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**Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure)
(England) Order 2015**

Proposal: Demolition of existing dwelling and erection of 9 properties (3 X 2 bedroom and 6 X 3 bedroom) with associated works

Location: 91 Chessington Road, West Ewell, Surrey, KT19 9UU, .

Application Number: 17/00976/FUL

Epsom & Ewell Borough Council has considered your application and **REFUSES** permission for the proposed development for the following reason(s):

- 1 Due to its design, siting, bulk and scale, plots 4 & 5 of the proposed development would have a harmful impact on the privacy and outlook of and would appear overbearing to the neighbouring occupants at No. 89 Chessington Road contrary to Policy CS5 of the Core Strategy (2007) and Policies DM10 and DM16 of the Development Management Policies (2015).
- 2 Policy CS9 of the Core Strategy (2007) requires the provision of 20% affordable units for residential developments of between five and fourteen dwellings gross (or on sites between 0.15ha and 0.49ha - irrespective of the number of dwellings proposed). The proposal would provide no affordable housing with the result that the proposal would fail to comply with Policy CS9 of the Core Strategy (2007) and the Policy CS9 and the Revised Developer Contributions SPD (2014).
- 3 Insufficient information has been submitted with the application to demonstrate that the proposal would not be harmful to bats with the result that the proposal would fail to comply with Policy CS3 of the Core Strategy (2007) and Policy DM4 of the Development Management Policies (2015).
- 4 The close proximity of the proposed buildings (particularly at Plots 4 and 5) to the large Ash and Sycamore, is likely to have an adverse impact on the living conditions of the occupants of the proposed houses, and is therefore likely to result in future pressure to remove or heavily prune trees to the detriment of the visual amenity of the locality. Furthermore, due to the separation distance retained

between Plots 3 and 9, the development would result in potential root damage to trees as during the construction of the proposed dwellings. The application is therefore contrary to the requirements of Policies CS1 and CS5 of the Core Strategy (2007) and Policies DM5, DM10 and DM12 of the Development Management Policies (2015).

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

Informatives

- 1 You are advised that the following policies and/or proposals in the development are relevant to this decision:

National Planning Policy Framework - March 2012
Core Strategy 2007
Development Management Policies Document
Parking standards-resi development 2015
Revised developer contributions 2015
Sustainable design 2012
Single plot/resi infill dev 2003

Key policies

CS1 - General policy
CS3 - Biodiversity and nature conservation
CS5 - The built environment
CS6 - Sustainability in new developments
CS8 - Broad location of housing development
CS9 - Affordable housing and housing needs
CS12 - Developer contributions
CS16 - Transport and travel
DM4 - Biodiversity and new development
DM5 - Trees and landscape
DM8 - Heritage assets
DM9 - Townscape character/distinctiveness
DM10 - Design for new developments
DM11 - Housing density
DM12 - Housing standards
DM13 - Building heights
DM16 - Backland development
DM19 - Development and flood risk
DM22 - Housing mix
DM24 - Employment uses outside existing area

Dated: 4 April 2018

Signed:



Head of Place Development

Your attention is drawn to the following notes:

Appeals to the Secretary of State

If you are aggrieved by the decision of the local planning authority to refuse permission for the proposed development, or to grant it subject to conditions, then you may appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990 within the following timescales:

Householder applications

If you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Full applications

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Enforcement applications (land already the subject of an enforcement notice)

A planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

Enforcement applications (land which has an enforcement notice served)

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice whichever period expires earlier.

Appeals must be made using a form which you can get from the Secretary of State online at <https://www.gov.uk/planning-inspectorate> or by writing to Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (tel: 0303 444 5000).

The Secretary of State can allow a longer period for the giving of a notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order, and to any directions given under a development order.

Purchase Notices

If either the local planning authority or the Secretary of State refuse permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the Council. This notice will require the Council to purchase the owner's interest in the land in accordance with the provision of the Town and Country Planning Act 1990.