

The Royal Automobile Country Club (RAC), Old Barn Road, Epsom, Surrey, KT18 7EW

Variation of Condition 15 of Planning Permission ref: 17/00542/FUL, dated 7 December 2017, to extend the opening hours of the external play facilities and café area in the walled garden from 6:00pm to 8:00pm between April and September (inclusive) and in the winter months 5pm on any given day

Ward:	Woodcote Ward
Contact Officer:	Ginny Johnson

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/simpleSearchResults.do?action=firstPage>

2 Summary

- 2.1 A Section 73 of the Town and Country Planning Act 1990 application has been submitted to the Local Planning Authority, seeking to vary Condition 15 of Planning Permission ref: 17/00542/FUL. It seeks to extend the opening hours of the external play facilities and café area in the Walled Garden from 6:00pm to 8:00pm, between April and September (inclusive) at the Royal Automobile Club (RAC). The applicant sets out that this is due to a demand for use of the external areas of the Walled Garden beyond 6pm in the summer months.
- 2.2 A Noise Impact Assessment, dated 24 September 2019 and Noise Impact Assessment Addendum Report, dated 8 January 2020, accompanies this application. These documents conclude that noise levels associated with the proposed extension of hours are unlikely to cause unreasonable disturbance to occupiers of nearby residential properties.
- 2.3 The Local Planning Authority is satisfied that the proposed extension of hours will not adversely impact the residential amenity enjoyed at neighbouring properties, by means of noise and disturbance, given the evidence accompanying this application and the mitigation proposed. The application is considered to comply with Policy DM10 of the Development Management Policies Document (2015).
- 2.4 This application is brought to Planning Committee as it seeks to vary a Condition of a Major Planning Application.

3 Site description

Site Context

- 3.1 The Application Site ('Site') is set within the grounds of Woodcote Park, located off Wilmerhatch Lane in Epsom, Surrey. Woodcote Park is otherwise referred to as The Royal Automobile Club (RAC). The wider Site measures approximately 350 acres in size and comprises a Grade II* Listed building, two 18-hole golf courses, a sports centre and various outbuildings and structures, some of which are also Listed.
- 3.2 Woodcote Park is bound by Baron's Hurst and Warren Hill to the North, Chalk Lane to the East, Langley Vale Road to the South and Headley Road and Wilmerhatch Lane to the West. Also to the West of Woodcote Park is the Ridge, which is a linear residential development comprising 29 detached dwellings, each within sizable plots.
- 3.3 The wider surrounding area comprises open countryside, residential settlements and towns and villages. Specifically, Epsom Town Centre is to the North-West of Woodcote Park and the village of Ashted is to the West of the Park. Epsom and Walton Downs is to the East of the Park, which comprises Epsom Downs Racecourse.
- 3.4 Woodcote Park is well connected with good links to the M25, A24 and B290. It also has good rail accessibility, with Epsom Railway Station, Tattenham Corner Railway Station and Ashted Railway Station located in close proximity. There are various informal footpaths running through Woodcote Park and public rights of way on Headley Road and Langley Vale Road.

Application Site ('Site')

- 3.5 The Site is located within the rectangular Grade II Listed Walled Garden, at Woodcote Park. The Grade II Listed Gardener's Cottage also forms part of the Walled Garden.
- 3.6 The Walled Garden is immediately bound by trees to the North and East and by residential properties to the South and West. The residential properties located to the South of the Site include Ridge Court and Woodlands and the residential properties to the East of the Site include The Gold Peak, Woodcote and Five Oaks. To the North-East of the Site are residential properties Baroncroft and The Columbarium.
- 3.7 The Site is designated within the Green Belt. It is in Flood Zone 1 (low probability of flooding).

4 Proposal

- 4.1 Full Planning Permission was granted for a children's facility within the Walled Garden on 7 December 2017, under ref: 17/00542/FUL. The formal description of development is as follows:

"Provision of childrens facilities within walled garden, including a childrens activity centre , indoor swimming pool, cafe and associated areas, with associated landscaping, engineering works and operations"

- 4.2 There are 25 Planning Conditions attached to the Decision Notice. Condition 15 relates to the opening hours of the external play facilities and café area in the Walled Garden. It sets out that these areas shall not be used before 8am or after 6pm between April and October (inclusive) and in the winter months 5pm on any given day. The facilities within the pool house (within the Walled Garden) shall not be used before 6am or after 10pm on any given day. For clarity, the formal wording of Condition 15 is provided below:

“The external play facilities and café area in the walled garden shall not be used before 8am or after 6pm between April and October (inclusive) and in the winter months 5 pm on any given day. The facilities within the pool house (within the walled garden) shall not be used before 6am or after 10pm on any given day.

- 4.3 The reason for imposing the Condition was to protect the amenities of neighbouring occupants, in accordance with Policy DM10 of the Development Management Policies Document (2015).
- 4.4 An application can be made under Section 73 of the Town and Country Planning Act 1990, to vary or remove conditions associated with a Planning Permission. This Section 73 application seeks to formally vary Condition 15 of Planning Permission ref: 17/00542/FUL, to extend the opening hours of the external play facilities and café area in the Walled Area from 6:00pm to 8:00pm between April and September (inclusive). This is due to a demand for use of the external areas of the Walled Garden beyond 6pm in the summer.
- 4.5 The applicant initially submitted a Cover Letter, dated 4 June 2019 and a Noise Assessment Update, dated 25 October 2017, with this application. When reviewed by Officers, this documentation was considered to be insufficient to support an extension of permitted hours. A further Cover Letter, dated 17 October 2019, Noise Impact Assessment, dated 24 September 2019, and a MUGA Management & Monitoring Plan, dated 3 October 2019, was subsequently submitted.
- 4.6 The Local Planning Authority's Environmental Health team raised concerns relating to the Noise Impact Assessment, dated 24 September 2019. The Report assessed the impact of vocal noise expected from MUGA use (para 3.15) but it did not consider other noise impacts of MUGA use, including, for example, likely noise generation from balls bouncing, etc. The Report also failed to consider the noise impacts from all of the facilities within the Walled Garden, rather, it concentrated on vocal noise from the MUGA only. For these two reasons, the Local Planning Authority's Environmental Health team raised an objection to extending the permitted hours, in the absence of being able to evidentially demonstrate whether this would adversely impact the neighbouring amenity enjoyed at adjoining properties.
- 4.7 The applicant then submitted a Noise Impact Assessment Addendum, dated 8 January 2020 and a Cover Letter, dated 14 January 2020. The Noise Impact Assessment Addendum is an add-on to the Noise Impact Assessment, dated 24 September 2019. The Noise Impact Assessment Addendum responds to additional points, made in respect of:

- Clarification regarding library source levels for the MUGA noise assessment; and

- The assessment of additional noise sources within the Walled Garden (such as from users of the splash pad, external terrace and other play equipment).

4.8 The Noise Impact Assessment Addendum concludes that noise levels associated with the proposed extended hours of opening are unlikely to cause unreasonable disturbance to occupiers of the nearest residential properties.

5 Comments from third parties

5.1 The application was advertised by means of letters of notification to 36 neighbouring properties. The following representations were received:

Neutral (1):

- confirmation required that the Families Facility will not be rented out

Objection (4) (note that numerous representations submitted by one neighbouring property is treated as 1 representation, although all comments are taken into consideration):

- Accuracy of Noise Impact Assessment
- Impact on Neighbour Amenities
- Generation of Noise and Disruption
- Ecological impacts.

5.2 A Site Notice was displayed and the Application was advertised in the Local Paper.

6 Consultations

Surrey County Council (Highways) (14.11.2019): the application would not have a material impact on the safety and operation of the adjoining public highways. The County Highway Authority (CHA) therefore has no highway requirements.

Within 'Note to Planner', the CHA state that no parking analysis has been submitted with the proposal, but extending the opening hours is likely to increase the dwell time of private vehicles parked on-site. It would have been beneficial for the applicant to confirm that the 30-space car park associated with the Walled Garden continues to be appropriate to support the extended opening hours application, if approved. However, it is noted that the wider site does offer additional car parking if required.

EEBC's Environmental Health Team: the source date used in the assessment is unlike the proposed use at the RAC, in that it was intensive, competitive 5-a-side football, whereas the proposed usage at the RAC is less intense. The numbers involved are always somewhat notional and the RAC is motivated to limit the use of the facilities.

7 Relevant planning history

There is an extensive planning history relating to the wider RAC site. The below table details recent and relevant planning history pertaining to the Walled Garden and Gardener's Cottage only:

Reference number	Proposal	Decision	Decision date

Reference number	Proposal	Decision	Decision date
19/01677/FUL	Remedial repairs to the Grade II listed walls to the Walled Garden to the south and west elevations	Granted	11.02.2020
19/01678/LBA	Remedial repairs to the Grade II listed walls to the Walled Garden to the south and west elevations	Granted	11.02.2020
19/01379/COND	Discharge of Condition 23 (MUGA noise management and monitoring plan) of Planning permission ref: 17/00542/FUL, dated 7 December 2017	Granted	09.01.2020
19/01695/COND	Discharge of Condition 6 (Travel Plan) of Planning Application ref: 17/00542/FUL, dated 17.12.2017	Granted	03.02.2020
19/01067/COND	Application to discharge Condition 4 (outdoor play equipment) of Planning Permission ref: 17/00542/FUL, granted 7 December 2017	Granted	15.10.2019
19/00825/LBA	Single-storey building, to accommodate changing rooms and WC facilities, associated with the approved Family Facility (ref: 17/00542/FUL)	Granted	22.08.2019
19/00747/FUL	Repairs, partial reconstruction and removal of brick arch of Grade 2 listed walled garden, to incorporate a wider entrance	Granted	13.08.2019
19/00748/LBA	Repairs, partial reconstruction and removal of brick arch of Grade 2 listed walled garden, to incorporate a wider entrance	Granted	13.08.2019
19/00547/FUL	Single-storey building, to accommodate changing rooms and WC facilities, associated with the approved Family Facility (ref: 17/00542/FUL)	Granted	23.08.2019
19/00124/COND	Discharge of Condition 7 (External Lighting Scheme) of Planning Permission 18/01104/FUL, granted on 08.01.2019	Granted	18.04.2019
19/00037/COND	Discharge of Condition 21 (drainage and suds) of Planning Permission ref: 17/00542/FUL, dated 7 December 2017	Granted	29.03.2019
18/01543/COND	Discharge of conditions 19 (Sustainable Drainage System) of Planning Permission ref: 17/00542/FUL, dated 7 December 2017	Granted	25.03.2019
18/01475/COND	Discharge of Condition 20 (Surface Water, Pollution Risk, Sustainable Drainage System) of Planning Permission 17/00542/FUL	Granted	25.03.2019

Reference number	Proposal	Decision	Decision date
18/01439/COND	Discharge of Condition 8 (Arboricultural Method Statement) of Planning Permission ref: 17/00542/FUL	Granted	27.03.2019
18/01362/FUL	The use of existing Gardener's Cottage for activities associated with the Royal Automobile Club (limited to B1(a), D1 and D2 Uses) and the erection of a single storey extension with associated landscaping and engineering works	Granted	08.03.2019
18/01363/LBA	The use of existing Gardener's Cottage for activities associated with the Royal Automobile Club (limited to B1(a), D1 and D2 Uses) and the erection of a single storey extension with associated landscaping and engineering works	Granted	08.03.2019
18/01351/FUL	Repairs and partial reconstruction of part of a grade II listed walled garden	Granted	14.02.2019
18/01352/LBA	Repairs and partial reconstruction of part of a grade II listed walled garden	Granted	14.02.2019
18/01339/COND	Application to discharge Condition 5 (Construction Management Plan) of Planning Permission 17/00542/FUL	Granted	27.03.2019
18/01341/COND	Application to discharge Conditions 2 (Ground Works) 3 (Materials) and 7 (Landscaping Scheme) of Planning Permission 17/00542/FUL	Granted	28.02.2019
18/01104/FUL	Creation of a hard surface pathway route between car park and Walled Garden with associated lighting, landscaping and engineering works.	Granted	08.01.2019
17/00542/FUL	Provision of children's facilities within walled garden, including a children's activity centre, indoor swimming pool, cafe and associated areas, with associated landscaping, engineering works and operations	Granted	05.12.2017
16/00900/FUL	Repair and restoration of parts of a Grade II listed walled garden and cottage	Granted	08.11.2016
16/00901/LBA	Repair and restoration of parts of a Grade II listed Walled Garden and Cottage	Granted	08.11.2016
15/01540/LBA	Internal refurbishment works in the Grade II Listed Building, Woodcote Park	Granted	16.03.2016

8 Planning Policy

National Planning Policy Framework (2019)

Core Strategy (2007)

Development Management Policies Document (2015)

Chapter 12 Achieving well-designed places

Chapter 13 Protecting Green Belt Land

Chapter 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change

Chapter 15 Conserving and Enhancing the Natural Environment

Chapter 16 Conserving and Enhancing the Historic Environment

CS1 Sustainable Development

CS2 Green Belt

CS3 Biodiversity

CS5 Built environment

CS16 Managing transport and travel

DM4 Biodiversity and new development

DM5 Trees and landscape

DM8 Heritage assets

DM9 Townscape character and local distinctiveness

DM10 Design requirements for new developments

DM35 Transport and new development

DM36 Sustainable Transport for new development

DM37 Parking standards

9 Planning considerations

- 9.1 This Section 73 application seeks to formally vary Condition 15 of Planning Permission ref: 17/00542/FUL, to extend the opening hours of the external play facilities and café area in the Walled Garden from 6:00pm to 8:00pm between April and September (inclusive). This is due to a demand for use of the external areas of the Walled Garden beyond 6pm in the summer. Officers are considering this aspect of the proposal only. It is not a reassessment of the application for the Family Facility. Subject to this application being approved, all Conditions listed on the Decision Notice attached to planning permission ref: 17/00542/FUL, are included and updated where necessary.

Noise

- 9.2 Policy DM10 (Design Requirements for New Developments - including House Extensions) of the Development Management Policies Document (2015) sets out that development proposals should (inter alia) have regard to the amenities of occupants and neighbours, including in terms of noise and disturbance.
- 9.3 Condition 15 of Planning Permission ref: 17/00542/FUL relates to hours of opening of the external play facilities and café area in the Walled Garden. It sets out that the external play facilities and café area shall not be used before 8am or after 6pm between April and October (inclusive) and in the winter months 5pm on any given day. The facilities within the pool house (within the Walled Garden) shall not be used before 6am or after 10pm on any given day.

- 9.4 The Committee Report for Planning Application ref: 17/00542/FUL sets out that concern had been raised about potential noise and disturbance to nearby residents because of the (now approved) Family Facility. It concluded that subject to restrictive conditions, the scheme would not have a materially harmful impact on neighbour amenity, in terms of noise and disturbance.
- 9.5 Comments have been received regarding the proposed extension of opening hours. Concerns regard noise and disturbance and the validity of the Noise Impact Assessment and Addendum submitted with the application. These comments have been taken into consideration by Officers within the below assessment.
- 9.6 On submitting this application, the applicant sought to extend the opening times from 6pm to 9pm between April and October (inclusive) (Cover Letter, dated 4 June 2019). A Noise Assessment Update, dated 25 October 2017, was also submitted with the application. The report did not specifically relate to this Section 73 application, as it was submitted with the Full Planning Application for the Family Facility (ref: 17/00542/FUL). Officers reviewed the Report, but, in the absence of robust information to support extending the permitted opening hours, Officers were unable to accurately determine the impact of extending the permitted hours of opening on neighbouring amenity.
- 9.7 The applicant subsequently submitted an updated Application Form, dated 17 October 2019, Cover Letter, dated 17 October 2019 and Noise Impact Assessment, dated 24 September 2019, to the Local Planning Authority. The application amended the proposed hours of opening of the external play facilities and café area in the Walled Garden from 6:00pm to 8:00pm between April and September (inclusive). The description of development was formally amended, with agreement from the applicant, to reflect the amended proposed hours of opening.
- 9.8 The applicant also submitted a MUGA Noise Management & Monitoring Plan, dated 3 October 2019, with this application. Strictly, this document accompanied an Approval of Details Reserved by Condition application, which was approved on 9 January 2020, under ref: 19/01379/COND. But, the applicant indicated that the Plan is also a consideration for this application.
- 9.9 The Local Planning Authority's Environmental Health team raised concerns relating to the Noise Impact Assessment, dated 24 September 2019. The Report assessed the impact of vocal noise expected from MUGA use (para 3.15), but, it did not consider other noise impacts of MUGA use, including, for example, likely noise generation from balls bouncing, etc. The Report also did not consider the noise impacts from all of the facilities within the Walled Garden, but rather it concentrated on the vocal noise from the MUGA only. For these two reasons, the Local Planning Authority's Environmental Health team raised an objection to extending the hours of opening, in the absence of being able to evidentially demonstrate whether this would adversely impact the neighbouring amenity enjoyed at adjoining properties.
- 9.10 The applicant then submitted a Noise Impact Assessment Addendum, dated 8 January 2020 and a Cover Letter, dated 14 January 2020. The Noise Impact Assessment Addendum is an add-on to the Noise Impact Assessment, dated 24 September 2019. The Addendum responds to additional points made in respect of:

- Clarification regarding library source levels for the MUGA noise assessment; and
 - The assessment of additional noise sources within the walled garden (such as from users of the splash pad, external terrace and other play equipment).
- 9.11 At paragraph 3.1, the Addendum sets out the additional noise sources within the Walled Garden that have been assessed. These include the external café on the terrace, splash pad, sports court and play areas.
- 9.12 At paragraph 3.4, the Addendum sets out that the measured prevailing background noise level of 40 dB LA90 is considered representative until 20:00 hours. Table 1 of the Noise Impact Assessment Addendum sets out the overall SPL on nearby receptors, comprising nine nearby residential properties. Of these, Ridge Court is identified as having the highest overall SPL, at 39.2Bd LAeq. This is lower than the prevailing ambient level at the proposed closing time of 20:00 hours, but, Officers do recognise that noise will be audible from Ridge Court as a result of extending opening hours.
- 9.13 The Noise Impact Assessment, dated 24 September 2019 and the Addendum are based on an assessment of an active MUGA, where competitive 5-a-side football matches are played. The Local Planning Authority's Environmental Health Team has set out that the data used in the assessment is therefore dissimilar to the proposed use within the Family Facility, where activities are likely to be less intensive. Furthermore, it is recognised that there is no established methodology for establishing noise from children playing (e.g. laughing, singing, shouting). Therefore, the numbers set out within the Noise Impact Assessment and Addendum are somewhat notional.
- 9.14 Condition 23 of Planning Permission ref: 17/00542/FUL requires the submission of a MUGA noise management and monitoring plan, prior to the occupation of the development. This was formally approved on 09 January 2020, under ref: 19/01379/COND. The plan, which was formally assessed by the Local Planning Authority's Environmental Health Team, sets out operational measures to control and monitor noise levels from the MUGA.
- 9.15 In assessing this application, it is recognised that the Family Facility is not operational. As such, it is not possible to fully comprehend noise levels. But, the applicant has submitted a Noise Impact Assessment and Addendum, which sets out predicted noise levels from the MUGA, users of the splash pad, external terrace and other play equipment, within the Walled Garden. The Addendum concludes that noise levels associated with the proposed extension of hours are unlikely to cause unreasonable disturbance to occupiers at the nearest residential properties.
- 9.16 The hours proposed to be extended are between April and September (inclusive) and therefore do not span the full calendar year. Indeed, in the winter months, the external play facilities and café area will be subject to closure at 5pm.

- 9.17 Officers do recognise that extending the permitted hours of opening will result in audible noise later into the evening, specifically to be heard at Ridge Court. But, the likely impact of further noise is considered to be within a reasonable tolerance and sound mitigation has been secured in the form of the MUGA Noise Management and Monitoring Plan. The evidence prepared, which has been reviewed and scrutinised by the Local Planning Authority's Environmental Health Team confirms that the noise generated by extending the opening hours by two hours for six months of the year is not deemed to cause "unreasonable disturbance" to the residential amenity enjoyed by nearby dwellings and the mitigation proposed is considered adequate.
- 9.18 The proposal is considered to comply with Policy DM10 of the Development Management Policies Document (2015).

Levels

- 9.19 Concerns have been raised by neighbouring residents regarding the levels within the Walled Garden.
- 9.20 Drawing ref: (90)LP001 Rev P09 – General Arrangement Plan – dated 25.04.2017 sits under Condition 25 of Planning Permission ref: 17/00542/FUL, approved December 2017. A previous version is included within the Noise Impact Assessment Addendum, dated 08.01.2020.
- 9.21 Drawing ref: 1524_105 P7 – Proposed Site Plan With Contours – dated 13.09.2017, shows proposed contours and levels, which sits under Condition 25 of Planning Permission ref: 17/00542/FUL, approved 7 December 2017.
- 9.22 Drawing ref: RAC(93)LP101 – Proposed Levels Plan – dated 21.09.18 was approved under ref: 18/01341/COND, dated 28 February 2019.
- 9.23 Condition 25 is an enforceable Condition and the applicant is required to ensure that the proposed development accords with the levels stipulated on the approved drawing. The applicant has not formally submitted an application to amend Condition 25 of Planning Permission ref: 17/00542/FUL, to amend the approved contours and levels drawing, nor has the application formally applied to re-discharge Condition 7 (landscaping) of Planning Permission ref: 17/00542/FUL. Furthermore, there is no evidence at this stage that the levels within the Walled Garden will differ from that approved.

Conditions

- 9.24 Section 70(1)(a) of the 1990 Town and Country Planning Act enables the Local Planning Authority, in granting Planning Permission, to impose "such conditions as they think fit". This power needs to be interpreted in light of material considerations.
- 9.25 Paragraph 55 of the NPPF (2019) sets out that planning conditions should be kept to a minimum, and only used where they satisfy the following tests:
- necessary;
 - relevant to planning;
 - relevant to the development to be permitted;
 - enforceable;
 - precise; and

- reasonable in all other respects.

9.26 At present, Condition 15 is imprecise and does not define “winter months”. The applicant’s intention is to have extended operational hours for the months between April and September (inclusive). For the purposes of clarity, the external play facilities and café area in the Walled Garden shall now be conditioned with the new hours. Shorter operational hours are specified within the Condition for the remainder of the year between October and March, to allow for a precise and enforceable Condition,

10 Conclusion

10.1 The Local Planning Authority is satisfied that the proposed extension of hours will not adversely impact the neighbouring amenity enjoyed at neighbouring properties, by means of noise and disturbance, given the evidence accompanying this application and the mitigation proposed. The application is considered to comply with Policy DM10 of the Development Management Policies Document (2015).

11 Recommendation

11.1 Grant Section 73 of the Town and Country Planning Act 1990 to vary Condition 15 of Planning Permission ref: 17/00542/FUL to extend the opening hours of the external play facilities and café area in the Walled Garden from 6pm to 8pm between April and September (inclusive).

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of the Planning Permission dated 7 December 2017

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 2004

2. Ground works shall be carried out strictly in accordance with the approved details, approved under application ref: 18/01341/COND, dated 28.02.2019

Reason: To ensure that the works are in keeping with the historic setting of the listed wall and to ensure a satisfactory external appearance of the building in accordance with Policy CS5 of the Core Strategy (2007) and Policy DM8 and DM10 of the Development Management Policies Document - 2015

3. The development shall be carried out in accordance with the approved details and samples of materials for the external surfaces of the development, approved under ref: 18/01341/COND, dated 28.02.2019

Reason: To ensure a satisfactory external appearance of the building in accordance with Policy CS5 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies Document – 2015

4. The development shall be carried out in strict accordance with the approved details of the children's outdoor play equipment, approved under ref: 19/01067/COND, dated 15.10.2019

Reason: To ensure a satisfactory external appearance of the building in accordance with Policy CS5 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies Document - 2015

5. The development shall be carried out in accordance with the Construction Management Transport Plan and Logistics Plan and other approved documents and drawings, approved under ref: 18/01339/COND, dated 27.03.2019.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the provisions of policy CS16 of the Core Strategy 2007

6. Prior to the first occupation of the development hereby approved, a revised Travel Plan 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, Surrey County Council's "Travel Plans Good Practice Guide", and in general accordance with the 'Heads of Travel Plan' document. The approved Travel Plan shall be implemented on first occupation of the new development and for each and every subsequent occupation of the development, and the Travel Plan should thereafter maintained and developed to the satisfaction of the local planning authority.

Reason: To promote sustainable means of travel and ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users as required by Policy CS16 of the Core Strategy 2007

7. The landscaping shall take place in strict accordance with the approved details of the landscaping scheme, approved under ref: 18/01341/COND, dated 28.02.2019. The landscaping shall take place in strict accordance with the phased programme and the planting in each phase shall be maintained for a period of five years, such maintenance to include the replacement of any plants that die.

Reason: To ensure the provisions and maintenance of soft landscaping, in the interest of visual amenity as required by Policies CS1, CS2, CS5 of the Core Strategy (2007) and Policy DM5 of the Development Management Policies Document 2015

8. The development shall be carried out in accordance with the agreed details of the Arboricultural Method Statement and Tree Protection Plans, agreed under ref: 18/01439/COND, dated 27.03.2019. No equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the Tree Protection Plan. Within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit, without the prior written consent of the local planning authority. The fencing shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

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

9. The development shall be constructed in accordance with the measures outlined in Energy and Sustainability Statement, dated October 2014

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials in accordance with Policy CS6 of the Core Strategy 2007

10. The development shall be implemented strictly in accordance with the mitigation and enhancement measures outlined in the Ecological Appraisal dated October 2014 (Report Reference - EDP1297_07e) and the principles set out in the Landscape and Biodiversity Management Strategy November 2014, Family Facility, Woodcote Park, Royal Automobile Club, Epsom Ecology Position Statement 2017 C_EDP1297_18, Technical Note: Ecological Update 2016 (ref:C_EDP1297_14); and Ecological Management Plan (EMP) (ref: C_EDP1297_15b).

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

11. The developers shall give at least two weeks' notice to Surrey County Council's Principal Archaeologist of their intention to start work on the site, and shall afford access at all reasonable times to any qualified person nominated by the Local Planning Authority, so that they shall have the opportunity to observe any works involving disturbance of the ground, and record any items of archaeological interest.

Reason: It is possible that minor items or features of archaeological interest will be disturbed in the course of the development, and these should be rescued or recorded before they are lost, as required Policy DM8 of the Development Management Policies Document 2015.

12. 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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DM17 of the Development Management Policies Document 2015

13. 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: To ensure the development does not impact on local underground infrastructure or harm the future occupants of the site in accordance with Policy CS6 of the Core Strategy 2007 and Policy DM17 of the Development Management Policies Document 2015.

14. The development permitted by this planning permission shall only be carried out in accordance with the approved FRA produced by Atkins dated November 2014 reference no. 5127703_200/072/DG/007 and Drainage Strategy produced by Precision dated 13/09/17 reference no.002/RAC Drainage Strategy Rev.8

Reason: To ensure suitable drainage of the development to reduce risk of flooding in accordance with Policy CS6 of the Epsom & Ewell Core Strategy 2007

15. The external play facilities and café area in the Walled Garden shall not be used before 8am or after 8pm between April and September (inclusive) and in the remaining months 5pm on any given day. The facilities within the pool house (within the Walled Garden) shall not be used before 6am or after 10pm on any given day.

Reason: To protect the amenities of neighbouring occupiers in accordance with Policy DM10 of the Development Management Policies Document 2015

16. No construction work shall be carried out before 07:30 hours or after 18:30 hours Monday to Friday; no construction work before 08:00 or after 13:00 hours on Saturdays and no construction work of any nature shall be carried out on Sundays or Bank/Public Holidays.

Reason: To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers in accordance with Policy DM10 of the Development Management Policies Document 2015

17. Vehicle service deliveries to the walled garden facilities shall only take place between 8am and 6pm weekdays and between 9am to 1pm on Saturdays

Reason: To protect the amenities of neighbouring occupiers in accordance with Policy DM10 of the Development Management Policies Document 2015

18. Prior to the commencement of the development (other than ground works and access construction) The applicant shall submit detailed hydraulic calculations of the final drainage calculation to include the following:

- a) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+Climate change allowance) for storm events. Detailed hydraulic calculation of each SUDs feature shall be included.
- b) Detailed drawings to include: a finalised drainage layout detailing the location of SUDs elements, pipe diameters, levels, details of how SuDS elements will be protected from root damage and long and cross sections of each SuDS element and including details of any flow restrictions.
- c) Half drain time of 24 hours shall be achieved for at least the 1:30 year storm

Reason: To ensure suitable drainage of the development to reduce risk of flooding in accordance with Policy CS6 of the Epsom & Ewell Core Strategy 2007

19. The development shall be carried out in strict accordance with the details of a Sustainable Drainage System, approved under application ref: 18/01543/COND, dated 25.03.2019

Reason: To ensure suitable drainage of the development to reduce risk of flooding in accordance with Policy CS6 of the Epsom & Ewell Core Strategy 2007

20. The development shall be carried out in strict accordance with the approved details relating to surface water, pollution risk and Sustainable Drainage System, as approved under ref: 18/01475/COND, dated 25.03.2019

Reason: To ensure suitable drainage of the development to reduce risk of flooding in accordance with Policy CS6 of the Epsom & Ewell Core Strategy 2007

21. The scheme detailing maintenance regimes and responsibilities of the drainage and SUDs elements during the operation and lifetime of the systems were approved under ref:

19/00037/COND, dated 29.03.2019. The development shall thereafter be managed and maintained in accordance with the approved details

Reason: To ensure suitable drainage of the development to reduce risk of flooding in accordance with Policy CS6 of the Epsom & Ewell Core Strategy 2007

22. 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 to demonstrate that the Sustainable Urban Drainage System has been constructed as per the agreed scheme.

Reason: To ensure suitable drainage of the development to reduce risk of flooding in accordance with Policy CS6 of the Epsom & Ewell Core Strategy 2007

23. The development shall be carried out in accordance with the MUGA noise management and monitoring plan, approved under ref: 19/01379/COND, dated 09.01.2020

Reason: To protect the occupants of nearby residential properties from noise disturbance in accordance with Policy DM10 of the Development Management Policies 2015

24. Any weldmesh fencing, panels or similar materials used to enclose the MUGAs shall be securely clamped with resilient fixings to avoid vibrations, and any advertising signs in proximity to the playing surface shall be made from vinyl or other material which is resistant to the generation of impact noise.

Reason: To protect the occupants of nearby residential properties from noise disturbance in accordance with Policy DM10 of the Development Management Policies 2015

25. The development hereby permitted shall be carried out in accordance with the following approved plans:

1524_105 P7; 1524_110 P15; 1524_111 P14; 1524_112 P2; 1524_120 P9;
1524_121 P2; 1524_125 P2; 1524_126 P1; 1524_130 P6;
(90)LP001 R09 - General Arrangement Plan
(90)LP002 R01 - Landscape Colour Masterplan

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)

Informative(s):

- (1) In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full 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) The applicant should note that under the terms of the Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds. Any works to trees should take place outside of the bird breeding season and if this is not possible an inspection for breeding birds should be

carried out by a qualified ecologist no more than 24 hours prior to any works taking place

- (3) The applicants are reminded of the need to secure a European Protected Species Mitigation Licence from Natural England prior to the commencement of any works hereby approved