

## **Bradford House 39A East Street Epsom KT17 1BL**

Variation of Condition 19 ( Approved drawings) of planning permission 17/01755/FUL to permit amendments to the design which affect the plan layouts of the basement and ground floors, the external materials on the northwest (right) and southwest (left) elevations, and the heights of the parapets.

<b>Ward:</b>	<b>Town Ward;</b>
<b>Contact Officer:</b>	<b>John Robinson</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=PGFA9CGYL5T00>

### **2 Summary**

- 2.1 This application seeks amendments to the extant scheme, comprising internal layout amendments, amendments to external finishes and overall height adjustments.
- 2.2 The proposal would accord with the residential, environmental and highways policies contained in the Local Development Framework Core Strategy 2007 and the Development Management Policies Document 2015.
- 2.3 The application is therefore recommended for APPROVAL, subject to the issue of a new S106 agreement (under the same terms as the extant agreement) and conditions.**

### **3 Site description**

- 3.1 The application site was previously occupied by a vacant four storey office building "Bradford House" built in the early 1980s.
- 3.2 The site is located within Epsom town centre boundary on the western side of East Street between Crossways House and "Newplan House". A four storey brick and concrete office building is situated opposite the site.

- 3.3 Crossways House, also owned by the applicant, sits to the west of the application site. Crossways House is a five storey "T" shape block of student accommodation comprising 97 rooms with part office use at ground floor level.
- 3.4 Beyond the application site boundary, are buildings of differing scales and land uses. The majority of the buildings in the area immediately surrounding the subject site are largely in commercial use. The Epsom gas holder site lies to the northwest of the application site and residential uses are located in the streets parallel with East Street to the south.
- 3.5 Planning permission (17/01755/FUL) was granted in September 2018 for the demolition of the existing office building "Bradford House" and the erection of a mixed-use six storey (plus basement) building comprising office floorspace at ground floor level, a student halls of residence containing 99 student bedrooms, and associated landscaping and basement level parking and cycle parking.

#### **4 Proposal**

- 4.1 This application seeks to vary Condition 19 (Approved drawings) of the extant planning permission (17/01755/FUL) in order to permit amendments to the design which affect the plan layouts of the basement and ground floors, the external materials on the northwest (right) and southwest (left) elevations, and the heights of the parapets.
- 4.2 The amendments would comprise the following:
  - The basement parking area would be reduced in size, but would retain the same quantum of spaces as per the extant permission
  - The aluminium sheet cladding would replace some of the brickwork, and the expanses of aluminium louvres would be replaced with tall panels of aluminium sheet metal expanded mesh in front of the windows.
  - A reduction of the parapet heights by 115mm
  - The smoke vents would be removed from the front (southeast) wall and rear (northwest) wall and added to the bank of smoke vents/grilled openings in the side (southwest) wall
  - An adjustment of the location of the ground floor staircase leading to the basement
- 4.3 The applicant has sought to justify the amendments by stating the following:
  - During the original design process and up until recently, the Council has been reducing the number of car parking spaces required for the

proposed scheme, resulting in an excessively large basement for the number of spaces required.

- The recent addition of an access control system on the access ramp to the carpark will help to safely control the cars entering and leaving the car park, and reduces the amount of vehicular manoeuvring space necessary in the basement.
- Replacing the louvres would maintain the design concept of the original scheme of external treatment to these facades but compared to the large expanse of horizontal louvres, the vertical panels of lattice mesh would create a lighter-weight appearance.

## 5 Comments from third parties

5.1 The application was advertised by means of letters of notification to 27 neighbouring properties. To date (03.01.2019) no letters of objection have been received.

## 6 Consultations

6.1 SCC Highways: No objection.

6.2 Epsom Waste Services Manager: No objection.

## 7 Relevant planning history

Application number	Decision date	Application detail	Decision
17/01755/FUL	18.09.2018	Demolition of existing office building (Use Class B1a) at Bradford House and erection of a mixed-use six storey (plus basement) building comprising 221.5sqm of office floorspace at ground floor level and a student halls of residence (Use Class Sui Generis) containing 99 student bedrooms. Associated landscaping and basement level parking and cycle parking. (Description amended and revised scheme drawings and associated documents received on 09.05.2018)	GRANTED

## 8 Planning Policy

### National Policy Planning Framework (NPPF) 2018

Chapter 12: Para 128 -131 Achieving well-designed places

### Core Strategy 2007

Policy CS5 Built environment

Policy CS6 Sustainability in new developments

Policy CS16 Managing Transport and Travel

### Development Management Policies Document 2015

Policy DM9 Townscape character and local distinctiveness

Policy DM10 Design requirements for new Developments

Policy DM37 Parking Standards

## 9 Planning considerations

### Principle of Development

9.1 The principle of the demolition of an existing building and the erection of a mixed-use building comprising office floorspace at ground floor level and a student halls of residence in this location has been established by way of the previously approved planning application (17/01755/FUL) granted in September 2018.

### Visual impact

9.2 Policies DM9 and DM10 encourage high quality development and planning permission will be granted for proposals that make a positive contribution to the Borough's visual character and appearance. Policy DM8 states that the Council will resist the loss of our Heritage Assets and every opportunity to conserve and enhance them should be taken by new development

9.3 The proposing aluminium sheet cladding to replace some of the brickwork, as well as the replacement of the expanses of aluminium louvres with tall panels of aluminium sheet metal expanded mesh in front of the windows would maintain the design concept of the extant scheme of external treatment to these facades to articulate the elevation. The vertical panels of lattice mesh would create a lighter-weight appearance.

9.4 A reduction of the parapet heights by 115mm would be achieved through the detailed design of the structure and roof coverings, bringing the building down to a height of 17.975m, which is acceptable.

- 9.5 No planning objections are raised with regard to the removal of the smoke vents from the front (southeast) wall and rear (northwest) wall and added to the bank of smoke vents/grilled openings in the side (southwest) wall.
- 9.6 The readjustment of the internal staircase is acceptable
- 9.7 Overall the proposed amendments would not have a detrimental impact on the appearance of the extant scheme or have a harmful impact on the streetscene.
- 9.8 The proposed amended scheme would therefore comply with Policy DM9 and DM10.

Residential amenity

- 9.9 Policy CS5 of the Core Strategy 2007 and Policy DM10 of the Development Management Policies Document 2015 seeks to safeguard residential amenities in terms of privacy, outlook, sunlight/daylight, avoidance of visual intrusion and noise and disturbance.
- 9.10 The proposed replacement of the expanses of aluminium louvres with tall panels of aluminium sheet metal expanded mesh in front of the windows, would continue to provide privacy screening to those bedrooms from the neighbouring buildings, as they would be angled, and in addition the use of the lattice mesh would allow more light and air in through the windows, benefitting the occupants.
- 9.11 The proposed scheme would therefore comply with Policy DM10

Parking Layout/Provision

- 9.12 The relevant parking standards for office use are contained within Surrey County Council's Vehicular and Cycle Parking Guidance - 2012.
- 9.13 Standards for residential use can be found in the Council's Parking standards for Residential Development SPD - 2015.
- 9.14 With reference to the office use, the Surrey County Council guidelines state that a maximum range of 1 car space per 30m<sup>2</sup> to 1 car space per 100m<sup>2</sup> should be provided, depending on the location of the site. The proposed scheme would therefore be required to provide a maximum range of 2-8 spaces.
- 9.15 The proposal would maintain the same level of parking provision as the extant scheme. It would provide an 8 space car park located at basement level below Bradford House. Of these 8 spaces, 4 would be allocated to serve the proposed office use, and 4 would be allocated as pick up/drop off spaces to serve the student accommodation.
- 9.16 The Highways Officer has raised no objection to the amended basement parking layout

Community Infrastructure Levy

9.17 The proposed scheme is CIL liable.

## 10 Conclusion

10.1 It is therefore concluded that the proposed amendments are individually and cumulatively acceptable, the quantum of parking spaces and the parking layout would be acceptable and the exterior amendments would not detract from the appearance of the building.

## 11 Recommendation

### Part A

11.1 Subject to a new legal agreement (under the same terms as the extant agreement) being completed and signed to secure the following heads of terms:

- A Travel Plan Monitoring Fee

The Committee authorise the Head of Planning to grant planning permission subject to the conditions detailed below.

### Part B

11.2 In the event that the section 106 Agreement referred to in Part A is not completed by 4 March 2019, 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 CS5 of the Core strategy 2007

### Conditions:

- (1) **The development hereby permitted shall be commenced within 3 years from the 18 September 2018, the date of the originally approved application 17/01755/FUL that is subject to this application to variation.**

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

- (2) **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**

- (3) **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 and the planting of three trees in front of the building, have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and thereafter retained.**

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

- (4) **A report is to be submitted to the Local Planning Authority, within 6 months of the commencement of any use of any part of the building, to demonstrate that the renewable technologies (as detailed in the submitted Sustainability Statement) hereby approved have been fully implemented and are functioning.**

**Reason: In order to promote sustainable construction in accordance with Policy CS6 of the Core Strategy 2007.**

- (5) **The student accommodation 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.**

- (6) **Prior to the first occupation of the student accommodation, a plan for the management of student arrivals and departures at the start and end of term shall be submitted and approved in writing by the Local Planning Authority. This plan shall confirm that on weekdays and weekends, no students shall be permitted to load and unload from the four, designated, parking bays on-site without the prior arrangement of the site management. There is to be no parking outside of these designated bays for student loading/unloading.**

**Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users as required by policy CS16 of the Core Strategy 2007**

- (7) Details of a waste management plan, incorporating provision for refuse storage and recycling facilities on the site, shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The refuse storage and recycling facilities shall be provided prior to the first occupation. The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority .

**Reason:** In order that the development should take into account the need to minimise the dispersal of waste and facilitates the collection of recyclable waste in accordance with the provisions of Policy CS6 of the Epsom and Ewell Adopted Core Strategy 2007.

- (8) Unless otherwise agreed by the Local Planning Authority, the following must be undertaken prior to any development on site, in accordance with current best practice guidance:
- (i) 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; and
  - (ii) if ground/groundwater contamination, filled ground and/or ground gas is found to present unacceptable risks, a detailed scheme of risk management measures shall be designed and submitted to the Local Planning Authority for approval. 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.

**Reason:** To control significant harm from land contamination to human beings, controlled waters, buildings and or/ecosystems as required by Policy DM7 of the Development Management Policies 2015.

- (9) The upper floors of Bradford House (and the ground floor area, (shown as student accommodation on Drawing No BH307-1/031/J), shall be used for student accommodation only and for no other purpose (including any other purpose within Use Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987), or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).

**Reason:** To ensure a satisfactory form of use of the premises as required by Policy DM10 of the Development Management Policies 2015.

- (10) Notwithstanding the available permitted development rights under Class N of the GPDO 2013, the ground floor at Bradford House (denoted as “Commercial Area” on Drawing No BH307-1/031/J) shall be used for B1 (Office Use) only and for no other purpose (including any other purpose within Use Class of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).

**Reason:** To ensure a satisfactory form of use of the premises as required by Policy DM25 of the Development Management Policies Document 2015.

- (11) The development hereby approved shall not be first occupied unless and until the proposed vehicular / pedestrian / cycle / modified access to East Street has been constructed in accordance with the approved plans.

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users as required by policy CS16 of the Core Strategy 2007

- (12) The development hereby approved shall not be first commenced until a scheme detailing the location and operation of the access control mechanism has been submitted to and approved in writing by the Local Planning Authority and thereafter the access control with approved access visibility zones, and access ramp shall be kept permanently clear of any obstruction.

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users as required by policy CS16 of the Core Strategy 2007

- (13) The development hereby approved shall not be first occupied unless and until the existing accesses from the site to East Street as shown on the drawings have been permanently closed and any kerbs, verge, footway, fully reinstated.

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users as required by policy CS16 of the Core Strategy 2007

- (14) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in for a maximum of 7 cars and 1 disabled space and a minimum of 52 bicycles to be parked securely in accordance with the approved plans for

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

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users as required by policy CS16 of the Core Strategy 2007

- (15) No development shall commence until a Construction Transport Management Plan, to include details of:-**
- (a) parking for vehicles of site personnel, operatives and visitors**
  - (b) loading and unloading of plant and materials**
  - (c) storage of plant and materials**
  - (d) programme of works (including measures for traffic management)**
  - (e) provision of boundary hoarding behind any visibility zones**
  - (f) HGV deliveries and hours of operation, will not occur between the hours of 0730-0900 and 1630-1800.**
  - (g) measures to prevent the deposit of materials on the highway**
  - (h) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused - see condition one.**

**has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.**

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users as required by policy CS16 of the Core Strategy 2007

- (16) The development hereby approved shall not be first occupied until the following facilities have been provided in accordance with the approved plans and approved in writing by the Local Planning Authority for:**
- (a) The secure parking of bicycles within the development site,**
  - (b) Facilities within the development site for cyclist to change into and out of cyclist equipment / shower,**

- (c) Facilities within the development site for cyclists to store cyclist equipment,
- (d) Installation of a fast charge point, for electric vehicle charging

and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

**Reason:** In order to promote sustainable development in accordance with Policy CS6 of the Core Strategy 2007.

(17) 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) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+40%) allowance for climate change storm events, during all stages of the development (Pre, Post and during), associated discharge rates and storages volumes shall be provided using a maximum discharge rate of 1in1yr 2.6 litres/sec, 1 in 30yr 3.5 litres/sec and 1 in 100 year 4litres/sec utilising a blue roof system (as per the SuDS pro-forma or otherwise as agreed by the LPA).
- b) 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.).
- c) 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.
- d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- e) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.

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

- (18) 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.

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

011/D Proposed Site OS and Site Block Plan

012/F Site Landscape Context Plan

BH307-1/210/H Basement

BH307-1 211\_G Ground Floor GA

032/F First and Second Floor GA

033/F Third and Fourth Floor GA

034/F Fifth Floor and Roof GA

086/C Proposed North View

085/C Proposed North West Bird's Eye View

084/C Proposed View Along East Street to New Building

083/C Proposed South East View from West Street

082/C Proposed South West View from East Street

081/C Proposed North East Bird's Eye View

072/E Rendered Elevations Proposed

BH307-1 410\_B Front (SE) Elevation

BH307-1 411\_B Right (NE) Elevation

BH307-1 412\_B Left (SW) Elevation

**BH307-1 413\_B Rear (NW) Elevation**

**051/F Proposed Section AA**

**052/F Proposed Section BB**

**053/F Proposed Section CC and DD**

**BH307-1 415 Front and Rear Street 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).

- (20) Prior to the commencement of the development, a drawing showing the proposed site levels of the application site and the finished floor levels of the proposed dwellings 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:** Submission of a scheme prior to commencement will ensure that the development accords with the Development Management Policies Document 2015 Policy DM10. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

- (21) The occupancy of the accommodation hereby permitted shall be limited to full time university/college students who are enrolled on an educational course within Epsom.

**Reason:** The development is designed for a type of accommodation that is considered to be sui generis and would not be satisfactory for other residential uses.

- (22) All Demolition and or building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, shall only take place between the hours of 09.00 and 16.30 Monday to Friday, and between 08.00 and 13.00 on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

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

**(23) Student Management;**

**Before the development commences, a Student Management Plan 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. The Plan shall include the following:**

- a) Details of how the student accommodation will operate.**
- b) Measures that will be taken to reduce the incidences of anti-social behaviour.**
- c) Measures that will be taken to reprimand students who behave in an antisocial way.**
- d) Arrangements for the management of traffic/parking at the beginning and end of term.**
- e) Daily arrangements to control access and egress of pedestrians, cyclists and vehicular traffic or measures to generally regulate the use of vehicles.**
- f) Details of CCTV monitoring arrangements within the site (including monitoring of site entrances).**
- g) Details of wardening/security presence.**
- h) Arrangements for the creation of a 24 hour contact telephone number so that residents can contact the halls of residence if they have any matters they wish to be brought to the university's attention.**
- i) Increased signage in the locality - requesting that users of the street do not disrupt the peace of the neighbourhood.**
- j) Details of what measures will be put in place to discourage those students, who may own a car, from parking on surrounding roads.**

**Reason: To safeguard the amenities of the adjoining residential occupiers in accordance with Policy DM10 (Design Requirements for New Developments) of the LDF Development Management Policies Document (October 2015).**

**Informatives:**

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 38 of the National Planning Policy Framework 2018.**

- (2) The water efficiency standard required under condition 12 has been adopted by the local planning authority through the Development Management Policies 2015. This standard is the 'optional requirement' detailed in Building Regulations 2010, Part G Approved Document (AD) Buildings Regulations (2015), at Appendix A paragraph A1.

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

- a) using the 'fittings approach' where water fittings are installed as per the table at 2.1 in the AD or
  - b) using the water efficiency calculation methodology detailed in the AD Part G Appendix A.
- (3) If you need any advice regarding Building Regulations please do not hesitate to contact Epsom & Ewell Borough Council Building Control on 01372 732000 or [contactus@epsom-ewell.gov.uk](mailto:contactus@epsom-ewell.gov.uk).