which are a protected species. It is important to note that such disturbance would potentially involve committing a criminal offence unless it is done strictly under the terms of a license from Natural England. The applicant is therefore advised to contact Natural England at the earliest**

opportunity before works commence in order to secure the relevant licence and associated monitoring.

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

17/01378/FUL 17/01379/LBA



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Horton Chapel Haven Way Epsom Surrey KT19 7HA

Refurbishment and conversion of existing Grade 2 Listed Chapel to an Arts and Performance Centre, including new entrance canopy, external repairs to the building fabric, internal alterations to building.

Ward:	Court
Contact Officer:	John Mumford

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=P0XY9R GYINK00>

2 Summary

- 2.1 This application proposes the restoration and conversion of the chapel including various alterations to facilitate the new use as an arts and performance centre. Amendments have been made to the proposals and they are now acceptable in all respects.
- 2.2 **The application is recommended for APPROVAL** as the proposal will facilitate an excellent re-use of this building in a manner that is appropriate and compatible with its fabric and its listed status. The proposals will hopefully breathe new life into this important listed building, the future of which has been subject to long-standing uncertainty.

3 Site description

- 3.1 See associated planning application report under reference 17/01378/FUL.

4 Comments from third parties

- 4.1 The application was advertised by means of a press and site notice. To date (08.03.2018) no comments have been received in response.

5 Consultations

- 5.1 Conservation Officer: detailed comments are cited in full below.

6 Relevant planning history

None recorded

7 Planning Policy

Core Strategy 2007

Policy CS5 Heritage Assets

Development Management Policies Document 2015

Policy DM8 Heritage Assets

8 Listed Building considerations

- 8.1 This is one of the last remaining undeveloped redundant hospital-related buildings. The Chapel has been vacant for at least 15 years and is in a relatively poor condition.
- 8.2 The applicants are proposing to use the Chapel for performing arts, teaching and exhibitions. Such a use is to be welcomed as the proposal will entail the restoration and appropriate re-use of this important listed building.
- 8.3 The Council's Conservation Officer made a number of points and these are listed below, together with the appropriate responses/amendments made where issues needed to be addressed.

Chapel Exterior

Rooflights, access hatches and ventilators

- 8.4 Due to the design of the Chapel roofscape, the central ridge barely features in views of the listed building. Allowing adequate daylight into the interior is fundamental to any sustainable new use and the proposed rooflights accomplish this inconspicuously and with minimal loss of historic fabric.
- 8.5 Introduction of the discretely located rooflights, access hatches and ventilators result in little alteration to the way in which the Chapel as a whole is experienced from the exterior, and any harm resulting from the minor loss of historic fabric is effectively mitigated by the heritage benefits ensuing from sustainable re-use.

Valley gutters and flat roofs

- 8.6 Replacement of the valley gutters and recovering the flat roofs with single ply roofing membrane is regretted from the conservation perspective. However these elements cannot be seen and it is acknowledged that there are concerns regarding the probable theft of lead, if replaced with historically appropriate materials. The proposed replacements with modern materials are therefore supported in this case.

Replacement rainwater goods

- 8.7 Replacement of the deteriorated cast iron rainwater goods with 'cast iron style' aluminium guttering and downpipes is regretted from the conservation perspective. However it is conceded that the new elements effectively replicate the existing aesthetic and the use of 'cast iron style' aluminium has become widely accepted in the historic context. The minor harm to the significance of the listed building as a whole is far from the level which justifies refusal in terms of National Planning Policy Framework (NPPF) para. 133, and the work is accepted in this instance.

Access ramps and glazed canopy

- 8.8 The new canopy is an independently structured element of simple, contemporary design and 'light weight' appearance, while the ramps facilitate equal access and have very little visual presence. The proposed elements are reversible interventions which facilitate the sustainable new use without diminishing the distinctive ecclesiastic aesthetic, or harming the significance of the heritage asset.

New Doors

- 8.9 The existing doors are utilitarian elements which contribute little to the significance of the heritage asset. There is no objection to the proposed replacements, which are of good quality materials and simple, complementary design.

Chapel Interior

Subdivision into eastern and western areas

- 8.10 The modern partition and mural which presently divide the former Nave are poor quality elements of no architectural or historic merit and they contribute little to the special interest of the Chapel. Demolition of the existing partition causes no harm to the significance of the building and its replacement with a 'Thick wall' allows essential services to be discretely accommodated. The dividing wall is of blockwork and considerably more robust than envisaged at pre-application stage, when the need for all interior partitions to be 'light-weight' and reversible was emphasised. However, in view of the precedent for subdivision in this location, the wall is accepted as it facilitates sustainable use and the ensuing benefits outweigh the harm caused by its invasive presence.

Removal of the unsightly suspended ceiling is welcomed, as the utilitarian element obscured characteristic spatial volumes and the significance of the heritage asset is better revealed as a result.

Secondary Glazing

- 8.11 There is no objection in principle to the installation of secondary glazing, which is widely accepted in the historic context. However the fenestration of the Chapel is a key architectural feature and its distinctive detailing must not be obscured. The design of the secondary frames must be amended so that they better respect the original frames and have minimal presence when the windows are viewed from the both the interior and the exterior. (ie. the 'sidelights' should not be divided by a central bar)
- 8.12 Response: The applicants have persuaded officers that the height of the single panes on either side of the main windows is such that an intermediate glazing bar is justified to provide structural integrity to the glazing. The visibility and any adverse impact of these relatively small members will be only slight.

Lighting, insulation, ventilation and other essential services

- 8.13 With the exception of the ventilation ducts in the servery (discussed in more detail below) the introduction of these elements has been accomplished in a reasonably discrete manner which causes the minimum possible harm to the significance of the designated heritage asset. The works are largely reversible and accepted as essential to the sustainable new uses of the listed building.

Eastern section (Exhibition & cafe area)

- 8.14 Characteristic interior spatial volumes with unobstructed, full height axial and transverse views are key features of ecclesiastic buildings and subject to some design amendment, the proposed conversion would largely preserve these qualities in the eastern part of the Chapel.
- 8.15 Relocation of the lectern and pulpit, and retention of the Rood Screen in situ preserve highly significant features of the listed building, and the inclusion of new interpretive material explaining the importance of the Chapel and the wider Hospital complex is welcomed.

Kitchen & Servery

- 8.16 There is no objection to catering equipment that is discretely concealed within the former Vestry. However the suspended 'raft' in the servery appears to have been designed to partially conceal ventilation equipment and in consequence, it is a bulky, visually intrusive element which - together with the ducts rising above it - appear entirely alien to the context.
- 8.17 The catering provision in the servery area must be simplified so that less service equipment is required and so that the bar/counter can be set back and avoid conflict with the adjacent window.
- 8.18 Response: The applicant has submitted revised details reducing the size of the raft over the bar and reducing the bar length.

Ramp and steps up to chancel

- 8.19 Provided these are independently structured elements which could be entirely removed without harm to original fabric, there is no objection to these interventions and full details will be required by condition.
- 8.20 Response: The applicants confirm that these will be de-mountable wooden structures details of which can be secured by condition (Condition 2).

Adaptation of the Organ room

- 8.21 The organ pipes and associated elements make an important contribution to the special qualities of the building and their retention and rehabilitation is welcomed. The minor alteration to the timber panelling below the pipes allows the space behind to be actively used and the work causes little harm to the significance of the building as a whole.

Memorial Plaques

- 8.22 These elements make an important contribution to the unique qualities of the Chapel and their careful relocation to areas where they will be clearly visible is welcomed. Full details of how they are to be removed from their original locations and reset in the new will be required by condition (Condition 3).

Freestanding furnishings

- 8.23 Flexible, freestanding furnishings are welcomed as a non-invasive solution to the provision of the secluded interior spaces essential to the new use of the listed building.

Western section (performance area)

Entrance lobby and adjacent storage area

- 8.24 The minor alterations to the lobby cause no harm to the significance of the Chapel and the installation of the adjacent 'light-weight' screens to form an open-topped storage area is accepted as facilitating sustainable use, while having little impact on the building's special qualities.

Toilet facilities

- 8.25 The provision of toilet facilities is clearly essential to the new, sustainable use of the listed building and the principle of subdivision to accommodate such facilities was agreed at pre-application stage. However it was envisaged that the required partitions would be 'light weight', reversible installations. Contrary to this expectation, the colonnade partition is a substantial masonry structure which requires invasive footings and results in permanent alteration to the listed building. There are also concerns over the relationship between the north-western windows and the toilet partitions. As noted at pre-application stage, the distinctive fenestration is a defining feature of the listed building and when experienced from the exterior, windows must not be obstructed by visually intrusive interior partitioning.

- 8.26 While the principle of subdivision to provide essential facilities remains acceptable, a more sympathetic approach is required to avoid harm to the significance of the Chapel. Consideration should be given to the possibility of accommodating toilet facilities within a 'pod' structure.
- 8.27 Response: The applicants have amended the plan to show these facilities in more of a 'pod' so they are not connected to the outside wall or internal columns. The creation of the corridor beside the toilet facilities is for fire escape purposes, the partitions can be supported with a low level beam that doesn't require 'invasive' footings. The drawings have been amended to remove the footings.

Stairs, disabled lift and mezzanine

- 8.28 The lift and stairs are discretely located and essential to the sustainable new use of the Chapel.
- 8.29 As agreed at pre-application stage, the construction of a mezzanine is acceptable in principle and enclosure by a full-height glazed screen allows some sense of the original spatial volumes to remain. However, preceding advice emphasised the need to recess the mezzanine away from the windows in order to minimise its intrusive visual presence and this matter has not been addressed in the current proposal. The distinctive fenestration is a defining feature of the listed building and when experienced from the exterior, windows must not be obstructed by visually intrusive interior partitioning.
- 8.30 While a mezzanine enclosed by a full height glazed screen remains acceptable in principle, a more sympathetic approach is required to avoid diminishing the special aesthetic qualities of the Chapel and thereby harming its significance.
- 8.31 Response: The drawings have been amended to show the mezzanine 'recessed' away from the windows.

9 Conclusion

- 9.1 The proposed conversion of Horton Chapel is acceptable. Adapting an ecclesiastical building to secular uses inevitably results in considerable interior alteration. In this case, the interior has been subject to past insensitive treatment and the Chapel as a whole is dilapidated and at risk, so the need for a sustainable new use is pressing and carries great weight.
- 9.2 The precedent for the interruption of the full length, interior axial views has long been established and while the proposal undoubtedly transforms the original interior spatial qualities of the Chapel, careful consideration has clearly been given to reconciling conservation requirements with the needs of an active new use.

- 9.3 Nothing of historic significance is demolished or removed from the listed building and its external appearance remains largely unaltered. Although many alien elements are introduced to the interior, with few exceptions, the installations are entirely reversible and cause little permanent detriment. While fundamentally altering the way in which the interior of the building is experienced for the duration of the new use, actual harm to the significance of the designated heritage asset is limited.
- 9.4 Para. 131 of the NPPF requires Local Planning authorities to take account of 'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'. Para. 134 advises that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'.
- 9.5 In this case, finding a new use is challenging and the proposal secures a sustainable future for the Chapel, while largely conserving its historic significance and the visual quality of its setting. Considerable heritage benefit and public benefit will both ensue.
- 9.6 All of the points raised by the Conservation Officer have been satisfactorily addressed by the applicants.
- 9.7 The scheme is therefore recommended for APPROVAL.

10 Recommendation

Listed building consent is **granted** subject to the following conditions:

Conditions:

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

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

- (2) **Detailed drawings of the proposed ramps and steps up to chancel, at a scale of not less than 1:20, shall be submitted to and approved in writing by the Local Planning Authority before the building is brought into use and the ramps and steps so approved shall be constructed and installed in accordance with those details.**

Reason: To ensure that the designated heritage asset is protected and to accord with Policy DM8 of the Development Management Policies Document 2015

- (3) **Full details of how the memorial plaques are to be removed from their original locations and reset in the new must be provided to the Local Planning Authority before any relocation work is commenced and those**

works must only be carried out in accordance with such details as are approved in writing by the Local Planning Authority.

Reason: To protect these important features of the listed building and to accord with Policy DM8 of the Development Management Policies Document 2015

- (4) The works hereby approved shall be carried out in accordance with the following plans:**

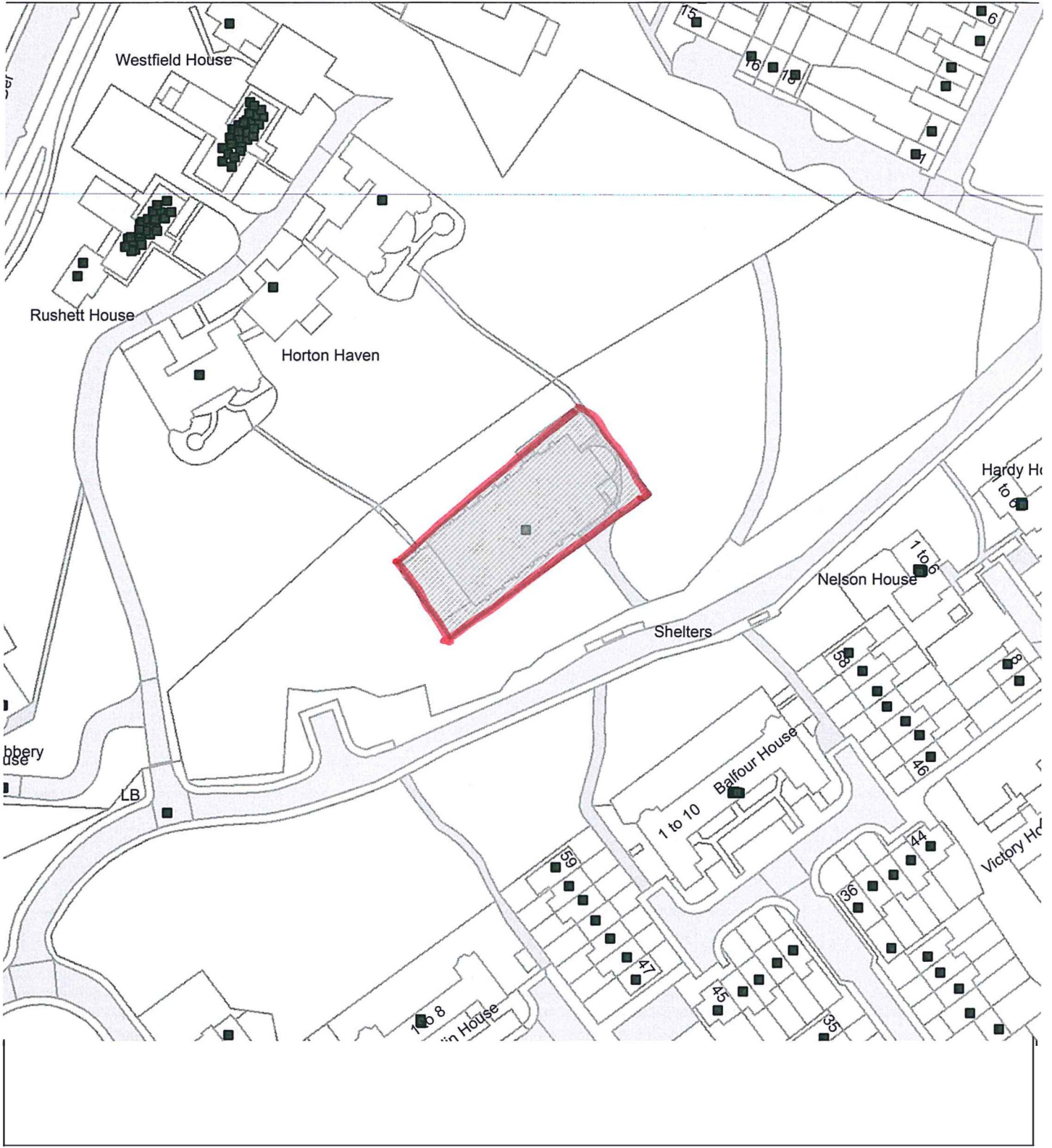
1778-SK-20-K	Proposed Ground Floor plan
1778-SK-21-J	Proposed Sections
1778-SK-22-C	Proposed Roof Plan
1778-SK-23-J	Proposed Site Plan
1778-SK-25-C	Proposed SW & NE Elevations
1778-SK-26-C	Proposed NW & SE Elevations
1778-SK-27-A	Mobile teaching pods
1778-SK-28	Internal Elevations Office Screen
1778-SK-29	Proposed Entrance screen
1778-SK-30-B	Internal Elevations Servery Bar
1778-SK-31-A	Services Entries and Excavations
1778-SK-32	Internal elevations secondary glazing
1778-SK-33	Roof level - rooflights and vent grills

Reason: To ensure that the designated heritage asset is protected and to accord with Policy DM8 of the Development Management Policies Document 2015

Informative:

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

17/01378/FUL 17/01379/LBA



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

Extension to existing sports club, reconfiguration to existing tennis courts, demolition of existing plant room and associated landscaping, engineering works and operations.

Ward:	Woodcote
Contact Officer:	John Robinson

1 Plans and Representations

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

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

2 Summary

- 2.1 Woodcote Park lies approximately one mile south of the town of Epsom, and is adjacent to Epsom Downs Racecourse, which lies to the East. Woodcote Park has been the Country Club of the Royal Automobile Club since 1913. The Club has produced a Masterplan, which was granted consent in June 2015 under reference 14/01209/FUL.
- 2.2 One of the elements granted outline approval was the full or partial demolition and redevelopment of the Cedars Sports facility, to be in accordance with the Cedars Sports Development Parameters, dated November 2014.
- 2.3 These "Development Parameters" were identified and required to be complied with at reserved matters submission, to control the subsequent detailed design of the scheme and to ensure the Council could be certain the impact of the scheme on the green belt and the setting of the estate would be acceptable.
- 2.4 The "Development Parameters" is essentially a three dimensional "envelope" allowing a maximum footprint of 3400m², a maximum floorspace of 4200m² and a maximum height of 7m above ordnance datum
- 2.5 The scheme design has subsequently been refined, and there are a small number of areas identified where the proposed layout does not conform with the approved planning parameter plans or red line plan. As they are material changes to the existing outline consent, following discussions with officers at it was agreed that the club should submit a new planning application.

- 2.6 The case is being submitted to Committee at the discretion of the Head of Place Development as it is a “Departure” from the Development Plan.
- 2.7 The application is recommended for APPROVAL.

3 Site description

- 3.1 Woodcote Park clubhouse is a Grade II* listed building which offers clubhouse accommodation and dining facilities for members as well as administrative offices. There are also two 18-hole golf courses with associated clubhouse, driving range and health and fitness facilities.
- 3.2 The overall site, which falls within the Green Belt, is bounded by Wilmerhatch Lane and residential properties along The Ridge to the west, Crockingham Wood to the east, to the south by Langley Vale Road, and to the north, by The Durdans Estate. Day-to-day vehicular access is from Wilmerhatch Lane.
- 3.3 Cedars Sports (the application site) is situated approximately 120m south of the main club house. It is currently a sports centre providing activities for members. It contains an indoor swimming pool, squash courts, gym, fitness studio, treatments rooms and outdoor floodlit tennis courts.
- 3.4 The main entrance is accessed from the western path, which leads from the main clubhouse. The central spine of the building runs on an east/west axis. There is an organically shaped extension housing the gym. The pool is accessed directly from the changing rooms. Access to the double height squash courts is via stairs to the lower ground level.
- 3.5 Externally to the north is the lawn area, with a small hut underneath the large Cedar tree. To the south are the tennis courts, accessed via a small external terraced area. There is substantial hedging on the western and southern edges of the Cedar Sports site, enclosing the tennis courts.
- 3.6 The area between the club house and the Cedars Sports is mainly lawns with a series of existing paths. It is surrounded on three sides by the golf course; the 9th green to the west, the 18th green to the east, and the 10th tee to the south. There is a large area of dense woodlands to the north.

4 Proposal

- 4.1 This application seeks permission for the extension to the existing sports club, reconfiguration to the existing tennis courts, demolition of the existing plant room and associated landscaping, engineering works and operations.
- 4.2 The scheme seeks to consolidate the sports areas of the building into one area, adjacent to the changing facilities. The design approach is to extend the existing building at ground floor to the south and west where there is considered to be least impact to the visual amenity of the surrounding area. The existing gym would be moved into the new extension on the south which would link to the external terraces adjacent to the tennis courts.

- 4.3 The café would be situated in the area previously occupied by the current gym area. On the lower ground level the building would be extended to the east under the existing cantilevered plinth (previously the gym space) and would house the new spa facility. The extension of the lower ground floor would create an external terrace for the users of the café at ground floor level.
- 4.4 A new external pool and terrace would be created in the lawn area, linking with the existing indoor pool. The plant would be relocated to the eastern edge.
- 4.5 The new additions to the north, west and southern façades would match the existing “traditional” design, with a more organic eastern façade. Materials match the existing palette, including timber cladding, stone walls, and curvilinear metal /green roofs.
- 4.6 The current detailed design of the spa, has resulted in some slight variances to what the outline planning permission assumed would be required to accommodate the full scheme design of the spa. The increase in floorspace required represents 2.45% of the extant outline permission approval, or 103sqm.

5 Comments from third parties

- 5.1 The application was advertised by means of letters of notification to 9 neighbouring properties, a site and press notice. To date (01.03.2018) no letters of objection have been received.

6 Consultations

- 6.1 Highways Officer: No objection subject to the imposition of conditions dealing with the submission of a Construction Transport Management Plan
- 6.2 Tree Officer: No objection
- 6.3 Surrey CC (Lead Local Flood Authority) – No objection
- 6.4 County Archaeologist - No objections. Condition to be imposed on any permission granted
- 6.5 English Heritage: No objection
- 6.6 Environmental Health: Condition (Remediation Strategy) to be imposed on any permission granted.
- 6.7 Conservation Officer: The importance of sustaining and enhancing the significance of heritage assets, while keeping them in viable and appropriate uses, is emphasised throughout section 12 of the NPPF and para. 132 requires great weight to be given to their conservation. The proposal causes no harm to the significance of any designated heritage assets and there is no objection in terms of Policy DM8.

7 Relevant planning history

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

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

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

National Policy Planning Framework (NPPF) 2012

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

Core Strategy 2007

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

Development Management Policies Document 2015

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

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

9 Planning considerations

Previous Application

- 9.1 A Masterplan for the RAC was granted consent in June 2015 under reference 14/01209/FUL. One of the elements granted outline approval was the full or partial demolition and redevelopment of the Cedars Sports facility, to be in accordance with the Cedars Sports Development Parameters, dated November 2014.
- 9.2 The extant outline permission is therefore a material consideration in assessing this application.
- 9.3 The current scheme differs from the extant scheme in the following ways:
- Footprint:
3353 m² (-47m² compared to extant scheme)
 - Floorspace:
4303m² (+103m² compared to extant scheme)
 - Height
83m AOD (-1m compared to extant scheme)
 - Basement Level:
Maximum basement level of 5m below AOD (+5m compared to extant scheme)

Green Belt Policy

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

4. The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
 5. Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
 6. Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
- 9.6 All other development is considered “inappropriate” development and therefore planning permission should be refused unless “very special circumstances” exist.
- 9.7 Paragraph 88 states that Local Planning Authorities “should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”.
- 9.8 The redevelopment of Cedar Sports, incorporating a spa is inappropriate development in the Green Belt as it would involve an increase in the footprint of the buildings and would incorporate indoor recreational uses which are not considered to be appropriate to the Green Belt.
- 9.9 The proposal remains inappropriate development as it would harm the openness of the Green Belt and is therefore subject to the very special circumstances test as outlined in the NPPF.

Very Special Circumstances

- 9.10 It is therefore considered that proposed scheme could only be justified if very special circumstances that outweigh the harm to the Green Belt can be clearly demonstrated.
- 9.11 The applicant previously put forward a forceful argument for very special circumstances, which was accepted by the Secretary of State. The current scheme would represent a decrease of 47m² in the footprint over that permitted by the extant “Development Parameters”, but an increase in the floorspace of 103m². This would not be not be significantly different from the extant scheme “development envelope”, and therefore whilst it represents inappropriate development having regard to the tests set out in the NPPF, the harm because of inappropriateness is, in this case, outweighed by the benefits of securing substantive heritage, economic and landscape benefits in the long term and this would be in the public interest.

- 9.12 In conclusion, on Green Belt policy, it is therefore considered that the submitted evidence to justify building within the Green Belt, in the current form now proposed outweighs the principle of inappropriateness and would therefore constitute very special circumstances. The application is therefore in accordance with Core Strategy Policy CS2.

Visual Amenity and Impact on the setting of the listed Main Clubhouse

- 9.13 The existing building would be extended at ground floor to the south and west. On the lower ground level the building would be extended to the east under the existing cantilevered plinth (previously the gym space) and would house the new spa facility. The extension of the lower ground floor would create an external terrace for the users of the café at ground floor level.
- 9.14 The single storey extension to the south and west elevations would have a part flat/part pitched metal roof with the elevations clad in a combination of random rubble stone and vertical cedar cladding. The eastern extension would reflect the existing curvilinear/organic elevation (in plan and elevation), both at ground floor and lower ground floor level. Materials would match the existing palette, including timber cladding, stone walls, and curvilinear metal /green roofs.
- 9.15 Although set within historic parkland, the site is well removed from the listed buildings and structures to the north, north-west and south-west. The principle of development within the parkland is established at this site and proposal remodels and enlarges buildings of no historic interest. Although the present level of development is intensified, the new built form would not intrude into any important views to or from the designated heritage assets in the vicinity, and the aesthetic of the wider parkland would be little altered.
- 9.16 The importance of sustaining and enhancing the significance of heritage assets, while keeping them in viable and appropriate uses, is emphasised throughout section 12 of the NPPF and para. 132 requires great weight to be given to their conservation. The proposal causes no harm to the significance of any designated heritage assets and there is no objection in terms of Policy DM8.
- 9.17 The design, scale, massing and appearance are acceptable and it is concluded that the proposal would not have a harmful impact on the setting of the listed main clubhouse building or on the visual amenity of the wider area. The proposed scheme would therefore comply with Policy DM8 and DM1.

Neighbour Amenity

- 9.18 A Noise Impact Assessment Report has been submitted in support of this application. It reassesses the potential noise impact at nearby residential buildings arising from the current scheme.

- 9.19 The nearest private residential noise sensitive receptors in proximity to the proposed Cedars sports area extension development are properties located at the northern extent of The Ridge. These properties are located approximately 170m from the nearest point of the proposed Cedars sports area extension. All activity associated with the spa would be undertaken indoors, and that given the nature and purpose of the spa no significantly noise generating activities are proposed within this area.
- 9.20 It is therefore concluded that the proposed development would not give rise to any materially harmful impacts on neighbour amenity in terms of overlooking, loss of privacy, impact on outlook, or noise and disturbance.

Parking and Access

- 9.21 A Transport Assessment and Travel Plan have been submitted in support of the application. The Travel Plan has prioritised sustainable travel, which is achieved through: a shuttle bus service from Epsom Train Station to the Woodcote site, encouragement of cycling through increased number of on-site cycle spaces, car sharing, provision of a Guaranteed Ride Home, changing facilities and showers for staff and a Cycle to Work scheme. Surrey County Council has made various comments about the Travel Plan and it is recommended that a condition is imposed requiring the submission of a Travel Plan which takes into account these comments and best practice generally (Condition no. 4).
- 9.22 The Transport Assessment concludes that the impact of the proposed development would not be significant in terms of transport and parking. Officers and the Highways Officer concur with the conclusion.

Trees and Landscaping

- 9.23 One of the main design constraints is the root protection area of the Cedar tree located adjacent to the northern elevation of the proposed building. An Arboriculture Assessment and indicative landscaping plans have been submitted with the application.
- 9.24 The proposed development would be carefully sited to minimise impact on the cedar tree and respect the tree's 15m root protection area.
- 9.25 The proposals represent an opportunity to secure substantial appropriate new planting on the site. The loss of some vegetation will not be serious and there will be an overall net gain in vegetation with appropriate management of the landscape in the future.
- 9.26 A detailed landscaping scheme will be secured via appropriate planning conditions.

Flood Risk, Groundwater and Contaminated Land

- 9.27 The site is located within Flood Zone 1. The submitted Flood Risk Assessment states that flood risk from sewer or groundwater on the Woodcote Park Estate is low, but the most significant source of flooding at the site would be from surface water. The drainage strategy proposed uses SUDS techniques for drainage of all surface water from the site. There is one aspect of the proposed development which is shown to be located within the groundwater emergence zone and therefore could be at risk of groundwater flooding. This is the eastern part of the extended Cedars Sports Centre which includes the new spa. Further analysis of surveyed ground levels has however demonstrated that the site of the extension is on higher ground, above the valley floor, minimising the risk of groundwater flooding.
- 9.28 The surface water drainage strategy for the site proposes to retain existing drainage infrastructure where possible and re-route/upgrade as required. It is proposed to discharge storm water via infiltration. The proposed foul drainage is currently proposed to discharge by gravity and utilise the existing drainage network before eventually discharging to the public sewer (subject to a connection and connectivity survey). All pools, Jacuzzis, etc. would discharge via a backwash and filtration system prior to discharge to the public sewer. This is subject to detailed design.
- 9.29 An appropriate condition ensuring that the development is carried out in accordance with the submitted Flood Risk Assessment and Drainage Strategy is recommended to be imposed.

Sustainability

- 9.30 Policy CS6 requires development to reduce or have a neutral impact on pollution and climate change. It also requires proposals to demonstrate how sustainable design and construction can be incorporated to improve energy efficiency.

- 9.31 The proposed redevelopment has been designed to meet all national and local planning policy objectives and to meet current Building Regulations. It is proposed to install a Combined Heat and Power plant as well as photo voltaic panels.
- 9.32 The proposal is indicative and further details and implementation of the sustainable measures should be secured through appropriate planning conditions (Condition no.7).

Ecology/Biodiversity

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

Archaeology

- 9.35 The application is supported by an Archaeological Assessment Report and an Archaeological Impact Assessment.
- 9.36 It proposes that a watching brief is maintained during any groundworks associated with extensions to the Cedar Sports Club. This would be secured by an appropriate condition (Condition no.8). The Counties Archaeological would need to agree a Written Scheme of Investigation (WSI) detailing the scope and methodology of the watching brief before the development groundworks can commence (Condition 9).

Community Infrastructure Levy

- 9.37 The scheme is not CIL liable.

10 Conclusion

- 10.1 The spa would be a critical component to the Masterplan to secure the long term future of the Club at Woodcote Park as a “destination spa”. It would provide an alternative (to the golf courses) “destination” attraction for its members at Woodcote, which would contribute to the long term overall viability of Woodcote Park.

10.2 Whilst the redevelopment of Cedar Sports, incorporating a spa, represents inappropriate development having regard to the tests set out in the NPPF, the harm by reason of inappropriateness is, in this case, outweighed by the benefits of securing substantive economic benefits in the long term and this would be in the public interest.

10.3 The proposal is recommended for approval on this basis.

11 Recommendation

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

Conditions:

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

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

- (2) Prior to the commencement of the development (other than ground works and access construction), details and samples of the materials to be used for the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

- (3) No development shall commence until a Construction Transport Management Plan, to include details of :
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding behind any visibility zones
 - (f) HGV deliveries and hours of operation
 - (g) vehicle routing
 - (h) measures to prevent the deposit of materials on the highway

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

(j) details of all temporary accommodation works including temporary roads, car park, offices

(k) Details of waste minimisation strategy- arisings

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

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

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

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

- (5) Prior to the commencement of the development (other than ground works and access construction), a landscaping scheme shall be submitted to and approved in writing by the local planning authority, details to include the planting of trees, shrubs, herbaceous plants and areas to be grassed. The landscaping scheme shall include the schedule of species, sizes, and planting densities along with the specification for aftercare maintenance. The landscaping shall take place in strict accordance with a phased programme to be agreed as part of the approved details and the planting in each phase shall be maintained for a period of five years, such maintenance to include the replacement of any plants that die.

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

- (6) Prior to the commencement of the development (other than ground works and access construction, a Tree Protection Method Statement and a Tree Protection Plan in accordance with British Standard 5837:2012 (or

later revision) shall be submitted to and approved in writing by the local planning authority. The methodologies should expand on the approved arboricultural protection documents and include more specific details on tree protection from earthworks, hardscape construction, underground service installation and construction traffic encroachment within the root protection zones of retained trees on site, most notably the Cedar tree no.847. The development shall be carried out in accordance with the agreed details and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the Tree Protection Plan. Within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit, without the prior written consent of the local planning authority. The fencing shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

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

- (7) The development shall be constructed in accordance with the measures outlined in Stage '3' Design Report for the Mechanical and Electrical Building Services Installations, dated December 2017.

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

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

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

- (9) No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority.

Reason: To ensure the required archaeological work is secured satisfactorily in accordance with Policy DM8 of the Development Management Policies Document 2015

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

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

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

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

- (12) The development permitted by this planning permission shall only be carried out in accordance with the approved FRA produced by Atkins dated November 2014 reference no. 5127703_200/072/DG/007 and Drainage Statement produced by MLM dated 12/12/17 reference BF/668456/AN

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

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

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

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

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

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

- (14) Prior to the commencement of the development (other than ground works and access construction) the applicant shall submit details of how the Sustainable Drainage System will cater for system failure or exceedance events, both on and offsite.**

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

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

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

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

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

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

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

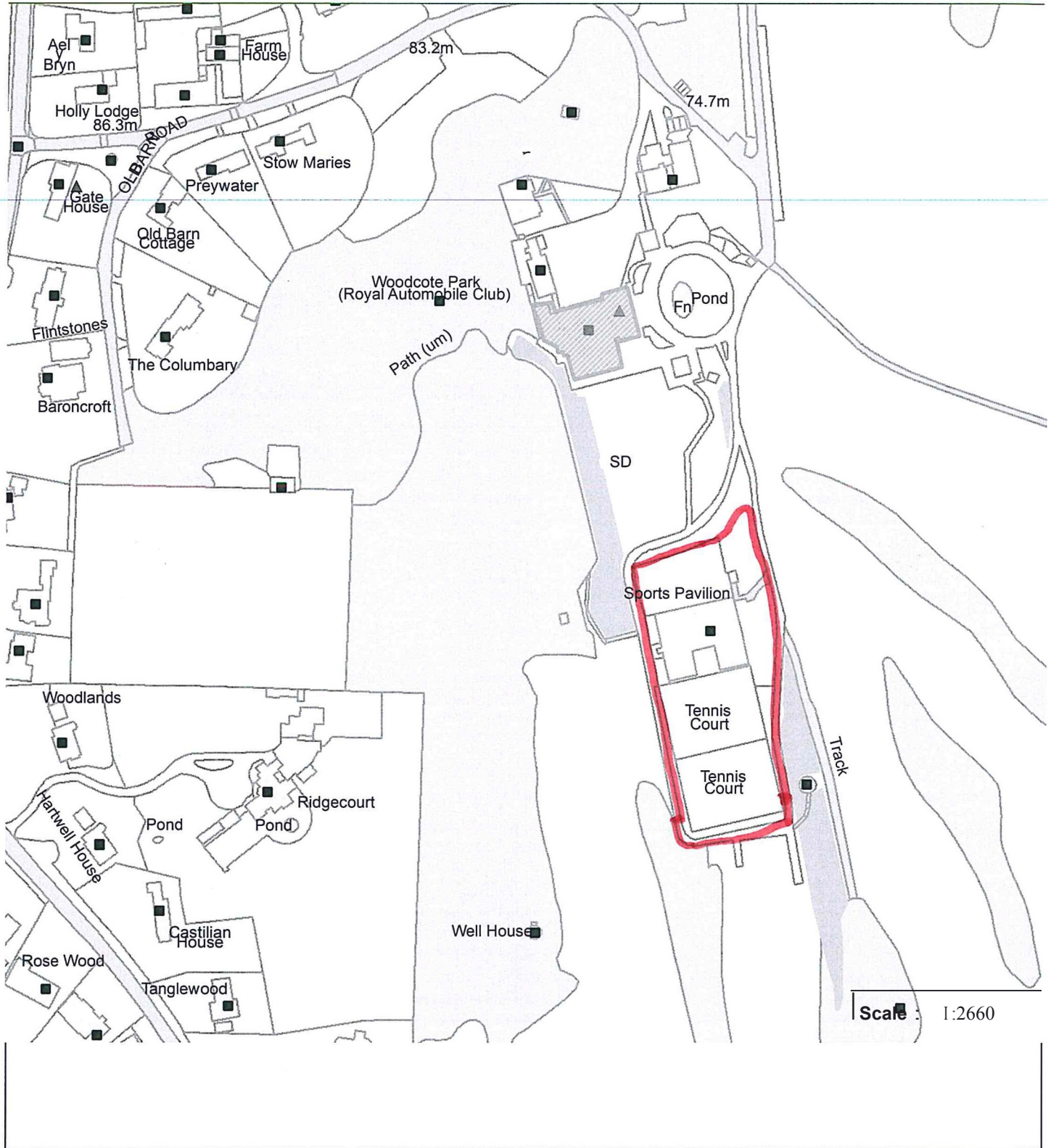
(03)-E-001	REV A	East Elevation
(03)-E-002	REVA	North Elevation
(03)-E-003	REV A	West Elevation
(03)-E-004	REV A	South Elevation
(03)-P-0B0	REV B	Basement
(03)-P-0G0	REVB	Ground Floor
(03)-P-0LG	REV B	Lower ground Floor
(03)-P-0R0	REV C	Roof
(03)-P-S000	REV A	Site Plan
(03)-X-001	REV B	Section A-A
(03)-X-002	REV B	Section B-B

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

Informative:

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

17/01426/FUL



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SITE VISITS

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

REPORT SUMMARY

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

RECOMMENDATION:

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

Notes

1 Implications for Community Strategy and Council's Key Priorities

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

2 Details

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

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

346 Chessington Road, West Ewell, KT19 9EG – 17/01274/FUL

Langley Vale Memorial Woodland Site, Headley Road, Langley Vale, Epsom – 17/01450/FUL

Former Police Station, Church Street, Epsom, KIT17 4PS – 17/01586/FUL.

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

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

2.3.2 If the application is large and/or complex

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

WARDS AFFECTED: ALL

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MONTHLY REPORT ON RECENT PLANNING APPEAL DECISIONS

<u>Report of the:</u>	Head of Place Development
<u>Contact:</u> Adele Castle	Adele Castle
<u>Urgent Decision:</u>	No – for information
<u>Annexes/Appendices (attached):</u> Appeal Summary	Annexe 1 – 2a Derek Avenue – Officer summary report Annexe 2 – 2a Derek Avenue – Inspectors report

REPORT SUMMARY

We have received one appeal decision this calendar month:-

- '2a Derek Avenue, West Ewell, KT19 9HT – Allowed

RECOMMENDATION:

That the attached appeal summary is noted.

Notes

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Appeal Decision

SITE: 2a Derek Avenue, West Ewell, KT19 9HT

PROPOSAL: Erection of first floor side extension

APPLICATION NUMBER: 17/00301/FLH

DECISION: Appeal upheld

GROUNDS FOR REFUSAL:

The proposed development due to its design, scale, massing and location, would lead to an unacceptable sense of enclosure, and would appear as a dominant and overbearing element in the outlook of No 2a Derek Avenue, contrary to Policy DM10 of the Development Management Policies Document 2015.

COMMENTS:

Officers recommended approval of a similar scheme (16/00470/FLH) for a first floor side extension, which was overturned by the Planning Committee in September 2016.

A revised application was submitted with a greater set back from the front elevation, a reduced depth and altered roof profile however was much closer to the boundary with its neighbour and was considered that this would not overcome members' concerns and was refused under delegated authority.

The Inspector concluded that due to the flank extensions subordinate roof height to the main house, inset from the side and same depth as the existing dwelling, the extension would appear as a proportionate addition in this setting. Consequently, the scale and appearance of the extension would not appear sufficiently dominant or incongruous from the neighbouring garden that it would cause unacceptable harm.

CONCLUSION: The Inspectors grounds for granting appeal are noted

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Appeal Decision

Site visit made on 6 February 2018

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 February 2018

Appeal Ref: APP/P3610/D/17/3186743
2a Derek Avenue, West Ewell KT19 9HT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Farzana McLaren against the decision of Epsom & Ewell Borough Council.
 - The application Ref 17/00301/FLH, dated 24 May 2017, was refused by notice dated 1 August 2017.
 - The development proposed is first floor side extension.
-

Decision

1. The appeal is allowed and planning permission is granted for first floor side extension at 2a Derek Avenue, West Ewell KT19 9HT. The permission is granted in accordance with the terms of the application Ref 17/00301/FLH, dated 24 May 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 000 (location plan), 003 (proposed floor plans), 004 (proposed elevations) and 005 (site plan).
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect on the living conditions of the occupier of No 2 Derek Avenue, with regard to outlook.

Reasons

3. The appeal property is a two storey detached dwelling in a residential road, although neighbouring properties in this part of Derek Avenue, including No 2, are semi-detached.
 4. The main parties refer to a previous unsuccessful application for a first floor side extension (reference 16/00470/FLH) and indicate that the current application seeks to address the reasons for refusal of the earlier proposal.
-

- While I note the previous application, this appeal involves a separate proposal which I have considered on its own merits.
5. The extension would be set behind the pitched garage roof which is at the front of the property and would extend to the same depth as the existing two storey dwelling. It would be set in from the ground floor side wall of the appeal property by 0.5 of a metre.
 6. The nearest ground floor room of the neighbouring property, No 2, is the kitchen. The principal outlook from this room is from the main rear-facing window. Due to the common rear building line along this part of the avenue, views of the extension from this window would not be possible. Consequently, any possible effects of the extension would be in relation to views from the side-facing kitchen door and window, from the passageway to the garden and from the garden itself.
 7. The small window and door to the side would enable some views of the extension from positions close to these glazed openings. However, the set-back of the extension from the ground floor, together with the fact that this window and door provide a secondary outlook, which already is towards the side wall of the neighbouring property, means that there would not be any material harm to the overall outlook from this room as a result of the extension.
 8. The kitchen door serves a short passageway, which provides access to the back garden. The properties are relatively close together at ground floor level and the passageway is a short, functional space to provide access to the rear. Taking these facts together with the extension's set-back from the ground floor, it would not have an overbearing appearance from this area.
 9. Views of No 2a are readily available from No 2's garden, with a largely open aspect across the appeal property's garage roof. However, due to its subordinate roof height to the main house, inset from the side and same depth as the existing dwelling, the extension would appear as a proportionate addition in this setting. Consequently, the scale and appearance of the extension would not appear sufficiently dominant or incongruous from the neighbouring garden that it would cause unacceptable harm.
 10. There are two small windows in the first floor side elevation of No 2. It is unclear whether these serve habitable rooms, but in any case the setback and lower roof height than the host dwelling means that the extension as viewed from these windows would not be dominant or overbearing.
 11. Accordingly, for these reasons, I conclude that the proposal would not have an unacceptably harmful effect on the living conditions of the occupier of No 2 Derek Avenue, with regard to outlook. Consequently, there is no conflict with Policy DM10 of the Development Management Policies Document 2015, which concerns the design of new development including that proposals should have regard to the amenities of neighbours. This policy is consistent with the National Planning Policy Framework.

Other Matters

12. I have had regard to a number of other matters raised by the neighbouring occupier of No 2 Derek Avenue. These include potential loss of light to the side kitchen window and door. While I acknowledge the concerns expressed, due to the existing close proximity of the neighbouring ground floor side wall, the set-back of the proposed extension and the fact that the window and door are secondary light sources, I agree with the Council's assessment that any loss of natural light would not be significant and, therefore, would not cause material harm compared to the current situation.
13. Concern is also expressed about the effect of the extension on the street scene, particularly through the loss of the gap above the garage and this not conforming to the prevailing development typology. However, the appeal property is a later addition to the street and does not reflect the same uniformity of design and appearance as the neighbouring semi-detached dwellings. Moreover, I agree with the Council that the scale, proportions and position of the extension would result in it appearing subordinate to the host dwelling; and the degree of separation with No 2 means that there would be no visible 'terracing' effect between properties, nor would it give an appearance of overdevelopment.
14. I acknowledge that the extension would not conform to the aim to achieve a one metre set-back from the boundary referred to in the Council's *Householder Applications* Supplementary Planning Guidance. However, this is guidance that must be applied judiciously in the particular circumstances of the proposed development and I have already found above that no harm would result to the street scene.
15. Concerns are raised about the accuracy of some elements of the submitted plans. I was able, however, to ascertain the effects of the proposal from all the submitted material and the site inspection. The description of development together with the delineated additional development on the plans confirm that the proposal only involves a first floor side extension and not any additional changes at ground floor level.
16. There is no evidence from the plans or other submitted material to suggest that construction of the extension would lead to damage to neighbouring properties. Consequently, I cannot draw a firm conclusion on this matter nor can it have a direct bearing on the appeal's outcome.
17. Finally, it is suggested that other options could be explored to create additional living space. However, I am required to determine this appeal on the basis of the submitted proposal. Therefore, while I have had regard to all these matters, for the reasons given they do not lead me to reach a different overall conclusion.

Conditions

18. Of the Council's suggested conditions I have imposed the standard time condition and, to ensure the proper implementation of the proposal, one requiring development to be carried out in accordance with the approved plans. I agree also that a condition requiring the external materials used to match

those of the existing building is needed in the interests of the appearance of the host dwelling and wider area.

19. For the reasons given above it is concluded that the appeal should succeed.

J Bell-Williamson

INSPECTOR