

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

<b>Ward:</b>	<b>Ruxley Ward</b>
<b>Site:</b>	<b>Hobbledown Horton Lane Epsom Surrey KT19 8PT</b>
<b>Application for:</b>	<b>Siting and installation of restroom facilities</b>
<b>Contact Officer:</b>	<b>Ginny Johnson</b>

## 1 Plans and Representations

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

Link: <https://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=R58V7FGYMLE00>

## 2 Overview

- 2.1 This planning application was presented to Planning Committee on 06 October 2022, along with four other planning applications at Hobbledown, the Application Site ('Site'). All five planning applications are detailed within the below table:

<b>Application reference number</b>	<b>Description Of Development</b>
22/00009/FUL (this application)	Siting and installation of restroom facilities
22/00010/FUL	Erection of perimeter boundary timber fencing, relocation of entrance gates and installation of gas tank holder (Retrospective)
21/02021/FUL	Installation of timber and netting outdoor play structures, installation of 3 no. bounce pillows and construction of Lorikeet enclosure/structure (retrospective)
22/00013/REM	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
22/00011/REM	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

- 2.2 All planning applications were deferred by Planning Committee, as they were not accompanied by a Site-wide Flood Risk Assessment. This is captured within the Minutes of the Planning Committee.
- 2.3 The Applicant has since prepared the following documentation to accompany this planning application, for the siting and installation of restroom facilities:
- Flood Risk Assessment, dated 25 November 2022
  - Commercial Sewage Pumping Station
  - Email from Planning Agent dated 09 December 2022.
- 2.4 This Report seeks to clarify:
- What new documentation has been prepared by the Applicant to accompany this planning application, since its deferral by Planning Committee on 06 October 2022
  - The Statutory Consultees formally consulted on the new documentation supporting this planning application and their responses
  - Representation received from neighbouring properties regarding the new documentation supporting this planning application and their responses
  - Other queries raised by Members during Planning Committee on 06 October 2022 relating to this application
  - Relevant sustainability policies.
- 2.5 This Report focuses on the new documentation only. The Planning Committee Report, dated 06 October 2022, should be referred to. This is appended to this Report.

#### **New documentation accompanying this application**

- 2.6 Since deferral by Planning Committee on 06 October 2022, The Applicant has prepared the following documentation to accompany this planning application, for the siting and installation of restroom facilities:
- Flood Risk Assessment, dated 25 November 2022
  - Commercial Sewage Pumping Station
  - Email from Planning Agent dated 09 December 2022.
- 2.7 The following paragraphs summarise the content of the new documentation.

#### **Flood Risk Assessment, RPS, 25<sup>th</sup> November 2022**

- 2.8 A Flood Risk Assessment (FRA) accompanies this application, and the other planning applications at Hobbledown, which were deferred by Planning Committee on 06 October 2022.
- 2.9 The aim of the FRA is to outline the potential for the Site to be impacted by flooding, the impacts of the proposed development on flooding in the vicinity of the Site, and the proposed measures which could be incorporated into the development to mitigate the identified risk. The FRA has been produced in consultation with SCC LLFA.
- 2.10 The Site is located within Flood Zone 1 and a Critical Drainage Area. The risk associated with flooding from fluvial/other sources of flooding is considered to be very low.

- 2.11 The FRA sets out that the total area covered by all planning applications is 382m<sup>2</sup>. This is approximately 0.07% of the total Site. This is a small proportion of area compared to the size of the Site, so likely to have a minimal impact on surface water runoff rate. The potential to provide surface water attenuation, including the use of Sustainable Drainage Systems (SuDS) has been considered as part of the preliminary design process. Table 4 (proposed mitigation) on page 21 of the FRA confirms no mitigation is required.
- 2.12 The FRA sets out that based on surface water calculations, there would be no to minimal change in surface water runoff rate as a result of the development.
- 2.13 Overall, the FRA sets out that the development proposed would be safe, without increasing flood risk elsewhere.

#### Commercial Sewage Pumping Station

- 2.14 Commercial Sewage pumping station details supports this application, providing technical information regarding the foul drainage system.

#### Email from Planning Agent dated 09.12.2022, 23.02.2023 and 28.02.2023

- 2.15 Emails have been received from the Planning Agent, summarised below.
- 2.16 Planning Committee had suggested a sedum roof and alternative cladding for the proposed restroom facilities. The Agent confirms that the unit is not suitable for a sedum roof and there is no need for additional cladding. As set out in the Planning Statement, this is a low-key structure, which is already constructed and stored elsewhere on Site. The facilities are of an appearance that would not be misplaced in such a rural setting and are reflective of the rural character of the wider Site.
- 2.17 The context of the surrounding Site would provide some natural screening to the restroom facilities and avoid any undue visual intrusion into the wider surrounding landscape. The proposed restroom facilities are enclosed and are sufficiently distanced from the existing kiosk such that it would not compromise the kiosk's operation.
- 2.18 This is an additional facility to complement existing facilities within the main building complex, where disabled and baby changing facilities are located. This is not proposed as a replacement for existing facilities.
- 2.19 The purpose of the pumping system is to remove wastewater from the proposed restroom facilities. The pump would be a below ground installation and as such would not generate any significant noise. There would be no requirement for the pumping station to be emptied as it would transfer wastewater from the restroom facilities to the main sewer system serving the wider Site. A drawing has not been provided of the exact location of the pumping station, as this is a Building Regulation matter, rather than a Planning issue. However, a Condition could be accepted for this.
- 2.20 The proposed restroom facilities is moveable, but planning permission is sought for its permanent siting. No hardstanding is proposed around the proposed restroom facilities.
- 2.21 The fitting of a water butt is not an option given the potential risk to public health.
- 2.22 Both Local and National Policy Guidance requires an appropriate assessment proportionate to the scale of development proposed. In this respect, the Flood Risk Assessment is considered appropriate to the development proposals in question; something that is clearly confirmed by the lack of any technical objection from either the County Council as LLFA or the Environment Agency.

**Statutory Consultee responses**

2.23 Statutory consultation responses received are as follows:

Consultee	Original comment	Comment on updated documentation
SCC LLFA	03.02.2022: No objection	07.02.2023: As there is no change to the impermeable area or Surface Water drainage system we would have no further comments
Environment Agency	15.06.2022: As there is no intention to discharge foul drainage to ground from the proposed development, we have no comments on the proposal from a groundwater protection perspective	No comments received

**Neighbour representation**

2.24 Neighbours consulted on the original planning application and those that commented on the original planning application were notified of new documentation.

2.25 3 letters from neighbouring properties have been received, summarised as follows:

- The Flood Risk Assessment includes only the area covered by the Bounce Pillows, some play structures, the lorikeet enclosure and the gas tank holder, all added without planning permission, and the proposed location for the restroom facilities. It does not include an appraisal of developments on the entire Site as required by Planning Committee. A thorough Flood Risk Assessment should be conducted, including all development added to the Site
- It is unclear why details of a pumping station technical specification have been submitted with this application, or where the pump would be located, how connections would be made to the sewer, the flooding impact and the impact of noise generated by the pump
- Clarity required regarding whether a septic tank is proposed
- Clarity required whether hardstanding is proposed around the restroom facilities
- Previous Committee Reports did not reference Policy CS6 or DM6.

**Queries raised by Members during Planning Committee, 06 October 2022**

2.26 Officers have reviewed the recording of the Planning Committee, dated 06 October 2022. During the meeting, Officers answered questions raised by Planning Committee. The recording confirms that Planning Committee raised queries relating to:

- Committee Report refers to reviewing the Site holistically
- Development in the Green Belt
- No Flood Risk Assessment
- Clarification on sewage removal
- Potential noise from pumping
- Can a sedum roof and water butt be installed?
- Structure is moveable, but application is applied for on a permanent basis
- Will the proposal provide disabled access?

2.27 Officers answered the queries raised by Planning Committee during the meeting.

**Officer review of additional documentation**

- 2.28 Condition 24 of the 2011 Planning Permission sets out that the development permitted shall be carried out in accordance with approved documents, including the Flood Risk Assessment, dated July 2011. This confirms that the flood risk associated the original development was assessed in 2011. The FRA confirmed that the proposed development was appropriate and sustainable.
- 2.29 The Applicant has provided additional documentation, including a Flood Risk Assessment, to support this planning application. This concludes that overall, the development would be safe, without increasing flood risk elsewhere as a result of development. SCC LLFA has reviewed this application and confirmed no further comments. No further comment has been received from the Environment Agency, who did not object to the scheme when first consulted.
- 2.30 As stipulated within the Committee Report, dated 06 October 2022, the proposed restroom facilities are considered necessary to provide additional welfare facilities, to complement the existing facilities within the main building complex, where disabled and baby changing facilities are located.
- 2.31 This is a moveable structure, restricted only by its service connections. The Planning Agent confirmed there would be no hardstanding, a sedum roof is not proposed and a water butt could not be provided.
- 2.32 The Planning Agent has confirmed that the pump would be a below ground installation and as such would not generate any significant noise. Officers note that the proposal is positioned away from nearby residential properties by approximately 60 metres, so not to adversely impact neighbouring dwellings in terms of noise or disturbance.

**Sustainability, Climate & Environmental Impact of the proposal**

- 2.33 The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 7). It sets out that sustainable development has overarching economic, social and environmental objectives. The environmental objectives include mitigating and adapting to climate change. Paragraph 9 of the NPPF states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account.
- 2.34 Consideration of sustainability and climate change are embedded within the Local Planning Authority's Core Strategy and Development Management Policies Document. Specifically, Policy CS1 sets out 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, both in Epsom and Ewell, and more widely. 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 of future generations. Policy CS6 sets out that development should result in a sustainable environment and reduce, or have a neutral impact upon, pollution and climate change.
- 2.35 The updated documentation includes a Flood Risk Assessment, which confirms that the development proposed would be safe, without increasing flood risk elsewhere. It is considered to comply with relevant sustainability policies, including CS1 and CS6 of the Core Strategy 2007.

**Conclusion**

- 2.36 The Applicant has provided additional documentation, including a Flood Risk Assessment, to support this planning application. SCC LLFA has confirmed no further comments and the Environment Agency has not provided a further response beyond their original no objection.
- 2.37 Officers recommend approval of this planning application, subject to Planning Conditions.

**Recommendation**

- 2.38 Approve subject to 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:

P200/3.001 Rev 01 – Location Plan – dated 27.09.21

P200/3.2001 Rev 02 – Proposed Restroom Facility – dated 26.08.21

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 development hereby permitted shall be constructed entirely of the materials as detailed on the schedule of materials on the Application Form.

Reason: To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

4. Prior to the occupation of the development, details of the storage tank, including its location, shall be submitted to the Local Planning Authority for approval. The development shall accord with the approved details.

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

**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