

## **1 West Park Farm House, Horton Lane, Epsom**

Change of use to D2 for the creation of a Sports facility, Reception and Training area. The proposal includes the erection of two extensions, a front porch and a side store extension.

<b>Ward:</b>	<b>Stamford 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=PMUU BIGYM6X00>

### **2 Summary**

- 2.1 This application is being referred to the Planning Committee as Epsom & Ewell Borough Council own the property.
- 2.2 The proposed planning application is to refurbish the building to provide the facilities needed for a not-for-profit community Martial Arts Studio (Use Class D2 Indoor Sports). It is also proposed that the building can be used by the Council's Countryside Team for training and lectures when it is not in use for the Martial Arts.
- 2.3 The proposed works include minor structural access point changes, extra storage plus insulating the walls and ceiling, installing a heating/ hot water system, kitchenette, changing rooms and new w.c facilities.
- 2.4 The proposal will provide Health and Wellbeing services for the local community, in addition the applicant has agreed with EEBC to assist in providing specific classes in order to target over 50's.
- 2.5 The operator already provides Mo-ichido fitness training to over 150 students in the borough.
- 2.6 The Club would be provide training for students from 09.00 -22.00, Monday to Friday, Saturday 09.00- 18.00, Sundays would be occasional use for Gradings and specific squad training sessions between 10.00-16.00. The use of the facilities by the Countryside team would be incidental and on the basis of the main operator not having a requirement.

- 2.7 The building footprint will remain largely unchanged, in the same position and of similar size and scale. Only the additional disabled access and rear store room are changing the existing structure externally.

### **3 Site description**

- 3.1 The site is located within Horton Country Park which is located greenbelt.
- 3.2 This site is previously developed land originally used as a cow shed as part of West Park Farm and more recently as an office and store room for the EEBC Ranger Service.
- 3.3 The building is not currently an operational property, but has been used for ad hoc storage and is therefore surplus to requirements.

### **4 Proposal**

- 4.1 The proposal is to change the use of the building to a D2 Use Class (Indoor Sports) for a martial arts studio.
- 4.2 The proposal is to refit the existing building with the addition of an entryway/porch and pathway for disabled access to a reception area and training room. The external store room will be built upon the footprint of a concrete base already on the site.
- 4.3 The intention is to strip out the current fittings and fixtures and refit with suitable replacements, insulate the roof void, walls and floor and lay a new poured concrete screed. Doors and windows will need to be replaced. The windows and doors will be double glazed.
- 4.4 The current roof void is uninsulated and access directly to the compressed concrete roof panels. The walls which are of concrete formed slabs will be insulated externally with thermal foam blocks and then smooth rendered with a waterproof coating and painted in a neutral colour to match the local surrounding. The external roof panels will be pitched.
- 4.5 The proposed front porch would be 2.17 metres in height to the eaves, 3.55 metres in height to the ridge, 4.76 metres in width, 2.02 metres in depth.
- 4.6 The proposed side store would be 2.2 metres in height to the eaves, 3.25 metres in height to the ridge, 1.85 metres in width, 3.215 metres in depth.

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

- 5.1 The application was advertised by means of letters of notification to 5 neighbouring properties. To date (29.04.2019) 0 letters of objection have been received.

## **6 Consultations**

6.1 Highways – No objections, subject to conditions.

## **7 Relevant planning history**

There is no applicable planning history in relation to this proposal.

## **8 Planning Policy**

National Planning Policy Framework – revised (2018)

Local Development Framework – Core Strategy 2007

Policy CS1 – General Policy

Policy CS2 – Green Belt

Policy CS4 - Open Spaces

Policy CS13 - Community Facilities

Development Management Policies 2015

Policy DM1 - Extent of the Green Belt

Policy DM3 - Replacement and extensions of buildings in the Green Belt

Policy DM34 - New Social Infrastructure

Policy DM37 - Parking Standards

## **9 Planning considerations**

### Principle

9.1 The revised National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how these are expected to be applied. The Government attaches great importance to Green Belts and paragraph 133 of the NPPF sets out that openness and permanence are the essential characteristics of Green Belts.

9.2 Paragraph 134 of the NPPF sets out the five purposes that Green Belt serves. These are provided below:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and

- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 9.3 Paragraph 141 of the NPPF sets out that once Green Belts have been defined, Local Planning Authorities should plan positively to enhance their beneficial use, such as looking for opportunities to (inter alia) provide for outdoor sport and recreation and retain and enhance landscapes.
- 9.4 The construction of new buildings in the Green Belt is regarded as inappropriate development, in line with paragraph 145 of the NPPF. Exceptions to this include (inter alia) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport and recreation, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
- 9.5 Chapter 15 of the NPPF relates to the conservation and enhancement of the natural environment. Paragraph 170 sets out that valued landscapes should be protected and enhanced.
- 9.6 Policy DM1 (Extent of the Green Belt) of the Development Management Policies Document (2015) sets out that the Green Belt will be maintained along the boundaries of the existing built-up area and extending to the outer Borough boundary as defined in the Epsom and Ewell Borough-wide Local Plan 2000 and as defined in the successor Site Allocations Development Plan Document. Supporting paragraph 2.3 of the Development Management Policies Document (2015) sets out that the main purpose of the Green Belt is to prevent urban sprawl and the coalescence of neighbouring settlements by keeping land permanently open.
- 9.7 Policies CS13 and DM34 state that applications for new or extensions to social infrastructure and community facilities will be encouraged on the basis that it addresses a deficiency in current provision and will meet the identified needs of the borough.
- 9.8 The proposal is for the change of use of an existing building that is in the green belt. The extent of the proposed storage area and porch area are minor and within the scope of the development management policies, being less than 30% increase in the floor area and therefore the principle of the proposal is acceptable. The proposed use is considered to provide a community benefit and would increase physical activity in the Borough and bring back into use a building that is only being used for storage. . The site is considered to meet a shortfall in provision as the applicant has demonstrated that they have a client list of 150 students in Epsom and Ewell.

- 9.9 The proposal to change the use of this underutilised building to a D2 indoor use to provide a not for profit martial arts studio is considered to be policy compliant and would be supported by the council should the application also be acceptable in terms of design and impacts upon the Green Belt, Transport and Ecology.
- 9.10 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.
- 9.11 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.
- 9.12 Policy CS05 also states that the settings of heritage assets such as historic buildings, conservation areas, archaeological remains, ancient monuments, parks and gardens of historic interest will require higher standards of design to protect and enhance these assets.
- 9.13 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.
- 9.14 Policy DM9 states that Planning Permission will be granted for proposals which make a positive contribution to the Borough's visual character and appearance. The design, scale and massing of the proposed extension would relate with the application house as a subordinate addition, and overall design is considered acceptable to the character and appearance of the area. The proposal is therefore considered not to result in detrimental impact upon the character and appearance of the conservation area.
- 9.15 Policy DM3 provides for extension of buildings in the Green Belt where:

The proposal would not constitute inappropriate development in the Green Belt (e.g. the increase would be no greater than 30% above the volume of the original building. Increasing the extent of an existing building to maximum footprint will not be appropriate in every circumstance).

- 9.16 The proposal would not have a detrimental impact on rural character through its siting and design as the structure is already in situ. The proposed development includes the erection of a store to the rear of the property and a front entrance including disabled access at the side of the property.
- 9.17 The porch design complements the design of the existing structure and would not be out of character with the existing building nor would it unacceptably increase the bulk or mass of the property. The front porch would have a roof form that would match the existing structure and would be built using materials that match the existing building. The proposed side entrance extension would therefore be acceptable in terms of its design as a singular extension.
- 9.18 The side store would be a small pitched roof structure on the east elevation of the property. The storeroom extension would be subordinate to the existing property and its design and roof form would complement the existing structure. The proposed side store room extension would therefore be acceptable in terms of its design as a singular extension.
- 9.19 The combined volume of the extensions would be less than a 30% increase in volume and would equate to a 6% increase in volume (700.5 existing: 743.2 Proposed). Given, the proposed extension is less than 30% of the volume of the original structure. It therefore meets the criteria outlined in Policy DM3 and is acceptable in principle.
- 9.20 For the above reasons, the proposal is complies with Local Plan Policies CS1, CS2 and CS5 of the Adopted Core Strategy (2007), DM3, DM9 and DM10 of the Borough's Development Management Document (2015).
- 9.21 The proposed single storey rear extension would be visible from the streetscene however, it would not be of a size, bulk or massing that would be considered to result in any unacceptable impacts upon the character or appearance of the property or the surrounding area.
- 9.22 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.

- 9.23 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.
- 9.24 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.
- 9.25 The proposed development would not result in any loss of vegetation as the extensions would be built over existing concrete foundations. The site is therefore not to be considered to have any unacceptable impacts upon flora at Horton Country Park.
- 9.26 The council's Ecology officer has no objections to the proposal however has suggested a condition to place bat boxes on the structure to improve the biodiversity value of the property.
- 9.27 Horton Country Park has an existing car park which is considered to be sufficient to support the intended use.
- 9.28 The Club would eventually provide training for students from 09.00 -22.00, Monday to Friday, Saturday 09.00- 18.00, Sundays would be occasional use for Gradings and specific squad training sessions between 10.00-16.00.
- 9.29 Refuse and recycling associated with the intended use would not be considered to be significant. Nonetheless, refuse and recycling could be provided internally and collection would operate in the same way as the existing property. Furthermore the existing business in the vicinity have regular waste collection and as such this would not be considered to result in any significant increase in vehicle movements. Refuse and recycling collection would not have any significant impacts upon
- 9.30 The access to the property would be available 24 hours a day.
- 9.31 Up to 2 car parking spaces are available outside the property for staff.
- 9.32 Highways has raised no objections subject to conditions. Surrey County Council has made the following comment.

*Site Specific Comment: The above recommendation is based on the understanding that the applicant is in discussions with Epsom and Ewell Borough Council as the owner of the car park. It is our understanding that Epsom and Ewell Borough Council would issue keys, if necessary, for the use of the car park out of hours. If this is the case then the County Highway Authority would be satisfied that parking would take place within the site and not impact on highway safety.*

9.33 The proposal is not CIL Liable as the use class is exempt.

## **10 Conclusion**

- 10.1 The proposed development would provide a significant community benefit and would be policy compliant in this regard.
- 10.2 The physical alterations to the building are not significant and are intended to improve the entrance to the property and provide a disabled access.
- 10.3 The proposal is not considered to have any unacceptable highways impacts as car parking is already provided by Horton Country Park and the users of this property are intended to park there.
- 10.4 The proposal is considered to have a positive impact upon the property and any increase in bulk and massing is significantly outweighed by the community benefit of the proposal.
- 10.5 The proposal would not adversely impact on the Greenbelt.

## **11 Recommendation**

- 11.1 Having regard for the submitted information, proposed plans and technical comments from consultees, the proposal is considered to be an acceptable form of development and is recommended for APPROVAL, subject to the following conditions.

### **Conditions:**

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

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

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

**110 Ruxley Ln Rev 3 – Proposed Dwellings**

**110 Ruxley Ln Rev 3 – Drop Kerb Driveway**



**Flood Risk assessment**

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

- (3) Prior to the occupation of development hereby approved, details and samples of the external materials to be used for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

- (4) Before the proposed development is occupied details of a travel information pack, to include travel to and from the site by non-car forms of transport and car sharing between members, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be distributed to members upon first occupation of the site and then distributed to new members as and when they join.

**Reason:** The above condition is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2018 and DM 36 Sustainable Transport for New Development of the Epsom and Ewell Borough Council Development Management Policies Document September 2015.

- (5) 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).

**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) You have been granted planning permission to build an extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work before 8am or after 6pm Monday to Friday, before 8am or after 1pm on a Saturday or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Health Department Pollution Section.
- (4) The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

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

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

- (5) The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from un-cleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).**
- (6) Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.**