

## Minutes of the Meeting of the PLANNING COMMITTEE held at the Council Chamber, Epsom Town Hall on 13 January 2022

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### PRESENT -

Councillor Monica Coleman (Chair); Councillor Steven McCormick (Vice-Chair); Councillors Kate Chinn, Alex Coley (as nominated substitute for Councillor Previn Jagutpal), Nigel Collin, Neil Dallen, David Gulland, Jan Mason, Lucie McIntyre, Phil Neale, Humphrey Reynolds, Clive Smitheram and Clive Woodbridge

Absent: Councillor Previn Jagutpal

Officers present: Mehdi Rezaie (Interim Planning Development Manager), Justin Turvey (Planning Development Manager), Virginia Johnson (Principal Planning Officer), Jeremy Young (Tree Officer Place Development), Tim Richardson (Democratic Services Manager) and Stephanie Gray (Democratic Services Officer)

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### 20 DECLARATIONS OF INTEREST

In the interests of openness and transparency the following declarations were made in respect of items on the agenda.

#### Declarations of Interest

Councillor Neil Dallen, Other Interest: In the interests of openness and transparency, Councillor Neil Dallen declared that he is a member of the Epsom Civic Society. Councillor Dallen also declared that he is a member of the Town Ward Residents Association.

#### Declarations of Interest

Councillor Nigel Collin, Other Interest: In the interests of openness and transparency, Councillor Nigel Collin declared that he is the Borough's Heritage Champion and also declared that he is a member of the Epsom Civic Society.

#### Declarations of Interest

Councillor Steven McCormick, Other Interest: In the interests of openness and transparency, Councillor Steven McCormick declared that he is a member of the Epsom Civic Society. Councillor McCormick also declared that he is a member of the Woodcote and Epsom Residents Society.

### 21 MINUTES OF THE PREVIOUS MEETING

The Minutes of the previous meeting of the Committee held on 9 December 2021 were agreed as a true record and signed by the Chair.

### 22 CLAYHILL LODGE, WEST HILL, EPSOM, SURREY, KT19 8JP

In the interests of openness and transparency, Councillor David Gulland declared that he previously had had a commercial relationship with the owner of

Clayhill Lodge, but that he came to the meeting with an open mind and without predisposition or predetermination.

#### Description

Demolition of existing single storey outbuilding and erection of five terraced houses and integrated cycle store. Associated landscaping works.

#### Decision

The Committee noted a presentation from the Principal Planning Officer.

Following consideration, the Committee resolved that:

The Application be **REFUSED** for the following reasons:

- (1) The proposal would constitute an overdevelopment of the Application Site, with a high proportion of built form and limited amenity space. The scheme fails to represent good, considered design, failing to create an opportunity to improve the character and quality of the area. The intensification of development would erode the openness and would harm the integrity of the Stamford Green Conservation Area. It would fail to comply with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, NPPF Policies, Policy CS5 of the Core Strategy (2007) and Policies DM8 and DM9 of the Development Management Policies Document (2015).
- (2) The proposal would not meet minimum private amenity space requirements, with constrained private amenity spaces that would unlikely be usable for future residents. The proposal conflicts with Policy DM12 (paragraph 3.35) of the Development Management Policies Document (2015)
- (3) The proposal fails to provide adequate amenity space for considered tree planting and growth, failing to ensure the longevity of tree and planting establishment, due to the overdevelopment of the Application Site, resulting in constrained amenity spaces. The proposal conflicts with Policy DM5 of the Development Management Policies Document (2015)

#### Informatives

1. Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

2. The following drawings were submitted with this application:

1976\_001A Site Location Plan – dated 14.10.21  
1976\_002B Existing Block Plan – dated 14.10.21  
1976\_003A Proposed Block Plan – dated 14.10.21  
1976\_004 Existing Outbuildings Plans and Elevations – dated 29.01.21  
1976\_005E Proposed Site Plan – dated 15.10.21  
1976\_010B Proposed Ground Floor Plan – dated 15.10.21  
1976\_011 Proposed First Floor Plan – dated 29.01.21  
1976\_012 Proposed Second Floor Plan – dated 29.01.21  
1976\_013 Proposed Roof Plan – dated 29.01.21  
1976\_020 Proposed East and West Elevations – dated 29.01.21  
1976\_021 Proposed South and North Elevations – dated 29.01.21  
1976\_022 Proposed Refuse Collection Area – dated 17.06.21  
1976\_023A Proposed Circulation Plan – dated 15.10.21

**23** CLAYHILL LODGE AND ALLONBY, WEST HILL, EPSOM, SURREY, KT19 8JP

In the interests of openness and transparency, Councillor David Gulland declared that he had previously had a commercial relationship with the owner of Clayhill Lodge, but that he came to the meeting with an open mind and without predisposition or predetermination.

Description

Demolition of two dwellings and one outbuilding. Construction of one four storey flatted development comprising a mix of 1, 2 and 3 bed units totalling 14 flats, and one three to three and a half storey terrace comprising 9 no. 3 bedroom houses. Construction of associated landscaping works. (Amended layout received 05.03.2021)

Decision

The Committee noted a presentation from the Principal Planning Officer.

Following consideration, the Committee resolved that:

The Application be **REFUSED** for the below following reasons:

- (1) The proposal does not satisfactorily demonstrate that affordable housing cannot be viably secured on the Application Site, failing to comply with Policy CS9 of the Core Strategy (2007)
- (2) The proposal would constitute an overdevelopment of the Application Site, with a high proportion of built form and limited amenity space. The intensification of development would erode the openness and low-density qualities of the Stamford Green Conservation Area. The proposal would fail to preserve or enhance the character and appearance of the Conservation Area. It would fail to comply with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, NPPF Policies, Policy CS5 of the Core Strategy (2007) and Policies DM8 and DM9 of the Development Management Policies Document (2015).

- (3) The proposal would not fully meet internal space standards or minimum private amenity space requirements, with constrained private amenity spaces that would unlikely be usable for future residents. The proposal would give rise to issues of overlooking and loss of privacy, as a result of balconies on units 10, 16 and 22, overlooking terraced houses. The proposal conflicts with Policies DM10 and DM12 of the Development Management Policies Document (2015) and The Nationally Described Space Standards (March 2015).
- (4) The proposal fails to provide adequate amenity space for considered tree planting and growth, failing to ensure the longevity of tree and planting establishment, due to the overdevelopment of the Application Site, resulting in constrained amenity spaces. The proposal conflicts with Policy DM5 of the Development Management Policies Document (2015).
- (5) In the absence of updated Ecological surveys, the proposal could cause harm to protected species as identified under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017. The proposal also fails to accord with Policy DM4 of the Development Management Policies Document (2015).
- (6) The Local Planning Authority has a statutory duty to provide refuse and recycling collections to residential units within the Borough. It has not been demonstrated that the proposed development could be accessed and serviced in the long-term by the Local Planning Authority's Refuse and Waste Vehicles, contrary to Policy CS6 of the Core Strategy (2007) and Annex 2 of the Council's Revised Sustainable Design SPD (2016).

#### Informatives

1. Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

2. The following drawings were submitted with this application:

1750\_001A Site Location Plan  
 1750\_002A Existing Block Plan  
 1750\_003C Proposed Block Plan  
 1750\_005D Proposed Refuse & Parking Layout  
 LA/1708061 Topographical Survey 1750\_007 Existing Floor Plans (Clayhill Lodge)  
 1750\_008 Existing Elevations (Clayhill Lodge)  
 5200\_01A Site Survey and Ground Floor (Allonby)  
 5200\_02A Site Survey and Ground Floor (Allonby)  
 5200\_04A Floor Plans (Allonby)  
 5200\_05A Elevations (Allonby)  
 5200\_06A Elevations (Allonby)

5200\_07A Sections (Allonby)  
 1750\_009 Existing Outbuildings  
 1750\_010F Proposed Site Plan  
 1750\_011A Proposed Lower Ground Floor Plan (Houses)  
 1750\_012C Proposed Upper Ground Floor Plan (Houses)  
 1750\_013A Proposed First Floor Plan (Houses)  
 1750\_014A Proposed Second Floor Plan (Houses)  
 1750\_015A Proposed Roof Plan (Houses)  
 1750\_016 Proposed Housing Block Elevations N and NE  
 1750\_017 Proposed Housing Block Elevations SW and SE  
 1750\_018 Proposed Housing Block Elevations  
 E 1750\_019 Proposed Housing Block Courtyard Elevations S and NE  
 1750\_025 Proposed House Unit Elevations  
 1750\_026 Proposed House Unit Elevations  
 1750\_027 Proposed House Unit Elevations  
 1750\_030A Proposed Lower Ground Floor Plan (Apartments)  
 1750\_031B Proposed Upper Ground Floor Plan (Apartments)  
 1750\_032A Proposed First Floor Plan (Apartments)  
 1750\_033A Proposed Second Floor Plan (Apartments)  
 1750\_034B Proposed Roof Plan (Apartments)  
 1750\_035 Proposed Apartment Block Elevations SW and SE  
 1750\_036 Proposed Apartment Block Elevations NE and NW  
 1750\_037 Proposed Apartment Block Elevations W  
 1750\_044 Existing and Proposed Site Section A  
 1750\_045 Existing and Proposed Site Section B

**24 FRIARS GARTH, THE PARADE, EPSOM, KT18 5DH**

In the interests of openness and transparency, Councillor Steven McCormick declared that he had called this item in and would leave the Chamber when the item was discussed.

Description

Erection of three storey building comprising 9 residential flats (1 x 1 bedroom, 6 x 2 bedroom, and 2 x 3 bedroom) together with alterations to vehicular access, landscaping, and associated works, following demolition of existing dwelling

Decision

The Committee noted a presentation from the Planning Officer.

Following consideration, the Committee resolved (6 in favour of approval, 5 in favour of refusal and 1 abstention) that:

The Application be **APPROVED** subject to the below following conditions:

**CONDITION(S):**

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

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

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

E100 Rev B Location Plan and Block Plan (Received 03/12/2021)  
P300 Rev H Proposed Site Plan (Received 03/12/2021)  
P301 Rev C Proposed Ground Floor Plan (Received 03/12/2021)  
P302 Rev C Proposed First Floor Plan (Received 03/12/2021)  
P303 Rev C Proposed Second Floor Plan (Received 03/12/2021)  
P304 Rev A Proposed Roof Plan (Received 03/12/2021)  
P310 Rev B Proposed North Elevation (Received 03/12/2021)  
P311 Rev B Proposed East Elevation (Received 03/12/2021)  
P312 Rev C Proposed West Elevation (Received 03/12/2021)  
P313 Rev A Proposed South Elevation (Received 03/12/2021)  
P350 Rev B Proposed Street Elevation (Received 03/12/2021)  
2021/5827/005 Rev P2 Delivery Vehicle Swept Path Analysis (Received 08/12/2021)  
201322/FRA/MK/RS/01 Rev B Flood Risk Assessment (Received 21/10/2021)  
Ecological Assessment Report [prepared by The Ecology Co-op Environmental Consultants (Received 27/04/2021)

**Reason:** For the avoidance of doubt and in the interests of proper planning.

- (3) Prior to above ground works, details and samples of all external materials (including roofing, windows and rainwater goods) 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 on completion of the development in accordance with Policy CS5 (The Built Environment) of the LDF Core Strategy (2007) and Policies DM9 (Townscape Character and Local Distinctiveness) and DM10 (Design Requirements for New Developments (including House Extensions)) of the LDF Development Management Policies Document (2015).

- (4) Prior to beneficial occupation, details of the design and external appearance of the boundary treatment shall be 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 to safeguard the amenities of the occupiers of neighbouring properties in accordance with Policy CS5 (The Built Environment) of the LDF Core Strategy (2007) and Policy DM10 (Design Requirements for New Developments (including House Extensions)) of the LDF Development Management Policies (2015).

- (5) Before any beneficial use of the proposed first and second floor balconies serving Units 6 and 9 hereby permitted, details of an appropriate privacy screen along the side west edge of the balcony (nearest to the shared boundary with No. 7 The Cressinghams) shall be submitted to and approved in writing by the Local Planning Authority. The privacy screen shall be installed prior to beneficial use and shall be thereafter retained as such.

**Reason:** In order to ensure the privacy and visual amenities of the adjoining residential occupiers is retained in accordance with Policy DM10 (Design Requirements for New Developments (including House Extensions)) of the LDF Development Management Policies Document (2015).

- (6) Prior to above ground works, details of existing and proposed finished site levels, finished floor and ridge levels of the proposed dwelling 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 / in order to safeguard the amenities of the occupiers of neighbouring properties in accordance with Policy CS5 (The Built Environment) of the LDF Core Strategy (2007) and Policy DM10 (Design Requirements for New Developments (including House Extensions)) of the LDF Development Management Policies (2015).

- (7) Prior to above ground works, details of a scheme of hard and soft landscaping (to include appropriate replacement trees) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented so that planting can be carried out during the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees or shrubs which die during this period shall be replaced in the first available planting season, and the area shown to be landscaped shall be permanently retained for that purpose only, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of visual amenity and to secure a satisfactory appearance on completion of the development in accordance with Policy DM10 (Design Requirements for New Developments (including House Extensions)) of the LDF Development Management Policies Document (2015).

- (8) 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, 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 1.9l/s for the 1 in 1 year rainfall event and 2.9 l/s for the 1 in 100 year (+CC) rainfall event.
  - 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.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.
  - 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 from increased flood risk.
  - 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 (Sustainability in New Developments) and Policy DM19 (Development and Flood Risk) of the LDF Development Management Policies Document (2015).



- (9) 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 surface water 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), and confirm any defects have been rectified.

**Reason:** To ensure the Drainage System is designed to the National Non-Statutory Technical Standards for SuDS and to accord with Policy CS6 (Sustainability in New Developments) and Policy DM19 (Development and Flood Risk) of the LDF Development Management Policies Document (2015).

- (10) No part of the development shall be first occupied unless and until the proposed modified access to The Parade has been constructed and provided with visibility zones in accordance with the approved plans (Dwg No. P300 Rev H) and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6 metre high.

**Reason:** In order that the development would not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the NPPF (2021) and Policy DM35 (Transport and New Development) of the LDF Development Management Policies Document (2015).

- (11) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans (Dwg No. P300 Rev H) for vehicles and cycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

**Reason:** In recognition of Section 9 “Promoting Sustainable Transport” of the NPPF (2021) and to accord with Policy DM36 (Sustainable Transport for New Development) of the LDF Development Management Policies Document (2015).

- (12) 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) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused;
- (g) measures to prevent the deposit of materials on the highway

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

**Reason:** In order that the development would not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the NPPF (2021) and Policy DM35 (Transport and New Development) of the LDF Development Management Policies Document (2015).

- (13) Prior to the first occupation of the development a Sustainable Travel Information Pack shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework and Surrey County Council's Travel Plans Good Practice Guide for Developers. The approved Sustainable Travel Information Pack shall be issued to the first-time and any future occupier thereafter of each dwelling, prior to first occupation.

The pack should include:

- Details of local public transport services and location of rail stations and local bus stops
- Details of lift sharing schemes
- Maps showing local walking and cycling routes and maps showing accessibility to public transport, schools and local community facilities
- Information to promote the take-up of sustainable travel

**Reason:** In recognition of Section 9 "Promoting Sustainable Transport" of the NPPF (2021) and to accord with Policy DM36 (Sustainable Transport for New Development) of the LDF Development Management Policies Document (2015).

- (14) The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7kw Mode 3 with Type 2 connector -230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

**Reason:** In recognition of Section 9 "Promoting Sustainable Transport" of the NPPF (2021) and to accord with Policy DM36 (Sustainable Transport for New Development) of the LDF Development Management Policies Document (2015).

- (15) The approved areas of hardstanding 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 runoff from the site in accordance with Policy CS6 (Sustainability in New Developments) and Policy DM10 (Design Requirements for New Developments (including House Extensions)) of the LDF Development Management Policies Document (2015).

- (16) 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:

- (i) a 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 scope and detail of these are subject to the approval in writing by the Local Planning Authority. The results of the investigation and risk assessment shall be submitted to and approved by the Local Planning Authority; and
- (ii) 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 (Contaminated Land) of the LDF Development Management Policies Document (2015).

- (17) Prior to any occupation of the site, the approved remediation scheme prepared under Condition 16 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 works, neighbours and other offsite receptors, in accordance with Policy DM17 (Contaminated Land) of the LDF Development Management Policies Document (2015).

- (18) In the event that contamination is found at any time when carrying out the approved development that was not previously identified must be report 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 works, neighbours and other offsite receptors, in accordance with Policy DM17 (Contaminated Land) of the LDF Development Management Policies Document (2015).

- (19) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, to be conducted in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.

**Reason:** In the interests of archaeological significance and to accord with Paragraph 205 of the NPPF (2021).

- (20) Prior to above groundworks a scheme to enhance the biodiversity interest of the site and a plan of its implementation in accordance with the proposals outlined in the Ecological Assessment Report [prepared by The Ecology Co-op Environmental Consultants] shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved and thereafter maintained.

**Reason:** To safeguard and enhance biodiversity in accordance with Policy DM4 (Biodiversity and New Development) of the LDF Development Management Policies Document (2015).

- (21) Future occupiers of the development hereby approved shall be precluded from applying for on-street car permits, to include each and every subsequent occupier of the development, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure the development does not increase on-street parking demand/stress, prejudice highway safety or cause inconvenience to other highway users, and to accord with Policy CS16 (Managing Transport and Travel) of the LDF Core Strategy (2007) and Policy DM36 (Sustainable Transport for New Development) of the LDF Development Management Policies Document (2015).

- (22) The development hereby approved shall not be first occupied unless and until the facilities for the secure parking of 12 bicycles have been provided in accordance with the approved plans and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

**Reason:** In recognition of Section 9 “Promoting Sustainable Transport” of the NPPF (2021) and to accord with Policy CS16 (Managing Transport and Travel) of the LDF Core Strategy (2007) and Policies DM36 (Sustainable Transport for New Development) and DM37 (Parking Standards) of the LDF Development Management Policies Document (2015).

- (23) All dwellings hereby approved shall comply with Regulation 36(2)(b) and Part G2 of the Building Regulations – Water Efficiency.

**Reason:** In order to comply with Policy CS6 (Sustainability in New Development) of the LDF Core Strategy (2007).

Prior to the first occupation of any part of the development, details of water efficiency measures shall be submitted to and approved in writing by the local planning authority. The details shall show a water efficiency standard using not more than 110 litres per person per day maximum indoor water consumption. The measures shall be installed in accordance with the approved details and thereafter maintained as for as long as the development is in use.

**Reason:** To ensure the development is sustainable and makes efficient use of water in accordance with Policy CS6 (Sustainability in New Development) of the LDF Core Strategy (2007).

All non-CHP space and hot water fossil fuel (or equivalent hydrocarbon based fuel) boilers installed as part of the development must achieve dry NOx emission levels equivalent to or less than 30 mg/kWh.

**Reason:** To protect air quality and people’s health by ensuring that the production of air pollutants, such as nitrogen dioxide and particulate matter, are kept to a minimum during the course of building works and during the lifetime of the development. To contribute towards the maintenance or to prevent further exceedances of National Air Quality Objectives.

- (24) Before any occupation of the development hereby permitted, the first and second floor side windows (serving the kitchen/living space of Unit 6, the

stairwell and the kitchen/living space and master bed of Unit 9) on the west elevation, shall be constructed so that no part of the framework less than 1.7m above finished floor level shall be openable. Any part below that level shall be fitted with, and retained in, obscure glazing to a minimum of level 3 on the standard scale. Any film used to achieve the requisite obscurity level shall be non-perishable and tamper-proof, and must be replaced in the event that it ceases in obscurity level 3.

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

**INFORMATIVE(S):**

- (1) In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.
- (2) Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced.
- (3) When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work before 8am or after 6pm Monday to Friday, before 8am or after 1pm on a Saturday or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Health Department Pollution Section.
- (4) The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
  - carry out work to an existing party wall;

- build on the boundary with a neighbouring property;
- in some circumstances, carry out groundwork's within 6 metres of an adjoining building.

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

- (5) It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:  
<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
- (6) The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
- (7) Section 59 of the Highways Act 1980 permits the Highway Authority to charge developers for damage cause by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

## 25 107-111 EAST STREET, EPSOM

Due to time constraints, the Committee were unable to discuss this Item. It has been deferred to be discussed at a future meeting.

## 26 TPO 2 MERROW ROAD

### Description

Chestnut tree T16 of TPO 327 located in the front garden - Reduce crown height by up to 2m and lateral spread by up to 1.5m. Thin the crown by 10% and raise the crown by 1.5m

### Decision

The Committee noted a presentation from the Tree Officer.

Following consideration, the Committee resolved that:

The Application be **APPROVED** subject to the below following conditions.

- (1) All tree work shall be carried out in accordance with the following specification:

Chestnut tree T16 of TPO 327 located in the front garden - Reduce crown height by up to 2m and lateral spread by up to 1.5m. Thin the crown by 10% and raise the crown by 1.5m

**Reason:** To ensure that the tree(s) receive the appropriate treatment and that the tree work is of a satisfactory standard to protect amenity in accordance with Policies CS1 and CS5 of the Core Strategy (2007) Policies DM5 and DM9 of the Development Management Policies 2015, British Standard BS 3998 2010 and guidance to protect and enhance the natural environment contained within the National Planning Policy Framework 2021.

- (2) Where whole branches are to be removed and final cuts made close to the trunk or branch union they are to be made as shown in Figure 2 of BS3998:2010. Where branches are to be shortened back the final cuts are to be made at the correct angle shown in BS3998:2010 and adjacent to a live bud or lateral branch

**Reason:** In the interests of the trees continued vitality, health and to accord with current industry guidelines and sound arboricultural practice and in accordance Policies CS1 and CS5 of the Core Strategy (2007) Policies DM5 and DM9 of the Development Management Policies 2015.

- (3) The agreed pruning operation/s shall comply with the following recommendations contained within BS3998:

- 4.4 Avoiding damage from tree work operations
- 7.1 Pruning and related work (General)
- 7.2 Minimising the potentially undesirable effects of pruning
- 7.6 Crown Lifting
- 7.7 Crown reduction and reshaping

**Reason:** To ensure that the tree(s) receive the appropriate treatment and that the tree work is of a satisfactory standard to protect amenity in accordance with Policies CS1 and CS5 of the Core Strategy (2007) Policies DM5 and DM9 of the Development Management Policies 2015.

Informative(s):

- (1) Control of tree pest and diseases - When engaging contractors or arborists to work on your trees, you are advised to ensure that your chosen contractor recognises the importance of bio-security in



arboriculture and that they adhere to good industry practice as promoted by organisations such as the Arboricultural Association and the Forestry Commission. Simple measures such as disinfecting equipment and appropriately disposing of arisings can help prevent the introduction and spread of pests and pathogens. A free downloadable guidance booklet on the application of bio-security in arboriculture is available from the Arboricultural Association at <https://www.trees.org.uk/Book-Products/Application-of-Biosecurity-in-Arboriculture-en>

The meeting began at 7.30 pm and ended at 10.05 pm

COUNCILLOR MONICA COLEMAN (CHAIR)

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