

## **Land At Mill Road, Epsom, Surrey**

Development of a historically unused plot of land located adjacent to the railway, comprising of 28 x one and two bed apartments across four blocks and 3 x two bed properties.

<b>Ward:</b>	<b>College Ward;</b>
<b>Contact Officer:</b>	<b>Tom Bagshaw</b>

### **1 Plans and Representations**

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

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P987XJGY0DE00>

### **2 Summary**

- 2.1 This application seeks permission for the development of a historically unused plot of land located adjacent to the railway. It will comprise of 28x one and two bed apartments across four blocks and 3x two bed properties. The proposal includes landscaping, associated parking, refuse and cycle stores.
- 2.2 It is considered that appropriate evidence has been provided to demonstrate that any potential harm to the ecology and the character of the area and any other harm, has been clearly outweighed by the justification detailed in the report below.

### **3 Site description**

- 3.1 The site comprises 0.39 hectares of land on the north-west side of Mill Road, Epsom. The site is bounded by Mill Road. To the rear is a substantial and steep railway embankment.
- 3.2 Mill Road is in an established residential location comprising blocks of three storey purpose built 1960's flats and predominantly two storey residential houses with pitched roofs. The site is not located within a conservation area and does not consist of any listed buildings. The site features 3 trees with TPO's and features a wildlife sanctuary in the North East corner of the site.
- 3.3 The site is situated 220 metres from the Epsom Town Centre boundary.

#### **4 Proposal**

- 4.1 The proposal is for the redevelopment of a vacant area of land to provide residential homes. It will comprise of 28x one and two bed apartments across four blocks and 3x two bed properties. The proposal includes landscaping, associated parking, refuse and cycle stores.
- 4.2 Block A located in the centre of the site would be a 4 storey block consisting of 10 flats. It would be 18.5 metres in width, 16 metres in depth, and 9 metres in height to the eaves and 11.5 metres in height to the ridge.
- 4.3 Blocks B and B.1 located to the north and south of Block A would be a 3 storey blocks consisting of 6 flats. It would be 18 metres in width, 9.8 metres in depth, 6.5 metres in height to the eaves and 8.5 metres in height to the ridge.
- 4.4 Block C located at the southern end of the site would be a 3 storey block consisting of 6 flats. It would be 24 metres in width, 7.8 metres in depth, 6.5 metres in height to the eaves and 8.5 metres in height to the ridge.
- 4.5 Block D located at the northern most end of the site would be a 3 storey pair of semi-detached houses. It would be 10.5 metres in width, 8.5 metres in depth, 6.5 metres in height to the eaves and 8.5 metres in height to the ridge.
- 4.6 Block E located at the southern most end of the site would be a 3 storey detached house. It would be 9.5 metres in width, 9.5 metres in depth, 5.5 metres in height to the eaves and 7.8 metres in height to the ridge.
- 4.7 The proposal includes 34 car parking spaces.
- 4.8 This site was granted planning permission for "Proposed student accommodation (77 units) contained within 9 buildings (units over three levels) and associated parking, bicycle spaces and landscaping." under application reference: 14/01784/FUL, on the 05.11.2015.

#### **5 Comments from third parties**

- 5.1 The application was advertised by means of letters of notification to neighbouring properties. To date (22.11.2018) 49 letters of objection have been received regarding:
  - Loss of outlook
  - Loss of light
  - Overlooking
  - Incongruent design
  - Over development
  - Lack of car parking
  - Increase pressure for on street car parking
  - Height and massing
  - Impact to wildlife / moving of mature trees

**6 Consultations**

- 6.1 Surrey County Council Highways: No objection, subject to conditions.
- 6.2 Archaeological Officer: Has stated no objection and stated no conditions are required as the archaeological consideration required under the NPPF and Local Plan policy has previously been exercised under planning applications 14/01784/FUL and 2016/836/COND.
- 6.3 Environment Agency: No objection, subject to conditions.
- 6.4 Contaminated Land Officer: No objection, subject to conditions.
- 6.5 SUDS: No objection, subject to conditions.
- 6.6 Arboriculture Officer: No objection, subject to conditions.
- 6.7 Environmental Health Officer: No Comments, contaminated land comments considered to be acceptable.
- 6.8 Natural England: No Comments to make.

## 7 Relevant planning history

Application number	Decision date	Application detail	Decision
17/00079/REM	20.11.2017	Variation of Condition 16 (Contaminated Land) of planning permission 14/01784/FUL to allow the remediation works presently required to be undertaken pre-development , to be undertaken pre-occupation of the approved scheme.	REFUSE
16/01674/REM	13.04.2017	Variation of Condition 11 (The development shall be used for residential student accommodation only and for no other purpose) of planning permission 14/01784/FUL to allow the occupation of 49 units by students and/or other persons, as Houses of Multiple Occupation (HMOs)(Description amended 29.03.2017)	REFUSE
16/00919/NMA	19.10.2016	Non material minor amendment to planning permission 14/01784/FUL to allow the addition of 'club' detail tile banding to existing tiles and repositioning of existing consented roof lights.	PERMIT
16/00752/REM	03.11.2016	Variation of Condition 11 (The development shall be used for residential student accommodation only and for no other purpose) of planning permission 14/01784/FUL to allow the occupation of 49 units by students and/or other persons, as Houses of Multiple Occupation (HMOs).(Amended layout received 24.10.2016 and description amended 26.10.2016)	REFUSE
15/00553/OUT	23.11.2015	Outline planning application for proposed student accommodation with all matters reserved.	REFUSE
14/01784/FUL	28.08.2015	Proposed student accommodation (77 units) contained within 9 buildings (units over three levels) and associated parking, bicycle spaces and landscaping.	PERMIT
12/00448/FUL	18.04.2013	Residential development of 10 No. dwellings	REFUSE

## 8 Planning Policy

### **National Policy Planning Framework (NPPF) 2018**

#### Achieving sustainable development

Paragraphs 8 – 12 and 14

#### Delivering a sufficient supply of homes

Paragraphs 59- 61, 64, 68 and 75

#### Promoting sustainable transport

Paragraphs 108 and 109

#### Achieving well-designed places

Paragraphs 127, 130 and 131

#### Protecting Green Belt land

Paragraphs 133, 134, 141 and 143-147

Meeting the challenge of climate change, flooding and coastal change

Paragraphs 155 and 163

Conserving and enhancing the natural environment

Paragraph 170, 171, 174, 175, 177, 178, 180, 182 and 183

Conserving and enhancing the historic environment

Paragraph 189

**Core Strategy 2007**

Policy CS1 - Creating Sustainable Communities

Policy CS3

Policy CS5 - The Built Environment

Policy CS6 - Sustainability in New Developments

Policy CS7 - Housing Need

Policy CS8 - Housing Delivery

Policy CS9 - Affordable Housing

Policy CS16 - Managing Transport and Travel

**Development Management Policies Submission Document November 2014**

Policy DM4

Policy DM5 - Trees and Landscape

Policy DM9 - Townscape Character and Local Distinctiveness

Policy DM10 - Design Requirements for New Developments

Policy DM11 - Housing Density

Policy DM12 - Housing Standards

Policy DM19 - Development & Flood Risk

Policy DM21 - Meeting Local Housing Needs

Policy DM22 - Housing Mix

Policy DM35 - Transport and New Development

Policy DM36 - Sustainable Transport for New Development

Policy DM37 - Parking Standards

**Nationally Described Space Standard - March 2015**

**Householder Design Guidance 2004**

**9 Planning considerations**

Principle

- 9.1 The NPPF paragraph 59 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 9.2 Paragraph 68 - small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:
- a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;
  - b) use tools such as area-wide design assessments and Local Development Orders to help bring small and medium sized sites forward;
  - c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes; and
  - d) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.
- 9.3 The New NPPF reinforces the government's aspirations to significantly increase housing delivery. A key mechanism introduced by the new NPPF is the standard method for calculating objectively assessed housing need. Using the standard method the Borough's objectively assessed housing requirement is 579 new homes per annum. Housing delivery within the borough is now assessed against this requirement. The boroughs previous housing target, as set out in the core strategy Policy CS7 was 181 homes per annum.

- 9.4 Policy DM11 - Housing Density states that in principle, proposals for new housing that make the most efficient use of sites within the borough's urban area will be supported in principle.
- 9.5 OS records indicate that Land at Mill Road has previously been undeveloped since mapping records began. The site is located on brownfield land in a reasonably sustainable location, within walking distance to a bus stop, and the Epsom railway station.
- 9.6 In application 14/01784/FUL [dated 05.11.2015] the site was granted planning permission for the erection of 77 student accommodation units. As such it is considered that the principle of the site for residential development potential has been established.
- 9.7 The redevelopment of this site for a residential scheme is therefore appropriate in principle, subject to compliance with other relevant development plan policies.

## **10 Design**

- 10.1 The NPPF promotes attractive environments by creating well-designed buildings in terms of appropriate massing, bulk, materials and details, and in doing so, raising the profile of the borough in a positive way.
- 10.2 Chapter 12 of the NPPF refers to design. Paragraph 127 sets out that planning decisions should ensure that developments (inter alia) function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting. Development should also create places that are safe, inclusive and accessible.
- 10.3 Paragraph 130 of the NPPF sets out that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.
- 10.4 Paragraph 131 of the NPPF stipulates that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 10.5 DM10 (Design Requirements for New Developments) identifies the most essential elements which contribute toward the character and local distinctiveness of a street or an area which should be respected, maintained or enhanced, and includes the following:

- Prevailing development typology, including house type, sizes, and occupancy;
- Prevailing density of the surrounding area;
- Scale, layout, height, form, massing;
- Plot width and format which includes spaces between buildings;
- Building line build up, set back, and front boundary; and
- Typical details and key features such as roof forms, window format, building materials and design detailing of elevations, existence of grass verges etc.

10.6 Policy DM10 (Design Requirements for New Development (Including House Extensions) of the Development Management Policies Document states that development proposals will be required to incorporate principles of good design. Development proposals should (inter alia) be adaptable and sustainability designed, subject to aesthetic considerations and incorporate the principles of safe design to reduce the risk of fear of crime.

10.7 Paragraph 3.7.5 of the Core Strategy states that new development should enhance and complement local character, and be capable of integrating well into existing neighbourhoods. Paragraph 3.7.6 goes on to state that the Council will expect developments to be of a high quality, creating a safe environment which enhances the public realm and which positively contributes to the townscape.

10.8 The site is located in a residential area with varying property types. To the south of the site on Mill Road there are 3 storey 70-80s flats, whilst further north the opposite side of the road consists of mock Tudor semi-detached dwellinghouses with some Victorian properties along Bridge Road.

10.9 The proposed development would be a maximum of 4 stories in height (11.5 metres). Although this exceeds the precedent set by the flats to the south of the site, it is not considered to be an unacceptable deviation from the character of the area and due to the fact that the 4th floor is integrated into the roof the eaves heights would not be too dissimilar to that of the existing flats which have flat roofs.

10.10 The height of the buildings are staggered with the tallest 4 storey building (Block A) being located in the centre and the number of floors declining as the development spreads to the north eastern and south western ends of the site (Blocks, B, B.1 and C are 3 stories and Blocks D and E are 2 stories).



- 10.11 The development is broken up into 6 blocks. The separation distances between blocks are generous as they are designed to accommodate amenity space for the ground floor properties. The breaking up of the blocks reduces the bulk and massing of the development and makes it appear less dense.
- 10.12 The car parking areas separate the blocks throughout the development. These include car parking bays that will be laid in 'grasscrete' to soften the appearance of the hardstanding and the parking areas are bordered by shrub hedges. The landscaping softens the scheme, however a detailed landscaping plan will be required to be submitted to the council as a condition to be discharged to ensure that the landscaping achieves the highest possible standard of design.
- 10.13 The fenestration of the development has been designed to appear suburban in its nature and utilises dual paned windows along the front elevation. The windows have brick lintels with a slight arch and the sills of most windows above ground floor level have an area to hang flower boxes which soften the appearance of the elevations. The rear elevations of blocks A, B, B.1 and C have balconies supported by columns. Blocks D and E are separate dwelling houses, these properties have been given generous garden space to separate the dwellings from the flatted development as to reduce the contrast in architectural design.
- 10.14 It is recognised that a high standard of materials would be crucial to achieving a high standard of design in this project and as such the type and appearance of externally facing materials will be required as a condition to be discharged by the council.

#### Design Conclusion

- 10.15 The height and massing although higher than the immediately surrounding properties has been designed in a way that would not appear out of character with the immediately surrounding area. The eaves heights are not massively dissimilar to those of the flats to the south and the staggered heights accompanied with the breaking up of the building blocks significantly reduce the developments bulk.
- 10.16 The landscaping has been design to soften the development by retain trees and utilising shrubbery, lawn and materials such as 'grasscrete' to break up the blocks and soften the appearance of the hardstanding.
- 10.17 The simple fenestration has been design in mind of the fact that the development is located within a primarily suburban area. However, officers recognise that the standard of materials is vital to achieving the required standard of design and as such, a condition requiring samples of materials before any development is to take place would be required for discharge.

## 11 Quality of accommodation

### Minimum standards

- 11.1 The Nationally Described Space Standards, introduced by DCLG in March 2015, sets clear internal minimum space standards for new dwellings. The space standards are intended to ensure that all new homes are fit for purpose and offer the potential to be occupied over time by households of all tenures while policy DM10 of the Development Management Policies Document states that in order to ensure that the housing delivered is of high quality and the most appropriate type, the Council will expect proposals for new residential development to accord with the principles of good design. Policy DM12 states that the Council will expect proposals to include the provision of appropriate amenity space and play space provision.
- 11.2 Each measurement is made under the assumption that at least 1 bedroom within the property would be a double.
- 11.3 The minimum standards for 1 bedroom properties are that they should have at least 50 metres squared of internal floor space.
- 11.4 The minimum standards for 2 bedroom properties are that they should have at least 61 metres squared of internal floor space if they are 1 storey and a minimum of 70 metres squared of internal floor space if they are 2 stories.
- 11.5 Paragraph 3.36 of Policy DM12 states that to provide adequate private amenity space for development of flats, a minimum of 5m<sup>2</sup> of private outdoor space for 1-2 person dwellings should be provided and an extra 1m<sup>2</sup> should be provided for each additional occupant.

### Areas of the proposed development

#### 11.6 Block A

<b><u>Block A</u></b>	<b><u>Unit</u></b>	<b><u>Floor Space (Metres Squared)</u></b>	<b><u>Room 1 (Metres Squared)</u></b>	<b><u>Room 2 (Metres Squared)</u></b>	<b><u>Amenity (Metres Squared)</u></b>
Ground Floor (1 storey, 2 bed, 3 person)	1	78.06	16	8.1	41.5
Ground Floor (1 storey, 1 bed, 2 person)	2	54.34	10.75		37.5
Ground Floor (1 storey, 2 bed, 3 person)	3	78.06	16	8.1	22

First Floor (1 storey, 2 bed, 3 person)	1	78.06	16	8.1	5
First Floor(1 storey, 1 bed, 2 person)	2	54.34	11.5		5
First Floor (1 storey, 2 bed, 3 person)	3	78.06	16	8.1	5
Second Floor (1 storey, 2 bed, 3 person)	1	79	15.91	8.4	5
Second Floor (1 storey, 2 bed, 3 person)	2	79	15.91	8.4	5
Roof Plan (2 storey, 2 bed, 3 person)	1	97.6	13.4	10.3	10.2
Roof Plan (2 storey, 2 bed, 3 person)	2	97.6	13.4	10.3	10.2

11.7 Block B and B.1

<u>Block B and Block B.1</u>	<u>Unit (Metres Squared)</u>	<u>Floor Space (Metres Squared)</u>	<u>Room 1 (Metres Squared)</u>	<u>Room 2 (Metres Squared)</u>	<u>Amenity (Metres Squared)</u>
Ground Floor (1 storey, 2 bed, 3 person)	1	69.2	14.9	9.7	26.4
Ground Floor (1 storey, 2 bed, 3 person)	2	69.2	14.9	9.7	26
First Floor (1 storey, 2 bed, 3 person)	1	69.2	14.9	9.7	5
First Floor (1 storey, 2 bed, 3 person)	2	69.2	14.9	9.7	5
Second Floor (1 Storey, 1 bed, 2 person)	1	51	13.5		5

Second Floor (1 Storey, 1 bed, 2 person)	2	51	13.5		5
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11.8 Block C

<b><u>Block C</u></b>	<b><u>Unit (Metres Squared)</u></b>	<b><u>Floor Space (Metres Squared)</u></b>	<b><u>Room 1 (Metres Squared)</u></b>	<b><u>Room 2 (Metres Squared)</u></b>	<b><u>Amenity (Metres Squared)</u></b>
Ground Floor (1 Storey, 2 bed, 3 person)	1	67.32	15.4	9.24	25
Ground Floor (1 Storey, 2 bed, 3 person)	2	72.4	17.6	9.4	35.2
First Floor (1 Storey, 2 bed, 3 person)	1	67.32	15.4	9.24	5
First Floor (1 Storey, 2 bed, 3 person)	2	72.4	17.6	9.4	5
Second Floor (1 Storey, 1 bed, 2 person)	1	50.57	11.5		5
Second Floor (1 Storey, 1 bed, 2 person)	2	50.57	11.5		5

11.9 Block D

<b><u>Block D</u></b>	<b><u>Unit (Metres Squared)</u></b>	<b><u>Floor Space (Metres Squared)</u></b>	<b><u>Room 1 (Metres Squared)</u></b>	<b><u>Room 2 (Metres Squared)</u></b>	<b><u>Amenity (Metres Squared)</u></b>
3 storey, 2 bed, 3 person	1	103.11	14.25	9.7	28
3 storey, 2 bed, 3 person	2	103.11	14.25	9.7	28

11.10 Block E

<b><u>Block E</u></b>	<b><u>Unit (Metres Squared)</u></b>	<b><u>Floor Space (Metres Squared)</u></b>	<b><u>Room 1 (Metres Squared)</u></b>	<b><u>Room 2 (Metres Squared)</u></b>	<b><u>Amenity (Metres Squared)</u></b>
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2 storey, 2 bed, 3 person	1	80.9	16.61	17.63	37.9
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Quality of accommodation Conclusion

11.11 As shown by the above tables the proposed development falls within the minimum standards for dwellings of this size. They are all considered to be provided with satisfactory natural light provision from front and rear facing windows and no flats would be considered to overlook each other. Therefore the proposed development would be considered to provide an acceptable standard of accommodation for the future occupants.

## 12 Transport

12.1 Paragraph 108 of the NPPF sets out that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

12.2 Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

12.3 One of the main objections raised during public consultation was the impacts on car parking.

12.4 Epsom train station is approximately 15 minutes' walk from the site and there are 4 bus stops along upper high street the closest of which is situated within 5 minutes' walk of the site.

Parking

12.5 The proposal includes 34 car parking spaces, accessed from 3 main car parking areas and individually assigned parking areas for units D and E.

12.6 The proposed spaces would be 2.4 metres wide by 4.8 metres deep. The row between the bays in the parking areas servicing Blocks A, B, B.1 and C, would be approximately 6 metres in width, this would meet the minimum requirements and would be wide enough to allow two cars to pass each other.

12.7 The proposed parking provision would be acceptable and would meet Epsom and Ewell's minimum parking standards which state that for 1-2 bedroom flats 0.75 car parking spaces should be provided and for 2 bedroom houses 1 space should be provided. As such, the required parking provision for the development would be 24 parking spaces, the application provides an additional 10 spaces on top of the policy requirement.

12.8 The parking provision is as follows:

- 1 Space per flat in Blocks A, B, B.1 and C
- 2 spaces per unit in Blocks D and E

12.9 The site plan indicates that cycle parking spaces are provided. Elevations and specifications of the proposed cycle storage will be required as a condition to be discharged and will be required to meet the minimum standards of 2 spaces per unit as set out in Surrey County Council Vehicular and Cycle Parking Guidance.

#### Access to highway

12.10 Mill Road has a slight gradient from west to east with a slight curvature. The site benefits from moderate sight lines and is not considered to be in an area with any significant obstructions. The speed limit along mill road is 30 Mph.

12.11 The proposal has not included sufficient details of visibility splays in either direction of a minimum of 43 metres.

12.12 However, it is considered that this criteria can be met post approval and as such, to seek these details as a condition is considered to be appropriate in this case.

12.13 Details of pedestrian crossings and vehicular crossovers have not been provided in support of the application. It is considered that these can be discharged as a condition.

#### Transport Conclusion

12.14 The proposal exceeds Epsom and Ewell's minimum parking standards by 10 parking spaces and would not be considered to result in any unacceptable pressure on on-street parking in the immediate vicinity.

12.15 The proposal would be considered to be an appropriate location and is capable of providing a safe access to the highway.

12.16 Surrey County Council's Highways engineer made the following observation within their consultation response:

- *'The site is in a sustainable location, I have recommended a condition for the developer to submit a Travel Statement to include details of how to travel between the site and public transport including bus and rail services and details of a range of employment, education, retail and leisure land uses with 2 km walking distance of the site and 5 km cycling distance from the site.'*

12.17 As such, it is considered that the proposal would not result in any unacceptable impacts to the highway subject to the receipt and discharge by the Council of pre-occupational conditions to ensure that:

- A travel plan is provided;
- The proposed accesses include visibility plays of 43 metres in each direction from 2.4 metres back of the proposed accesses
- The proposed vehicular accesses to Mill Road have been constructed as belmouth accesses with tactile paving and dropped kerbs at the pedestrian crossing points.
- The application should provide detailed locations and elevations for the parking and storage of a minimum of 28 bicycles.

### **13 Refuse and Recycling**

13.1 The proposed refuse storage is located within 25 metres of the highway. It is considered that the refuse will be collected from the highway on collection days. This is considered to be acceptable in regards to refuse collection

13.2 The proposed refuse storage areas for Blocks A, B, B.1 and C are situated to the rear of the parking area.

13.3 The details of refuse storage for Blocks D and E are not provided within the site plan.

13.4 The site is considered to be able to accommodate refuse storage for Blocks D and E and therefore, details of refuse storage locations for the Blocks will be required as a condition to be discharged.

13.5 All refuse storage would be expected to be contained within dedicated waste and refuse storage areas or containers. Detailed plans and elevations of the refuse storage will be required as a condition to be discharged.

#### Refuse and Recycling Conclusion

13.6 The site is considered to be able to host the refuse storage and collection areas. Details of the locations for Blocks D and E are still required as are detailed plans and elevations of all dedicated storage areas. However, these details can be discharged via pre-occupation conditions.

## 14 Sustainability

- 14.1 The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF sets out that there are three overarching objectives to achieving sustainable development, which includes an environmental objective. Development should contribute to protecting and enhancing the natural, built and historic environment, making effective use of land and helping to improve biodiversity.
- 14.2 Policy CS1 of the Core Strategy (2007) expects development and use of land to contribute positively to the social, economic and environmental improvements necessary to achieve sustainable development. Changes should protect and enhance the natural and built environment and should achieve high quality sustainable environments for future generations.
- 14.3 The existing site is currently unused brownfield land. No built structures have been erected on the site since historical OS mapping began.
- 14.4 The proposal would utilise a site that has previously been underutilised. The ecological value of the existing site is considered to be negligible as any previous badger sets have since moved on and only one was found on the site which was abandoned.
- 14.5 A landscaping scheme will utilise plant species to encourage and improvement in bio diversity and the proposal includes a designated environmental area to accompany the proposal.
- 14.6 The site is located within a flood zone 1 and as such, is not considered to be in any significant risk of flooding.
- 14.7 The development proposes 10 car parking spaces above the minimum required standard and 30% of all parking spaces will be required to include electric charging station by condition to encourage low carbon travel. Cycle parking will be provided and bus (bus stop 5 minutes' walk) and train (train station 15 minutes' walk) facilities are within walking distance.

### Sustainability Conclusion

- 14.8 The proposed development seeks to bring into use a site that is undeveloped and thus giving it a sustainable use. It is in a location with sustainable transport links and provisions within the development to encourage sustainable active travel. The proposal aims to retain a sustainable biological value through the creation of a designated environmental area and conditions to ensure the use of high biodiversity value 'flora' and the inclusion of bird and bat boxes will further the sustainable biological value of the development. The site has a negligible risk of flooding.
- 14.9 The proposal would therefore be considered to be sustainable.



## 15 Flood Risk

- 15.1 Chapter 14 of the NPPF relates to meeting the challenge of climate change, flooding and coastal change. Paragraph 155 stipulates that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Paragraph 163 sets out that when determining any planning applications, Local Planning Authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.
- 15.2 Policy CS6 (Sustainability in New Developments) of the Core Strategy (2007) sets out that proposals for development should result in a sustainable environment and reduce, or have a neutral impact upon, pollution and climate change. The Council will expect proposals to demonstrate how sustainable construction and design can be incorporated to improve the energy efficiency of development – both new build and conversion. In order to conserve natural resources, minimise waste and encourage recycling, the Council will ensure that new development (inter alia):
- has no adverse effects on water quality, and helps reduce potential water consumption for example by the use of water conservation and recycling measures and by minimising off-site water discharge by using methods such as sustainable urban drainage; and
  - avoids increasing the risk of, or from, flooding.
- 15.3 The site is located in a flood risk zone 1 (Low probability – NPPF Flood Zone Classifications).
- 15.4 Therefore neither the sequential test nor the exceptions test need to be applied.
- 15.5 The development site is considered to be classed as ‘Less Vulnerable’ (Lowest level of flood risk) within the development compatibility table sections.
- 15.6 The applicant has provided a details of the Sustainable Urban Drainage System (SUDS). These are considered to be acceptable and an implementation strategy would be required by condition.

### Flood Risk Conclusion

- 15.7 The nature of the proposal and its location within a Flood Zone 1 would result in little to no flood risk and is therefore considered to be acceptable in this regard.

## **16 Trees and Landscaping**

- 16.1 Chapter 15 of the NPPF concerns the conservation and enhancement of the natural environment. Paragraph 170 sets out that planning decisions should contribute to and enhance the local environment by (inter alia) recognising the intrinsic character and beauty of the countryside and the wider benefits from ecosystem services, including trees and woodland.
- 16.2 Paragraph 175 of the NPPF sets out that development resulting in the loss or deterioration or irreplaceable habitats such as ancient woodland and ancient or veteran trees should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.
- 16.3 Policy DM5 (Trees and Landscape) of the Development Management Policies Document (2015) sets out that the Borough's trees, hedgerows and other landscape features will be protected and enhanced by (inter alia):
- Planting and encouraging others to plant trees and shrubs to create woodland, thickets and hedgerows; and
  - Requiring landscape proposals in submissions for new development, which retain existing trees and other important landscape features where practicable and include the planting of new semi-mature tree and other planting.
- 16.4 Where trees, hedgerows or other landscape features are removed, appropriate replacement planting will normally be required. Consideration should be given to the use of native species as well as the adaptability to the likely effects of climate change.

### Trees

- 16.5 The proposal would result in the felling and cutting back of various trees on site.
- 16.6 The south-eastern canopies of T11, 12, 13, 18 & 19 (identified within the arboriculture method statement) should be cut back by 2m to prevent interference with construction activities.
- 16.7 TP1 at the north eastern side and (Oak Tree with TPO), TP2 (Silver Birch with TPO) and TP3 (Walnut with TPO) at the centre of the south eastern facing boundary are all to be retained and incorporated into the schemes landscaping plan.
- 16.8 A weld mesh, fencing is will be required for all retained trees. This is considered to be adequate for this site and all the retained trees can be suitably protected by the erection of such fencing erection prior to any works start on site.
- 16.9 The trees proposed to be removed are as follows:

- T1 Sycamore C1
- T2 Sycamore C1
- T3 Common Oak C1
- T4 Locust Tree C1
- T5 Silver Birch B1
- T6 Sycamore C1
- T8 Wild Cherry C1
- T10 Ash C1
- T14 Silver Birch C1
- T15 Silver Birch C1
- T16 Scots Pine C1
- T17 Silver Birch C1
- T20 Common Oak C1
- G1 Goat Willow C1
- G2 Common Oak, Sweet Chestnut C1
- G3 Wild Cherry C1
- G4 Goat Willow C1

16.10 Trees to be removed are the same as in the approved scheme (14/01784/FUL). Note: the site has been cleared as part of the 14/01784/FUL schemes implementations and as such most of the above trees have already been felled.

16.11 Conditions will be implemented to ensure appropriate foundations are in place where necessary to protect the roots of trees to be retained

16.12 The trees to be removed are considered to be acceptable and Epsom & Ewell Borough Council's Trees and Landscaping Officer has raised no objections.

#### Landscaping

16.13 The proposed landscaping scheme is to include trees and shrub boundaries between the block and at the boundary to the street.

- 16.14 The majority of the garden space is comprised of lawn and the car parking spaces are to be laid in 'grasscrete'.
- 16.15 No details of plant species have been provided and as such, it is considered appropriate to attach a hard and soft landscaping condition to be discharged at a later date. This will be required to include plant species of a high ecological value and shall be approved in conjunction with approval from the council's ecology officer.

Trees and landscaping conclusion

- 16.16 The proposed loss of trees is considered to be acceptable and the principle of their loss is already established by the approval of the previous application 14/01784/FUL. TPOs on site will be retained and the proposal includes an acceptable amount of soft landscaping. The details of species and layout of the landscaping/planting scheme will be required as a condition to be discharged to ensure that they are of a high ecological value in accordance with Policy DM4 of the council's Development Management Policies Document 2015.

**17 Ecology**

- 17.1 Chapter 15 of the NPPF relates to the conservation and enhancement of the natural environment. Paragraph 170 sets out that planning decisions should contribute to and enhance the natural and local environment by (inter alia) protecting and enhancing valued landscapes and sites of biodiversity. Development should, wherever possible, help to improve local environmental conditions, such as air and water quality.
- 17.2 Paragraph 175 of the NPPF sets out that development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 17.3 Policy CS3 (Biodiversity and Nature Conservation Areas) of the Core Strategy (2007) sets out that the biodiversity of Epsom and Ewell will be conserved and enhanced through the support for measures which meet the objectives of National and Local biodiversity action plans in terms of species and habitat. Development that would harm Grade 3 Sites of Nature Conservation Interests (SNCIs) will not be permitted unless suitable measures are put in place and it has been demonstrated that the benefits of a development would outweigh the harm caused.
- 17.4 An ecological walkover survey was conducted on the 4<sup>th</sup> of May 2018. The purpose of the walkover survey was to check the proposed construction area for protected species issues.
- 17.5 Permission for 77 student accommodation units was granted in 2014 (14/01784/FUL). The site was cleared using the consented site clearance methodology for the consented permission and hoardings were erected.

- 17.6 A walkover study found two mammal holes in the construction area, one of which was an old badger sett and the other was a fox hole.
- 17.7 The badger sett had been partially excavated during the clearing of the site and the fox hole was a passageway dug between the site and a chain link fence. The whole was not a den.
- 17.8 Accompanying the scheme is the proposal to provide a dedicated wildlife Sanctuary at the north western end of the site. The wildlife area was agreed in the previous planning permission for student accommodation and shall be retained for purposes of this application.
- 17.9 The wildlife area comprises 0.15 hectares of grassland and scrub within the north western section of the site. This area will be retained as a wildlife area, The sanctuary area will be managed sensitively as coarse grassland/scrub matrix habitat for common lizards (and badgers). The provision of the Wildlife Sanctuary would be secured by S106 Agreement.
- 17.10 The siting of Bird Boxes and feeders in appropriate locations would be required on site as a condition. Furthermore a landscaping scheme would be required and species selected on site will be selected specifically to have a high ecological value.

#### Ecology Conclusion

- 17.11 The site has been cleared in 2017 accordance with a clearing condition from the previously approved permission 14/01784/FUL. As such, since the implementation of this condition the amount of wildlife on site was found to be negligible.
- 17.12 Nonetheless, Epsom & Ewell Borough Council Development Management Policy DM4 states 'Whether or not there are any species or habitats that enjoy statutory protection, every opportunity should be taken to secure net benefit to the Borough's biodiversity. As such, a wildlife area has been designated within the site and plant species to be included in the planting scheme will be selected to have a high ecological value. Details of the plant species will be required as a condition to be discharged.
- 17.13 Therefore, the proposal would not be considered to result in any unacceptable impacts to the ecology on the site and would be acceptable in this regard.

## **18 Impact upon amenity**

- 18.1 Policy CS5 of the Core Strategy and Development Management Policy DM10 seeks to safeguard residential amenities in terms of privacy, outlook, sunlight/daylight, avoidance of visual intrusion and noise and disturbances.

- 18.2 The main dwellings to consider in an assessment of the impacts upon neighbouring amenity are the neighbouring properties at Mill Road to the south east of the site.
- 18.3 The north western boundary of the site shares a boundary with a railway line and as such, the proposed development would not be considered to result in any impacts to residential amenity in regards to the north of the site.
- 18.4 There are not any residential properties to the south western side of the site as due to the siting of the road and the railway line the site thins and is not considered to be an appropriate size to accommodate residential properties. As such the proposal would not be considered to result in any residential amenity impacts to the south western side of the site.
- 18.5 The north eastern side of the site has been designated as the wildlife sanctuary and would not accommodate any residential properties. As such, the scheme would not be considered to result in any unacceptable impacts upon the amenity of any properties to the north eastern side of the site.
- 18.6 The main considerations in terms of residential amenity are to the properties that exist on the opposite side of Mill Road along the south eastern boundary of the site.
- 18.7 The proposed development is situated approximately 12.7 metres away from the nearest residential property on Mill Road and is located to the North West of the properties. As it is situated to the north of the properties its impacts in terms of overshadowing and daylighting and sunlighting would not normally be significant, in this case the increased separation across Mill Road result in the impacts in terms of daylighting/sunlighting, overshadowing being negligible.
- 18.8 The maximum height of the proposal is approximately 4 stories. This would result in the properties being approximately 9-13 metres in height, taller than the existing properties in Mill Road. The massing of the properties has been broken up by splitting the development into 6 separate blocks with generous separation distances that are to accommodate amenity space. As such, it would be considered to have less of an overbearing impact than if it were to be comprised of one solid flatted development.
- 18.9 The height of the buildings are staggered with the tallest 4 storey building (Block A) being located in the centre and the number of floors declining as the development spreads to the north eastern and south western ends of the site (Blocks B, B.1 and C are 3 stories and Blocks D and E are 2 stories). This in unison with the 12.7 metre separation distance and the height of the proposal would not be considered to result in any unacceptable impacts upon the amenity of properties along Mill Road in terms of overbearing.

18.10 The proposed front windows of the properties would be located a minimum of 12 metres from the front windows of properties on Mill Road. This separation distance is considered to be acceptable and is not an abnormal separation distance between front windows within a usual streetscene.

18.11 The side facing windows of all the proposed blocks will be conditioned to ensure that they are non-opening and obscurely glazed from 1.7 metres above floor level to ensure that no overlooking occurs between the future occupiers of the proposed blocks.

Amenity conclusion

18.12 The height of the proposal does not unacceptably exceed that of the neighbouring properties and the breaking up of the development into blocks means that the site would not result in any unacceptable impacts in terms of overbearing.

18.13 Separation distances in relation to the neighbouring properties and their siting to the south of the site results in the potential for overshadowing and daylighting/sunlighting impacts being negligible.

18.14 The separation distances between front facing windows are not unusual within an average streetscene and as such, would not be considered to result in any unacceptable overlooking impacts.

**19 Viability**

19.1 Policy CS9 of the Core Strategy 2007 states that the Council has an overall target of 35% of new dwellings should be affordable. Residential development of 15 or more dwellings gross (or on sites of 0.5ha or above) should include at least 40% of dwellings as affordable. The Council will seek to ensure that the affordable housing remains affordable to successive as well as initial occupiers through the use of planning conditions or a planning obligation.

19.2 Paragraph 3.12.11 goes on to state that where there are specific and overriding site constraints or where development specific issues inhibit the provision of affordable housing, off site provision or financial contributions may be acceptable.

19.3 The applicant has undertaken a viability assessment, which has been independently reviewed by a viability assessor for the Council, which demonstrates that the scheme could not support affordable housing. However, it has been concluded that the scheme could provide a commuted sum which can contribute towards affordable housing in the borough.

Viability Conclusion

- 19.4 The proposal does not include on site affordable housing. The applicant has proposed the payment of a commuted sum to offset the lack of affordable housing delivery on site. The proposal will include securing the commuted sum through a s106 agreement, and the calculated sum that is required has been agreed with the applicant.
- 19.5 Although the proposed level of affordable housing is not at a policy compliant level, the viability assessment has shown that the scheme cannot provide any affordable housing and appropriate commuted sums of payments would be made. The proposed development is therefore considered to be acceptable in terms of viability.

**20 S106**

- 20.1 A Section 106 Agreement accompanies the application which sets out the location of the wildlife area to be designated within the site and the affordable housing commuted sum.
- 20.2 These have been agreed by the council and the applicant.

**21 Community Infrastructure Levy**

- 21.1 The proposal is liable for CIL payments.

**22 Conclusion**

- 22.1 This site has not previously been developed. However, the principle of the sites development potential has been established by the approval of the application 14/01784/FUL for the development of 77 student accommodation units. This development was implemented in 2017 with the erection of hoardings and the clearing of the site
- 22.2 The proposed development is designed to appear residential in nature in order to conform to the suburban character of the properties surrounding the development site. The quality of materials is of great importance and as such, these details will be discharged as a pre-commencement condition.
- 22.3 Transport and parking is of significant concern to the local populations and as such the proposal includes the provision of an additional 10 car parking spaces on top of the minimum required standards. The vehicle accesses to the proposal would provide safe access to the site and will be subject to conditions ensuring that visibility splays are provided and crossovers are designed to an acceptable standard.



- 22.4 The proposal does not provide any affordable accommodation however, both the applicant and the council have undertaken independent viability reviews and a commuted sum and the provision of an environmental sanctuary have been agreed as an acceptable alternative to the provision of affordable housing.
- 22.5 There are 3 TPO's on the application site. The trees to be removed are the same as the previous application (14/01784/FUL). As such the proposal would not result in any additional impacts to trees from that of the previous permission.
- 22.6 The proposal is considered to be appropriate in this location and would not result in any unacceptable impacts upon surrounding area.

## **23 Recommendation**

- 23.1 Approve subject to conditions subject conditions and the signing of the signing of the S106 Agreement by [date]. Should the S106 not be signed to the agreed terms set out within this report the council reserve the right to refuse the application.

### **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 2005.**

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

**PL04 Proposed Block Plan**

**PL05 Proposed Site Plan**

**PL30 Unit A Proposed GA Plans Sheet 1 of 2 rev F**

**PL31 Unit A Proposed GA Plans Sheet 2 of 2 rev G**

**PL32 Unit A Proposed GA Elevations Sheet 1 of 2 rev F**

**PL33 Unit A Proposed GA Elevations Sheet 2 of 2 rev F**

**PL40 Unit B & B1 Proposed GA Plans rev E**

**PL41 Unit B & B1 Proposed GA Elevations rev F**

**PL60 Unit C Proposed GA Plans rev D**

**PL61 Unit C Proposed GA Elevations Sheet 1 of 2 rev F**

**PL62 Unit C Proposed GA Elevations Sheet 2 of 2 rev E**

**PL70 Unit D Proposed GA Plans rev C**

**PL71 Unit D Proposed GA Elevations rev D**

**PL80 Unit E Proposed GA Plans and Elevations rev E**

**PL200 Proposed Street Scene**

**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) Before any occupation of the development hereby permitted, the windows on the North East and South West elevations of Blocks A, B, B.1, C, D and E 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 (Design Requirements for New Developments including House Extensions) of the LDF Development Management Policies Document Adopted October 2015.**

- (5) No site clearance or building operations shall commence on site until the protective fencing and other protection measures as shown on the ARBORICULTURAL IMPACT ASSESSMENT & METHOD STATEMENT dated April 2015 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 Local Development Framework Core Strategy (2007).

- (6) Prior to occupation of the development hereby approved, a soft landscaping scheme shall be submitted to and approved in writing by the local planning authority, to include the planting of trees, hedges, shrubs and areas to be grassed. The landscaping scheme shall include: tree planting specification drawings which show species, sizes, planting pit size, soil, staking, protection, strimmer guards; A schedule of aftercare should outline maintenance such as pruning, gapping up, responsibility for plant watering and duration of maintenance. The landscaping shall take place in the first planting season after completion of development and shall be maintained for a period of 5 years, such maintenance to include the replacement of any plants that die. All works shall be carried out in strict accordance with the approved details.

**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 Local Development Framework Core Strategy (2007).

- (7) Prior to the first occupation of the first unit hereby permitted, details of the means of enclosure to the retained wildlife area and a timetable for their erection shall be submitted to and approved in writing by the local planning authority. The fencing shall allow for the movement of badgers (by way of 'badger gates' or other suitable openings). The enclosures shall be erected in accordance with the approved details and the badger gates/openings shall be retained, free of obstruction, thereafter.

**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).

- (8) The development hereby approved shall be carried out in strict accordance with the Wildlife Area Management (NKH16970 Wildlife Area Management Plan).

**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).

- (9) Notwithstanding the submitted plans no part of the development shall be first occupied until each of the proposed vehicular accesses to Mill Road have been constructed as belmouth accesses with tactile paving and dropped kerbs at the pedestrian crossing points and provided with visibility of 43 metres to a point no more than one metre into the carriageway from the near side kerb line from a point 2.4 metres back along each of the proposed accesses in accordance with a revised scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6 metres high above the ground.

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

- (10) The development hereby approved shall not be first occupied unless and until redundant sections of any existing accesses from the site to Mill Road have been closed and any verges and or footways have been reinstated.

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

- (11) 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 plan numbered PL04 Rev A for vehicles to be parked. Thereafter the parking areas shall be retained and maintained for their designated purpose.

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 37 Parking Standards, of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (12) The development hereby approved shall not be first occupied unless and until a minimum of 20% of the available parking spaces for each of the units lettered A, B, B1 and C and each of the units letter D and E 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 and Ewell Borough Council Development Management Policies Document September 2015.**

- (13) Notwithstanding the submitted plans the development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with a revised scheme to include the storage of a minimum of 28 bicycles in a secure, covered, and accessible location. Thereafter the bike storage areas shall be retained and maintained for their designated purpose.**

**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 and Ewell Borough Council Development Management Policies Document September 2015**

- (14) Prior to the occupation of the development a Travel Statement shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, and Surrey County Council's "Travel Plans Good Practice Guide", And then the approved Travel Statement shall be implemented upon first occupation and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of 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 and Ewell Borough Council Development Management Policies Document September 2015.**

- (15) No development shall take place until a Construction Transport Management Plan has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:**

- a) the parking of vehicles of site personal, operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) a programme of works (including measures for traffic management);
- e) provision of boundary hoarding behind any visibility zones;
- f) HGV deliveries and hours of operation
- g) vehicle routing
- h) measures to prevent the deposit of materials on the highway
- i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- k) On site turning for construction vehicles

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 in accordance with Policy CS16 of the Core Strategy (2007).

- (16) Prior to the first occupation of the development hereby approved, the applicant shall submit to the local planning authority and obtain written approval of a Management Strategy, addressing the on-site supervisory arrangements and tenure terms so as to minimise noise and to manage anti-social behaviour issues. The applicant shall implement the approved Management Strategy on first occupation of the site and thereafter maintain its operation to the satisfaction of the local planning authority.

Reason: To ensure that the neighbouring residential amenity is protected in accordance with Policy DM10 of the Development Management Policies Document (2015).

- (17) Prior to the first occupation of the development hereby approved, a plan for the management of the designated on-site parking spaces shall be submitted and approved in writing by the local planning authority. Details shall be included of general management throughout the year.

**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).

- (18) The development hereby approved shall be constructed in accordance with the sustainable construction techniques outlined in the Design and Access Statement, 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).

- (19) Prior to the commencement of the development hereby approved, details of noise attenuation and mitigation measures to protect future occupiers against railway noise shall be submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details.

**Reason:** To safeguard future occupiers of the development from railway noise in accordance with Policy DM10 of the Development Management Policies Document (2015).

- (20) The development hereby permitted shall be constructed entirely in accordance with the approved Drainage Layout Plan (Drg MR-DL-100 Rev F - Drainage Layout Plan).

Then prior to the first occupation of the development hereby approved, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the local planning authority to demonstrate that the Sustainable Drainage System has been constructed as per the agreed scheme.

The Sustainable Drainage System shall be managed and maintained in accordance with the agreed details supplied within the Maintenance Document and Maintenance Schedule,

**Reason:** To ensure suitable drainage of the development to reduce risk of flooding in accordance with Policy CS6 of the Core Strategy (2007).

- (21) Prior to occupation of the development hereby permitted the applicant shall supply details of locations of bird and bat boxes and feed stations 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).

- (22) Prior to occupation of the development hereby permitted, detailed elevations, locations and plans of the proposed secure cycle 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.

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).

- (23) Prior to occupation of the development hereby permitted, detailed elevations, locations and plans of the proposed 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.

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).

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

Reason: There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters.

- (25) Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

Reason: Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.



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

**Reason:** The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying ground waters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.

- (27) **A site investigation and risk assessment to determine the existence, extent and concentrations of any made ground/fill, ground gas (including volatile hydrocarbons) and contaminants with the potential to impact sensitive receptors on and off site. The scope and detail of these are subject to the approval in writing by the local planning authority. The results of the investigation and risk assessment shall be submitted to and approved by the Local Planning Authority. 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. The site shall be remediated in accordance with the approved measures and a verification report shall be submitted to and approved by the Local Planning Authority. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site and verification report shall incorporate the approved additional measures.**

**Reason:** To control significant harm from land contamination to human beings, controlled waters, buildings and or/ecosystems as required by Policy DM10 of the Development Management Policies Document (2015).

**Informatives:**

- (1) **In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs**

and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

- (2) Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced.
- (3) Your attention is drawn to the fact that planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.
- (4) Your attention is drawn to the fact that this planning permission is liable for Community Infrastructure Levy payments (CIL).
- (5) The travel statement shall include details of how to travel between the site and public transport including bus and rail services and details of a range of employment, education, retail and leisure land uses with 2 km walking distance of the site and 5 km cycling distance from the site.
- (6) Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
- (7) 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.
- (8) 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-and-licences/the-traffic-management-permit-scheme>. 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-planning-and-community-safety/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice).

- (9) 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).
- (10) You have been granted planning permission to build the proposed development of 31 residential units with associated landscaping, parking and external works. 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.