

## Minutes of the Meeting of the PLANNING COMMITTEE held on 7 November 2019

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### PRESENT -

Councillor Clive Woodbridge (Chair); Councillor Humphrey Reynolds (Vice-Chair); Councillors Nigel Collin, Neil Dallen (present for items 7 & 8 - left the Chamber at 20.20), Rob Geleit (as nominated substitute for Councillor Debbie Monksfield), Previn Jagutpal (from 19.15), Colin Keane, Jan Mason, Steven McCormick, Peter O'Donovan and David Reeve and Clive Smitheram (as nominated substitute for Monica Coleman).

#### In Attendance:

Absent: Councillor Monica Coleman, Councillor Lucie McIntyre and Councillor Debbie Monksfield

Officers present: Amardip Healy (Chief Legal Officer), Ruth Ormella (Head of Planning), Virginia Johnson (Planner), Steven Lewis (Planning Development Manager), John Robinson (Senior Planner) and Sandra Dessent (Committee Administrator)

### 37 ELECTION OF A VICE-CHAIR

In the absence of the Vice-Chair, Councillor Humphrey Reynolds was elected as Vice-Chair for the evening with the agreement of the Committee.

### 38 DECLARATIONS OF INTEREST

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

South Hatch Stables Burgh Heath Road Epsom KT17 4LX  
Councillor Jan Mason, Other Interest: Declared she was a member of Epsom & Walton Downs Conservators and a representative for the Training Grounds Management Board (TGMB). She did not take part in any of the deliberations or vote.

South Hatch Stables Burgh Heath Road Epsom KT17 4LX  
Councillor Neil Dallen, Other Interest: Declared he was a member of the Civic Society and the Training Grounds Management Board (TGMB).

South Hatch Stables Burgh Heath Road Epsom KT17 4LX  
Councillor Nigel Collin, Other Interest: Declared that he did not participate in the determination or vote when it was determined at Planning Committee on 17 September, and the same circumstances prevailed. Therefore he withdrew from this item..

South Hatch Stables Burgh Heath Road Epsom KT17 4LX

Councillor Steven McCormick, Other Interest: Declared he was a member of the Epsom Civic Society, Epsom & Ewell Tree Advisory Board, Woodcote (Epsom) Residents Society, Epsom & Walton Downs Conservators. He is known to the applicant and other trainers in the area and supports the Retraining of Racehorses (ROR) charity. Councillor Steven McCormick confirmed that he was not pre-disposed or predetermined and retained an open mind.

The Lodge, West Street, KT17 1XU

Councillor Clive Woodbridge, Other Interest: Declared he was a member of the 'Friends of Gibraltar Recreation Ground' situated adjacent to the site location.

The Lodge, West Street, KT17 1XU

Councillor David Reeve, Other Interest: Declared that he was known to the objector of the application.

The Lodge, West Street, KT17 1XU

Councillor Humphrey Reynolds, Other Interest: Declared that he was a Ward Councillor representing Ewell Ward in which the application was located.

### 39 MINUTES OF THE PREVIOUS MEETING

The Minutes of the Meetings of the Planning Committee held on 5 and 17 September were agreed as a true record and signed by the Chair.

### 40 ORDER OF MEETING

With the agreement of the Committee the order of the meeting was changed as follows: Item 8, item 7 followed by items 3, 4, 5, 6 and 9.

### 41 SOUTH HATCH STABLES BURGH HEATH ROAD EPSOM KT17 4LX

#### ***Description***

Demolition of the existing Racehorse Training Establishment (RTE) and the erection of a new RTE comprising of a main yard stable complex of 40 boxes, a secondary stable block of 20 boxes, an isolation yard, a trainer and assistant trainers house, stable staff accommodation, horse walkers, muck pits, a therapy barn, trotting ring and outdoor school, a lunge ring, turnout paddocks and a machinery store and storage barn and enabling residential development comprising 46 apartments. [Description amended to reflect reduction in 1 apartment (47 to 46)]

#### ***Recommendation***

At Planning Committee on 17 September Members resolved to grant conditional permission and refer to the Secretary of State (SoS) for determination and subject to the completion of a Section 106 Agreement, for the redevelopment of the South Hatch Stables site.

The Committee was advised that the Secretary of State (SoS) was seeking an extension beyond the prescribed 21 days to make a decision on the referral. In response the Local Planning Authority agreed not to issue planning permission

until the SoS had determined the matter. The length of the extension was not known but it was anticipated that it would extend beyond the date for the General Election i.e. 12 December.

The Committee was apprised on the drafting of the legal agreement, and was advised that the S106 had been updated to secure the following:

- Reptile translocation site and Management Plan
- Delivery of the enabling housing development in accordance with the approved phasing plan
- Securing the trainer and stable hand accommodation in perpetuity
- Community mini bus
- Travel Plan with monitoring fee
- A mechanism to review the viability of the development if Phase 4 of the residential scheme has not reached slab level within two years of consent being granted.
- A “claw back” clause to ensure that the Council is paid the equivalent value of the cost of the affordable housing provision, if the applicant/owner sold the stables in part or as a whole, within a 15 year period from completion of the enabling residential development.

As the original deadline to complete the Section 106 agreement had passed the Committee agreed to delegate to the Head of Planning the determination of the application to be signed three months from the date of the final determination by the SoS. It was noted that should the matter be called in the application would be considered at a public enquiry.

**42**      29 FULFORD ROAD, WEST EWELL, SURREY, KT19 9QZ - 19/00890/CLP

***Description***

Single storey rear extension (Application for a certificate of Lawfulness for a Proposed Development).

***Recommendation***

This application was brought before Committee as the property is owned by a member of the Council staff.

The proposed development was considered Permitted Development under Schedule 2, Part 1, Classes A and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Therefore Officers were satisfied that the appropriate legal tests had been met.

***Decision***

To **Grant** a Lawful Development Certificate

**Informatives:**

- (1) The proposed development is considered Permitted Development, under Schedule 2, Part 1, Classes A and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) subject to the following conditions

**Class A (The enlargement, improvement or other alteration of a dwellinghouse.)**

**Development is permitted by Class A subject to the following conditions—**

(a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

(b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be—

(i) obscure-glazed, and

(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and

(c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

**Class C (other alterations to the roof of a dwellinghouse)**

**Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be—**

(a) obscure-glazed; and

(b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed..

- (2) The decision relates to the following drawings:

**Site Location Plan**

**TD001 - Existing Plans - June 2018**

**TD002 - Proposed Floor Plan - June 2018****TD003 - Proposed Elevations - June 2018.**

- (3) Please note that this is only permitted development if the proposed roof lights protrude no more than 0.15m beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof.
- (4) All external fascias, materials, treatments and finishes of the proposed new work shall match existing house and those listed in the submitted approved plans to the satisfaction of the Local Planning Authority.
- (5) Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced.

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

- (6) You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work before 8am or after 6pm Monday to Friday, before 8am or after 1pm on a Saturday or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Health Department Pollution Section.

- 43 HORTON PARK GOLF AND COUNTRY CLUB, HOOK ROAD, EPSOM, SURREY, KT19 8QG

***Description***

Replacement driving range fence

### ***Recommendation***

This application was brought before the Committee as the site falls within land owned by the Council.

Officers reported that there were no material, visual or amenity concerns arising from the proposal and the applicant submitted the following justification in support of the application:

- Over the past twenty years golf club technology had continually increased the distance a golf ball could be hit and there was potential for them to fly over the current netting
- The increase in height of the netting would increase safety standards on the range for customers and staff

The Committee discussed the impact on the openness of the Green belt and the visual amenity and it was agreed that planning permission be granted.

### ***Decision***

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

#### **Conditions:**

- (1) The development hereby permitted shall be commenced within 3 years from the date of this decision.

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

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

**Proposed elevations:** Drawing 16042 101

**Proposed layout:** Drawing DW15031703

**Lighting Column:** Drawing DW27011101 Rev1

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

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

**Reason:** To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with

**Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.**

**Informative:**

- (1) In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

- 44 THE ROYAL AUTOMOBILE COUNTRY CLUB (RAC), OLD BARN ROAD, EPSOM, SURREY, KT18 7EW

***Description***

Variation of Condition 2 (drawings) of planning ref: 18/00645/FUL dated 14 November 2018, to amend the engineering design of the Reservoir.

***Recommendation***

Following the granting of planning permission in November 2018, work had commenced on site, however during the course of survey works and engineering checks it was established that engineering adjustments to the form of the reservoir were required.

The application sought technical design changes to the reservoir only which would not impact the capacity of the reservoir (6 million gallons), maintenance area, access to the site or the power line constraints.

Officers had assessed the application against planning policy and it was not considered to adversely impact the Green Belt or the ecological and biodiversity potential of the site.

***Decision***

Planning permission is **PERMITTED** as per the original conditions detailed below with the only change being to the approved drawings as set out in Condition No.2.

**Conditions:**

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of 14 November 2018.

**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. The development hereby**

- (2) The development hereby permitted shall be carried out in strict accordance with the approved drawings:**

**RAC\_SLP\_09\_05.18 – Site Location Plan – dated 31.05.18**

**MWE\_RAC\_PPS\_25\_08.19 – Planning Phase Sections – dated 15.08.19**

**MWE\_RAC\_PPP\_24\_08.19 – Planning Phase Plan – dated 15.08.19**

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

- (3) The development shall be carried out in accordance with the details of the pump house, approved under application ref: 19/00086/COND, granted 15 May 2019**

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

- (4) The development shall be carried out and retained in accordance with the details of the fence(s), approved under ref: 19/00086/COND, granted 15 May 2019**

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

- (5) The reservoir land forming and development, shall be carried out in strict accordance with the agreed recommendations for Tree Work and Tree Protection as detailed in the Arboricultural Assessment produced by SJA dated July 2018 reference SJA air 18095-01C**

**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.**

- (6) The development shall be carried out in accordance with the agreed details of the Arboricultural Method Statement and Tree Protection Plan, as approved under ref: 19/00086/COND, granted 15 May 2019. 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 the 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 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 ensure that the tree(s) receive the appropriate treatment and that the tree work is of a satisfactory standard to protect amenity in accordance with Policies CS1 and CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

- (7) A Traffic Management Plan and Transport Management Plan were approved under ref: 19/00086/COND, granted 15 May 2019. The approved details shall be implemented during the construction of development.

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

- (8) The development shall take place in accordance with the detailed Written Scheme of Investigation, approved under ref: 19/00086/COND, granted 15 May 2019. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works only shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

**Reason:** The site has archaeological potential and it is important that the archaeological information should be preserved as a record before it is destroyed by the development in accordance with Policy CS5 of the Core Strategy (2007).

- (9) The development shall be implemented strictly in accordance with the mitigation and enhancement measures outlined in the Ecological Appraisal dated August 2018 (Report Reference - EDP1297\_r020b) and the recommendations and conclusions drawn in the 2012 Ecological Appraisal (Report Reference - EDP1297\_01g) dated September 2012.

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

- (10) The development permitted by this planning permission shall only be carried out in accordance with the approved FRA produced by WSP dated June 2018 reference no. 7004190/MZ/EI.

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.

- (11) No construction work shall be carried out in such a manner as to be audible at the site boundary before 08.00 hours or after 18:00 hours Monday to Friday; no construction work shall be audible at the site boundary before 08:00 or after 13:00 hours on Saturdays and no construction work of any nature shall be carried out on Sundays or Bank/Public Holidays.

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

- (12) Details of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, was submitted to and approved by the local planning authority, ref: 19/00086/COND, dated 15 May 2019. 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.

- (13) The plant and machinery shall be used in accordance with the approved scheme for enclosure and sound installation materials, approved under ref: 19/00086/COND, granted 15 May 2019

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

**Informative:**

- (1) In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has

**been given every opportunity to submit an application which is likely to be considered favourably.**

**45 DEVELOPMENT SITE AT GARAGES, ORMONDE AVENUE, EPSOM, SURREY**

***Description***

Erection of three no. two-bedroom dwellings

***Recommendation***

The Committee received an application which proposed a terrace of three dwellings and the provision of six car parking spaces, exceeding local planning policy standards.

Officers confirmed that the application for three units was below the threshold for stipulating affordable housing as part of the scheme. It was noted however that the applicant was a registered social landlord and their intention was for the dwellings to be provided as affordable dwelling for rent, as part of their housing estate.

***Decision***

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

**Conditions:**

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

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

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

**EX01 – Existing Location Plan and Block Plan for Planning Submission – dated Mar 2019**

**EX02 – Existing Site Survey Plan for Planning Submission – dated Mar 2019**

**EX03 – Existing Site Sections & Elevations for Planning Submission – dated Mar 2019**

**PL01 – Proposed Location Plan and Block Plan for Planning Submission – dated Mar 2019**

**PL02 – Proposed Site Plan With Vehicle Tracking, Previous Planning Scheme & Dimensions for Planning Submission – dated Mar 2019**

**PL03 – Proposed Site Plan, Ground Floor Plan, First Floor Plan & Roof Plan for Planning Submission – dated Mar 2019**

**PL04 – Proposed Elevations for Planning Submission – dated Mar 2019**

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

- (3) The development hereby permitted shall be constructed entirely of the materials as detailed on the schedule of materials on the planning application form and the following drawings:**

**PL01 – Proposed Location Plan and Block Plan for Planning Submission – dated Mar 2019**

**PL02 – Proposed Site Plan With Vehicle Tracking, Previous Planning Scheme & Dimensions for Planning Submission – dated Mar 2019**

**PL03 – Proposed Site Plan, Ground Floor Plan, First Floor Plan & Roof Plan for Planning Submission – dated Mar 2019**

**PL04 – Proposed Elevations for Planning Submission – dated Mar 2019**

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

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

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

- (5) Full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, shall be submitted to and approved in writing by the local planning authority. 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.

- (6) The development hereby approved shall not be first occupied unless and until details of demarcation, allocation, signage and hardstanding for the new parking spaces have been submitted to and approved by the local planning authority. The parking spaces shall thereafter be laid out within the site in accordance with the approved plans for a minimum of 6 vehicles to be parked and thereafter retained and maintained for their designated parking purpose. The parking spaces are to be used by residents of the development hereby approved only.

**Reason:** The above condition is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and DM37 Parking Standards of the Epsom and Ewell Borough Council Development Management Policies Document 2015.

- (7) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for cycles to be securely stored. Thereafter the storage areas shall be retained and maintained for their designated purposes.

**Reason:** The above condition is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2018 and DM 37 Parking Standards of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (8) The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

**Reason:** The above condition is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2018 and DM 36 Sustainable Transport for New Development of the Epsom and Ewell Borough

**Council Development Management Policies Document September 2015.**

- (9) Bat, swift and bird boxes are to be installed on the dwellings, to enhance the biodiversity interest of the site. The boxes shall be installed 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.

- (10) 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. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.

b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate agreed with the LLFA and LPA.

c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).

d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.

e) Details of drainage management responsibilities and maintenance regimes for the drainage system.

f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

**Reason:** To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site and to comply with Policy CS6

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

- (11) 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. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS and to comply with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

- (12) Following any necessary demolition and prior to the commencement of any further development, the following shall be undertaken in accordance with current best practice guidance:

(i) a desk study, site investigation and risk assessment to determine the existence, extent and concentrations of any made ground/fill, ground gas (including hydrocarbons) and contaminants (including asbestos) with the potential to impact sensitive receptors on and off-site. The results of the investigation and risk assessment shall be submitted to and approved by the Local Planning Authority; and

(ii) if ground/groundwater contamination, filled ground and/or ground gas is found to present unacceptable risks, a detailed scheme of risk management measures shall be designed and submitted to the Local Planning Authority for approval.

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

- (13) Prior to any occupation of the site, the approved remediation scheme prepared under Condition 12 must be carried out in accordance with its terms. Following completion, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

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

- (14) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. In that event, an investigation and risk assessment must be undertaken and where remediation is deemed necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

- (15) No development including any works of demolition or preparation works prior to building operations shall take place on site until a Construction Transport Management Plan has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period and shall include:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials used in constructing the development
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary security hoarding behind any visibility zones
- (f) wheel washing facilities
- (g) measures to control the emissions of dust and dirt during construction
- (h) a scheme for the recycling/disposing of waste resulting from demolition and construction works
- (i) hours of operation.



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

**Informatives:**

- (1)** In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.
- (2)** Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced.
- (3)** The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
- (4)** Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
- (5)** The applicant is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface

**covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.**

*The Committee noted a verbal representation from the agent. 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.*

**46 THE LODGE, WEST STREET, KT17 1XU**

***Description***

Demolition of existing detached house and construction of Two houses and Four flats.

Note: The website link on the agenda was incorrect and should be replaced with the following link:

<http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PTRJ3MGYFHF00>

***Recommendation***

The Committee received a report seeking to build two houses and four flats with direct access to Ewell Village and, bounded by Gibraltar Recreation ground to the north west of the site. The development would accommodate two parking spaces on the site and it was proposed that the parking demand for an additional six spaces would be accommodated using off street parking.

The report outlined paragraphs 7 and 8 of the National Planning Policy Framework (NPPF) and Members were encouraged to view the proposed development in terms of sustainable development i.e. in terms of economic, social and environmental impact. The Objectively Assessed Housing Need (OAHN) that required the Borough to build 695 dwellings per year was also emphasized and the Council's commitment to maximising the five year land supply.

It was confirmed that the proposed development did not include sufficient spaces to meet the Council's minimum parking standards and Members discussed the potential impact on surrounding streets and Gibraltar Recreation ground car park which was intended for residents who used the facilities in the park. It was noted that the applicant had provided a transport statement and Surrey County Council (SCC) Highways had not raised any objections.

It was acknowledged that the proposed development would maximise the density of the site. Members deliberated the balance between potential less than significant harm to the character of a conservation area and the benefits associated with the provision of an additional five dwellings.

***Decision***

Planning permission is **REFUSED** for the followings reasons:

- (1) The design of the development by reason of its scale, massing, bulk and detail would fail to preserve or enhance the character and appearance of the Ewell Village Conservation Area, resulting in less than substantial harm to the designated heritage asset. The development does not achieve public benefits that outweigh the harm and adverse impacts of the scheme when assessed against the policies in the National Planning Policy framework taken as a whole. The proposal is contrary to the NPPF, policies DM8, DM9, and DM10 of the Development Management Policies Document 2015 and CS5 of the Core Strategy 2007.**
- (2) The proposed development would not meet the parking standards as set out in DM37 of the Development Management Policies Document 2015 resulting in harm to the surrounding area in terms of streetscene and availability of on street parking, and failing to comply with CS16 of the Core Strategy 2007.**

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

#### **47 MONTHLY REPORT PLANNING APPEALS DECISIONS**

The Committee noted five appeal decision from 20 August to 16 October 2019 and the number of dwelling for which planning permission had been granted up to September 2019.

*The meeting began at 7.00 pm and ended at 8.40 pm*

COUNCILLOR CLIVE WOODBRIDGE (CHAIR)