

Minutes of the Meeting of the PLANNING COMMITTEE held on 14 January 2021

PRESENT -

Councillor Clive Woodbridge (Chair); Councillor Monica Coleman (Vice-Chair); Councillors Alex Coley, Nigel Collin, Neil Dallen, David Gulland, Previn Jagutpal, Jan Mason, Steven McCormick, Lucie McIntyre, Debbie Monksfield, Peter O'Donovan and Clive Smitheram

Absent: Councillor Colin Keane

Officers present: Danny Surowiak (Principal Solicitor), Viv Evans (Interim Head of Planning), Tom Bagshaw (Planner), Steven Lewis (Planning Development Manager), John Robinson (Senior Planner), Sarah Keeble (Democratic Services Officer) and Tim Richardson (Committee Administrator)

23 DECLARATIONS OF INTEREST

The following declarations were made in relation to items of business to be discussed at the Meeting:

In the interests of openness and transparency, Councillor Steven McCormick declared that he is a member of the Woodcote Epsom Residents Society and Epsom Civic Society. He stated that he came to the meeting with a clear and open mind.

Majestic Wine Warehouses Ltd, 31 - 37 East Street

In the interests of openness and transparency, Councillor Neil Dallen declared that he shops in Majestic Wine. He also stated that he is a member of Epsom Civic Society, and that he came to the meeting with a clear and open mind.

57 Salisbury Road Worcester Park Surrey KT4 7DE

In the interests of openness and transparency, Councillor Jan Mason declared that she had received an email regarding this Item.

In the interests of openness and transparency, Councillor Lucie McIntyre declared that she had received a number of emails from residents in relation to this Item. She stated that she came to the meeting with a clear and open mind.

In the interests of openness and transparency, Councillor Monica Coleman declared on behalf of all Committee Members that all Members had received a number of emails regarding this Item, and that they came to the meeting without any pre-determination.

24 MINUTES OF THE PREVIOUS MEETING

The Minutes of the previous Meeting of the Planning Committee held on 10 December 2020 were agreed as a true record and the Committee authorised the Chair to sign them,

25 ORDER OF BUSINESS

The Chairman informed the Committee that the order of business would be changed from the published agenda to take the Dorking Road Item prior to the Monthly Appeal and Housing Figure Report.

26 20/01383/CLP, 32 COURTLANDS DRIVE, EWELL

Description

Certificate of Lawfulness for a proposed development comprising of a hip to gable loft conversion, rear dormer and roof lights.

Decision

The Committee noted a presentation from the Planning Officer.

The following point was raised by the Committee:

- a) Reason Item was brought before Committee:** Members noted that the reason this Application had been brought before the Committee was because the property it relates to is owned by a Ward Councillor.

Following consideration, the Committee resolved unanimously that:

The Application be **APPROVED** subject to the following:

Informative(s):

- (1) A Certificate of Lawful Development is granted for the following reason:

The proposed development is Permitted Development under Schedule 2, Part 1 Classes B and C of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

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

PL-00 – Location Plan – dated Sep 20

PI-01 – Site Plan – dated Sep 20

PL-02 – Existing Ground & First Plans – dated Sep 20

PL03 – Existing First & Loft Plans – dated Sep 20

PL-04 – Existing Elevations – dated Sep 20

PL-05 – Proposed Ground & First Floor Plan – dated Sep 20

PL-06 – Proposed loft & Roof Plan – dated Sep 20

PL-07 – Proposed Elevations – dated Sep 20

PL-08 – Existing & Proposed Sections – dated Sep 20

- (3) Development is permitted by Class B subject to the following conditions —
- (a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
 - (b) the enlargement must be constructed so that—
 - (i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension—
 - (aa) the eaves of the original roof are maintained or reinstated; and
 - (bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and
 - (ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and
 - (c) any window inserted on 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
- (4) 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.

- (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.
- (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.

27 MAJESTIC WINE WAREHOUSES LTD, 31 - 37 EAST STREET

Description

Application for variation of planning condition 1 of 05/00660/FUL to allow the sale of all types of comparison and convenience goods i.e. open A1 (Retail Use).

Decision

The Committee received a presentation from the Planning Officer.

The Committee were addressed by the Agent to the Applicant.

The following points were raised by the Committee:

- a) **Car-parking and cycle provision:** Members raised concerns regarding the number of proposed car-parking spaces on the development site, as well as a lack of detail regarding the proposed cycle-storage. It was noted that local residents use the entranceway of the site as a short-term parking bay to visit the neighbouring Post Office, and Members raised concerns over safety if this continues. Officer noted that it may be possible to speak with the site owner and see if they may be willing to implement some short-term parking for this purpose, though they cannot insist on such a condition.

- b) **Impact on neighbouring residential properties:** Members raised concerns regarding the neighbouring properties – including residential housing and student accommodation, and the amenity harm which must be considered.
- c) **Highway safety:** Members raised concerns regarding the two-way traffic alongside the building, particularly with regards to large delivery vehicles which would have to manoeuvre along a narrow and potentially busy road. Officers noted that the Applicant has worked with Surrey County Council Highways and that they have no objections to the proposed development.

Councillor Neil Dallen proposed a deferral. This was seconded by Councillor Steven McCormick. The reason for deferral was to allow officers and the Applicant to have further discussions to resolve the matters that the Committee had raised, including concerns regarding:

- Car-parking and cycle provision
- Impact on neighbouring residential properties
- Highway safety

Following consideration, the Committee resolved with 11 Members voting for deferral, 1 Member voting against deferral and the Chair not voting that:

The Application be **DEFERRED** to allow officers and the Applicant to have further discussions to resolve the matters that the Committee had raised.

28 57 SALISBURY ROAD WORCESTER PARK SURREY KT4 7DE

Description

Redevelopment of the site for 17 apartments with carport, car parking, cycle store, bin store and associated external works.

Decision

The Committee received a presentation from the Planning Officer.

The following points were raised by the Committee:

- a) **Housing mix:** Members raised concerns regarding the proposed housing mix. It was noted that the previous approved Application relating to this site allowed the removal of the 3-bedroom property as the housing mix and internal layout was more suited to 2-bedroom properties. It was noted that although the housing mix is not policy-compliant, the additional 2 units make it appropriate.
- b) **Amenity space:** It was noted that a number of the apartments would have private amenity space by means of a private balcony, and others would have access to communal amenity space.

- c) **Optimisation:** Members raised concerns regarding the optimisation of the site. It was noted that Officers deemed it an optimal use of the site, with no impact on neighbouring amenity and 2 additional housing units.

Following consideration, the Committee resolved with 7 Members voting for and 6 Members voting against that:

The Application be **APPROVED** subject to the following:

Part A

22.1 Subject to a legal agreement being completed and signed by the 16th April 2021 to secure the following heads of terms:

Viability Review

- ☐ Implementation of a review mechanism for the submission of a revised viability statement
- ☐ S106 monitoring fee, to monitor and sign off compliance of the s106 obligation
The Committee authorise the Head of Planning to grant planning permission subject to the conditions detailed below.

Part B

22.2 In the event that the section 106 Agreement referred to in Part A is not completed by 16th April 2021, the Head of Planning 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 Policy CS9 (Affordable Housing and meeting Housing Needs) in relation to the provision of 6 on site affordable housing units.

Condition(s):

- (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 2005.

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

2019 - P0043 - LP (Site Location Plan) (1:1250)

2019 - P0043 – 200 (Coloured Site Layout) (1:250)

2019 - P0043 - 201 (Proposed Site Information Plan) (1:250)

2019 - P0043 - 202 (Proposed Floor Plans) (1:100)

2019 - P0043 - 203 (Proposed Elevations) (1:100)

2019 - P0043 - 204 (Proposed Street Scene) (1:250)

2019 - P0043 - 205 (Proposed Bin Store) (1:100)

2019 - P0043 - 206 (Proposed Cycle Store) (1:100)

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 external materials to be used for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

- (4) No development shall take place until full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, have been submitted to and approved in writing by the local planning authority. The 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.

- (5) 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 and 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.

- (6) The first and second floor rear bedroom windows to Flat 7 and 13, 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 windows 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.

- (7) No demolition, site clearance or building operations shall commence until an updated site specific Arboricultural Method Statement has been submitted to, and approved in writing by the local planning authority, and until the protective fencing and other protection measures as shown in the approved Arboricultural Method Statement have been installed. At all times until the completion of the development, such fencing and protection measures shall be retained as approved. Within all fenced areas, soil levels shall remain unaltered and the land kept free of vehicles, plant, materials and debris.

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

- (8) No development shall take place until details of all boundary treatment have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The approved scheme shall thereafter be retained.

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

- (9) The demolition works hereby permitted shall not be carried out before a contract for the carrying out of the works of redevelopment has been made and evidence of the construction contract has been submitted to and approved in writing by the local planning authority.

Reason: To ensure that premature demolition does not take place before development works start in order to safeguard the visual amenities of the area Policy CS5 of the Core Strategy (2007) and Policies DM8, DM9 and DM10 of the Development Management Policies 2015.

- (10) The development hereby permitted shall not commence until details of hard surfaced areas have been submitted to and approved in writing by the local planning authority. Such details shall show that the hard surface will be porous or permeable, or shall direct surface water to a porous or permeable surface within the site. The development shall be carried out fully in accordance with the approved details and so maintained.

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

- (11) Notwithstanding the submitted plans, no part of the development shall be first occupied unless and until a vehicular bell-mouth access, with tactile paving and dropped kerbs at the pedestrian crossing point, has been constructed in accordance with a revised scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter all shall be permanently retained.

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 35 Transport and New Development of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (12) The means of access to the development shall be from Salisbury Road only. The development hereby approved shall not be first occupied unless and until the existing access from the site to Cromwell Road has 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 provisions of policy CS16 of the Core Strategy 2007.

- (13) Notwithstanding the proposed Construction Transport Management Plan, 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) measures to prevent the deposit of materials on the highway

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.

- (14) 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 17 cars and a minimum of 17 cycles to be parked, and for vehicles to turn so

that they may enter and leave the site in forward gear. The parking/turning area shall be used and retained exclusively for its designated purpose.

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.

- (15) No part of the development shall be first occupied unless and until the proposed vehicular access to Salisbury Road has been constructed and provided with visibility zones in general accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

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.

- (16) 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).

- (17) The development shall not be occupied until the bat and bird boxes and wildlife log pile have been installed in accordance with the Biodiversity Enhancement Measures contained in the Bat Survey and Biodiversity Report - September 2020.

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.

- (18) 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. The final solution should follow the principles set out in the approved drainage strategy. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 1.0 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) 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, in accordance with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

- (19) Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. 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 CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

- (20) Ground contamination and ground gas assessment

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: 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 offsite.

The results of the investigation and risk assessment shall be submitted to and approved by the Local Planning Authority; and 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, in accordance with Policy DM17 of the Development Management Policies 2015 and the National Planning Policy Framework.

(21) Remediation

Prior to any occupation of the site, the approved remediation scheme prepared under Condition 19 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, in accordance with Policy DM17 of the Development Management Policies 2015 and the National Planning Policy Framework.

(22) Unexpected contamination

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, in accordance with Policy DM17 of the Development Management Policies 2015 and the National Planning Policy Framework.

- (23) The development hereby approved shall not be first occupied unless and until four 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: The condition above 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 Policy DM 36 Sustainable Transport for New Development, of the Epsom & Ewell Borough Council Development Management Policies Document September 2015.

- (24) The development shall not be occupied until a Car Parking Management Plan setting out provisions for the management and use of the proposed parking has been submitted to and agreed in writing by the Local Planning Authority. These details shall be submitted for approval by the Local Planning Authority and only the approved details shall be implemented and retained as approved unless otherwise agreed.

Reason: To ensure the efficient and functional use of the car parking area, to safeguard the amenity of future occupiers of the approved development and to ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users in compliance with Policy DM10, DM37 of the Development Management Policies Document 2015 and Policy CS16 of the Core Strategy 2007.

Informative(s):

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 38 of the National Planning Policy Framework 2018.
- (2) This form of development is considered liable for the Community Infrastructure Levy (CIL). CIL is a non-negotiable charge on new developments which involve the creation of 100 square metres or more of gross internal floorspace or involve the creation of a new dwelling, even when this is below 100 square metres. The levy is a standardised, non-negotiable charge expressed as pounds per square metre, and are charged on the net additional floorspace generated by a development. You will receive more information regarding the CIL in due course.

More information and the charging schedule are available online:
<http://www.epsom-ewell.gov.uk/NR/exeres/74864EB7-F2ED-4928-AF5A-72188CBA0E14.frameless.htm?NRMODE=Published>

- (3) No construction work shall be carried out in such a manner as to be audible at the site boundary before 07:30 hours or after 18:30 hours Monday to Friday; no construction work shall be audible at the site boundary before 8:00 or after 13:00 hours on Saturdays and no construction work of any nature shall be carried out on Sundays or Bank/Public Holidays.
- (4) The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see: <http://www.surreycc.gov.uk/roads-and-transport/road-permits-andlicences/the-traffic-management-permit-scheme>
- (5) The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see: www.surreycc.gov.uk/people-and-community/emergency-planningandcommunity-safety/flooding advice

29 MAPLINS, 42 HIGH STREET, EPSOM, SURREY, KT19 8AH

Description

The conversion of first second and third floor of the building to eleven residential apartments.

Decision

The Committee received an introduction from the Planning Officer.

The Committee was addressed by the Developer to the Applicant.

The following amendment was proposed by the Planning Development Manager to the following:

Recommendation

11.1 Recommendation A) Approved subject to the below conditions upon the signing of an S106 agreement with the below heads of terms before three months from today's date (14.01.2021):

To read:

11.1 Recommendation A) Approved subject to the below conditions upon the signing of an S106 agreement with the below heads of terms before 14/04/2021:

The following points were raised by the Committee:

- a) **Affordable housing:** Members noted the number of proposed units that are to be offered as affordable rental units. Officers spoke about the possibility of requesting it be added to the legal agreement that those units remain as affordable rental units in perpetuity.

Following consideration, the Committee resolved unanimously that:

The Application be **APPROVED** subject to the following:

Heads of Terms:

- Agreement restricting the future owners/occupiers from applying for parking permits
- The provision of units 10 and 11 as affordable rented units
- The provision of a commuted sum of £19,527.00

Condition(s):

General Conditions:

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

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

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

19.3166.120 Rev.P1 - Proposed Floor Plans

19.3166.121 Rev.P1 - Proposed Floor Plans

19.3166.122 Rev.P1 - Elevations

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 the 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) The rooflight window(s) hereby approved shall be of a 'conservation style' and shall not project beyond the plane of the roof.

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

- (5) The development shall not be occupied until details of all boundary treatment on the eastern side of the terrace to apartment 9 have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The approved scheme shall thereafter be retained.

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

- (6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting this Order) no windows or other openings (other than those hereby approved) shall be formed in the side walls of the extensions hereby approved without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities and privacy of the occupiers of the adjoining residential properties in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Development Management Policies Document Adopted October 2015.

- (7) Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015

(or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling houses or buildings shall be erected within the curtilage.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Development Management Policies Document Adopted October 2015.

- (8) The residential unit 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).

- (9) 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 16 cycles to be parked, in a secure and covered location. Thereafter the cycle parking areas shall be retained and maintained for their designated purposes.

Reason: The condition above 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 DM 37 Parking Standards of the Epsom & Ewell Borough Council Development Management Policies Document September 2015.

Informative(s):

- (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 preapplication 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) 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.

- (4) The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

Carry out work to an existing party wall; build on the boundary with a neighbouring property;

In some circumstances, carry out groundwork's within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "The Party Walls etc. Act 1996 - Explanatory Booklet".

- (5) 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).
- (6) 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.

30 22-24 DORKING ROAD EPSOM SURREY KT18 7LX

Description

The Committee received an urgent item requesting consideration of how issues around heritage impact should be expressed in the Council's case for appeal with regard to 22-24 Dorking Road Epsom Surrey KT18 7LX. Planning

permission was refused for the Application by the Committee at its meeting on 3 December 2020, and the Council was preparing to defend an appeal against that decision. In preparing the appeal statement on behalf of the Council, which would be submitted shortly, the Committee's support was sought to add an additional ground into the process.

The Committee noted that an update to the report had been published in advance of the meeting. This update clarified the recommendation for the Committee's consideration.

Decision

The Committee received a presentation from the Head of Planning.

The Head of Planning informed the Committee that the report was not seeking to amend the decision notice or to add a reason for refusal for the application. During the appeal process the Inspector was obliged under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 Act to have special regard to the desirability of preserving the setting of nearby heritage assets.

The following points were raised by the Committee:

- a) **Inclusion of ground into appeal process:** Following a question from a Member, the Head of Planning informed the Committee that this was a recognised mechanism within the Appeal process.

Following consideration, the Committee **AGREED** unanimously that:

The additional issues around heritage impact be added to the Council's case for this appeal and expressed as follows:

- (3) The proposed development by reason of its impact on the settings of nearby heritage assets, particularly those opposite the site including the grade II* Hylands, results in harm to the significance of those designated heritage assets which is not considered to be outweighed by the public benefits of the scheme. The proposal is contrary to paragraphs 193 and 196 of the NPPF, policy CS5 of the Core Strategy 2007 and policy DM8 of the Development Management Policies Document 2015.

31 MONTHLY APPEAL AND HOUSING FIGURE REPORTS

The Committee noted the appeal decisions from 19th November 2020 to 18th December 2020.

The meeting began at 7.30 pm and ended at 10.11 pm

COUNCILLOR CLIVE WOODBRIDGE (CHAIR)