

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

Ward:	Ruxley Ward
Site:	Hobbledown Horton Lane Epsom Surrey KT19 8PT
Application for:	Installation of timber and netting outdoor play structures, installation of 3 no. bounce pillows and construction of Lorikeet enclosure/structure (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=R4VQX8GYMJJ00>

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:

Application reference number	Description Of Development
21/02021/FUL (this application)	Installation of timber and netting outdoor play structures, installation of 3 no. bounce pillows and construction of Lorikeet enclosure/structure (retrospective)
22/00009/FUL	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)
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
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- 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 installation of timber and netting outdoor play structures, installation of 3 no. bounce pillows and construction of Lorikeet enclosure/structure (retrospective):
- Flood Risk Assessment, dated 25 November 2022
 - 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 installation of timber and netting outdoor play structures, installation of 3 no. bounce pillows and construction of Lorikeet enclosure/structure (retrospective):
- Flood Risk Assessment, dated 25 November 2022
 - Email from Planning Agent dated 09 December 2022.
- 2.7 The following paragraphs summarises the content of the new documentation.

Flood Risk Assessment, RPS, 25th 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 382m². 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 of 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. It does set out that the bounce pillows themselves during intense rainfall would be likely to allow an element of ponding initially.
- 2.13 Overall, the FRA sets out that the development proposed would be safe, without increasing flood risk elsewhere.

Emails from Planning Agent dated 09.12.2022 and 28.02.2023

- 2.14 An email from the Planning Agent, dated 09.12.2022 confirms that Planning Committee deferred all planning applications presented to Planning Committee on 06 October 2022, as they were not accompanied by a Flood Risk Assessment. As such, the Applicant has prepared this, to support the planning applications.
- 2.15 The Agent confirmed in an email, dated 28.02.2023, that 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

- 2.16 Statutory consultation responses received are as follows:

Consultee	Original comment	Comment on updated documentation
Environment Agency	No requirement for consultation	17.01.2023: This is a mis consultation and falls outside the EA's remit.
SCC LLFA	25.04.2022: the Applicant has considered the surface water flood risk to and from the Site and has suggested appropriate mitigation measures to inform the planning application	21.12.2023: FRA reviewed. No further comments

SCC Highways	01.10.2022: The application would not have a material impact on the safety and operation of the adjoining public highway	11.01.2023: The application would not have a material impact on the safety and operation of the adjoining public highway
EEBC Environmental Health	15.06.2022: No comments	No requirement for re-consultation

Neighbour representation

- 2.17 Neighbours consulted on the original planning application and those that commented on the original planning application were notified of new documentation.
- 2.18 3 letters from neighbouring properties have been received, summarised as follows:
- The Flood Risk Assessment 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
 - Previous Committee Reports did not reference Policy CS6 or DM6.

Queries raised by Members during Planning Committee, 06 October 2022

- 2.19 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.
- 2.20 Officers answered the queries raised by Planning Committee during the meeting.

Officer review of additional documentation

- 2.21 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.
- 2.22 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 the small-scale addition of children's play features.
- 2.23 SCC LLFA has confirmed it has no further comments and the Environment Agency has not commented, as this scale of application does not fall within its remit.

Sustainability, Climate & Environmental Impact of the proposal

- 2.24 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.
- 2.25 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.
- 2.26 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

- 2.27 The Applicant has provided additional documentation, including a Flood Risk Assessment, to support this planning application. SCC LLFA has confirmed it has no further comments and the Environment Agency has confirmed that this application does not fall within its remit for formal consultation.
- 2.28 Officers recommend approval of this planning application, subject to Planning Conditions.

Recommendation

- 2.29 Approve subject to Conditions

Conditions

1.The development hereby permitted shall be carried out in accordance with the following approved plans:

188/0/001 Rev 03 – Location Plan – dated November 2021

188/3.101 Rev 03 – Proposed Site Plan – dated 25.11.21

Document relating to play equipment (Crystalite Mine, Bounce Pillows, Play Huts)

Lorikeet Enclosure document

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)

2.The development hereby permitted shall be constructed entirely of the materials as detailed on the schedule of materials on the planning application form and submitted details within the Cover Letter and documents (Document relating to play equipment, Crystalite Mine, Bounce Pillows, Play Huts and Lorikeet Enclosure document)

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.

3.The development shall accord with the Flood Risk and Drainage Technical Note (RPS) (HLEF83289, 1, 14 April 2022) and mitigation measures.

Reason: In the interests of flood prevention in accordance with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 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