

57 Salisbury Road Worcester Park Surrey KT4 7DE

Redevelopment of the site for 15 apartments (1 x studio unit, 9 x 1 bed and 5 x 2 bed apartments) with car port, car parking, cycle store, bin store and associated external works.

Ward:	Cuddington Ward
Contact Officer:	John Robinson

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=PUOV1WGYFLK00>

2 Summary

- 2.1 This application seeks permission for the demolition of an existing dwelling and the erection of a two storey building (with roof accommodation) comprising 15 flat units and associated parking and external works.
- 2.2 A similar application for 13 apartments was recently granted permission by committee in October 2019 (Reference 17/01760/FUL).
- 2.3 The proposal would comply with residential policies contained in the Development Management Policies Document 2015.
- 2.4 The application is therefore recommended for conditional permission subject to the completion of a S106 agreement to secure a clawback arrangement that is consistent with the viability appraisal and the previous and extant permission upon the site.

3 Site description

- 3.1 The application site is located on the northern side of Salisbury Road, and is irregular in shape and currently comprises of a two-storey detached dwelling with associated outbuildings, together with its residential curtilage. The site is relatively flat. The site area is approximately 0.273ha.

- 3.2 The existing boundaries of the site comprise dense tree and hedge screening along with close boarded fencing and access gates. Access to the site is currently taken from Salisbury Road, with the existing access leading to a driveway to the front of the dwelling.
- 3.3 To the east of the site is Ash Tree Cottage, which is a modern two storey detached dwelling with garage to the front. To the south of the site are a number of detached dwellings in varying styles and heights. On the northern side of Salisbury Road, the character is similarly one of detached dwellings.
- 3.4 The surrounding area is predominantly residential in character and comprises of both two and three storey dwellings which are highly mixed in terms of their age, style and appearance. There is no particular uniformity in terms of the shape of the plots or the positioning of the dwellings within them.

4 Proposal

- 4.1 This application seeks permission for the demolition of an existing dwelling and the erection of a two storey building (with roof accommodation) comprising 15 flat units (1 studio, 9 one bed and 5 two bed) and associated parking and external works.
- 4.2 The building would have a broadly rectangular footprint, and would be constructed broadly within the same envelope as the approved block, with the bulk mass and height also in line with that previously approved. It would be set back from the highway and side boundaries, allowing dense boundary trees and hedge screening to be retained, and would respect the front building lines of the adjacent dwellings. The existing access to the site from Salisbury Road would be retained unchanged.
- 4.3 Spatial separation distances and the distance proposed between the proposed flats and neighbouring dwellings would be similar to the extant 13 bed scheme.
- 4.4 The proposed building would be of a traditional design, with part brick/part timber clad elevations, incorporating features such as front gables, window detailing, bay windows and an entrance porch providing covered access. The flank elevations would be clad in timber boarding.
- 4.5 Parking for 17 vehicles, including a bin store, would be provided in a permeably paved forecourt. Five of the spaces would be covered by a proposed car port attached to the western flank elevation of the building. A cycle store would be provided in the rear garden area. Communal amenity space would be provided for all flats to the rear of the building.
- 4.6 It is proposed to remove a number of trees, from within the centre area of the site, to facilitate the proposals.

5 Comments from third parties

5.1 The application was advertised by means of letters of notification to 28 neighbouring properties, a site and press notice 6 letters of objection have been received regarding:

- Overlooking and loss of privacy
- Loss of thatched dwelling
- Impact on wildlife
- Highway safety

6 Consultations

6.1 Highways: Conditions to be imposed on any planning permission granted

6.2 Tree Officer: No objections

6.3 Design and Conservation Officer: No objections

7 Relevant planning history

Application number	Decision date	Application detail	Decision
05/00353/FUL	20.09.2005	Demolition of existing house and erection of 14 no. apartments with associated parking (Drawing Nos.9492/PL01, 02, 03, 04A, 05A, 06A and 07A)	REFUSED
07/00994/FUL	28.02.2008	Demolition of existing dwelling and outbuildings and erection of new building comprising 13 apartments with carport, car parking, cycle store, bin store and associated external works and access.(As amended by drawing Nos.SD:WOR:07:01A and 03A)	REFUSED Appeal GRANTED 25.09.2008
17/01760/FUL	23.10.2019	Redevelopment of the site for 13 apartments (6 x 1 bed, 6x2 bed , 1x3 bed) with car port, car parking, cycle store, bin store and associated external works	GRANTED

8 Planning Policy

National Policy Planning Framework (NPPF) 2019

Chapter 5 para 64	Delivering a sufficient supply of homes
Chapter 11: Para 118, 122	Making effective use of land
Chapter 12: Para 128 -131	Achieving well-designed places
Chapter 16 para 197	Conserving and enhancing the historic environment

Core Strategy 2007

Policy CS1	Creating Sustainable Communities
Policy CS3	Biodiversity
Policy CS5	The Built Environment
Policy CS6	Sustainability in New Developments
Policy CS9	Affordable housing and meeting Housing Needs
Policy CS16	Managing Transport and Travel

Development Management Policies Document 2015

Policy DM4	Biodiversity and New Development
Policy DM8	Heritage Assets
Policy DM5	Trees and Landscape
Policy DM9	Townscape Character and Local Distinctiveness
Policy DM10	Design Requirements for New Developments
Policy DM11	Housing Density
Policy DM12	Housing Standards
Policy DM17	Contaminated Land
Policy DM19	Development and Flood Risk
Policy DM22	Housing Mix
Policy DM37	Parking Standards

9 Planning considerations

Previous Application

- 9.1 A similar residential scheme for development (17/01760/FUL) seeking detailed planning permission for the erection of 13 apartments was granted permission by Committee in October 2019. In addition a scheme for 13 flats was also approved under appeal in February 2008 (ref 07/00994/FUL)
- 9.2 The current scheme differs from the extant scheme in the following ways:
- The number of units would be increased from 13 to 15 units and the housing mix would change from 6 one bed, 6 two bed and 1 three bed, to 1 studio, 9 one bed and 5 two bed units.
 - The northeast corner of the building would be infilled. This would result in a small increase in the depth of the eastern end of the building of about 1.7 m compared to the extant scheme.
 - The proposed building would be re-positioned about 1.5m further forward in the site so the rear corner would be in the same position as the extant scheme.
 - The current proposal would remove the Juliette balconies that were included for upper floor units at this end of the building in the extant scheme.

Principle of Development

- 9.3 The principle of demolishing the dwelling and the redevelopment of the site has been established through the extant permission (17/01760/FUL) and previously at appeal (07/00994/FUL) for the erection of erection of 13 flats in a two-storey building with associated parking spaces.
- 9.4 The NPPF paragraph 59 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 9.5 Paragraph 68 of the NPPF encourages the promotion of small and medium sized sites – "giving great weight to the benefits of using suitable sites within existing settlements for homes".
- 9.6 Paragraph 122 of the NPPF states that planning policies and decisions should support development that makes sufficient use of land taking into account amongst other criteria ":(d) the desirability of maintaining an areas prevailing character and setting (including residential gardens) or of promoting regeneration and change...".

- 9.7 The Government's standard method for calculating the objectively assessed housing need identifies a housing requirement for the Borough of 579 new homes each year. In the absence of a five year housing land supply and following the publication of the housing delivery test results on 13th February 2020 this has been increased to 695 per annum.
- 9.8 Meeting this substantial increase in the annual housing building target will be challenging. With the Borough being mostly comprised of existing built up areas, strategic open spaces or Green Belt, the supply of available development sites is now extremely limited. It is therefore important that available sites are optimised for housing delivery.
- 9.9 Paragraph 11d of the National Planning Policy framework is engaged via footnote 7 in circumstances where Local Planning Authorities cannot demonstrate a 5 year supply. The practical application and consequence of this is that unless the site is located in an area or involves an assets of particular importance that provides a clear reason for refusal, then permission must be granted unless it can be demonstrated that any adverse impacts demonstrably outweigh the benefits when assessed against the NPPF as a whole.
- 9.10 Given the significant housing need in the borough, it is considered that the proposed redevelopment of this site in a sustainable location for a residential scheme is appropriate in principle, subject to the detailed consideration of the other planning considerations below.

Visual Impact

- 9.11 Chapter 12 of the NPPF refers to design. Paragraph 127 sets out that planning decisions should ensure that developments (inter alia) function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting. Development should also create places that are safe, inclusive and accessible.
- 9.12 Paragraph 130 of the NPPF sets out that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

- 9.13 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.
- 9.14 Policies DM9 and DM10 encourage high quality development and planning permission will be granted for proposals, which 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.
- 9.15 The design of the building closely follows that of the previous approval in terms of its massing, bulk, scale, appearance and materials. There would be little discernible visual impact upon the character and appearance of the area between the proposed and approved schemes.
- 9.16 The design approach continues to comprise a building of a traditional design, with part brick /part timber clad elevations, incorporating features such as front gables, window detailing, two storey bays, dormer windows would be contextually appropriate and would sit comfortably within the site and the streetscene. The existing trees along the highway boundary would largely obscure the new building.
- 9.17 It is therefore concluded that the proposed scheme in terms of its design, scale and massing would not have a harmful impact on the character and appearance of both the immediate and wider area and would therefore accord with Policy DM8, DM9 and DM10 of the development plan.

Heritage Assessment

- 9.18 The existing house is included on the Council's list of buildings of local architectural and historic interest but it is not statutorily protected.
- 9.19 Paragraph 197 of the NPPF 201 states that "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".
- 9.20 Development Management Policy DM8 seeks to resist the loss of heritage assets and notes that as part of any assessment process the significance of the asset will be taken into account when determining whether the impact of any proposed development is acceptable

- 9.21 The previous Inspector noted with regard to the appeal scheme (07/00994/FUL) that although the building had been added to the Council's local list, it is screened from the adjacent roads by boundary fencing and planting and as a result makes little contribution to the street scene and does not enjoy the full protection of statutory listing.
- 9.22 The Inspector concluded that the demolition of the existing building was acceptable. She was not persuaded that the building is of such architectural or historic merit to warrant retention irrespective of the merits of any redevelopment proposal. She considered the proposed scheme was well designed and would contribute to the character and appearance of the local environment.
- 9.23 The current scheme is considered to offer the additional benefits over the extant approved scheme. The proposal would make an important contribution to meeting housing needs pursuant to the national policy to boost significantly the supply of housing.
- 9.24 It is officers' judgement that the overall merits of the scheme would outweigh the loss of this particular building and that the demolition of the existing building is justified having regard to its status as a non-designated heritage, and prevailing planning policies.
- 9.25 The proposal would therefore comply with Policy DM8

Neighbour Amenities

- 9.26 Policy CS5 of the Core Strategy 2007 and Policy DM10 of the Development Management Policy Document 2015 seeks to safeguard residential amenities in terms of privacy, outlook, sunlight/daylight, avoidance of visual intrusion and noise and disturbances.
- 9.27 The siting of the proposed building has taken into account the positioning of adjacent dwellings and ensures that the proposal will not result in any unacceptable loss of amenity to occupants of adjoining properties due to overlooking or loss of privacy.
- 9.28 The kitchen windows in the western flank elevation of the proposed scheme would face the garden immediately to the rear of "Oak House" at an oblique distance of some 17m which is considered adequate to avoid significant loss of privacy. There are no windows proposed in the eastern upper floor elevation. (It is also noted that existing trees along the boundaries of the affected properties would provide an additional element of screening).
- 9.29 The building would be setback around 16m from the flank elevation of Oak House and around 5m from the flank wall of No 59 Salisbury Road which prevent the building from having an overbearing impact on the outlook from the respective properties. The revised location of the bin store would not conflict with a 45 degree outlook angle taken from the nearest front facing window of the dwelling at No 59 Salisbury Road.

- 9.30 Subject to a safeguarding condition requiring the first floor flank kitchen window in the rear facing flat to be obscurely glazed would prevent any material overlooking of the garden of the affected adjoining property "Oak House", the proposed scheme would comply with Policy DM10.

Housing Space Standards

- 9.31 The Nationally Described Space Standards, sets clear internal minimum space standards for new dwellings. The space standards are intended to ensure that all new homes are fit for purpose and offer the potential to be occupied over time by households of all tenures. The Standards provide separate standards for bedrooms within new dwellings stating that a single bedroom should be no smaller than 7.5 m² and a double bedroom should be no smaller than 11.5 m². All new units should be designed in accordance with the National Space Standards.
- 9.32 The proposed 2 bed (3 person) flat would have a Gross Internal Area (GIA) of 61m², the 2 bed (4 person) flat a GIA of between 70m² and 92m², the 1 bed (2 person) flats a GIA of between 50m² and 60m², and the studio flat (2 person) an area of 43m².
- 9.33 Each flat would therefore comply with the appropriate Nationally Described Space Standard technical requirements (61m², 70m², 50m² respectively) in compliance with Policy DM12

Amenity Space

- 9.34 Policy DM12 refers to housing standards and requires amenity space to be private, functional, safe and bio-diverse, easily accessible from living areas, oriented to take account of sunlight and shading, of sufficient size to meet the needs of the likely number of occupiers and provide for the needs of families with young children.
- 9.35 All flats would have access to communal amenity space to the rear of the building. Overall, this would be adequate in terms of both size and quality to suit the needs of small family accommodation, and would comply with policy DM12's requirement for amenity space for flatted developments

Car Parking and Access

- 9.36 Chapter 9 of the NPPF relates to the promotion of sustainable transport. Paragraph 108 sets out that in assessing applications for development, it should be ensured that:
- appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
 - safe and suitable access to the site can be achieved for all users; and

- any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 9.37 Paragraph 109 sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.38 Policy DM27 sets out that developments will have to demonstrate that the new scheme provides an appropriate level of off street parking to avoid an unacceptable impact on on-street parking conditions and local traffic conditions
- 9.39 The Council's adopted Parking Standards requirements for car parking provision within residential developments are a minimum of 1 space for one and two bed flat units.
- 9.40 The proposal is for the existing access point to be retained and re-used. Parking would be provided in the form of 17 parking spaces in compliance with current parking standards. Five of the spaces would be within a proposed carport. Cycle storage would be provided in the rear garden. A refuse store would be provided adjacent to the eastern flank boundary opposite the vehicular entrance to the site.
- 9.41 The Highways Officer has raised no objection to the scheme.
- 9.42 The scheme would therefore comply with Policy DM37 and the Council's SPD on Residential Parking standards.

Ecology /Biodiversity

- 9.43 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.
- 9.44 Policy DM4, seeks to ensure that every opportunity should be taken to secure net benefit to the Borough's biodiversity.
- 9.45 The application is supported by a Preliminary Ecological Appraisal and Bat Survey which concludes the following:

The site was comprised of garden habitats and mixed plantation woodland of low relative biodiversity value. Mature trees, particularly along the southern boundary of the Site, had elevated biodiversity interest and should be considered a design constraint where practicable. The two garage buildings had a small number of features that could theoretically support crevice roosting bats, but neither possessed any evidence to suggest they were in use by bats, and the presence of bats is considered a low theoretical possibility in both buildings. Bat activity survey of both buildings has verified that neither supports a bat roost and that they could be removed without restriction in relation to roosting bats. The dwelling house and wood store had negligible potential to support roosting bats and could be removed without restriction. No other significant protected animal species constraints have been identified, but a precautionary approach is recommended in relation to vegetation clearance and tree removal in respect of breeding birds (as set out below), and it is possible that stag beetle may use the site.

- 9.46 Officers have considered the submitted Ecological Appraisal and concluded that the scheme would not detrimentally harm the habitat of any threatened species. Officers consider that the proposed development would meet the licensing criteria (the '3 legal tests') of Natural England to make sure that:
- the activity is for a certain purpose, for example it's in the public interest to build a new residential development
 - there's no satisfactory alternative that will cause less harm to the species
 - the activity doesn't harm the long-term conservation status of the species
- 9.47 It is recommended that a condition requiring the installation of bat and bird boxes, the planting of native trees and shrubs, and the provision of a stag beetle log pile be imposed, in order to enhance the value of the site for local wildlife, with a net gain for biodiversity as encouraged by Policy DM4.

Trees/Landscaping

- 9.48 Chapter 15 of the NPPF concerns the conservation and enhancement of the natural environment. Paragraph 170 sets out that planning decisions should contribute to and enhance the local environment by (inter alia) recognising the intrinsic character and beauty of the countryside and the wider benefits from ecosystem services, including trees and woodland.
- 9.49 Policy DM5 (Trees and Landscape) of the Development Management Policies Document (2015) sets out that the Borough's trees, hedgerows and other landscape features will be protected and enhanced by (inter alia):
- Planting and encouraging others to plant trees and shrubs to create woodland, thickets and hedgerows; and

- Requiring landscape proposals in submissions for new development, which retain existing trees and other important landscape features where practicable and include the planting of new semi-mature tree and other planting.
- 9.50 The proposed site layout allows for the retention of number large mature trees on the frontage of the site. The proposed permeable hard surfaces at the site have been amended to ensure that the adjacent trees can be protected both during and post development of the site in accordance with the requirements of BS 5837:2012
- 9.51 It is proposed to remove a number of trees, from within the centre area of the site, to facilitate the proposals. However, these trees are not prominent within the wider landscape and the associated loss in amenity could be satisfactorily offset by replacement planting.
- 9.52 Details of hard and soft landscaping would need to be secured by an appropriate condition In this respect, the proposal would not fall contrary to Policy DM5 – Trees and Landscape

Affordable Housing

- 9.53 Paragraph 64 of the National Planning Policy Framework states that
“Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:
- a) provides solely Build to Rent homes;*
 - b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);*
 - c) is proposed to be developed by people who wish to build or commission their own homes; or*
 - d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.”*
- 9.54 Policy CS9 deals with affordable housing requirements. The policy seeks 40% affordable housing on sites of 15 dwellings and above. The Council will seek to ensure that the affordable housing remains affordable to successive as well as initial occupiers through the use of planning conditions or a planning obligation.
- 9.55 In this regard the proposal to be policy compliant should require 6 affordable units.

- 9.56 Paragraph 3.12.11 of the policy goes on to state that where there are specific and overriding site constraints or where development specific issues inhibit the provision of affordable housing, off site provision or financial contributions may be acceptable.
- 9.57 The applicant submitted a Viability Report which stated that there is insufficient value in the proposal to support an affordable housing contribution.
- 9.58 This evidence has been scrutinised by the Council's independent valuer who is in agreement that the scheme is unable to support a fully policy compliant affordable housing provision.
- 9.59 Para 64 of The NPPF advises that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership. This lower threshold is a material consideration, on the basis of the extant scheme providing nil units and the Council's current significant shortfall in housing land supply, these factors along with all the other identified benefits outweigh the lack of affordable housing within a planning balance.
- 9.60 It is recommended that a viability review mechanism (similar to the extant legal agreement) be included in the S.106 agreement. This would require the submission of a revised Viability Statement in the event that the slab level is not completed within two years from the date of the planning permission, and prior to the occupation of any more than 9 flats.

Sustainability

- 9.61 Core Strategy policy CS6 requires proposals to demonstrate how sustainable construction and design can be incorporated to improve the energy efficiency of development.
- 9.62 An appropriate planning condition is recommended, should the proposal be acceptable, to secure their inclusion.

Community Infrastructure Levy

- 9.63 The proposal would be CIL liable

Planning Balance and Overall Conclusion

- 9.64 The proposal is for a block of 15 flats.
- 9.65 The Governments standard method for calculating the housing requirement for the Borough of 579 new homes each year. In the absence of a 5 year housing land supply this been increased to 695 under the housing delivery test as published on 13 February 2020.

- 9.66 Paragraph 11d of the National Planning Policy framework is engaged via footnote 7 in circumstances where Local Planning Authorities cannot demonstrate a 5 year supply. The practical application and consequence of this is that unless the site is located in an area or involves an asset of particular importance that provides a clear reason for refusal, then permission must be granted unless it can be demonstrated that any adverse impacts demonstrable outweigh the benefits when assessed against the NPPF as a whole.
- 9.67 Meeting any increase in the annual housing building target will be challenging. With the Borough being mostly comprised of existing built up areas, strategic open spaces or Green Belt, the supply of available development sites is now extremely limited. It is therefore important that available sites are optimised for housing delivery.
- 9.68 The development has been considered with regard to applying the presumption in favour of sustainable development, and the latest housing land supply position has been taken into account.
- 9.69 As part of the application process it is necessary to consider the benefits arising from the proposal and the weight to which they are considered. These then need to be balanced against any identified harm.
- 9.70 The provision of an additional two units (compared to the extant scheme) is given further positive weight in the planning balance which in totality with the 15 provided overall is a significant benefit and a valued contribution to the Borough's housing target. Whilst the scheme does not meet the requirements of para 64 of the NPPF for at least 10% of the homes to be available for affordable home ownership, it is acknowledged the scheme would not be viable if it met this requirement.
- 9.71 It is considered that there are no adverse impacts that would otherwise outweigh the benefits of providing additional² housing units. Whilst this would not make a substantial uplift in the contribution to the Borough's housing target, it is acknowledged that due to site constraints, the scheme represents an acceptable optimisation of the use of the site.

10 Conclusion

- 10.1 The proposal meets planning policy objectives and gives the opportunity to redevelop this residential site with a higher density residential scheme. Accordingly the application is recommended for approval.

11 Recommendation

Part A

- 11.1 Subject to a legal agreement being completed and signed to secure the following heads of terms :

- A mechanism to review the viability of the development, if slab level is not completed or the occupation of 9 or less flats, within two years from the date of the planning permission. Subject to the viability testing the agreement secure a financial contribution towards affordable housing in the borough of Epsom and Ewell in lieu of any dwellings as affordable, payable up to a maximum of £444,981 Index Linked

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

Part B

In the event that the section 106 Agreement referred to in Part A is not completed by 12th June 2020 the Head of Planning be authorised to extend the deadline to complete the agreement or 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 CS9 (Affordable Housing and meeting Housing Needs) in relation to the provision of a commuted sum in lieu of the on-site provision of affordable housing.

Condition(s):

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2005.

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

- **2019 - P0043 - LP (Site Location Plan) (1:1250)**
- **2019 - P0043 – 200 (Coloured Site Layout) (1:250)**
- **2019 - P0043 - 201 (Proposed Site Information Plan) (1:250)**
- **2019 - P0043 - 202 (Proposed Floor Plans) (1:100)**
- **2019 - P0043 - 203 (Proposed Elevations) (1:100)**
- **2019 - P0043 - 204 (Proposed Street Scene) (1:250)**
- **2019 - P0043 - 205 (Proposed Bin Store) (1:100)**
- **2019 - P0043 - 206 (Proposed Cycle Store) (1:100)**

Reason: For the avoidance of doubt and in the interests of proper planning as required by Policy CS5 of the Core Strategy (2007).

- (3) Prior to the commencement of development, details and samples of the 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) 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, have been submitted to and approved in writing by the local planning authority. The landscaping shall incorporate the planting of native species of trees and shrubs. 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.

- (5) No development shall take place until details of existing and proposed finished site levels, finished floor and ridge levels of the buildings to be erected, and finished external surface levels have been submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In order to safeguard the visual amenities of the area and the amenities of the occupiers of neighbouring properties in accordance with Policy CS5 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies 2015.

- (6) The first floor flank kitchen window(s) Flat 7 of the development hereby permitted shall be glazed with obscure glass of no less than obscurity level 3 and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

Reason: To safeguard the privacy of the occupants of adjoining properties in accordance with Policy DM10 of the Development Management Policies 2015.

- (7) No demolition, site clearance or building operations shall commence on site until the protective fencing and other protection measures as shown on Drawing Number DPA-69908-02, DPA-69908-03 in the Arboricultural Method Statement by DPA dated January 2019 have been installed. At all times until the completion of the development, such fencing and protection measures shall be retained as approved. Within all fenced areas, soil levels shall remain unaltered and the land kept free of vehicles, plant, materials and debris.**

Reason: To 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.

- (8) No development shall take place until details of all boundary treatment have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The approved scheme shall thereafter be retained.**

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

- (9) The demolition works hereby permitted shall not be carried out before a contract for the carrying out of the works of redevelopment has been made and evidence of the construction contract has been submitted to and approved in writing by the local planning authority.**

Reason: To ensure that premature demolition does not take place before development works start in order to safeguard the visual amenities of the area Policy CS5 of the Core Strategy (2007) and Policies DM8, DM9 and DM10 of the Development Management Policies 2015

- (10) The development hereby permitted shall not commence until details of hard surfaced areas have been submitted to and approved in writing by the local planning authority. Such details shall show that the hard surface will be porous or permeable, or shall direct surface water to a porous or permeable surface within the site. The development shall be carried out fully in accordance with the approved details and so maintained.**

Reason: To reduce surface water run-off from the site in line with Policy CS6 of the Core Strategy (July 2007) and Policy DM10 of the Development Management Policies 2015.

- (11) Notwithstanding the submitted plans, no part of the development shall be first occupied unless and until a vehicular bell-mouth access, with tactile paving and dropped kerbs at the pedestrian crossing point, has been constructed in accordance with a revised scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter all shall be permanently retained.**

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

- (12) The means of access to the development shall be from Salisbury Road only.**

The development hereby approved shall not be first occupied unless and until the existing access from the site to Cromwell Road has 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 and to accord with the provisions of policy CS16 of the Core Strategy 2007.

- (13) Notwithstanding the proposed Construction Transport Management Plan, 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) measures to prevent the deposit of materials on the highway**

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 and to accord with the provisions of policy CS16 of the Core Strategy 2007.

- (14) No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for a maximum of 17 cars and a minimum of 15 cycles to be parked, and for vehicles to turn so that they may enter and leave the site in forward gear. The parking/turning area shall be used and retained exclusively for its designated purpose.

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.

- (15) All new photo voltaic panels or tiles shall be fitted flush with the adjoining roof surface and shall not project beyond the plane of the roof.

Reason: To safeguard the visual amenities of the area and to ensure a satisfactory appearance to the buildings in accordance with policy DM9 and DM10 of the Development Management Policies Document 2015

- (16) Prior to the commencement of the development, details of sustainability measures shall be submitted to and approved in writing by the local planning authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials including means of providing the energy requirements of the development from renewable technologies. The development shall be carried out in strict accordance with the approved details prior to the first occupation of the building, shall be maintained as such thereafter and no change shall take place without the prior written consent of the local planning authority.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development in accordance with Policy CS6 of the Core Strategy (2007)

- (17) The development shall not be occupied until the bat boxes and wildlife log pile have been installed in accordance with the submitted Biodiversity Enhancement Plan - Bat Boxes & Log Piles.

Reason: To enhance biodiversity and nature habitats in accordance with Policy CS3 of the Core Strategy (2007) and Policy DM4 of the Development Management Policies 2015.

- (18) No development shall take place until a strategy of surface water drainage for the site using a Sustainable Drainage System (SuDS) has been submitted to and approved in writing by the local planning

authority. The approved development shall be implemented in accordance with the approved strategy prior to the occupation of the building and thereafter retained in that condition.

Reason: To ensure that the principles of sustainable drainage are incorporated into the development and to reduce the impact of flooding in accordance with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

- (19) The development hereby approved shall not be first occupied unless and until four parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with scheme to be submitted to and approved in writing by the Local Planning Authority.**

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

- (20) The flat roof to the carport hereby permitted shall not be converted or used as a balcony or a sitting out area, and no access shall be gained except for maintenance purposes.**

Reason: To protect the amenities and privacy of the adjoining residential properties in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Development Management Policies Document Adopted October 2015.

- (21) Prior to the first occupation of the first unit hereby permitted, details of bird boxes and swift bricks shall be submitted to and approved in writing by the local planning authority. The enclosures shall be erected in accordance with the approved details and shall be retained, free of obstruction, in perpetuity thereafter.**

Reason: To safeguard and enhance biodiversity in accordance with Policy CS3 of the Core Strategy (2007) and Policy DM4 of the Development Management Policies Document (2015).

Informative(s):

- (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:

using the 'fittings approach' where water fittings are installed as per the table at 2.1 in the AD or using the water efficiency calculation methodology detailed in the AD Part G Appendix A.

- (3) This form of development is considered liable for the Community Infrastructure Levy (CIL). CIL is a non-negotiable charge on new
- (4) developments which involve the creation of 100 square metres or more of gross internal floorspace or involve the creation of a new dwelling, even when this is below 100 square metres. The levy is a standardised, non-negotiable charge expressed as pounds per square metre, and are charged on the net additional floorspace generated by a development. You will receive more information regarding the CIL in due course.

More information and the charging schedule are available online:

<http://www.epsom-ewell.gov.uk/NR/exeres/74864EB7-F2ED-4928-AF5A-72188CBA0E14.frameless.htm?NRMODE=Published>

- (5) No construction work shall be carried out in such a manner as to be audible at the site boundary before 07:30 hours or after 18:30 hours Monday to Friday; no construction work shall be audible at the site boundary before 8:00 or after 13:00 hours on Saturdays and no construction work of any nature shall be carried out on Sundays or Bank/Public Holidays
- (6) The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see:

<http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.

Planning Committee
12 March 2020

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The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see:

www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice

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