

**101 - 111 Hollymoor Lane, Epsom, Surrey, KT19 9JZ**

Demolition of all existing structures and erection of new buildings providing 1x2 bed flat – wheelchair accessible, 20x2 bed flats, 3x3 bed houses, 4x4 bed houses, 2x5 bed houses and replacement retail convenience store (Class A1).

|                         |                     |
|-------------------------|---------------------|
| <b>Ward:</b>            | <b>Court</b>        |
| <b>Contact Officer:</b> | <b>John Mumford</b> |

**1 Plans and Representations**

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

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=O18RQJGYK9R00>

**2 Summary**

- 2.1 This application proposes the redevelopment of the mainly vacant and semi-derelict site at 101–111 Hollymoor Lane on the corner with Sefton Road. The redevelopment of this site will provided 100 percent affordable homes in the form of flats and houses and a replacement and upgraded retail convenience store (Class A1).
- 2.2 The application is a major application to be determined by the Planning Committee.

**3 Site description**

- 3.1 The application site (0.49 hectares) sits on the corner of Hollymoor Lane and Sefton Road and consists of partly open land and a number of semi-derelict shops with empty flats above. A small convenience shop is still trading on the site. At the south of the site, there is a slightly raised grassed area which previously contained a public house. The application site is situated to the west of Dorset Square and is within a mainly residential area. To the south of the site is the Longmead Centre. There is currently an open area to the rear of the existing building that is used for unauthorised parking by nearby residents.

**4 Proposal**

- 4.1 This application proposes the demolition of the existing three storey building, the levelling of the site and its redevelopment with:
- i. 1x2 bed flats – wheelchair accessible

- ii. 20x2 bed flats
  - iii. 3x3 bed houses
  - iv. 4x4 bed houses
  - v. 2x5 bed houses
  - vi. A retail convenience store (Class A1) – with a gross internal floor area of 207 square metres. There is an associated application for the temporary provision of the shop whilst the existing building is demolished and the development undertaken.
- 4.2 The flats and houses exceed national space standards and will deliver 20 affordable rented homes and 10 shared ownership homes, with either access to a communal landscaped amenity space for the flats or private gardens for the houses. One of the flat units will be fully wheelchair accessible.
- 4.3 The new three-storey building will have a height of 11.2 metres. The scheme is traditionally designed utilising brick elevations and tiled roofs where provided. Part of the development proposal will properly address Hollymoor Lane with a three storey built form that contains the flats and the new shop. A number of the new flats will have entrances directly onto this road. The new retail unit will occupy the south-western corner of the site and have adjacent parking accessed from Sefton Road. The scheme steps down to two storey houses adjacent to existing Dorset Square residential properties.
- 4.4 The houses will have frontages facing the northern boundary of the site and Sefton Road. These homes are also provided with private amenity space.
- 4.5 Parking provision has been made for all the new residential properties and the retail unit. The parking is accessed from Hollymoor Lane and Sefton Road and is made up of:
- i. five spaces for the shop unit, including one for disabled parking. One of the spaces will have an electrical charging point
  - ii. 41 spaces are provided for the 21 flats including nine electrical charging points
  - iii. 18 spaces are provided for the nine houses including one for disabled parking. Each house will also have a space with an electrical charging point.
- 4.6 The applicant proposes to provide cycle parking for the flats and the houses and will install four cycle racks adjacent to the shop.

- 4.7 We have received detailed landscaping plans with the application. These plans show formal landscaping for the courtyard area along with tree planting to the western and southern boundaries and within the new car park areas. These trees will have girths between 14 – 25 cm. The applicants have taken care to show suitably designed and sized tree pits for the new trees that will edge the development. This will ensure that they have the best growing environment. It will be necessary for the applicant to maintain appropriately the approved landscaping in the future and to that end, a planning condition is recommended.
- 4.8 A nature conservation survey was undertaken and submitted with the application. A number of details have been included in the design to address the issue of sustainability including the principle of fabric first, the use of a green roof on the main area of the flats, tree planting and the incorporation of energy efficient heating systems and lighting and the use of photovoltaic panels and electric charging points.

## 5 Comments from third parties

- 5.1 The application was advertised by means of letters of notification to 65 neighbouring properties. To date (26 February 2016) four letters have been received making the following comments:
- Parking provision for Dorset Square properties is needed as this scheme will remove the area that is currently used (**Officer comment:** it should be noted that the area currently used by some Dorset Square residents for parking was not provided for that purpose. Therefore, it is not incumbent for the developer to re-provide parking for those residents.)
  - Query over emergency vehicle access during construction (**Officer comment:** during this phase, access will be through Rutland Close should it be needed by emergency vehicles)

## 6 Consultations

- 6.1 County Highway Authority – No objections subject to the imposition of a number of planning conditions and informatives.
- 6.2 Contaminated Land Officer - The property is situated on a former sewage works, close to the former locations of the works' filter beds. The application is supported by the results of a geo-environmental investigation, which is split into three documents (main text, historical maps and data including logs and the results of chemical analyses and two rounds of gas monitoring). However, further ground investigation and gas monitoring is needed and as such conditions are recommended.
- 6.3 Lead Local Flood Authority – no objections subject to the imposition of conditions.

## 7 Relevant planning history

| Application number | Decision date | Application detail  | Decision      |
|--------------------|---------------|---|---------------|
| 06/00606/FUL       |               | Erection of a 10 terraced houses, 5 No. retail units including 1 No. A3 unit and 1 No. A2 unit with 5 No. 1 bed flats and 5 No. 2 bed   | Granted       |
| 07/00893/FUL       |               | Erection of 10 No. terraced houses (5 No. 3 bed and 5 No. 4 bed); 5 No. retail units including 1 No. A3 unit with 5 No. 1 bed flats and 5 No. 2 bed maisonettes over and a building to contain a doctors surgery with two floors of flats over comprising 4 No 1 bed units and 4 No. 2 bed units. | Granted       |
| 15/01494/FUL       |               | Erection of a temporary Portakabin convenience store during the redevelopment of the current premises.  | Un-determined |

## 8 Planning Policy

### National Policy Planning Framework (NPPF) 2012

Paragraph 17            Core Planning Principles  
Chapter 6                Delivering a Wide Choice of Quality Homes  
Chapter 7                Requiring Good Design

### Core Strategy 2007

Policy CS1              Sustainable Development  
Policy CS3              Biodiversity  
Policy CS5              Built environment  
Policy CS6              Sustainability in new developments  
Policy CS7              Housing Provision  
Policy CS8              Broad location of housing development  
Policy CS12             Developer contributions to community infrastructure  
Policy CS16             Managing transport and travel

### Development Management Policies Submission Document November 2014

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 design  
Policy DM12             Housing standards  
Policy DM13             Building heights

|             |   |
|-------------|---|
| Policy DM20 | Environmentally sustainable development   |
| Policy DM21 | Meeting Local Housing Need                |
| Policy DM22 | Housing mix                               |
| Policy DM31 | Safeguarding Small-Scale Retail Provision |
| Policy DM35 | Transport and new development             |
| Policy DM36 | Sustainable Transport for new development |
| Policy DM37 | Parking standards                         |

#### Supplementary Planning Guidance

Single plot and other types of residential infill development – 2003  
Sustainable design - 2012

## **9 Planning considerations**

### Principle of Development

- 9.1 The National Planning Policy Framework (NPPF) states that planning applications for residential development are considered in the context of the presumption in favour of sustainable development. This is a principle mirrored in local plan policy. Core Strategy (2007) Policy CS1 states that the Council will expect the development and use of land to contribute positively to the social, economic and environmental improvements necessary to achieve sustainable development. Changes should protect and enhance the natural and built environments of the borough and should achieve high quality sustainable environments for the present, and protect the quality of life for future generations.
- 9.2 Core Strategy Policy CS8 encourages higher density residential development in sustainable locations like the application site, and Policy DM11 of the Development Management Policies (2015) states that we will, in principle, support proposals for new housing that make the most effective use of development sites located within the borough's existing urban area.
- 9.3 The redevelopment of this semi-derelict site within an already developed residential area is an appropriate and sustainable location for such development and in principle accords with the policies contained within national and local planning policy.

### Impact on visual amenity

- 9.4 Policy DM10 sets out that development proposals will be required to incorporate principles of good design, the most essential element identified as contributing to the character and local distinctiveness of a street which should be respected, maintained or enhanced. As such the prevailing typology, scale, layout, height, form and massing should be respected.
- 9.5 The design, mass and siting of the proposed three storey building and the stepping down to the two storey dwellings would relate well to the wider development in the area. Two brick colours, tiled pitched roofs and powdered coated windows would also help with integrating the scheme with the surrounding area.

- 9.6 The development will provide a strong presence on the corner of Hollymoor Lane and Sefton Road, this combined with the location of the shop will create an important sense of place. The development would also accord with Policy DM13 (building heights) as the building would be no higher than 12m.
- 9.7 The development of the site, in the form proposed, is acceptable in terms of its impact on the appearance of the wider layout of the estate, and will not undermine the wider setting and character of the area. The removal of the existing building, some of which is boarded up, would visually benefit the area. The new buildings would be separated from the adjacent buildings by an adequate distance to avoid the built form appearing overly cramped.
- 9.8 It is concluded that the proposed development will cause no harm to the visual amenities of the area and will accord with policy.

#### Impact on amenity of neighbouring residential properties

- 9.9 The new flats have been designed such that the impact on neighbouring properties would be minimised. There would be a maximum distance of 31 metres from the windows in the Hollymoor Lane elevation to the rear elevation of the properties on the opposite side of the road and 18 metres to the boundary of these properties. Similarly the windows to flats in the northern elevation are positioned to minimise impact.
- 9.10 The layout and spatial separation of the development would ensure that the proposal would not lead to an overbearing building within the outlook of the nearby properties, and the bulk would not result in any significant loss of light to these existing residential units.
- 9.11 The proposal would have no harmful impact on the amenities of the adjacent dwellings by way of being unduly overbearing, causing any loss of outlook, light or privacy. The application therefore accords with the requirements of Policy DM10(ix).

#### Parking and access

- 9.12 Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are 'severe'.
- 9.13 The development would result in the provision of significant levels of parking for the new homes and for the retail unit. This will reduce the impact of the development on the surrounding streets in terms of parking stress that might be generated from this development. It is acknowledged that some surrounding residents use the site for parking. However this is not a primary and approved function of the site and therefore the displacement of this parking is not a material planning consideration in the determination of this application.

- 9.14 We have recently adopted local parking standards for residential development (December 2015). These standards require 1 and 2 bedroom flats outside of the Town Centre to have 1 space per unit, 3 bedroom houses to have 2 and 4+ bedroom houses to have 3. The proposed parking for the scheme exceeds this requirement.
- 9.15 The County Highways Authority has no objection to the proposal subject to the imposition of highway conditions regarding the provision of the parking spaces. Cycle spaces are provided within purpose-built storage areas with 4 provided adjacent to the new shop which accords with the requirements of local guidance.
- 9.16 Therefore, there are no objections to this proposal in highway or parking terms.

#### Refuse

- 9.17 Refuse storage areas are proposed to be provided within the development and are accessible for refuse freighter collection from the public highway or from within the site.

#### Landscaping

- 9.18 Generally the existing site lacks soft landscaping. On the northern and western boundaries, a small number of class B and C trees exist. These trees will not be retained. A full landscaping scheme has been submitted with the application that sets out pockets of soft landscaping and significant tree planting across and around the site. These proposals will assist in ensuring that the scheme integrates with its surrounding and with careful future maintenance, it is possible to achieve a good level of mature landscaping to soften the appearance of the development within the wider area.
- 9.19 Hard landscaping details have been provided. The site accesses and parking spaces will be constructed of permeable paving. A condition will be placed on any permission to ensure the hard landscaped areas have permeable finishes.

#### Affordable housing

- 9.20 The scheme provides for 100% affordable housing. The provision of affordable units is welcomed and can be secured via an appropriately worded planning condition.

#### Flood risk

- 9.21 The application site is within the EA fluvial flood zone – in essence, this means that it has been assessed as having less than a 1 in 1000 year annual event probability of flooding. This equates to a low risk of fluvial flooding.

- 9.22 The applicant has submitted plans and an assessment demonstrating how potential surface water and sewer flooding will be managed through the redirection of the existing surface water sewer and ensuring that slab levels are higher than manholes. These measures together with the use of permeable paving and small-planted swales meet the requirements of SuDs and therefore there is no objection to the proposal in respect of these matters.

### Sustainability

- 9.23 Policy CS6 requires development to be provided in a sustainable environment and reduce or have a neutral impact upon pollution and climate change. The applicants have submitted a Sustainability Statement and energy strategy which outlines sustainability features to be included in the development. Features include energy efficient heating systems and lighting and the use of photovoltaic panels. A number of these measures will be necessary to ensure compliance with current Building Regulation requirements.

### Ecology

- 9.24 The applicants carried out an ecological assessment looking at notable species such as hedgehogs, badgers, reptiles, birds and plants. No impediment through the loss of protected habitat or the endangerment of species was found. There are opportunities to improve the biodiversity of the site through the implementation of the landscaping scheme.
- 9.25 The applicants have submitted a daytime bat and an emergence survey as part of the application. A precautionary approach was taken in the assessment and this concluded that the overall potential for bats being present, foraging and commuting, within the site boundary was determined as low to medium. The existing building was deemed to have a high potential to support roosting bats. In order to assess this matter further the applicants undertook an emergence survey.
- 9.26 A nocturnal emergence and dawn re-entry survey concluded that the building does not contain a bat roost. In these circumstances, the demolition of the existing building on site will not compromise this protected species.

### Community Infrastructure Levy

- 9.27 The retail development element of the application falls under development which is liable for CIL

## **10 Conclusion**

- 10.1 The site has been underutilised for a number of years. The proposal meets planning policy objectives and gives the opportunity to redevelop this brown field site with affordable homes and a replaced and improved retail unit. This will not only benefit the community but the area as a whole.



## 11 Recommendation

11.1 Planning permission is granted subject to the following conditions:

### 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 2004.

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

2015\_06\_04 – Daylight and Sunlight report, 12472\_00\_01-3\_1, 12472\_00\_02-3\_1, 12472\_00\_03-3\_1, 12472\_05\_01-3\_5, 12472\_05\_03-3\_1, 12472\_14\_02-3\_13, 12472\_15\_01-3\_3, 12472\_15\_02-3\_3, 12472\_15\_03-3\_3, 12472\_15\_100-3\_3, 12472\_15\_200-3\_1, 12472\_15\_201-3\_3, 12472\_15\_202-3\_3, 12472\_15\_300-3\_3, 12472\_15\_301-3\_3, 12472\_15\_400-3\_3, 12472\_15\_401-3\_3, 12472\_15\_402-3\_3, 12472\_20\_01-3\_1, 12472\_30\_100-3\_3, 12472\_30\_101-3\_3, 12472\_30\_102-3\_3, 12472\_50\_00 SoA\_150717.pdf, 12472\_90\_01-3\_1, 12472\_90\_02-3\_1, 12472\_90\_03-3\_1, 12472\_90\_04-3\_1, 12472\_90\_05-3\_1, 12472\_90\_06-3\_1, 12472\_90\_07-3\_1, 12472\_90\_08-3\_1, 12472\_90\_09-3\_1, 12472\_90\_10-3\_1, 12472\_90\_11-3\_1, 12472\_90\_12-3\_1, 12472\_95\_01-3\_1, 12472\_95\_02-3\_1, 12472\_95\_03-3\_1, 12472\_99\_01-3\_1, 12472\_DASstatement\_20150717\_low.pdf, 12472\_PS\_00-1\_1 Planning Statement\_20150528.pdf, 22205-col\_Services Survey.pdf, Affordable Housing Statement, DS-MER00977-15-120 Rev B, FRA-MER00977-15-39 Rev B, GEA-MER00977-15-100 Part1, GEA-MER00977-15-100 Part2, GEA-MER00977-15-100 Part3, Hollymoor Lane Energy Report R02-Afi.pdf, Hollymoor Lane Waste Minimisation statement, MER00977-002-001\_topo survey, MER00977-003-001\_Drainage\_Water, MER00977-301-001 Rev A Drainage Strategy, Daytime Bat Survey, RT-MME-118791-01 prelim ecological assessment, Bat Emergence survey RT-MME-119363, RT-MME-118791-03, TS-19265 – Full, UHL-EMS-POL-0004 Waste Management Policy Iss05.pdf.

received on 20 January and 15 February 2016

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

- (3) The residential units hereby approved shall not be occupied until they have achieved a water efficiency standard using not more than 110 litres per person per day maximum indoor water consumption.

Reason: The residential units hereby approved shall not be occupied until they have achieved a water efficiency standard using not more than 110 litres per person per day maximum indoor water consumption.

- (4) Works related to the construction of the development hereby permitted, including works of demolition or preparation prior to building operations shall not take place other than between the hours of 08.00 to 18.00 hours Mondays to Fridays; 08.00 to 13.00 hours Saturdays; with no work on Saturday afternoons (after 13.00 hours), Sundays, Bank Holidays or Public Holidays.

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

- (5) 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.

- (6) Prior to the planting of trees, as part of the approved landscaping scheme, details of the tree guards shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details on implementation of the approved landscaping and 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.

- (7) All planting, seeding or turfing hereby approved shall be carried out in the first planting and seeding season following the occupation of the development or the completion of the development, whichever is the sooner. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or diseased in the opinion of the local planning authority, shall be replaced in the next available planting season with others of similar size, species and number, unless otherwise agreed in writing by the local planning authority.

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.

- (8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-

enacting or amending those Orders with or without modification), planning permission shall be required in respect of development falling within Schedule 2, Part 1, Classes A, B, C, E, F, of that Order.

Reason: To ensure that development within the permitted Classes in question is not carried out in such a way as to prejudice the appearance of the proposed development or the amenities of future occupants of the development or the occupiers of adjoining property in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM10 and DM12 of the Development Management Policies 2015.

- (9) The retail premises hereby approved as part of the development shall be used for Class A1 and for no other purpose (including any other purpose in Class A of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In order to ensure the provision of convenience retailing to meet the needs of local residents and also to safeguard the amenities of the occupiers of neighbouring properties, visual amenity and highway safety in accordance with Policies CS5 and CS16 of the Core Strategy (2007) and Policies DM9, DM10 and DM31 of the Development Management Policies 2015.

- (10) The development hereby approved shall not be first occupied until the proposed vehicular/pedestrian/cycle accesses to Hollymoor Lane and Sefton Road have been constructed and provided with visibility zones in accordance with the approved plans. The access shall be constructed in accordance with the approved details and shall be permanently maintained and the visibility zones shall be kept permanently clear of any obstruction measured from 0.6m above the road surface.

Reason: To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.

- (11) The development hereby approved shall not be occupied until space has been laid out within the site in accordance with the approved plans for vehicles and cycles to park. The parking areas shall be permanently retained for their designated purpose.

Reason: To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policies DM35 and DM37 of the Development Management Policies 2015.

- (12) No development including any works of demolition or preparation works prior to building operations shall take place on site until a Construction Transport Management Plan has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period and shall include:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials used in constructing the development
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary security hoarding behind any visibility zones
- (f) wheel washing facilities
- (g) measures to control the emissions of dust and dirt during construction
- (h) a scheme for the recycling/disposing of waste resulting from demolition and construction works
- (i) hours of operation.
- (j) no HGV movements to or from the site shall take place between the hours of 8.30 and 9.15 am and 3.15 and 4.00 pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Hollymoor Lane, Sefton Road, Rutland Close, Longmead Road during these times
- (k) on-site turning facilities for construction vehicles

have 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: To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.

- (13) No operations involving the bulk movement of earthworks and/or materials to and from the development site shall commence until facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the local planning authority to, so far as is reasonably practicable, prevent the creation of dangerous conditions for road users on the public highway. The approved scheme shall thereafter be retained and used whenever the said operations are undertaken.

Reason: To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.

- (14) Prior to the occupation of the dwelling or the use of the retail unit of the development hereby permitted, electric charging points shall be installed in accordance with Drawing No. 12472\_90\_11\_3-1 and thereafter retained permanently for the use of vehicles of occupiers and visitors to the premises and not used for any other purpose.

Reason: To encourage the use of electric cars in order to reduce carbon emissions in accordance with Policy CS6 of the Core Strategy (2007).

- (15) Before the development hereby permitted commences and in addition to any assessment provided with the application, a ground contamination investigation and risk assessment must be completed. The scope and detail of these are subject to the approval in writing by the local planning authority. The investigation and risk assessment must be undertaken by suitably qualified and accredited persons and a written report of the findings must be produced. The final written report is subject to the approval in writing of the local planning authority. The report of the findings must include:
- (i) details of the extent, scale and nature of contamination
  - (ii) an assessment of the potential risks to:
    - human health
    - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
    - adjoining land and occupants
    - groundwaters and surface waters
    - ecological systems
    - archaeological sites and ancient monuments
  - (iii) details of viable remedial options, and identification of and justification for the preferred option(s).

This must be conducted in accordance with Defra and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.

The development must be carried out in complete accordance with the approved written report. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until appropriate remediation has been undertaken.

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.

- (16) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared by suitably qualified and accredited persons, and shall be submitted to and approved in writing by the local planning authority.

The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that, after remediation, as a minimum, the site should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990.

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be prepared by suitably qualified and accredited persons and submitted to the local planning authority for written 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, Policy DM17 of Development Management Policies 2015.

- (17) In the event that unexpected contamination is found at any time when carrying out the approved development it must be reported in writing to the local planning authority immediately. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared and approved in writing by the local planning authority. Development must accord with the approved details. Following completion of the remediation works, a verification report must be prepared by suitably qualified and accredited persons and submitted to the local planning authority for written 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, Policy DM17 of the Development Management Policies 2015.

- (18) Prior to any development on site, a comprehensive site survey shall be undertaken and submitted to and approved in writing by the local planning authority, in accordance with current best practice guidance to determine:
- (i) The existence, depth, extent and character of any filled ground,
  - (ii) The existence, extent and concentrations of any ground gas with the potential to impact the application site,
  - (iii) If filled ground and/or gas is found, a detailed scheme of gas management measures shall be designed and implemented.

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.

- (19) The approved schemes prepared under condition 18 shall be carried out in accordance with their terms. Following completion of these works, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by 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.

- (20) A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation and the provision of reports on the same must be prepared by suitably qualified and accredited persons, both of which are subject to the local planning authority's written approval. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced by suitably qualified and accredited persons and submitted to the local planning authority. This must be conducted in accordance with Defra and the Environment Agency's Model Procedures for the Management of land Contamination, CLR 11.

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.

- (21) The residential element of the hereby approved development shall comprise 100% affordable housing provision in accordance with paragraph 2.15 of the Planning Statement dated 28 May 2015 and Orbit Homes (2020) Ltd - Affordable Housing Statement dated March 2015.

Reason: In the interests of proper planning as required by Policy CS9 of the Core Strategy (2007).

- (22) The approved areas of hard surfacing will be porous or permeable, or shall direct surface water to a porous or permeable surface within the site and shall thereafter be maintained as such.

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.

- (23) Prior to the commencement of development the following details shall be submitted to and approved in writing by the local planning authority:
- i. details of the delivery vehicle layby
  - ii. relocation of the existing bus stop including shelter
  - iii. the relocation/provision of street lighting
  - iv. the provision of new footway works

The approved details will be carried out prior to the first occupation of the properties.

Reason: To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.

- (24) The development hereby approved shall not be first occupied unless and until existing accesses from the site to Hollymoor Lane and Sefton Road have been permanently closed and any kerbs, verge, footway, fully reinstated.

Reason: To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.

- (25) Prior to the commencement of development details of the following shall be submitted to and approved in writing by the local planning authority and thereafter implemented in accordance with the approved details:
- i. a plan indicating the impermeable area layout of the site
  - ii. the Micro Drainage calculations and results, for the complete site drainage network
  - iii. how the Sustainable Drainage System will be protected and maintained during the construction phase and following the completion of development and how it will cater for system failure or exceedance events, both on and offsite
  - iv. a drainage layout detailing the exact location of SUDs elements, including finished floor levels
  - v. all SuDS elements and other drainage features, including long and cross sections, pipe diameters and respective levels

Reason: To ensure the drainage systems fully meets the requirements of the national SuDS technical standards.

- (26) Prior to occupation, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Drainage System has been constructed in accordance with the agreed scheme.



Reason: To ensure the Sustainable Drainage System has been constructed as agreed and complies with the requirements of the national SuDS technical standards

**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 186-187 of the National Planning Policy Framework 2012.
- (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) If you need any advice regarding Building Regulations please do not hesitate to contact Epsom & Ewell Borough Council Building Control on 01372 732000 or [contactus@epsom-ewell.gov.uk](mailto:contactus@epsom-ewell.gov.uk).
- (4) The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
- (5) The water efficiency standard required under condition 3 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.
- (6) For the avoidance of doubt, the term 'affordable housing' means subsidised housing at below market prices or rents intended for those households who cannot afford housing at market rates. It is usually managed by a registered social landlord.
- (7) No burning of materials obtained by site clearance shall be carried out on the application site.

- (8) The applicant is advised to contact Epsom and Ewell Borough Council at an early stage to discuss naming and numbering of the development on 01372 732000. For further information see [http://www.epsom-ewell.gov.uk/NR/exeres/C41A118E-B550-4CEF-9FA4-1F5C2BE9869E\\_frameless.htm?NRMODE=Published](http://www.epsom-ewell.gov.uk/NR/exeres/C41A118E-B550-4CEF-9FA4-1F5C2BE9869E_frameless.htm?NRMODE=Published).
- (9) 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 three months in advance of the intended start date depending on the scale of the works proposed and the classification of the road. Please see: [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme)

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

- (10) The developer is advised that as part of the detailed design of the highway works required by the above planning condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment. The Highway Authority will also require that any redundant dropped kerbs will be raised and any verge or footway crossing reinstated to conform with the existing adjoining surfaces at the developers expense.
- (11) The applicant is advised to contact the Post Office Ltd with regard to any re-location of the existing box on Hollymoor Lane.
- (12) Attention is drawn to Section 20 of the Surrey Act 1985 which requires that when a building is erected or extended, proper provision shall be made for the fire brigade to have means of access to the buildings and any neighbouring building.