

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

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| Ward: | Ruxley Ward |
| Site: | Hobbledown Horton Lane Epsom Surrey KT19 8PT |
| Application for: | 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) |
| Contact Officer: | Ginny Johnson |

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=R58V8RGYMLI00>

2 Summary

- 2.1 This (Section 73 of the Town and Country Planning Act 1990) application seeks to amend Condition 14 of planning permission ref: 11/00511/FUL, to allow deliveries associated with the farm shop and café to be made through the McKenzie Way access.
- 2.2 To confirm with Condition 14, delivery lorries with farm shop and café goods are required to access the Site via the main customer access. These vehicles must park and manoeuvre within the main car park, which impedes flow through the car park and creates conflict between HGV movements and customer (vehicular and pedestrian) movements. Risk assessments confirm a significant risk to the health and safety of visitors, including young families visiting the Site.
- 2.3 Often deliveries to the Site (including from KFF, a food wholesaler and Urban Foodservice, a foodservice provider) serve both the animal/agricultural practices and the farm shop/café. It is neither practical, nor reasonable, for an HGV with "mixed deliveries" to unload goods at one access point, to then travel to the other access, to unload other goods.
- 2.4 On average, the Site receives three deliveries per day, six times a week. These deliveries consist of a typical 7.5/12 tonne fixed wheelbase HGV delivery lorry. Deliveries are usually received at times varying between 07:00 – 12:00 (midday).
- 2.5 SCC Highways has been formally consulted on this application and recommends two Conditions to be imposed (should planning permission be granted), including modifying the access at McKenzie Way and implementing parking restrictions and a Traffic Regulation Order. Should planning permission be granted, Officers recommend that Conditions are worded so that works are implemented within a set timeframe.

- 2.6 Officers are satisfied that in overall terms, there would be limited harm caused by this proposal. In terms of pedestrian safety, there may be an improvement, by removing deliveries from the main car park. Subject to proposed Conditions being attached to a new planning permission, ensuring works are carried out within a set timeframe, there is no objection from a highway's perspective. EEBC Environmental Health has also confirmed no objection to the proposal, raising no issues in relation to noise.
- 2.7 Amending the wording of Condition 14 would enable more efficient deliveries, which in turn creates a safer environment and supports the continued success of the business. Officers recommend approval of the application.

3 Site description

- 3.1 The Application Site ("Site") is known as "Hobbledown", which is a children's farm comprising a fantasy themed adventure park and zoo, with indoor and outdoor children's play areas and apparatus. It measures approximately 13.3 hectares in size, located to the west of Horton Lane and to the south of McKenzie Way.
- 3.2 The wider Site is designated as:
- Green Belt
 - Horton Country Park Nature Reserve
- 3.3 Part of the wider Site is designated as:
- Critical Drainage Area
 - Intermediate Gas Main.
- 3.4 The wider Site is within Flood Zone 1.

4 Proposal

- 4.1 Planning permission was granted in 2011, under ref: 11/00511/FUL, for:
- "Continued use of agricultural/educational farm as children's farm (sui generis) including extension to main barn, new entrance kiosk, replacement lean to barn, replacement kiosk, replacement of party/school rooms, relocation of play equipment, creation of new pond, additional landscaping, biodiversity improvements and new sensory/kitchen garden (amended description)"*
- 4.2 An "application for removal or variation of a condition following grant of planning permission. Town and Country Planning Act 1990.Planning (Listed Buildings and Conservation Areas) Act 1990" has been submitted to the Local Planning Authority. This is otherwise known as "Section 73 of the Town and Country Planning Act 1990". This allows applications to be made for permission to develop without complying with a Condition(s) previously imposed on a planning permission.
- 4.3 This (Section 73 of the Town and Country Planning Act 1990) application seeks to amend Condition 14 of planning permission ref: 11/00511/FUL, which relates to the McKenzie Way access. The proposal seeks to allow deliveries to the farm shop and cafe via the McKenzie Way access.
- 4.4 Condition 14 of planning permission ref: 11/00511/FUL is as follows:

The vehicular access from McKenzie Way shall not at any time be used by customers of the children's farm and shall be solely used for deliveries associated with the animals and agricultural practices on the site. All deliveries associated with the farm shop and café shall be through the main car park access from the Horton Lane/Abbotts Avenue roundabout.

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 as required by Policies MV8 and DC1 of the Local Plan (May 2000)

- 4.5 This Committee Report does not seek to review all material considerations relating to planning permission ref: 11/00511/FUL. It seeks to review the specific request to amend Condition 14 only. All other material considerations are addressed with planning permission ref: 11/00511/FUL.

5 Comments from third parties

- 5.1 The application was advertised by means of letters of notification to 10 neighbouring properties. 9 letters of objection have been received regarding:

- Congested traffic (health and safety issues)
- Impact on neighbouring amenity (noise and disturbance)
- Retrospective application, but SCC Highways response requires action

Consultations

- SCC Highways: recommend Conditions
- EEBC Environmental Health: no objections.

6 Relevant planning history

| Application number | Decision date | Application detail | Decision |
|--------------------|---------------|---|----------|
| 22/00008/REM | Pending | Variation of condition 2 of planning permission 11/00511/FUL (hours of operation) to open the site to the public at 08:30 instead of 09:00 as previously conditioned | Pending |
| 22/00009/FUL | Pending | Siting and installation of restroom facilities | Pending |
| 22/00010/FUL | Pending | Erection of perimeter boundary timber fencing, relocation of entrance gates and installation of gas tank holder (Retrospective) | Pending |
| 22/00011/REM | Pending | 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 | Pending |
| 22/00013/REM | Pending | Variation of Condition 14 (vehicular access) of planning application | Pending |

| Application number | Decision date | Application detail | Decision |
|--------------------|-------------------------------|--|-------------------------------|
| | | 11/00511/FUL to allow deliveries to the farm shop and cafe via McKenzie Way access | |
| 21/02021/FUL | Pending | Installation of timber and netting outdoor play structures, installation of 3 no. bounce pillows and construction of Lorikeet enclosure/structure (retrospective) | Pending |
| 19/01691/FUL | Granted | Development of a bird of prey shelter | 10 December 2020 |
| 19/01573/REM | Granted | Amendment to play structure permitted under 17/00988/FUL to provide new smaller play structure for younger children | 16 March 2020 |
| 18/00154/FUL | Refused | Erection of bird of prey shelter | 03 July 2018 |
| 18/00141/FUL | Granted | Use of land for the siting of one canvas yurt and one timber clad tepee | 04 July 2018 |
| 18/00044/FUL | Granted | Siting of eight animal shelters (retrospective) | 15 June 2018 |
| 17/00988/FUL | Granted | Addition of timber and netting outdoor play structure | 20 December 2017 |
| 14/00144/FUL | Granted at appeal, 02.07.2015 | Creation of overflow car parking area and associated landscaping | Granted at appeal, 02.07.2015 |
| 14/00145/REM | Granted | Variation of Condition 3 (amplified sound) of permission 11/00511/FUL to allow the use of amplified sound without permanent Public Address Systems for children's entertainment activities within designated areas of the site subject to restrictions on audience capacity, hours of use and noise levels | 28 July 2014 |
| 14/00146/REM | Granted at appeal, 02.07.17 | Variation of Condition 20 of 11/00511/FUL (Continued use of agricultural/educational farm as children's farm (sui generis) including extension to main barn, new entrance kiosk, replacement lean-to barn, replacement kiosk, replacement of party/school rooms, relocation of play equipment, creation of new pond, additional landscaping, biodiversity improvements and new sensory/kitchen | Granted at appeal, 02.07.17 |

| Application number | Decision date | Application detail | Decision |
|--------------------|---------------|--|-------------------|
| | | garden) to remove the reference to Zone F.7 on the approved plan 6773/50 Rev H that restricts its use solely for the keeping of animals and not, at any time, being accessible to the public, in order to allow it to be utilised as an extension to the existing car park | |
| 13/01184/FUL | Granted | Demolition of an existing kiosk and relocation and erection of a replacement kiosk building and the demolition of an existing handwash facility and erection of a replacement toilet block building incorporating handwash facility | 14 February 2014 |
| 13/00499/FUL | Granted | Roof canopy extension to main barn, to provide covered space for existing outdoor eating area | 15 October 2013 |
| 11/01394/NMA | Granted | Revision of entrance kiosk layout and revised floor layout. Re- use of existing playrooms and new barn (6773/71D) not being constructed | 1 June 2012 |
| 11/00511/FUL | Granted | Continued use of agricultural/educational farm as children's farm (sui generis) including extension to main barn, new entrance kiosk, replacement lean to barn, replacement kiosk, replacement of party/school rooms, location of play equipment, creation of new pond, additional landscaping, biodiversity improvements and new sensory/kitchen garden (amended description_ | 09 December 2011 |
| 98/00724/FUL | Granted | Erection of open fronted hay barn & new machinery shed, and erection of a new barn suitable for demonstration, picnic and play area involving demolition of old open sided barn | 08 April 1999 |
| 98/00220/FUL | Granted | Extension to existing car park for visitors | 10 September 1998 |

7 Planning Policy

National Policy Planning Framework (NPPF) 2021

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| Chapter 2 | Achieving sustainable development |
| Chapter 6 | Building a strong, competitive economy |
| Chapter 8 | Promoting healthy and safe communities |
| Chapter 9 | Promoting sustainable transport |

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| Chapter 12 | Achieving well-designed places |
| Chapter 13 | Protecting Green Belt Land |
| Chapter 14 | Meeting the challenge of climate change, flooding and coastal change |

Core Strategy 2007

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|-------------|---|
| Policy CS1 | Creating Sustainable Communities in the Borough |
| Policy CS2 | Green Belt |
| Policy CS3 | Biodiversity and Designated Nature Conservation Areas |
| Policy CS16 | Managing Transport and Travel |

Development Management Document 2015

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|-------------|---|
| Policy DM1 | Extent of the Green Belt |
| Policy DM3 | Replacement and extensions of buildings in the Green Belt |
| Policy DM4 | Biodiversity and New development |
| Policy DM5 | Trees and Landscaping |
| Policy DM6 | Open Space Provision |
| Policy DM9 | Townscape Character and Local Distinctiveness |
| Policy DM10 | Design Requirements for New Developments |
| Policy DM19 | Development & Flood Risk |
| Policy DM35 | Transport and New Development |
| Policy DM36 | Sustainable Transport for New Development |

8 Planning considerations

Principle of development

Proposal overview

8.1 Planning permission was granted in 2011, under ref: 11/00511/FUL, for:

“Continued use of agricultural/educational farm as children’s farm (sui generis) including extension to main barn, new entrance kiosk, replacement lean to barn, replacement kiosk, replacement of party/school rooms, relocation of play equipment, creation of new pond, additional landscaping, biodiversity improvements and new sensory/kitchen garden (amended description)”

8.2 An “application for removal or variation of a condition following grant of planning permission. Town and Country Planning Act 1990.Planning (Listed Buildings and Conservation Areas) Act 1990” has been submitted to the Local Planning Authority. This is otherwise known as “Section 73 of the Town and Country Planning Act 1990”. This allows applications to be made for permission to develop without complying with a Condition(s) previously imposed on a planning permission.

8.3 This (Section 73 of the Town and Country Planning Act 1990) application seeks to amend Condition 14 of planning permission ref: 11/00511/FUL, to allow deliveries to the farm shop and cafe via the McKenzie Way access.

8.4 Condition 14 of planning permission ref: 11/00511/FUL is as follows:

The vehicular access from McKenzie Way shall not at any time be used by customers of the children’s farm and shall be solely used for deliveries associated with the animals and agricultural practices on the site. All deliveries associated with the farm shop and café shall be through the main car park access from the Horton Lane/Abbotts Avenue roundabout.

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 as required by Policies MV8 and DC1 of the Local Plan (May 2000)

- 8.5 This Committee Report does not seek to review all material considerations relating to planning permission ref: 11/00511/FUL. It seeks to review the specific request to amend Condition 14 only. All other material considerations are addressed with planning permission ref: 11/00511/FUL.

Policy

- 8.6 Policy CS16 sets out that encouragement is given to development proposals and management policies which foster an improved and integrated transport network. Throughout the Borough the Council will seek to ensure that highway design responds to the positive characteristics of an area and delivers a high-quality public realm for all users. In creating new places, highway design should ensure that the needs of vehicular traffic do not predominate to the detriment of other modes of travel or to the quality of the environment created.
- 8.7 Policy CS16 further sets out that development proposals shall (inter alia) provide safe, convenient and attractive accesses for all, be appropriate for the highways network in terms of the volume and nature of traffic generated and ensure that the safety, convenience and free flow of traffic using the highway are not adversely affected and ensure that vehicular traffic generated does not create new, or exacerbate existing, on-street parking problems, nor materially increase other traffic problems.
- 8.8 Policy DM35 sets out that the impact of new development on the transport network will be assessed against other plan policies and transport standards.
- 8.9 Policy DM36 sets out that to secure sustainable transport patterns and usage across the Borough, access needs of pedestrians and cyclists in the design of new developments shall be prioritised.
- 8.10 Policy D38 sets out that the Council will work with its partners to reduce traffic congestion caused by obstructions on the highway, specifically by illegally parked cars and delivery vehicles.

Applicant's Cover Letter

- 8.11 A Cover Letter, dated 22 December 2021, accompanies this application. It sets out that this application seeks to vary Condition 14 of planning permission ref: 11/00511/FUL, to allow deliveries associated with the farm shop and café to be made through the McKenzie Way access, as opposed to the main car park access from the Horton Lane/Abbotts Avenue roundabout.

Applicant's Planning Statement

- 8.12 A Planning Statement, dated 22 December 2021, accompanies this application. It sets out that on since opening in 2012, up to 2020, the Site attracted an overage of 230,000 visitors annually, evidencing the success of the Site as a visitor attraction. On average, the Site receives three deliveries per day, six times a week. These deliveries consist of a typical 7.5/12 tonne fixed wheelbase HGV delivery lorry. Deliveries are usually received at times varying between 07:00 – 12:00 (midday).

- 8.13 The Planning Statement sets out in conformity with Condition 14, delivery lorries with farm shop and café goods are required to access the Site via the main customer access. These vehicles must park and manoeuvre within the main car park, which impedes flow through the car park and creates conflict between HGV movements and customer (vehicular and pedestrian) movements. Risk assessments confirm a significant risk to the health and safety of visitors, including young families visiting the Site. Therefore, the approach to accessing the Site is required to change.
- 8.14 The Planning Statement sets out that often deliveries to the Site (including from KFF, a food wholesaler and Urban Foodservice, a foodservice provider) serve both the animal/agricultural practices and the farm shop/café. It is neither practical, nor reasonable, for an HGV with "mixed deliveries" to unload goods at one access point, to then travel to the other access, to unload other goods.
- 8.15 The Planning Statement sets out that safe and suitable access arrangements can be achieved for all deliveries via the McKenzie Way access. This improves health and safety at the Site, removing conflict between customer (vehicular and pedestrian movements) and HGV movements.
- 8.16 The Planning Statement sets out that the existing gated access is approximately 11.5 metres back off the edge of the carriageway, allowing for vehicles to pull off the main carriageway of McKenzie Way, prior to entering the Site. The Applicant is also looking to further improve access arrangements through the relocation of the existing access gates, 2 metres further into the Site, which is subject to a separate planning application. This would allow sufficient space for vehicles to completely pull off the main carriageway, should the access gates be closed upon arrival to the Site.
- 8.17 The Planning Statement sets out that the operators of Hobbledown do not wish to stop using the main entrance for deliveries, but to have the ability to use the McKenzie entrance, when the timing of a delivery would conflict with visitor opening times.

Applicant email, 28.09.2022

- 8.18 The Applicant provided an email, on 28.09.2022, providing further information around typical vehicle movements at the Site, on a weekly basis. This is summarised below:
- 2 cleaning and PPE deliveries a week, used by the animal, maintenance, and clean departments (Nivek) – currently delivered to the front of the Site (Monday and Thursday)
 - Catering for commercial kitchens and providing food for the zoo animals (fruit and veg) (Urban & Bidfood) – 6 days a week – currently 50% split on front and rear entrance, depending on delivery contents
 - Blacksmith supplies – once a week – rear
 - Waste services – including refuse, recycling and animal incineration and waste – 1 to 2 times a week – rear
 - Animal substrate and dry feed for domestic animals – once a week rear

The only vehicle movements that would be redirected from the front to the rear entrance would potentially be the cleaning and PPE deliveries (x2), which is not a significant intensification of the use of the previously approved delivery access.

The catering delivery serves both the café and zoo operations. Such catering deliveries delivered to the rear of the Site would comply with the provisions of Condition 14 of 11/00511/FUL, by dropping off provisions for zoo/farming operations, i.e. fresh food as required by the various animals.

Consultations

8.19 SCC Highways provided a response on 12 May 2022, recommending conditions to be attached to any planning permission granted. Condition 1 requires the existing access onto McKenzie Way to be modified in accordance with a scheme to be submitted to and approved in writing by the County Highway Authority. Condition 2 requires parking restrictions and a Traffic Regulation Order to be designed and implemented on McKenzie Way in the vicinity of the Site, including in between proposed access and egress points, in accordance with a scheme to be submitted to and approved in writing by the County Highway Authority.

8.20 The Applicant responded to SCC Highways' response, summarised below:

The application does not seek planning permission for any operational development and a widening of the McKenzie Way access would be required to facilitate two-way large vehicle movements. The existing access has previously been considered acceptable in terms of its geometry and for accepting deliveries to the Site, albeit excluding deliveries for the farm shop and café. Deliveries to the Site often serve both the animals/agricultural practices and the farm shop/café elements of the Site, including deliveries of fresh fruit/vegetables and fish. Similarly, there would also be deliveries of consumables that would serve both the needs of staff working within the agricultural side of the Site and those working within the farm shop café. Given that it has previously been accepted that the access is appropriate for deliveries, having regard to its existing geometry, we fail to see why now a wider access is required.

With regards to the need for a plan showing double-yellow lines being introduced, we fail to see the appropriateness or relevance of such a plan, as any restrictions shown would not hold any weight. Vehicles park on the roadside adjacent to the McKenzie Way access to the Hobbledown, with there being no parking restrictions currently in place. This parking is not necessarily related to the operation of Hobbledown. The introduction of any such parking restrictions along this part of the highway would need to be the subject of an appropriate Traffic Regulation Order (TRO) instigated by the LHA, that would need to go through the appropriate process, including public consultation. We do not feel that it would be appropriate for such to be secured through any such planning permission, as should TRO receive any objections any such planning permission would in theory then become 'unimplementable'. We therefore request that this requirement is revisited.

8.21 SCC Highways provided a response to the above, summarised below:

If this application were to be approved as it is and no further improvements made to the access arrangements (as suggested), this may cause problems in the future since there would be the potential for deliveries and servicing to increase. To ensure the access onto McKenzie Way is up to current standards and suitable for servicing, deliveries and any potential increase in use, the recommended improvements would be required.

The Condition is currently in breach, but this does not bear any impact on our stance from a highway's perspective. As such, the previous response providing Conditions to seek access arrangement improvements is still recommended.

8.1 EEBC Environmental Health formally commented on this application, with no objection.

Planning Assessment

8.2 National and Local planning policy encourages the conditions in which business can invest, expand, and adapt. It also promotes social interaction and healthy lifestyles through the provision of social and recreation facilities. Hobbledown is a successful local business, meeting an identified community need and providing employment opportunities.

- 8.3 Since the planning permission was granted in 2011, Hobbledown has undergone major refurbishment and expansion as a leisure attraction. Officers understand that as the business has grown and adapted, so too has its operational requirements.
- 8.4 To accord with Condition 14, delivery lorries with farm shop and café goods are required to access the Site via the main customer access. Delivery lorries must park and manoeuvre within the main car park, which impedes flow through the car park and creates conflict between HGV and customer (vehicular and pedestrian movements) movements. This presents health and safety issues. Furthermore, Officers understand that it is impractical to require a delivery lorry with animal/agricultural goods and farm shop/café goods to unload goods at one access point, to then travel to another access, to unload other goods.
- 8.5 The Planning Statement submitted with this application suggests that on average, the Site receives three deliveries per day, six times a week. These deliveries consist of a typical 7.5/12 tonne fixed wheelbase HGV delivery lorry. Deliveries are usually received at times varying between 07:00 – 12:00 (midday).
- 8.6 SCC Highways has suggested two Conditions to be attached to any planning permission granted. Officers recommend amending the proposed Condition wordings, to ensure that works are carried out within a set timescale.
- 8.7 Subject to the proposed Conditions being attached to a new planning permission, ensuring works are carried out within a set timeframe, there is no objection from a highway's perspective. EEBC Environmental Health has also confirmed no objection to the proposal, raising no issues in relation to noise.
- 8.8 Amending the wording of Condition 14 would enable more efficient deliveries, which in turn creates a safer environment and supports the continued success of the business.

9 Conclusion

- 9.1 This (Section 73 of the Town and Country Planning Act 1990) application seeks to amend Condition 14 of planning permission ref: 11/00511/FUL, to allow deliveries associated with the farm shop and café to be made through the McKenzie Way access.
- 9.2 To confirm with Condition 14, delivery lorries with farm shop and café goods are required to access the Site via the main customer access. These vehicles must park and manoeuvre within the main car park, which impedes flow through the car park and creates conflict between HGV movements and customer (vehicular and pedestrian) movements. Risk assessments confirm a significant risk to the health and safety of visitors, including young families visiting the Site.
- 9.3 Often deliveries to the Site (including from KFF, a food wholesaler and Urban Foodservice, a foodservice provider) serve both the animal/agricultural practices and the farm shop/café. It is neither practical, nor reasonable, for an HGV with "mixed deliveries" to unload goods at one access point, to then travel to the other access, to unload other goods.
- 9.4 On average, the Site receives three deliveries per day, six times a week. These deliveries consist of a typical 7.5/12 tonne fixed wheelbase HGV delivery lorry. Deliveries are usually received at times varying between 07:00 – 12:00 (midday).

- 9.5 SCC Highways has been formally consulted on this application and recommends two Conditions to be imposed (should planning permission be granted), including modifying the access at McKenzie Way and implementing parking restrictions and a Traffic Regulation Order. Should planning permission be granted, Officers recommend that the Conditions are worded so that works are implemented within a set timeframe.
- 9.6 Officers are satisfied that in overall terms, there would be limited harm caused by this proposal. Subject to the proposed Conditions being attached to a new planning permission, ensuring works are carried out within a set timeframe, there is no objection from a highway's perspective. EEBC Environmental Health has also confirmed no objection to the proposal, raising no issues in relation to noise.
- 9.7 Amending the wording of Condition 14 would enable more efficient deliveries, which in turn creates a safer environment and supports the continued success of the business. Officers recommend approval of the application.

10 Recommendation

10.1 Grant, subject to Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of the original planning permission (11/00511/FUL)

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 premises shall not be open to the public outside the hours of 09:00 and 19:00 except on a Friday and Saturday when the internal areas and external areas marked Zone E.4, Zone H, Zone I and Zone K on approved plan 6773/50 Rev H shall additionally be permitted to open until 20:00.

Reason: To safeguard the amenities of neighbouring occupiers as required by Policy DM10 of the Development Management Policies 2015.

3. No permanent public address systems, sirens, horns or klaxons shall be operated on the site at any time. Amplified sound without the use of permanent Public Address Systems is permitted outdoors for entertainment only to audiences of a maximum size of 50 people from 09:00 hours until 19:00 hours Sunday to Thursday, 09:00 hours until 20:00 hours Friday and Saturday. Amplified music is not permitted outdoors. In all cases noise levels relating to amplified sound shall not exceed 65 decibels LAeq (15 minute) at the boundary of the site at any time. For the avoidance of doubt entertainment with the use of amplified sound shall be confined to puppet shows, birds of prey displays and other similar events directly related to the permitted use as a children's farm and shall only be undertaken within the designated areas shown on Drawing No 0013-03 Rev A dated 17/06/14. Granted under 14/00145/REM, dated 28 July 2014

Reason: In the interests of the amenities of adjacent residential properties in accordance with Policy DM10 of the Development Management Policies 2015.

4. With the exception of the tractor tour to be retained on site, no mechanical or fairground rides shall be installed or operated on the site at any time unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the locality in accordance with Policy DM10 of the Development Management Policies 2015

5. The materials to be used on the external faces of the play equipment shall be timber and natural rope and netting with the exception of three stainless steel slides and the steel framework for the spiral climbing net in Play Zone A as shown on drawings 6773/40 Rev D, 6773/41 Rev D and 6773/42 Rev D

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

6. No part of the timber play structures shall exceed a height of 7 metres above the existing ground level with the exception of the turret housing the zip wire launch platform, which shall not exceed a height of 9.5 metres above existing ground level

Reason: To ensure that the proposed development is of an appropriate height having regard to the height of screening landscaping as required by Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015

7. Detailed drawings of a hard and soft landscaping scheme for the planting of trees and shrubs (showing areas to be grass-seeded or turfed and detailing the means of marking out the parking bays within the car park and any new means of enclosure) shall be submitted to and approved in writing by the Local Planning Authority. The soft landscaping shall include additional screen planting within the car park, along Horton Lane and adjacent to Play Zone A and the planting of field trees within the grazing fields and animal enclosures. All landscaping, in accordance with the approved landscaping scheme, shall be carried out within the first planting and seeding season following completion of the development and shall be maintained to the satisfaction of the Local Planning Authority for a period of five years, such maintenance to include the replacement of any plants which die or become damaged during this period

Reason: To ensure the provision and maintenance of landscaping, in the interests of visual amenity as required by Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

8. Other than those trees detailed for removal in the Arboricultural Report (dated 28 July 2011), no trees shall be lopped, topped or felled without the prior written consent of the Local Planning Authority.

Reason: The existing trees represent an important visual amenity which should be substantially maintained as required by Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

9. Tree protection measures shall be carried out in strict accordance with the Arboricultural Report and Tree Protection Plan dated 28 July 2011.

Reason: To enable the Local Planning Authority to ensure the retention of trees on the site, protected from damage in the interests of visual amenity as required by Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

10. The measures to improve the biodiversity of the site as set out in the Ecological Appraisal (dated August 2011) shall be carried out within a period of twelve months from the date on which the development of the site is commenced or within an alternative timescale to be agreed in writing by the Local Planning Authority in accordance with the Ecological Appraisal recommendations and thereafter shall be managed and maintained in accordance with the Ecological Appraisal. These works shall include, but are not limited to, the installation of bat and bird boxes, the provision of habitat piles, creation of permanent wetland habitats and grassland field management.

Reason: To improve the biodiversity of the site in accordance with Policy CS3 of the Core Strategy (2007) and Policy DM4 of the Development Management Policies 2015

11. Development shall not commence on site until full details of the sustainable drainage have been submitted to and approved in writing by the Local Planning Authority. The details shall include infiltrations rates into the underlying clay strata and climate change allowance as requested by the Environment Agency in their letter dated 20 September 2011. Thereafter, the sustainable drainage shall be carried out in accordance with the approved details and shall be so maintained.

Reason: To reduce surface water run-off from the site in accordance with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

12. No new development shall be brought in to use until space has been laid out within the site in accordance with the approved plans for a maximum of 350 cars to be parked and for the loading and unloading of delivery vehicles and for vehicles to turn so that they may enter and leave the site in a forward gear. The parking and turning areas shall be used and retained exclusively for their designated purpose

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS16 of the Epsom and Ewell Core Strategy (2007) and Policies DM36 and DM37 of the Development Management Policies 2015

13. The Development shall be carried out in accordance with the Travel Plan, approved under 11/01328/COND, dated 28 June 2012, and thereafter maintained

Reason: In accordance with Policy CS16 of the Epsom and Ewell Core Strategy (2007) and Policies DM36 and DM37 of the Development Management Policies 2015

14. The vehicular access from McKenzie Way shall not at any time be used by customers of the children's farm and shall be solely used for deliveries and staff movements associated with the safe and efficient operation of the site

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 as required by Policy CS16 of the Epsom and Ewell Core Strategy (2007) and Policies DM36 and DM37 of the Development Management Policies 2015

15. All external fascias, materials, treatments and finishes of the proposed barn extension shall match those of the existing building to the satisfaction of the Local Planning Authority and the treatment and/or finishes of the external surfaces shall be carried out within a period of three months from the date of occupation of the development.

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

16. The development shall be carried out in accordance with the documentation relating to building/engineering operations, approved under 11/01328/COND, dated 28 June 2012

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 as required by Policy CS16 of the Epsom and Ewell Core Strategy (2007) and Policies DM36 and DM37 of the Development Management Policies 2015

17. The development hereby permitted shall accord with the sustainability measures approved under 11/01328/COND, dated 28 June 2012. The development shall be carried out in strict accordance with the approved details.

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 and to comply with Policy CS6 of the Core Strategy (2007)

18. No construction work shall be carried out in such a manner as to be audible at the site boundary before 07:30 hours on Monday to Friday or after 18:30 hours on Monday to Friday, no construction work shall be audible at the site boundary before 08:00 and after 13:00 hours on Saturdays and no construction work of any nature shall be carried out on Sundays or Bank Holidays or Public Holidays.

Reason: To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties as required by Policy DM10 of the Development Management Policies 2015.

19. Play activities and equipment shall only be sited on or take place in the areas marked Zone A, Zone B, Zone C, Zone D, Zone E.4, Zone H, Zone I and Zone K with play activities and grazing only to take place in Zone F.5 on approved plan 6773/50 Rev H

Reason: In the interests of the visual amenity of the Green Belt and the amenity of neighbouring residential properties as required by Policy CS2 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies 2015

20. The fields marked F. 1 to 4 inclusive, F. 6 and F. 8 on approved plan 6773/50 Rev H shall be solely for the keeping of animals and shall not, at any time, be accessible to the public.

Reason: In the interests of the visual amenity of the Green Belt and the amenity of neighbouring residential properties as required by Policy CS2 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies 2015

21. The animal shelters shown in Zones F. 1 to 10 inclusive on approved plan 6773/50 Rev H shall be used solely for the keeping of animals and shall be removed when no longer required for that purpose

Reason: In the interests of the visual amenity of the Green Belt and the amenity of neighbouring residential properties as required by Policy CS2 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies 2015

22. Details of the siting and design of cycle parking are approved under 11/01328/COND, dated 28 June 2012.

Reason: To encourage travel to and from the site by bicycle in accordance with Policy CS16 of the Core Strategy (2007)

23. A Visitor Management Plan is approved under 11/01328/COND, dated 28 June 2012. The Visitor Management Plan shall be updated, to control visitor numbers within the approved car park and overflow car park. This shall be submitted and approved by the Local Planning Authority by 06 January 2023.

Reason: In the interests of the amenities of neighbouring residential properties and to ensure the development does not prejudice the free and safe flow of traffic, in accordance with Policy CS16 of the Epsom and Ewell Core Strategy (2007) and Policies DM10, DM36 and DM37 of the Development Management Policies (2015)

Reason: In the interests of the amenities of neighbouring residential properties and to ensure the development does not prejudice the free and safe flow of traffic, in accordance with Policy CS16 of the Epsom and Ewell Core Strategy (2007) and Policies DM10, DM36 and DM37 of the Development Management Policies (2015)

24. The development hereby permitted shall be carried out in accordance with the following approved documents: 6773/40 Rev D, 6773/41 Rev D, 6773/2 Rev D, 6773/43 Rev C, 6773/48 Rev C, 6773/49 Rev D, 6773/50 Rev H, 6773/51 Rev D, 6773/71 Rev D, 6773/72 Rev F, 6773/73 Rev E, 6773/75 Rev D, 6773/76 Rev B, 6773/77 Rev B, 6773/78 Rev F, 6773/79 Rev A, Design and Access Statement (July 2011), Planning Statement (August 2011), Surface Water Drainage and Flood Risk Assessment (July 2011), Highway Statement (July 2011), Ecological Appraisal (August 2011), Landscape and Visual Assessment (August 2011) and Arboricultural Report (28 July 2011)

11 47/ 101L (07/01/12) and 11 47/ 102F (18/01/12), approved under 11/01394/NMA, dated 1 June 2012

188/3.021 Rev. 03, under 22/00013/REM

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).

25. The proposed parking restrictions and the associated Traffic Regulation Order shall be designed and implemented on McKenzie Way in the vicinity of the Site, including in between the proposed access and egress points, at the Applicant's expense, in accordance with a scheme to be submitted to and approved in writing by the County Highway Authority

Reason: in order that the development should not prejudice highway safety nor cause inconvenience to other highway users

26. Full details, of both hard and soft landscape proposals relating to the overspill car park, including a schedule of landscape maintenance for a minimum period of 5 years, shall be 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 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

27. Notwithstanding the submitted plans, the development hereby approved shall not be utilised unless and until a detailed Car parking management plan has been submitted to and approved in writing by the Local Planning Authority. Details of the car parking management plan should include as a minimum:

- Details on the number of proposed overflow car parking spaces
- Formalised car parking bays (minimum dimension to be 2.4m by 4.8m)
- Surface material for overflow car parking area, noting that the fields are unlikely to be usable during wet weather.
- Use of marshals to direct traffic
- Cut off point for when the overflow car parking area will be used
- Anticipated use of the overflow car parking area
- Layout and use of the parking spaces to prevent queuing (resulting in blockages on highway network) and conflict between vehicles

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, to meet the objectives of the NPPF (2021) and to satisfy Policies DM 35, DM 36 and DM 37 of the Development Management Policies Document (2015)

29. The existing access onto McKenzie Way shall be modified in accordance with drawing ref: 188-3.011 Rev. 02 of planning application ref: 22/00010/FUL and shall be modified within six months of planning application ref: 22/00010/FUL and 22/00013/REM being granted planning permission

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, to meet the objectives of the NPPF (2021) and to satisfy Policies DM 35, DM 36 and DM 37 of the Development Management Policies Document (2015)

Appeal A – Ref: Ref: APP/P3610/W/14/3000847

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with drawing no 0017-02.
3. The car park hereby permitted shall be surfaced in accordance with the details shown on drawing no 0017-02 and shall be grassed or shall be surfaced in accordance with details submitted to and approved in writing by the local planning authority prior to installation. The surfacing shall be retained as approved.
4. No development shall take place until a landscaping scheme has been submitted to and approved in writing by the local planning authority. This shall include a schedule of the species and sizes of

trees to be planted, a ground preparation specification and details of aftercare maintenance. The approved landscaping shall be implemented before the use of the car park hereby permitted commences and shall be maintained in accordance with the approved details. Any trees that are removed, uprooted, destroyed or die or become seriously damaged or defective within 5 years of planting shall be replaced at the same place by another tree of the same species and size as that originally planted unless the local planning authority gives its written approval to any variation

Appeal B - Ref: APP/P3610/W/14/3000633

20. The fields marked Zone F.1 to 4 inclusive and Zone F.6 to 10 inclusive on approved plan 6773/50 Rev H shall be used solely for the keeping of animals and shall not, at any time, be accessible to the public other than that part of Zone F.7 shown as a car park extension on drawing no 0017-02 accompanying planning permission Ref 14/00144/FUL (Appeal Ref: APP/P3610/W/14/3000847).

Informatives

1. Details of the highway requirements necessary for the inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Control Division of Surrey County Council
2. A standard fee may be charged for input to and future monitoring of any travel plan
3. Any unilateral undertaking shall be in accordance with Surrey County Council's standard format
4. The developer would be expected to instruct an independent transportation data collection company to undertake the monitoring survey. This survey must conform to a TRICS Multi-Modal Survey format consistent with the UK Standard for Measuring Travel Plan Impacts as approved by the Highway Authority. To ensure that the survey represents typical travel patterns, the organisation taking ownership of the travel plan will need to agree to being surveyed only within a specified annual quarter period but with no further notice of the precise survey dates. The developer would be expected to fund survey validation and data entry costs.
5. Animal displays should be solely for educational purposes.
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 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