

Minutes of the Meeting of the PLANNING COMMITTEE held on 19 December 2019

PRESENT -

Councillors; Monica Coleman, David Reeve, Nigel Collin, Neil Dallen, Hannah Dalton (as nominated substitute for Councillor Steven McCormick), Bernice Froud (as nominated substitute for Councillor Humphrey Reynolds), Previn Jagutpal, Colin Keane, Jan Mason, Lucie McIntyre, Debbie Monksfield, Phil Neale (as nominated substitute for Councillor Clive Woodbridge) and Peter O'Donovan

Absent: Councillor Clive Woodbridge, Councillor Steven McCormick and Councillor Humphrey Reynolds

Officers present: Steven Lewis (Planning Development Manager), Danny Surowiak (Principal Solicitor), Tom Bagshaw (Planner) and John Robinson (Senior Planner)

48 APPOINTMENT OF CHAIR AND VICE-CHAIR

In the absence of the Chair, Councillor Clive Woodbridge and with the agreement of the Committee, Councillor Monica Coleman was appointed Chair for the evening. Subsequently, Councillor David Reeve was appointed Vice-Chair.

49 DECLARATIONS OF INTEREST

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

Declarations of Interest

Councillor Neil Dallen, Other Interest: Declared he was a member of the Civic Society.

59 Ashley Road Epsom Surrey KT18 5BN 18/00548/FUL

Councillor Nigel Collin, Other Interest: Did not take part in the deliberations or voting for this item.

Odeon Cinema, 16 - 18 Upper High Street, Epsom, KT17 4QJ - 19/01056/REM

Councillor Bernice Froud, Other Interest: Declared that a member of her family worked for Odeon Cinema but she did not receive any financial benefit.

Tree Preservation Order 37 - Revocation - 18a Richlands Avenue

Councillor Hannah Dalton, Other Interest: Declared she was known to and had previously corresponded with the applicant.

50 MINUTES OF THE PREVIOUS MEETING

The Minutes of the meeting of the Planning Committee held on 7 November were agreed as a true record and signed by the Chair.

51 59 ASHLEY ROAD EPSOM SURREY KT18 5BN 18/00548/FUL

Description

Residential development of 6 flats in a detached building, including associated landscaping, access and parking following demolition of existing dwelling.

Decision

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

Note: Amendments to Conditions 10 and 11 and an additional condition number 20

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:

BRN /P18/03B Site Layout

ARE/P18/08/A East and West Elevations

ARE/P18/08/A North and South Elevations

ARE/P18/04 Ground floor plan

ARE/P18/05 First floor plan

ARE/P18/06 Second floor plan

ARE/P18/07 Roof plan

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

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

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

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

- (4) No development shall take place until details of existing and proposed finished site levels, finished floor and ridge levels of the buildings to be erected, and finished external surface levels have been submitted to and approved in writing by the local planning authority . The development shall thereafter be constructed in accordance with the approved details.**

Reason: In order to safeguard the visual amenities of the area / In order to safeguard the amenities of the occupiers of neighbouring properties in accordance with Policy CS5 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies 2015.

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

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

- (6) No development shall take place until full details of all boundary treatment have been submitted to and approved in writing by the local authority. The approved scheme shall be implemented prior to the occupation of the development hereby approved and thereafter retained.**

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

- (7) Prior to demolition of the existing building details of the 'no dig' technique, (using a cellular confinement system) of the parking spaces, shall be submitted to and approved by the local planning**

authority. The parking spaces shall be constructed in full accordance with the approved details.

Reason: To protect the roots of surrounding trees from damage by root severance and/or compaction in accordance with Policies DM5 and DM9 of the Development Management Policies 2015.

- (8) Prior to commencement of the development details of the method of construction and route of the underground services to the new building shall be submitted to and approved by the local planning authority. The underground services shall be accommodated in full accordance with the approved details.**

Reason: To protect the roots of surrounding trees from damage by root severance and/or compaction in accordance with Policies DM5 and DM9 of the Development Management Policies 2015.

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

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

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

- (10) The development hereby approved shall not be first occupied until space has been laid out within the site in accordance with the approved plans for vehicles and cycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. A parking space shall be allocated to each respective flat unit. Thereafter the parking and turning areas shall be 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.

- (11) The development hereby approved shall not be occupied unless and until at least 20% 2 of the available parking spaces are provided with a fast charge socket (current minimum requirement:

7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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 DM36 of the Development Management Policies Document 2015

- (12) 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.

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

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

- (14) Prior to occupation of the development hereby permitted, detailed elevations, locations and plans of the proposed secure cycle, refuse and recycling storage shall be submitted to and approved by the council. The approved details will then be retained in perpetuity or the lifetime of the development hereby approved or until the grant of planning permission explicitly states otherwise.

Reason; In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007).

- (15) The development shall be carried out strictly in accordance with the Arboricultural Method Statement (Rev 1) Ref: CC/1880 AR4113, and Tree Protection Plan TPP-CC/1880 AR4113 REV 1. 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.

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

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

- (17) Excavation within the root protection area shall be undertaken by hand under arboricultural supervision as indicated on the Tree Protection Plan TPP-CC/1880 AR4113 REV 1

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.

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

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

- (19) The flank windows in the upper floors and roofslope of the development hereby permitted shall be glazed with obscure glass of no less than obscurity level 3 and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

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

- (20) Prior to commencement of the development hereby permitted, details of rainwater harvesting and other sustainable and energy efficient measures shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.**

Reason: in order to promote sustainable construction in accordance with Policy CS6 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 38 of the National Planning Policy Framework 2018.**
- (2) The water efficiency standard required under condition 11 has been adopted by the local planning authority through the Development Management Policies 2015. This standard is the 'optional requirement' detailed in Building Regulations 2010, Part G Approved Document (AD) Buildings Regulations (2015), at Appendix A paragraph A1.**

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

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

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

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

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

More information and the charging schedule are available online:

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

- (4) No construction work shall be carried out in such a manner as to be audible at the site boundary before 07:30 hours or after 18:30 hours Monday to Friday; no construction work shall be audible at the site boundary before 08:00 or after 13:00 hours on Saturdays and no construction work of any nature shall be carried out on Sundays or Bank/Public Holidays.
- (5) (The applicant is informed that the Highway Authority (HA) would seek to secure a S278 agreement prior to works commencing, due to the location of the central pedestrian crossing, as this is also considered to obstruct construction vehicle access and thus impact on the safe movement of pedestrians and free flow of traffic The HA highlight that this aspect can take up to six months and it is recommended that the applicant enter into a S278 agreement at the earliest point.

The Committee noted a verbal representation from 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.

52 KINGS ARMS PUBLIC HOUSE 144 EAST STREET EPSOM KT17 1EY 19/00900/REM

Description

Variation of Condition 2 (Approved drawings) of planning permission 18/00315/FUL to permit minor revisions to the elevations and fenestration of the proposed new building.

Decision

Variation of Condition 2 **PERMITTED**, subject to the following:

Part A

The Committee authorise the Head of Planning to grant planning permission subject to the conditions detailed below. Subject to a new legal agreement (under the same terms as the extant agreement) being completed and signed by the 31 March 2020 to secure the following previously agreed and secured heads of terms:

- A commuted sum of £110,164 in lieu of the on-site provision of;
- affordable housing
- In the event that the slab level is not completed within three years from the date of the planning permission a revised viability appraisal shall be submitted.
- Residential Travel Information Pack

Part B

In the event that the section 106 Agreement referred to in Part A is not completed by 31 March 2020, the Head of Planning be authorised to refuse the application for the following reason:

- (1) 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 Policy CS5 of the Core strategy 2007.

Conditions:

- (1) The development hereby permitted shall be commenced within 3 years from the 2 May 2019, the date of the originally approved application 18/00315/FUL that is subject to this application to variation.

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 2005.

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

Proposed Site Layout 1355-PIn-001A

Proposed Ground and First floor plans 1355-PIn-002A

Proposed Second and Third floor plans 1355-PIn-003A

Proposed North West (Front) elevation 1355-PIn-004A

Proposed South West (Side) elevation 1355-PIn-005A

Proposed South East (Rear) elevation 1355-PIn-006B

Proposed South West (Side) elevation 1355-PIn-007A

Existing and Proposed North West (front) elevation 1355-PIn-009A

Existing and Proposed North East (side) elevation 1355-PIn-010A

Existing and Proposed South East (rear) elevation 1355-PIn-011B

Existing and Proposed South West (side) elevation 1355-PIn-012A

North West Front Elevation (Coloured) 1355-PIn-013

South West Side Elevation (Coloured) 1355-PIn-014

South East Rear Elevation (Coloured) 1355-PIn-015A

North East Side Elevation (Coloured) 1355-PIn-016**Proposed Roof Plan 1355-PIn-017**

Reason: For the 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 materials to be used for the external surfaces of the development, including windows and doors, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.**

Reason: In the interest of safeguarding visual amenity in accordance with Policy CS5 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies Document (2015).

- (4) **Sample panels of all of the external materials demonstrating the colour, texture, face bond and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.**

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) **No development, with the exception of demolition, 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: The site is of high 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).

- (6) **No development, other than demolition, shall commence until a scheme of hard and soft landscaping has been submitted to the Local Planning Authority for approval, which shall include indications of all existing trees on the land, and details of any to be retained, together with measures for their protection, in the course of development. The scheme shall indicate the location and species of plants and trees to be planted on the site (including the location and details of three tree pits along the highway frontage). The approved scheme shall be implemented so that planting can be carried out during the first planting season following the occupation**

of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees of planted removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.

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) No site clearance or building operations shall commence on site until the protective fencing and other protection measures as shown on the TREE SURVEY, ARBORICULTURAL IMPLICATION ASSESSMENT dated June 2018 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 ensure the provisions and maintenance of soft landscaping, in the interest of visual amenity as required by Policy DM5 of the Development Management Policies Document 2015 and in the interest of environmental sustainability as required by Policies CS1 and CS4 of the Core Strategy 2007.

- (8) Before any occupation of the development hereby permitted, the flank window of Flat T2 on the third floor shall be constructed so that no part of the framework less than 1.7m above finished floor level shall be openable. Any part below that level shall be fitted with, and retained in, obscure glazing of a patterned type only which shall thereafter be retained as such. Obscure glazed windows should be obscured to minimum of level 3 of the Pilkington Scale. The use of any type of film or material affixed to clear glass is not acceptable for the purposes of this Condition.

Reason: To protect the amenities and privacy of the adjoining residential properties in accordance with Policy DM10 of the Development Management Policies Document 2015.

- (9) Before any occupation of the development hereby permitted, the balconies to Flat F6 (first and second floor) and Flat T4 (third floor) shall be provided with 1.7m high flank privacy screens, which shall thereafter be retained as such.

Reason: To protect the amenities and privacy of the adjoining flats in accordance with Policy DM10 of the Development Management Policies Document 2015

- (10) Electric charging points shall be installed in 3 of the allocated parking spaces at the development. The charging points shall be supplied with an independent 32amp radial circuit and must comply with BS7671. Standard 3 pin, 13 amp external sockets will be required. The sockets shall comply with BS1363, and must be provided with a locking weatherproof cover if located externally to the building.

Reason: To protect and exploit opportunities for the use of sustainable transport modes for the movement of goods and people in accordance with guidance under Paragraph 110 of the NPPF 2018.

- (11) 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 solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development (Pre, Post and during), associated discharge rates and storages volumes shall be provided using a maximum Greenfield discharge rate of 1 l/s.

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) 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.

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

f) 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.

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 in accordance with Policy C6 of the Core Strategy 2007

- (12) 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, in accordance with Policy C6 of the Core Strategy 2007

- (13) The development hereby approved shall be constructed in accordance with the sustainable construction techniques and energy efficient measures outlined in the Sustainability Statement dated April 2018 unless otherwise agreed in writing with the local planning authority.

Reason: In order to promote sustainable construction in accordance with Policy CS6 of the Epsom and Ewell Core Strategy (2007).

- (14) Prior to occupation of the development hereby permitted the applicant shall supply details of locations of bird and bat boxes, as well as swift bricks, to be located within the proposed development. The approved details will then be retained in perpetuity or the lifetime of the development hereby approved or until the grant of planning permission explicitly states otherwise.

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

- (15) 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 vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2018 and Policy DM 37, of the Development Management Policies Document 2015.

- (16) 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) vehicle routing

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

(h) on-site turning for construction vehicles

(i) hours of construction

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 National Planning Policy Framework 2018 and Policy CS16 of the Core Strategy 2007

- (17) The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with the approved plans for;**

(a) secure parking for a minimum of 35 bicycles within the development site, and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: 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 Policy CS16 of the Core Strategy 2007.

- (18) The development hereby approved shall not be first occupied unless and until the proposed modified access to East Street has been constructed in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction measured from 0.6m above the road surface.**

Reason: In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2018 and Policy CS16 of the Core Strategy 2007.

- (19) The development hereby approved shall not be first occupied unless and until the two Western most existing accesses from the site to East Street have been permanently closed and any kerbs, verge, footway, fully reinstated.**

Reason: 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 Policy CS16 of the Core Strategy 2007

- (20) 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.

- (21) Prior to the commencement of development, details/sections of all eaves, parapets, windows (including head, sill and window reveal details), rainwater goods, extraction ducts, balustrades, 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

- (22) Prior to the commencement of development, details/sections of all eaves, parapets, windows (including head, sill and window reveal details), rainwater goods, extraction ducts, balustrades, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.**

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

Informatives:

- (1) 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 fact that this planning permission is liable for Community Infrastructure Levy payments (CIL).
- (3) If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.
- (4) If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.
- (5) A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.
- (6) The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. Please see:

www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehiclecrossovers-or-dropped-kerbs
- (7) The developer is advised that as part of the detailed design of the highway works required by the above conditions, 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.
- (8) 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).

- (9) The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
- (10) 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
- (11) It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:

<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicleinfrastructure.html>

for guidance and further information on charging modes and connector types.

53 ODEON CINEMA, 16 - 18 UPPER HIGH STREET, EPSOM, KT17 4QJ - 19/01056/REM

Description

Variation of opening hours

Decision

Variation of opening hours **PERMITTED** subject to the following conditions:

Conditions:

- (1) Details of materials used for the external surfaces of the development shall be those which were submitted to and approved by the Borough Council in planning application 97/00462/FUL. No variation of approved materials shall take place without consent in writing of the Borough Council

Reason: To enable the Borough Council to exercise control over the type and colour of the materials so as to secure the satisfactory appearance in the interests of the visual amenities and character of the locality

- (2) No trenches, pipe runs for services and drains shall be sited within 4.5 metres of the trunk of any tree retained on the site

Reason: To enable the Borough Council to ensure the retention of trees on the site, protected from damage in the interests of visual amenity.

- (3) The premises shall be used for cinema purposed (D2) only, and no other purpose (including any other purpose in Use Class D2 of the Schedule to the Town and Country Planning (Use Classes Order 2015).

Reason: to ensure a satisfactory form of use of the premises.

- (4) The premises hereby permitted shall only be open to members of the of the public between the hours of:

Monday 08:00 hours – 24:00 hours.

Tuesday 08:00 hours – 24:00 hours.

Wednesday 08:00 hours – 24:00 hours.

Thursday 08:00 hours – 01:00 hours. Friday

Friday 08:00 hours – 02:00 hours. Saturday

Saturday 08:00 hours – 02:00 hours. Sunday

Sunday 08:00 hours – 24:00 hours.

Reason: In order to safeguard the amenities of the locality

- (5) The footway link identified in the original permission (97/00462/FUL) from upper High Street to Depot Road shall be constructed to an adoptable standard and shall be maintained to that standard thereafter and shall remain open for the use of all members of the public at all times.

Reason: To ensure a satisfactory means of pedestrian access to the development and for all members of the public

- (6) There shall be no means of access from Upper High Street

Reason: the above condition is required in order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users

- (7) In the event that a pedestrian link between the Upper High Street and Depot Road car park is not provided by the cinema operator must prevent pedestrians from exiting the cinema via any other exit than the Upper High Street except in exception or emergency situations.

Reason: in the interest if pedestrian safety

- (8) The illumination of the site shall be carried out in accordance with the details submitted in application 97/00462/FUL

Reason: To preserve the amenities of the area.

- (9) The odour control of the site shall be carried out in accordance with those details as submitted within application 97/00462/FUL.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties

- (10) The noise and vibration control of the site shall be carried out in accordance with those details as submitted within application 97/00462/FUL.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties

- (11) No deliveries or servicing of the premises shall take place from Upper High Street or Depot Road between the hours of 07:30 and 09:30 and between 16:30 and 18:30 Mon-Fri, and between the hours of 08:30 and 17:30 on Saturday.

Reason: To ensure that the development does not prejudice the free flow of traffic on condition of safety on the highway or cause inconvenience to other highway users

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

54 TOWN HALL CAR PARK, DULLSHOT GREEN, EPSOM KT17 4NY - 19/01285/CLE

Description

Application for certificate of lawful use in respect of hand washing at Hope Lodge and Town Hall Parks.

Decision

Certificate of Lawful Use approved under Section 191 of the Town and Country Planning Act 1990 (as amended)

Reason: The use has been in continuous operation for a period of greater than ten years in accordance with section 171 (3) The Town and Country Planning Act 1990 (as amended)

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.

55 CAR PARK - UPPER HIGH STREET, EPSOM KT17 4QY - 19/01333/CLE

Description

Application to establish the lawful status of the existing use of part of car park for hand car washing

Decision

Certificate of Lawful Use **APPROVED** under Section 191 of the Town and Country Planning Act 1990 (as amended)

Reason: The use has been in continuous operation for a period of greater than ten years in accordance with section 171 (3) The Town and Country Planning Act 1990 (as amended)

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.

56 TREE PRESERVATION ORDER 37 - REVOCATION - 18A RICHLANDS AVENUE

Description

Revocation of Tree Preservation order 37

Decision

That the Local Planning Authority is authorised to undertake the process of notification and communication with all affected properties as set out in the legislation of the Council's intention to revoke TPO 37.

In the absence of any objection that Revocation Order be made.

In the event an objection is received to the proposed revocation, a report considering the objection shall return to Planning Committee for final decision.

57 MONTHLY REPORT PLANNING APPEAL DECISIONS

The Committee noted the appeal decisions from 20th October 2019 to 2nd December 2019

The meeting began at 7.00 pm and ended at 8.35 pm