

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 Summary

- 2.1 This application seeks retrospective planning permission for timber and netting outdoor play structures, the regularisation of construction finish materials on outdoor play towers, the installation of three bounce pillows and the construction of a Lorikeet enclosure at "Hobbledown", the Application Site ("Site").
- 2.2 The wider Site comprises a variety of buildings, structures and play equipment, with no uniform design style. The elements sought as part of this application enhance the wider Site's leisure facility offering and sit comfortably within the wider Site, adding to the characteristics of a well-designed children's farm.
- 2.3 When considering the wider Site "holistically", the elements sought as part of this application do not encroach further into the Green Belt and do not further erode the openness of this part of the Green Belt, given that it is already subject to built form and development and screened with hedgerows and trees. The proposal would not be inappropriate development and so there would be no need to demonstrate that Very Special Circumstances exist for development to be approved.
- 2.4 The wider Site is positioned away from surrounding residential properties. It is recognised that the elements sought as part of this application may be visible from nearby residential properties, but these are not considered to significantly adversely impact the neighbouring amenity enjoyed at these properties, in terms of loss of privacy, loss of outlook, loss of sunlight/daylight, or noise and disturbance, given the separation distances.

- 2.5 SCC Local Lead Flood Authority formally commented on this application, confirming that 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.
- 2.6 Officers recommend approval of this application.

3 Site description

- 3.1 The wider Application 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 Background and 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 Since the planning permission was granted in 2011, “Hobbledown” has undergone major refurbishment and expansion as a leisure attraction.
- 4.3 This application seeks retrospective planning permission, which is the granting of planning permission after works have been undertaken. This application seeks retrospective planning permission for timber and netting outdoor play structures, the regularisation of construction finish materials on outdoor play towers, the installation of three bounce pillows and the construction of a Lorikeet enclosure.
- 4.4 A Cover Letter accompanies this application, which sets out how this planning application seeks to regularise planning permission. This is summarised below:
- Roofs of play towers, approved under ref: 19/01573/REM have not been finished in accordance with the approved schedule of materials. This application seeks to address matters relating to the outdoor play equipment as built/installed
 - Planning Permission ref: 11/00511/FUL included an approved masterplan (drawing ref: 6773/50 Rev H), which set out and controlled uses of specific areas (zones) across the Site. The proposal includes:
 - a purple bounce pillow located in Zone B
 - a blue bounce pillow located within Zone B

- a green bounce pillow located within Zone C
- three children's huts located within Zone B
- a play structure known as the "Crystalite Mine", consisting of three connected timber towers, located within Zone B
- a Lorikeet enclosure, located adjacent to Zone B.

5 Comments from third parties

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

- Errors in Application Form
- Continued, unauthorised development at the Application Site
- Design
- Impact on openness in Green Belt and Open Space (visual impact)
- Impact on neighbouring amenity
- Biodiversity
- Trees and landscaping
- Flood Risk

6 Consultations

- SCC LLFA: no objection
- EEBC Environmental Health: no objection

7 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 11/00511/FUL to allow deliveries to the	Pending

Application number	Decision date	Application detail	Decision
		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 garden) to remove the reference to	Granted at appeal, 02.07.17

Application number	Decision date	Application detail	Decision
		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

8 Planning Policy

National Policy Planning Framework (NPPF) 2021

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

Chapter 9	Promoting sustainable transport
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

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 Policies Document (2015)

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

9 Planning considerations

Principle of Development: Green Belt and Community Facilities

Policy

- 9.1 Paragraph 147 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 9.2 Paragraph 149 of the NPPF sets out that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
 - a) buildings for agriculture and forestry
 - b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
 - c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
 - d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
 - e) limited infilling in villages;
 - f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the Local Planning Authority.

- 9.3 Policy CS2 of the Epsom and Ewell Core Strategy establishes that strict control will continue to be exercised over inappropriate development as defined by Government policy.
- 9.4 Policy CS13 sets out that the loss of community, cultural and built sports facilities, particularly those catering for the young or old will be resisted (unless certain criteria is demonstrated). The provision of new community, cultural and built sports facilities, and the upgrading of those facilities, will be encouraged, particularly where they address a deficiency in current provision, and where they meet the identified needs of communities both within the Borough and beyond.
- 9.5 Policy DM25 sets out that planning permission for employment developments will be approved, provided that (inter alia) the accommodation is flexible and suitable to meet future needs, especially to provide for the requirements of local businesses and small employers and the development must not significantly harm the amenities of nearby occupiers nor cause adverse environmental impact on the surrounding area.
- 9.6 Policy DM34 sets out that planning permission will be given for new or extensions to existing social infrastructure on the basis that it (inter alia) meets an identified need, is co-located with other social infrastructure uses, is of a high-quality design and does not have a significant adverse impact on residential character and amenity.

Consultations

- 9.7 Concerns have been received regarding the retrospective nature of this application and its impact on the openness of the Green Belt. This has been considered by Officers in the assessment of this application.

Officer assessment

- 9.8 Planning permission was granted in 2011, under ref: 11/00511/FUL, for (inter alia) the continued use of the wider Site as a children's farm. Since the planning permission was granted, the wider Site has been subject to major refurbishment and expansion as a leisure attraction.
- 9.9 This application seeks retrospective planning permission, which is the granting of planning permission after works have taken place. This application seeks retrospective planning permission for various elements, including timber and netting outdoor structures, the regularisation of construction finish materials on outdoor play towers, the installation of three bounce pillows and the construction of a Lorikeet enclosure.
- 9.10 The provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport and outdoor recreation is appropriate in the Green Belt, if the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

- 9.11 The wider Site is in use as a children's farm, comprising a variety of buildings, structures and play equipment. The elements sought as part of this application are requisite and appropriate to support the existing use of the wider Site. They contribute to this community facility, which is considered positively.
- 9.12 Openness is one of the essential characteristics of the Green Belt. It is the absence of buildings or development. Openness is epitomised by the lack of buildings rather than those that are unobtrusive or screened in some way. As such, there is a clear distinction between openness and visual impact.
- 9.13 The wider Site does not benefit from the absence of buildings or development. Instead, it comprises a variety of buildings, structures and play equipment, with no uniform design style. The elements sought as part of this application enhance the wider Site's leisure facility offering and sit comfortably within the wider Site, adding to the characteristics of a well-designed children's farm. When considering the wider Site "holistically", the elements sought as part of this application do not encroach further into the Green Belt and do not further erode the openness of this part of the Green Belt, given that it is already subject to built form and development and screened with hedgerows and trees.
- 9.14 The proposal is considered to comply with exception B) of paragraph 149 of the NPPF. The elements sought as part of this application would not further encroach into the Green Belt or erode the openness of this part of the Green Belt, which is already subject to built form and development. Therefore, the proposal would not be inappropriate development and so there would be no need to demonstrate that Very Special Circumstances exist in order for development to be approved. Furthermore, there would be no conflict with Policy CS2.
- 9.15 The proposal is considered to comply with Policies CS13, CS2 and DM34, enhancing the leisure offering at the wider Site.

Design

Policy

- 9.16 Policy DM9 sets out that planning permission will be granted for proposals that make a positive contribution of the Borough's visual character and appearance. In assessing this, the Council considers the proposal's compatibility with local character and the relationship to the existing townscape and wider landscape.
- 9.17 Policy DM10 sets out that development proposal will be required to incorporate principles of good design.

Consultations

- 9.18 Concerns have been received regarding the design of the elements comprising this proposal and their visual impact. This has been considered by Officers in the assessment of this application.

The proposal

- 9.19 A Cover Letter accompanies this application. It sets out how this planning application seeks to regularise planning permission.
- 9.20 The Cover Letters sets out that roofs play towers, approved under ref: 19/01573/REM, have not been finished in accordance with the approved schedule of materials. This application seeks to address matters relating to the outdoor play equipment as built/installed.

9.21 Planning Permission ref: 11/00511/FUL included an approved masterplan (drawing ref: 6773/50 Rev H), which set zones across the Site.

This proposal includes:

- a purple bounce pillow located in Zone B. This measures approximately 11 metres x 5.4 metres and approximately 1 metre in height:



- a blue bounce pillow located within Zone B. This measures approximately 11 metres x 14 metres and approximately 0.3 metres in height:



- a green bounce pillow located within Zone C. This had an approximate diameter of 10 metres and is approximately 1 metre in height:



- three children's huts located within Zone B. The blue top hut measures approximately 2.3 metres x 2,3 metres, with an approximate height of 4.8 metres. The purple top hut measures approximately 2.1 metres x 2.4 metres, with an approximate height of 4 metres. The yellow top hut measures approximately 1.6 metres x 1.6 metres, with an approximate height of 3.2 meters:



- a play structure known as the “Crystalite Mine”, consisting of three connected timber towers, located within Zone B. The two smaller towers measure approximately 1.8 metres x 1.8 metres, with an approximate height of 4.8 metres. The larger tower measures approximately 1.8 metres x 1.8 metres, with an approximate height of 7 metres:





- a Lorikeet enclosure, located adjacent to Zone B. This is predominantly of a timber construction, with neutral coloured netting to the main external enclosure area.



9.22 The Cover Letter sets out that in addition (to the above), Condition 3 of planning permission ref: 19/01573/REM, required the development of the approved play structure (Hobbledown Play Hill) to be constructed in accordance with an approved scheme of materials. This required:

- Play structures and towers: wood (oak and robinia), slides made from stainless steel
- Roofing: wood and oak shingles
- Landscaping/floor: mixture of grass, woodchip and sand.

9.23 The Cover Letter sets out that the materials that have been used for the construction of the approved play structure are “predominantly” in accordance with the approved schedule, but the roof of one of the towers has been finished in aluminium sheeting, to achieve the profile of the approved structure:





Officer assessment

- 9.24 The wider Site comprises a variety of buildings, structures and play equipment, with no uniform design style. The elements sought as part of this application sit comfortably within the wider Site, adding to the characteristics of a well-designed children's farm. The design and materials used are considered acceptable. The proposal is considered to comply with Policies DM9 and DM10.

Neighbour Amenity

Policy

- 9.25 Policy DM10 sets out that development proposal should have regard to the amenities of occupants and neighbours, including in terms of privacy, outlook, sunlight/daylight, and noise and disturbance.

9.26 Consultations

- 9.27 Concerns have been received regarding the proposal's impact on nearby neighbouring amenity, in terms of the visual impact and noise and disturbance. This has been considered by Officers in the assessment of this application.

Officer assessment

- 9.28 The wider Site is positioned away from surrounding residential properties. It is recognised that the elements sought as part of this application may be visible from nearby residential properties, but these are not considered to significantly adversely impact the neighbouring amenity enjoyed at nearby residential properties, in terms of loss of privacy, loss of outlook, loss of sunlight/daylight, given the separation distances that exist between the wider Site and surrounding residential houses (the nearest residential property at 5 McKenzie Way is approximately 85 metres from the elements included within this application).
- 9.29 EEBC Environmental Health was formally commented on this application and raise no objection. The elements sought as part of this application are not considered to adversely impact the neighbouring amenity enjoyed at nearby residential properties in terms of noise and disturbance.
- 9.30 The proposal is considered to comply with Policy DM10.

Flood Risk*Policy*

- 9.31 Policy DM19 sets out that development at risk from sources of flooding should not be supported unless (inter alia) it can be demonstrated through a site Flood Risk Assessment that the proposal would, where practical, reduce risk both to and from the development or at least be risk neutral.

Consultations

- 9.32 Concerns have been receiving regarding potential increase flood risk at the Site. This has been taken into consideration by Officers in the assessment of this application.

Supporting information

- 9.33 A Flood Risk and Drainage Technical Note, dated 14 April 2022, accompanies this application.
- 9.34 The Technical Note sets out that the site is located in Flood Zone 1 and is considered to be at 'low' risk of surface water flooding. The surface water flood risk area correlates to the Critical Drainage Area. It should be noted that based on the scale and nature of the development, there would be limited interruption to the flood flow routing, within the Site and any loss in volume as a result of this is considered to be insignificant.
- 9.35 The Technical Note sets out that based on the proposed development, it is considered that there would be minimal impact to the surface water run-off regime of the proposed areas of hardstanding.
- 9.36 The Technical Note sets out that overall, it is considered that the development would be safe, without increasing flood risk elsewhere as a result of the small-scale addition of children's play features which is considered to have an insignificant impact on the runoff regime.
- 9.37 *Officer assessment*
- 9.38 SCC LLFA formally commented on this application, confirming that 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.
- 9.39 Officers recommend that a Condition is attached to any planning permission granted, to ensure that the development accords with the Flood Risk Technical Note, reviewed by SCC LLFA.
- 9.40 The Application is considered to comply with Policy DM19.

Ecology, Trees, and Landscaping*Policy*

- 9.41 Policy DM4 sets out that development affecting existing or proposed nature conservation sites and habitats of international, national or local importance will only be permitted if (inter alia) the development would enhance the nature conservation potential of the Site, there is no alternative location for the development and there are imperative reasons of overriding public interest for the development. Elsewhere in the Borough, development affecting any Site or building that supports special species protected by Law, will only be permitted if appropriate mitigation and compensatory measures are agreed to facilitate the survival of the species, keep disturbance to a minimum and provide adequate alternative habitats to ensure no net loss of biodiversity.
- 9.42 Policy DM4 further sets out that whether or not there are any species or habitats that enjoy statutory protection, every opportunity should be taken to secure net benefit to the Borough's biodiversity. To this end, an assessment of the existing nature conservation assets on a development site should be undertaken at the application stage and suitable biodiversity enhancements proposed.
- 9.43 Policy DM5 sets out that landscape proposals are required for new developments, which retain existing trees and other important landscape features where practical.
- 9.44 Policy DM5 sets out that every opportunity should be taken to ensure that new development does not result in a significant loss of trees, hedgerows or other landscape features unless suitable replacements are proposed.
- 9.45 The Development Management Policies Document (2015) sets out that the Borough's varied Green Infrastructure assets are a key feature that makes it a unique place to live, work and play. It is a term that is applied to a wide variety of assets, which includes local nature reserves.

Consultations

- 9.46 Concerns have been received regarding the proposal's potential impact on wildlife. This has been considered by Officers in the assessment of this application.

Officer assessment

- 9.47 The Site is located within Horton Country Park Nature Reserve. The principle of development was established on the Site through the 2011 planning permission (ref: 11/00511/FUL), with the Site since undergoing major refurbishment and expansion as a leisure attraction.
- 9.48 The wider Site comprises a variety of buildings, structures and play equipment, with the elements sought as part of this application sitting comfortably within the wider Site, adding to the characteristics of a well-designed children's farm.
- 9.49 It is understood that no trees were removed as part of this application. The Cover Letter, submitted with this application, sets out that existing boundary hedgerows and trees continue to screen the Site.
- 9.50 Whilst no soft landscaping is proposed as part of this application, it is noted that no trees are proposed to be removed and that the Site continues to benefit from boundary hedgerows and trees. The proposal is considered to comply with Policies DM4 and DM5.
- 9.51 The development is contained within the wider site and would not have a detrimental ecological impact on the wider nature reserve.
- 9.52 The development is considered to comply with Policies DM4 and DM5.

Transport and car parking*Policy*

- 9.53 Policy CS16 sets out that development proposals shall (inter alia) minimise the need for travel through measures such as travel plans, 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, provide appropriate and effective parking provision, both on and off-site and ensure that vehicular traffic generated does not create new, or exacerbate existing, on street parking problems, nor materially increase other traffic problems.

Supporting information

- 9.54 The Cover Letter submitted with this application sets out that the Site is operated in accordance with the approved Visitor Management Plan (VMP), associated with the 2011 planning permission (ref: 11/00511/FUL). This ensures that every effort is made by the owners of Hobbledown, to manage access to the Site and to provide as many opportunities as possible for visitors to travel to the Site by modes of travel other than the private car. The VMP is not affected by the development that has been carried out.

Officer assessment

- 9.55 The specific individual elements applied for under this application are unlikely to result in additional trips per se, but they do add to the offer at Hobbledown and, as a consequence, a small overall increase in the number of trips could be generated by the development. SCC Highways have been consulted (and any response will be provided within an update) but given that the development has been carried out without a notable increase in traffic and parking issues, it is considered that the Site offers car parking and operates in accordance with the approved Visitor Management Plan and the impact of this proposal on overall trips and car parking demand is likely to be minimal

10 Conclusion

- 10.1 This application seeks retrospective planning permission for timber and netting outdoor play structures, the regularisation of construction finish materials on outdoor play towers, the installation of three bounce pillows and the construction of a Lorikeet enclosure.
- 10.2 The wider Site comprises a variety of buildings, structures and play equipment, with no uniform design style. The elements sought as part of this application enhance the wider Site's leisure facility offering and sit comfortably within the wider Site, adding to the characteristics of a well-designed children's farm.
- 10.3 When considering the wider Site "holistically", the elements sought as part of this application do not encroach further into the Green Belt and do not further erode the openness of this part of the Green Belt, given that it is already subject to built form and development and screened with hedgerows and trees. The proposal would not be inappropriate development and so there would be no need to demonstrate that Very Special Circumstances exist for development to be approved.
- 10.4 The wider Site is positioned away from surrounding residential properties. It is recognised that the elements sought as part of this application may be visible from nearby residential properties, but these are not considered to significantly adversely impact the neighbouring amenity enjoyed at these properties, in terms of loss of privacy, loss of outlook, loss of sunlight/daylight, or noise and disturbance, given the separation distances.

10.5 SCC Local Lead Flood Authority formally commented on this application, confirming that 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.

10.6 Officers recommend approval of this application.

11 Recommendation

11.1 Grant planning permission, subject to Conditions

Condition(s):

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

2.Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced.

If you need any advice regarding Building Regulations please do not hesitate to contact Epsom & Ewell Borough Council Building Control on 01372 732000 or contactus@epsom-ewell.gov.uk.