

Minutes of the Meeting of the PLANNING COMMITTEE held on 6 October 2022

PRESENT -

Councillor Humphrey Reynolds (Chair); Councillor Phil Neale (Vice-Chair); Councillors Steve Bridger (as nominated substitute for Councillor Previn Jagutpal), Kate Chinn, Alex Coley, Nigel Collin, Neil Dallen, David Gulland, Jan Mason and Steven McCormick

Absent: Councillor Monica Coleman, Councillor Previn Jagutpal, Councillor Lucie McIntyre and Councillor Peter O'Donovan

Officers present: Lidia Harrison (Principal Solicitor), Jason Ofosu (Principal Solicitor), Justin Turvey (Planning Development and Enforcement Manager), Virginia Johnson (Principal Planning Officer) and Dan Clackson (Democratic Services Officer)

14 DECLARATIONS OF INTEREST

Hobbledown, Horton Lane, Epsom, Surrey, KT19 8PT

Councillor Alex Coley, Other Interest: In the interest of openness and transparency, Councillor Alex Coley stated that he had been involved with previous discussions surrounding some of the meeting's applications, and that he and his fellow Councillors were aware that the Council owns and draws revenue from land on the Hobbledown site, but confirmed that he had come to the meeting with an open mind.

Hobbledown, Horton Lane, Epsom, Surrey, KT19 8PT

Councillor Jan Mason, Other Interest: In the interest of openness and transparency, Councillor Jan Mason stated that she had been involved with previous discussions and was very familiar with the Hobbledown site, but confirmed that she had come to the meeting with a clear and open mind.

Hobbledown, Horton Lane, Epsom, Surrey, KT19 8PT

Councillor Neil Dallen MBE, Other Interest: In the interest of openness and transparency, Councillor Neil Dallen explained that he knows the general manager of Hobbledown personally and has previously been involved with a local firework display that uses Hobbledown's car park as a park-and-ride, but confirmed that he had come to the meeting with an open mind.

15 MINUTES OF THE PREVIOUS MEETING

The Minutes of the Previous Meeting of the Planning Committee held on 1 September 2022 were agreed as a true record by the Committee and signed by the Chair.

16 DEVELOPMENT SITE AT 65 LONDON ROAD, EWELL, SURREY, KT17 2BL

Description

Construction of a four storey building plus basement for use as a care home (Use Class C2) with up to 70 bedrooms and associated communal spaces and services, together with associated car and cycle parking, refuse storage and ancillary works.

Decision

The Committee noted a presentation from the Principal Planning Officer.

Following consideration, the Committee resolved (9 in favour, 0 against, 0 abstaining and the Chair not voting) to APPROVE the application subject to the following conditions:

Conditions:

- (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:

420(SP)01 - Location Plan

420(SP)02 – Existing Site Plan

420 (EX)20 - Existing Streetscape Elevations

420(SP)03 Rev P1 - Proposed Site Plan

420(SP)04 Rev P1 - Proposed Ground Floor Site Plan

420(GA)01 - Proposed Basement Floor GA

420(GA)02 - Proposed Ground Floor GA

420(GA)03 - Proposed First Floor GA

420(GA)04 - Proposed Second Floor GA

- 420(GA)05 - Proposed Third Floor GA
- 420(GA)06 - Proposed Roof Plan GA
- 420(GA)20 - Proposed Elevations GA – Proposed Streetscapes
- 420(GA)21 - Proposed Elevations GA – Southwest
- 420(GA)22 - Proposed Elevations GA – Southeast
- 420(GA)23 - Proposed Elevations GA – Northwest
- 420(GA)24 - Proposed Elevations GA – Northeast
- D0456_001 Rev A - Landscape Proposal Hard works
- D0456_002 Rev B - Landscape Proposal Soft works

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) 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.

- (4) 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.

- (5) No development shall take place until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and any other means of enclosure have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details prior to the development first being occupied 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.

- (6) 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 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.

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

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. To support the sustainable development objectives of the National Planning Policy Framework 2021.

- (8) The development hereby approved shall not be occupied unless and until each of the proposed parking spaces are provided with a fast charge socket (current minimum requirements - 7 kw 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 order that the development should not prejudice highway safety nor cause inconvenience to other highway users. To support the sustainable development objectives of the National Planning Policy Framework 2021.

- (9) No part of the development shall be first occupied unless and until the proposed vehicular access to London Road has been constructed and provided with visibility zones in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority (in general accordance with drawing SK01 Rev G) 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. To support the sustainable development objectives of the National Planning Policy Framework 2021.

- (10) The development hereby approved shall not be first occupied unless and until a pedestrian inter-visibility splay measuring 2m by 2m has been provided on each side of the access to London Road, the depth measured from the back of the footway and the widths outwards from the edges of the access. No obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

The development hereby approved shall not be first occupied unless and until the existing access from the site to London 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. To support the sustainable development objectives of the National Planning Policy Framework 2021.

- (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 for vehicles 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 order that the development should not prejudice highway safety nor cause inconvenience to other highway users. To support the sustainable development objectives of the National Planning Policy Framework 2021.

- (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
 - (e) provision of boundary hoarding behind any visibility zones
 - (f) HGV deliveries and hours of operation
 - (g) vehicle routing
 - (h) measures to prevent the deposit of materials on the highway

(i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused

(j) on-site turning for construction vehicles (or measures for traffic management) has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. To support the sustainable development objectives of the National Planning Policy Framework 2021.

(13) A desk study has been submitted with this planning application. 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, prior to the commencement of development.

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.

(14) Prior to any occupation of the site, the approved remediation scheme prepared under Condition 14 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.

(15) 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.

- (16) 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 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 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.

- (17) 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 constructed to the National Non-Statutory Technical Standards for SuDS.

- (18) The development hereby approved shall be carried out in accordance with the protection, mitigation, recommendation and enhancement measures detailed in the (WE) Ecological Appraisal Report, dated April 2022 and the (WE) Reptile Survey, dated June 2020. The approved measures shall thereafter be maintained.

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

- (19) The development hereby approved shall be carried out in accordance the Energy and Sustainability Report, dated May 2022. The approved measures shall thereafter be maintained.

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).

- (20) Prior to residential occupation, the applicant shall submit a report to be approved in writing by the LPA, setting out the approach to reducing levels of nitrogen dioxide in the ground floor residences to acceptable concentrations. The report shall include modelling to predict internal concentrations under a range of circumstances, demonstrate the degree by which occupants can open windows, the frequency of filter changes necessary to maintain efficiency, report the specification of the proposed mechanical system and include sufficient calculations to show the necessary filter dwell time and air volume movement is being achieved.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy DM10 of the Development Management Policies 2015.

- (21) Prior to residential occupation, the applicant shall submit a report to be approved in writing by the LPA setting out the proposed glazing specification and room ventilation approach to include sufficient calculations for compliance with the internal noise criteria contained within BS 8233:2014 and the ANC/loA Acoustics Ventilation and Overheating

Residential Design guide. Such a report shall form the basis of noise and overheating assessment and sufficient mitigation strategies for both shall be defined.

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

- (22) No development shall take place until a scheme for the suitable treatment of all plant and machinery against the transmission of noise has been submitted to and approved in writing by the local planning authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and thereafter retained as such.

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

Informatives:

The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway 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 (including Stats connections/diversions required by the development itself or the associated highway 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>. 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.

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).

The developer is advised that as part of the detailed design of the highway works required by the above 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.

Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused 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.

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.

Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.

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.

Sub ground structures should be designed so they do not have an adverse effect on groundwater.

17 HOBbledown, HORTON LANE, EPSOM, SURREY, KT19 8PT

The Chair explained that on account of there being five items on the agenda relating to the same site (HOBbledown, HORTON LANE, EPSOM, SURREY, KT19 8PT), the order of proceedings would be adjusted as follows:

- a) The time provided to public speakers would be increased to fifteen minutes (three minutes per item) to allow time for speakers to cover all five items relating to Hobbledown collectively.
- b) The Principal Planning Officer would provide a single presentation that would cover all five items relating to Hobbledown.
- c) The Committee would be invited to address any and all of the five items relating to Hobbledown during discussion.

The Chair clarified that each item was to be voted on separately, as normal.

Description

Agenda Item 4 - Siting and installation of restroom facilities.

Agenda Item 5 - Erection of perimeter boundary timber fencing, relocation of entrance gates and installation of gas tank holder (Retrospective).

Agenda Item 6 - Installation of timber and netting outdoor play structures, installation of 3 no. bounce pillows and construction of Lorikeet enclosure/structure (retrospective).

Agenda Item 7 - Variation of Condition 14 (vehicular access) of planning application 11/00511/FUL to allow deliveries to the farm shop and cafe via McKenzie Way access (Retrospective).

Agenda Item 8 - Variation of condition 20 of planning permission 11/00511/FUL to allow for Zones 9 and Zone 10 to be accessed by the public for the purposes of over-flow car parking at times of peak demand.

Decision

The Committee noted a presentation on all five items relating to Hobbledown from the Principal Planning Officer.

Councillor Steven McCormick proposed a deferral of all five of the items relating to Hobbledown (items 4, 5, 6, 7 and 8). This proposal was seconded by Councillor Jan Mason. The reason for deferral was to allow time for a Flood Risk Assessment to be created for the entire site, in order to be compliant with DM19 and NPPF policies.

Following consideration, the Committee resolved (6 in favour, 3 against, 0 abstaining and the Chair not voting) that:

The five items relating to Hobbledown (items 4, 5, 6, 7 and 8) be DEFERRED to a future meeting.

18 PLANNING APPEALS UPDATE

The Committee noted the report setting out the recent planning appeal decisions received by the Planning Service in relation to non-householder developments.

19 GREEN GABLES, ASHLEY ROAD, EPSOM - VERBAL UPDATE

The Planning Development and Enforcement Manager provided a verbal update regarding the item deferred from the meeting held on 1 September 2022 (GREEN GABLES, ASHLEY ROAD, EPSOM), stating it will likely be going to the November meeting of the Committee, and that a Member site visit will be arranged prior to the meeting.

The meeting began at 7.30 pm and ended at 9.47 pm

COUNCILLOR HUMPHREY REYNOLDS (CHAIR)

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