

## **57 Salisbury Road Worcester Park Surrey KT4 7DE**

<b>Ward:</b>	<b>Cuddington Ward</b>
<b>Site:</b>	<b>57 Salisbury Road Worcester Park Surrey KT47DE</b>
<b>Application for:</b>	<b>Redevelopment of the site for 17 apartments with carport, car parking, cycle store, bin store and associated external works.</b>
<b>Contact Officer:</b>	<b>John Robinson</b>

### **1 Plans and Representations**

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

Link: <https://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QGRB3EGYIRA00>

### **2 Summary**

- 2.1 The application is referred to Planning Committee as the proposal is classified as a "major planning application", in accordance with Epsom and Ewell Borough Council's Scheme of Delegation
- 2.2 The application proposes the demolition of the existing dwelling and the erection of 17 flats with carport, car parking, cycle store, bin store and associated external works.
- 2.3 A similar application for 15 apartments was recently granted permission by Committee in March 2020 (Reference 19/00893/FUL).
- 2.4 The proposed scheme is not able to viably provide a policy compliant provision of seven affordable units.
- 2.5 A policy compliant 17 car parking spaces would be provided on-site. In addition, there would be 17 cycling spaces.

- 2.6 The proposal is not considered to give rise to any adverse amenity impacts for neighbour given the scale/layout of buildings and separation distances to neighbouring properties
- 2.7 There is a presumption in favour of granting sustainable development unless the application of policies gives a clear reason for refusing permission (paragraph 11(d) (i) of the NPPF. Taking the relevant facts of this application into consideration, Officers recommend approval of this application, as the adverse impacts are not considered to demonstrably outweigh the benefits, when assessed against the NPPF, as a whole.
- 2.8 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 locally listed, two-storey detached dwelling with associated outbuildings, together with its residential curtilage. The site is relatively flat and has an area of 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 vary 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 17 flat units (2 studio, 8 one-bed and 7 two- bed) and associated parking and external works.

- 4.2 The building would have a rectangular footprint, (32m in width, 15m in depth and 9.4m in overall height) and would be constructed broadly within the same envelope as the approved block, with the scale, massing and height 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 15-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 within an undercroft on 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 Consultation

### *Comments from third parties*

- 5.1 The application was advertised by means of a site and press notice, as well as letters of notification to 23 neighbouring properties. To date, (10.12.2020) 6 letters of objection have been received regarding:
- Highway safety
  - Loss of locally listed dwelling
  - Parking provision inadequate
  - Out of keeping
  - Overlooking

### *Statutory Consultations*

- SCC Highways: No objection. Recommends conditions

- SCC Lead Local Flood Authority: Recommends conditions
- SCC Archaeology: No objection
- EEBC Conservation and Design Officer: No objection
- EEBC: Tree Officer: No objections
- EEBC: Ecologist: No objection
- EEBC Contaminated Land Officer: Recommends conditions

## 6 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:07:01 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
19/00893/FUL	17.07.2020	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.	GRANTED

## 7 Planning Policy

### National Policy Planning Framework (NPPF) 2019

Chapter 2 Achieving sustainable development  
Paragraphs 8 – 12 and 14

Chapter 5 Delivering a sufficient supply of homes  
Paragraphs 59- 61, 68

Chapter 11      Making effective use of land  
Paragraphs    118, 122, 123

Chapter 9       Promoting sustainable transport  
Paragraphs 105-106, 108-111

Chapter 12      Achieving well-designed places  
Paragraphs 127, 130 and 131

Chapter 15      Conserving and enhancing the natural environment  
Paragraphs 170,174, 175, 177, 178, 180, 182 and 183

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 DM5	Trees and Landscape
Policy DM9	Townscape Character and Local Distinctiveness
Policy DM10	Design Requirements for New Developments
Policy DM11	Housing Density
Policy DM13	Building Heights
Policy DM12	Housing Standards
Policy DM17	Contaminated Land
Policy DM19	Development and Flood Risk
Policy DM22	Housing Mix
Policy DM37	Parking Standards

Supplementary Planning Document 2015

Parking Standards for Residential Development

## **8 Planning considerations**

8.1 The main considerations material to the determination of this report are:

- Previous Application History
- Principle of Development
- Impact on a Heritage Asset
- Design Layout and Appearance
- Residential Amenity
- Quality of Accommodation
- Affordable Housing
- Highways and Parking
- Trees and Landscaping

- Ecology/Biodiversity
- Sustainability
- Planning Obligations

## 9 Previous Application History

9.1 A similar residential scheme for development (19/00893/FUL) seeking detailed planning permission for the erection of 15 apartments was granted permission by Committee in March 2020. In addition a scheme for 13 flats was also approved under appeal in February 2008 (ref 07/00994/FUL). Both set the principle for a redevelopment of the site for a building akin to the proposal.

9.2 The current scheme differs from the extant scheme in the following ways:

- The number of units would be increased from 15 to 17 units and the housing mix would change from (1 studio, 9 one-bed and 5 two-bed units, to 2 studio, 8 one-bed and 7 two-bed units).
- An additional first floor and roof accommodation at the western end, above the approved carport, and the removal of the catslide extension at the eastern end

## 10 Principle of Development

### *Presumption in favour of Sustainable development*

10.1 The principle of demolishing the dwelling and the redevelopment of the site has been established through the extant permission (19/00893/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.

10.2 The site is located within the built up area, and does not affect any assets of particular importance such as SSSI, AONB, European or national ecological designations, green belt or any other given additional weight by The National Planning Policy Framework 2019 (the Framework). When considering the principle of development, the presumption in favour of sustainable development is fundamental in this case.

10.3 The Framework was re-published in February 2019. It is a key consideration in relation to this application and is a material consideration. The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. That is a very positive aim.

10.4 Paragraphs 7 and 8 of the Framework states there are three dimensions to sustainable development: economic, social and environmental.

- 10.5 The Social role of the planning system should support strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural wellbeing.
- 10.6 The Economic objective helping to build a strong, responsive economy and ensuring that the right types of sufficient land are available in the right places, and the Environmental objective is making efficient and effective use of land and improve the environment.
- 10.7 Development proposals that accord with an up-to-date Development Plans should be approved and where a planning application conflicts with an up to-date Development Plan, permission should not usually be granted (Framework Paragraph 12).
- 10.8 Development policies that are the most important for determining a specific planning application are regarded as being out of date where the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites or where the Housing Delivery Test indicates that the delivery of housing was substantially below the housing requirement over the previous three years (Framework Paragraph 11d and Footnote 7).
- 10.9 Existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework 2018 and its reissue in 2019. Due weight should be given to them according to their degree of consistency with the policies of the Framework (Paragraph 213). The Framework is therefore an important material consideration that may over-ride Development Plan policies which were adopted in 2015, prior to the publication of the Framework and are not consistent with it.
- 10.10 Section 5 of the Framework sets out policies aimed at delivering a sufficient supply of houses and maintaining the supply to a minimum of five years' worth (Paragraph 73).
- 10.11 Policy CS7 of the Core Strategy is considered out of date under the terms of the Framework. The housing target of 188 dwellings per annum was taken from the South East Plan. The South East Plan was revoked in 2012, with housing requirements then to be determined by local need.
- 10.12 The Epsom & Ewell Core Strategy pre-dates the Framework and in accordance with para 213 of the Framework, the policies of the core strategy should be given due weight according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). In the case of old housing targets within CS7, no weight should be given to it.



- 10.13 The Government standard method for calculating the Borough's assessed housing need identifies a housing requirement of 579 new homes each year. In the absence of a five-year housing land supply, this has been increased to 695 under the housing delivery test as published on 13 February 2020. The Council is presently falling significantly short of this requirement and cannot presently demonstrate five years Housing Land Supply. The Council's Annual Monitoring Report for the period 1st April 2019 to 31st March 2020 indicates that there is less than a year's (0.98) supply of housing for the next five years.
- 10.14 Paragraph 11d of the 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 Framework as a whole.

*Principle of residential development*

- 10.15 Paragraph 59 of the Framework 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
- 10.16 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.
- 10.17 Paragraph 122 of the Framework states that planning policies and decisions should support development that makes sufficient use of land taking into account: (d) the desirability of maintaining an area's prevailing character and setting (including residential gardens) or of promoting regeneration and change...
- 10.18 Paragraph 123 of the Framework highlights that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.
- 10.19 Policy DM11 (Housing Density) states that in principle, proposals for new housing that make the most efficient use of sites within the boroughs urban area will be supported in principle.

- 10.20 In May 2018, the Licensing Planning Policy Committee took a decision to set aside Policy DM11 (Housing Density) and Policy DM13 (Building Heights). This was based on these policies not reflecting the expectations of the Framework, and therefore restricting opportunities for growth in the Borough.
- 10.21 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.

## **11 Impact on a Heritage Asset**

- 11.1 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”.
- 11.2 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
- 11.3 The existing house is included on the Council’s list of buildings of local architectural and historic interest but it is not statutorily protected.
- 11.4 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.
- 11.5 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 that the proposed scheme was well designed and would contribute to the character and appearance of the local environment.
- 11.6 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.

- 11.7 The proposed development would result in an overall net increase of 16 new dwelling units, which is a significant increase, given the Council's need for housing and the lack of provision in the borough, and represents a clear and tangible public benefit. In addition, other public benefits from economic and social facets are also considered to weight positively in this regard.
- 11.8 In accordance with the tests set out in paragraph 197 of the NPPF 2019, it is officers' judgement that the overall benefits 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.
- 11.9 The proposal would therefore comply with the NPPF and Policy DM8, DM9 and DM10.

## **12 Design Layout and Appearance**

- 12.1 Chapter 12 of the Framework 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.
- 12.2 Paragraph 130 of the Framework 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.
- 12.3 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.
- 12.4 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.

- 12.5 The proposed apartments would be constructed within the same general building envelope and same general bulk, mass and height as the recently approved scheme.
- 12.6 The current scheme would retain the same design approach as the approved scheme, being of traditional design, and articulated to minimise its perceived mass and scale. The proposed building would incorporate design features such as front gables, window detailing, bay windows and simple entrance porch providing covered access. The proposed building 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.
- 12.7 It is therefore concluded that the proposed scheme in terms of its designs 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.

*Density*

- 12.8 Policy DM11 refers to 40 dwellings/ha (dph) as a general maximum, however it allows higher densities in appropriate locations. It is evident that the proposal would be of a higher density in comparison to the existing built form.
- 12.9 The scheme would have a density of 63 dph. In accordance with Policy DM11 (Housing Density) a site of 0.27 hectares should, in most cases, accommodate no more than 11 dwellings. However, density with regard to multi-storey schemes is not the sole indicator as to the appropriateness or quality of a development. Scheme density is influenced by the relationship between site size and building form, and by other factors such as the size of dwellings alongside the basic metric of dwellings or (habitable or bed) rooms per area. The key to successful high(er) density buildings as places to live is in the quality of the internal design and the external space in which they sit.
- 12.10 It is acknowledged that the proposed 17 dwellings would exceed the recommended density. Officers consider that a higher density is appropriate in this particular location, particularly as the development does not give rise to any unacceptable adjacency issues in terms of impacts on neighbouring occupiers, provides adequate internal and amenity space and parking, and would optimise the use of the site.
- 12.11 The non-compliance with Policy DM11 is assigned minor negative weight in the planning balance

### 13 Residential Amenity

- 13.1 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, and sunlight/daylight, avoidance of visual intrusion and noise and disturbances.
- 13.2 Concerns have been received from residents that the proposed building would adversely impact neighbouring amenity at properties surrounding the site. This has been taken into consideration by Officers, in the assessment of this application.

#### *Separation distances*

- 13.3 The siting of the proposed building has taken into account the positioning of adjacent dwellings and ensures that the proposal would not result in any unacceptable loss of amenity to occupants of adjoining properties due to overlooking or loss of privacy.
- 13.4 The additional first floor and roof accommodation at the western end, above the approved carport, would be set back about two metres from the main rear elevation to the building. The first and second floor rear windows in the proposed addition (both serving bedrooms) would face the nearest point on the boundary with Oak House, at an acute angle, at a distance of some 10m, with intervening existing retained trees and new tree planting. The windows would face the flank boundary directly at a distance of in excess of 13m. Whilst this would preclude any unacceptable overlooking of the affected property, it is recommended that an appropriate safeguarding condition (No 6) be imposed requiring the two respective windows to be obscurely glazed.
- 13.5 The building would retain a suitable separation distance (5m) to the flank boundary with No. 59 Salisbury Road. This would ensure that the proposed building would not encroach a 45 degree outlook angle subtended from the nearest rear facing window in the affected property, and would not result in any unacceptable overbearing effect on the amenities of the occupiers at No. 59 Salisbury Road.
- 13.6 The 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. The bin store would be fully enclosed, to prevent odours, and the entrance to the bin store would be well forward of the front elevation, which would mitigate any noise issues arising from the collection of bins.
- 13.7 In summary, the proposed scheme is considered to comply with Policy DM10

## 14 Quality of Accommodation

### *Unit sizes*

- 14.1 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 m<sup>2</sup> and a double bedroom should be no smaller than 11.5 m<sup>2</sup>. All new units should be designed in accordance with the National Space Standards.
- 14.2 The application is proposing 17 units , comprising 2 Studio flats, 8 one-bed flats and 7 two-bedroom flats
- 14.3 The proposed studio (1 person) flats would have a Gross Internal Area of 43m<sup>2</sup>, the one- bed (2 person) flats an area between 50m<sup>2</sup> and 60m<sup>2</sup>, the two-bed (3 person) flats an area between 61m<sup>2</sup> and 67m<sup>2</sup>, and the two-bed (4 person) flats an area of 70m<sup>2</sup>
- 14.4 All 17 units would meet the minimum internal GIA standards and minimum bedroom sizes as required by the National Space Standards below:
- Studio (1 person): 39m<sup>2</sup>
- 1 bed (2 person): 50m<sup>2</sup>
- 2 bed (3 person) 61m<sup>2</sup>
- 2 bed (4 person):70m<sup>2</sup>
- 14.5 The proposal would therefore comply with Policy DM12

### *Private amenity space*

- 14.6 Paragraph 3.36 of the supporting text for Policy DM12 (Housing Standards) states that to provide adequate private amenity space for development of flats, a minimum of 5 m<sup>2</sup> of private amenity space for 1-2 person dwellings should be provided and an extra 1 m<sup>2</sup> should be provided for each additional occupant. A 3 person flat should have a 6m<sup>2</sup> balcony, and a 4 person flat should have a 7m<sup>2</sup> balcony
- 14.7 All flats would have access to around 200m<sup>2</sup> of 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

## 15 Affordable Housing

- 15.1 Paragraph 62 of the Framework states that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless:
- a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and
  - b) the agreed approach contributes to the objective of creating mixed and balanced communities.
- 15.2 Paragraph 64 of the 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.”
- 15.3 Policy CS9 sets out that the Council has a target that overall, 35% of new dwellings should be affordable. Taking into account the viability of the development proposed and other planning objectives, the Council will negotiate to achieve the provision of affordable housing. Residential development of 15 or more dwellings gross (or on sites of 0.5ha or above) should include at least 40% of dwellings as affordable.
- 15.4 In this regard, to be fully compliant, the proposal would be required to provide 7 affordable units.
- 15.5 Paragraph 3.12.11 goes on to state that where there are specific and overriding site constraints or where development specific issues inhibit the provision of affordable housing, off site provision or financial contributions may be acceptable.

- 15.6 An Economic Viability Appraisal Report, by Andrew Golland Associates dated August 2020, was submitted with the application, which stated that there is insufficient value in the proposal to support an affordable housing contribution
- 15.7 The report was independently reviewed by viability consultants BPC, on behalf of the Local Planning Authority.
- 15.8 In their assessment dated 19 October 2020, BPC set out that the previous schemes for 13 and 15 units were unviable, and that the additional two units proposed in the current application were not sufficient to make it viable. (The existing use value of the dwelling continued to be higher than the Residual Land Value of the proposed scheme). BPC therefore concluded that the scheme is unable to support a fully policy compliant affordable housing provision.
- 15.9 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 homeownership. 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.
- 15.10 It is recommended that a viability review mechanism (similar to the extant legal agreement) be included in the S.106 agreement.

#### *Housing Mix*

- 15.11 Paragraph 123 of the Framework highlights that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.
- 15.12 Policy DM22 Housing Mix states that the Council considers that schemes must provide a minimum of 25% 3 bedroom units however, exceptions will be accepted dependent on location and viability. A scheme of 17 units would be expected to provide 4 x 3 bedroom units.
- 15.13 The scheme proposes 42% two-bedroom units (7 flats), 47% one-bedroom units (8 flats), 2 Studio units (11%) and no three-bed units. However, four of the two-bed flats would be for 4 person occupancy, which officers have accepted as being for family accommodation. (A two bed 4 person flat would be able to accommodate a double bed or two single beds in each bedroom)



15.14 The mix whilst not policy compliant must also be considered against the high demand for smaller units and the requirement to make effective and efficient use of land and the site. The current scheme would also provide an additional 2, two-bed units compared to the extant scheme. On this basis, it is considered that the proposed housing mix reflects the optimum use of the site and provides for an identified housing need. The lack of compliance with policy is not considered by Officers to be a robust reason for refusal in its own right. The proposed housing mix is therefore assigned minor negative weight in the planning balance.

## **16 Highways and Parking**

16.1 Chapter 9 of the Framework 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.

16.2 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.

16.3 Policy DM37 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

### *Proposed car parking provision*

16.4 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. The scheme would be required to provide 17 spaces.

16.5 Within the site, 17 car parking spaces would be provided. With reference to the SPD standards, the car parking provision would be compliant

16.6 A condition requiring the submission of a Car Parking Management Plan setting out provisions for the management and use of the proposed parking is recommended, should permission be granted

*Cycling*

- 16.7 Provision for the storage of 17 cycles in a cycle store in the rear garden, is included within the proposal, a condition is recommended to secure the provision of this prior to occupation.
- 16.8 The Highways Officer has raised no objection to the proposed scheme.
- 16.9 It is concluded that the proposal would strike an acceptable balance between parking on site and sustainable modes of transport and would be acceptable in respect of its parking provision and impact on the highway and therefore complies with policies DM10 and DM37 of the Development Management Policies Document 2015

*Servicing and refuse*

- 16.10 A refuse store would be provided adjacent to the eastern flank boundary opposite the vehicular entrance to the site. The Council's Transport and Waste Services Manager has raised no objections to the refuse/recycling arrangements.

*Sustainability of the site*

- 16.11 The site is sustainably located within acceptable walking distance of bus services and convenience retail stores and community facilities along Kingston Road. Consequently, it is considered that residents would not necessarily be reliant on the use of a car for typical daily journey purposes and would have a range of alternative modes of transport, including bus, cycling and walking.

**17 Trees and Landscaping**

- 17.1 Chapter 15 of the Framework 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.

- 17.2 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.

#### *Trees*

- 17.3 An Arboricultural Report & Method Statement has been submitted in support of the application and a detailed assessment of the existing trees within the site and on adjacent land has been undertaken to inform the design of the development. The Assessment classifies all trees and recommends which trees are to be retained and those, which are to be removed.
- 17.4 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 would 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
- 17.5 The Local Planning Authority's Tree Officer commented on this application on 23.12.2020, and raised no objection, subject to the submission of an updated Arboricultural Report and Tree Survey.
- 17.6 It is recommended that a landscaping condition to secure details of proposed landscaping and planting, is also imposed.
- 17.7 The proposal is therefore considered to comply with Policy DM5.

### **18 Ecology/Biodiversity**

- 18.1 Chapter 15 of the Framework 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.
- 18.2 Policy DM4, seeks to ensure that every opportunity should be taken to secure net benefit to the Borough's biodiversity.
- 18.3 The application is supported by a Preliminary Ecological Appraisal and Bat Survey. The Bat Survey was undertaken in August and September 2019. The survey found that there was no evidence of bat activity/roosting or any protected species.

- 18.4 Various habitat enhancements were recommended, and 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.
- 18.5 Subject to the appropriate conditions, it is considered that the proposed scheme would comply with Policy DM4.

## **19 Sustainable Design**

- 19.1 Paragraph 149 of the Framework states that plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures.
- 19.2 Policy CS6 (Sustainability in New Developments) of the Council's LDF Core Strategy (2007) states that the Council will expect proposals to demonstrate how sustainable construction and design can be incorporated to improve the energy efficiency of development e.g. by using an appropriate layout, building design and orientation; minimise the energy requirements of construction; and encourage the use of renewable energy by the incorporation of production facilities within the design of the scheme.
- 19.3 A Surface Water Drainage Strategy has been submitted in support of this application. The report sets out that it has demonstrated compliance with Non-Statutory Technical Standards for sustainable drainage systems.
- 19.4 A formal response from SCC Local Lead Flood Authority was provided on 02.12.2020 raising no objections, subject to conditions should planning permission be granted.
- 19.5 Details of sustainability measures designed to reduce the use of energy, water and waste will be secured by a planning condition.
- 19.6 In summary, the proposed scheme has sought to integrate sustainability into the design of the proposal and it is considered to comply with Policy CS6.

## **20 Planning Obligations**

### *S106 Legal Agreement*

- 20.1 The developer has agreed to a Section 106 agreement to settle obligations relevant to the application. The agreed obligations are as follows:
- A mechanism to review the viability of the development,

*Community Infrastructure Levy*

20.2 The Scheme would be CIL liable

**21 Planning Balance and Conclusion**

- 21.1 The tilted balance in paragraph 11 of the Framework 2019 is engaged because the Council cannot demonstrate a five-year supply of deliverable housing sites and has failed to deliver sufficient housing in recent years. Furthermore, some of the policies (DM11 and DM13) that are important for the determination of this application are not consistent with the expectations outlined in the Framework.
- 21.2 The net provision of 16 units would provide a significant public benefit, which weighs in favour of the scheme. The proposal is held to be a sustainable development which will contribute positively, Paragraph 59 of the Framework 2019 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. The provision of additional housing comprises a substantial social benefit.
- 21.3 The provision of affordable housing in developments is afforded significant weight in the planning balance, but in the absence of on-site provision or a commuted sum in lieu thereof, no weight can be attributed in favour of the proposal in this regard.
- 21.4 In accordance with the tests set out in paragraph 197 of the NPPF 2019, it is officers' judgement that the demolition of the existing building is justified having regard to its status as a non-designated heritage, and prevailing planning policies. The loss of the existing dwelling is therefore assigned minor negative weight in the planning balance
- 21.5 The conflict with Policy DM11 in terms of maintaining a density of 40 dwellings per hectare is given minor negative weight as this policy is considered to be inconsistent with the expectations reflected in para 123 (a)(b) of the Framework.
- 21.6 The conflict with Policy DM22 Housing Mix is given minor negative weight as it is considered that the proposed housing mix reflects the optimum use of the site and provides for an identified housing need.
- 21.7 Taking all of these matters into account, including all other material considerations, it is found that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits of the proposed development when assessed against the policies in the NPPF 2019 as a whole and that the proposal represents sustainable development.

## 22 Recommendation

### Part A

22.1 Subject to a legal agreement being completed and signed by the 16<sup>th</sup> April 2021 to secure the following heads of terms:

#### *Viability Review*

- Implementation of a review mechanism for the submission of a revised viability statement
- S106 monitoring fee, to monitor and sign off compliance of the s106 obligation

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

### Part B

22.2 In the event that the section 106 Agreement referred to in Part A is not completed by 16<sup>th</sup> April 2021, the Head of Planning be authorised to refuse the application for the following reason:

In the absence of a completed legal obligation under section 106 of the Town and Country Planning Act 1990 (as amended), the applicant has failed to comply with Policy CS9 (Affordable Housing and meeting Housing Needs) in relation to the provision of 6 on site affordable housing units

#### **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 and second floor rear bedroom windows to Flat 7 and 13, 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 windows 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 until an updated site specific Arboricultural Method Statement has been submitted to, and approved in writing by the local planning authority, and until the protective fencing and other protection measures as shown in the approved Arboricultural Method Statement 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.**

- (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 17 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) No part of the development shall be first occupied unless and until the proposed vehicular access to Salisbury Road has been constructed and provided with visibility zones in general accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high**

**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.**

- (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 and bird boxes and wildlife log pile have been installed in accordance with the Biodiversity Enhancement Measures contained in the Bat Survey and Biodiversity Report - September 2020.**

**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) The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:**

**a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.**

**b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 1.0 l/s.**

**c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).**

**d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.**

**e) Details of drainage management responsibilities and maintenance regimes for the drainage system.**

**f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.**

**Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site, in accordance with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.**

- (19) Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to**

and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

**Reason:** To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS, in accordance with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

**(20) Ground contamination and ground gas assessment**

Following any necessary demolition and prior to the commencement of any further development, the following shall be undertaken in accordance with current best practice guidance:

a desk study, site investigation and risk assessment to determine the existence, extent and concentrations of any made ground/fill, ground gas (including hydrocarbons) and contaminants (including asbestos) with the potential to impact sensitive receptors on and off-site. The results of the investigation and risk assessment shall be submitted to and approved by the Local Planning Authority; and

if ground/groundwater contamination, filled ground and/or ground gas is found to present unacceptable risks, a detailed scheme of risk management measures shall be designed and submitted to the Local Planning Authority for approval.

**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 2015 and the National Planning Policy Framework.

**(21) Remediation**

Prior to any occupation of the site, the approved remediation scheme prepared under Condition 19 must be carried out in accordance with its terms. Following completion, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

**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 2015 and the National Planning Policy Framework.

**(22) Unexpected contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. In that event, an investigation and risk assessment must be undertaken and where remediation is deemed necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

**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 2015 and the National Planning Policy Framework.

**(23) 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 a scheme to be submitted to and approved in writing by the Local Planning Authority.**

**Reason:** The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2018 and Policy DM 36 Sustainable Transport for New Development, of the Epsom & Ewell Borough Council Development Management Policies Document September2015.

**(24) The development shall not be occupied until a Car Parking Management Plan setting out provisions for the management and use of the proposed parking has been submitted to and agreed in**

writing by the Local Planning Authority. These details shall be submitted for approval by the Local Planning Authority and only the approved details shall be implemented and retained as approved unless otherwise agreed.

**Reason:** To ensure the efficient and functional use of the car parking area, to safeguard the amenity of future occupiers of the approved development and to ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users in compliance with Policy DM10, DM37 of the Development Management Policies Document 2015 and Policy CS16 of the Core Strategy 2007

**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) This form of development is considered liable for the Community Infrastructure Levy (CIL). CIL is a non-negotiable charge on new 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>

- (3) 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
- (4) 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>.

- (5) 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](http://www.surreycc.gov.uk/people-and-community/emergency-planning) and community-safety/flooding advice