

## Minutes of the Meeting of the PLANNING COMMITTEE held at the Council Chamber, Epsom Town Hall on 7 September 2023

---

### PRESENT -

Councillor Humphrey Reynolds (Chair); Councillor Steven McCormick (Vice-Chair); Councillors Steve Bridger (as nominated substitute for Councillor Jan Mason), Kate Chinn, Neil Dallen, Julian Freeman, Bernie Muir, Phil Neale, Peter O'Donovan and Clive Woodbridge

In Attendance: Councillor Christine Howells

Absent: Councillor Jan Mason

Officers present: Simon Taylor (Planning Development & Enforcement Manager), Alex Awoyomi (Solicitor) and Dan Clackson (Democratic Services Officer)

---

#### 14 DECLARATIONS OF INTEREST

No disclosable pecuniary interests were declared by Members in respect of any item of business to be considered at the meeting.

#### 15 MINUTES OF THE PREVIOUS MEETING

The Committee confirmed as a true record the Minutes of the Meeting of the Committee held on 20 July 2023 and authorised the Chair to sign them.

#### 16 22/00316/TPO - 8 GRAFTON ROAD, WORCESTER PARK KT47QP

The Committee received a presentation on the application from the Planning Development and Enforcement Manager.

##### **Description:**

Confirmation of Tree Preservation Order (TPO) No. 476A made in respect of a Scots Pine tree at 8 Grafton Road.

##### **Officer Recommendation:**

- (1) Tree Preservation Order No. 476A is confirmed without modification.
- (2) Tree Preservation Order No. 476 is revoked.

- (3) Tree Preservation Order No. 6 is modified to remove the reference to the Pine T17.

**Decision:**

Following consideration, the Committee resolved (8 For, 1 Abstention, and the Chair not voting) to:

- (1) **Confirm Tree Preservation Order No. 476A without modification.**
- (2) **Revoke Tree Preservation Order No. 476.**
- (3) **Modify Tree Preservation Order No. 6 to remove the reference to the Pine T17.**

**17** 23/00656/REM - 15 BOLEYN AVENUE, EWELL KT17 2QH

The Committee received a presentation on the application from the Planning Development and Enforcement Manager.

**Description:**

Variation of Condition 2 (Approved Plans) of planning permission 23/00257/FUL (Additional detached two-storey house with associated vehicular access; new vehicular access at No.15) to convert the garage to a habitable room and add a first-floor extension.

**Officer Recommendation:**

Approval, subject to conditions and informatives.

**Decision:**

Following consideration, the Committee unanimously resolved to:

**To grant planning permission subject to the following conditions and informatives:**

**Conditions:**

**The amendment of Conditions 1, 2, 4, 5, 7, 12 and 13:**

**(1) Timescale**

The development hereby permitted shall be commenced within 3 years from the date of the original planning permission (ie by 11 May 2026).

**Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

**(2) Approved details**

The development hereby permitted shall be carried out in accordance with the plans numbered EP895-22-01 Rev H, EP895-23-02 Rev K and EP895-23-03 Rev H, all received 1 June 2023.

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

**(3) Materials**

The development hereby permitted shall be constructed entirely out of the materials as detailed on the schedule of materials on the planning application form and specified in the Design & Access Statement.

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

**(4) Obscure glazing**

The above ground and first floor side windows on the north-western elevation and to the rear of bedroom 3 of the development hereby permitted, shall be glazed with obscure glass of no less than obscurity level 3 and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

**Reason:** To safeguard the privacy of the occupants of adjoining properties in accordance with Policy DM10 of the Development Management Policies 2015.

**(5) Hard and soft landscaping**

The approved landscape scheme ref: EP895-22-01 Rev E alongside the written document prepared by Ely Planning Co, as approved in discharge application 23/00651/COND (except for planting, seeding, and turfing) shall be implemented prior to the occupation of the development hereby approved and thereafter retained. The approved landscape scheme shall mitigate tree loss and ensure an uplift in tree planting on Site.

**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.

**(6) Drainage**

The drainage system shall be installed in accordance with the Drainage Strategy Report by 2FP International, dated February 2023. The

development shall be carried out strictly in accordance with the details as approved and maintained as such thereafter.

**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.

**(7) Ecology enhancements**

The Ecology Enhancement scheme ref: EP895-22-01 Rev E alongside the written document prepared by Ely Planning Co, as approved in discharge application 23/00651/COND are to be implemented prior to the occupation of the development hereby permitted and maintained for the life of the development.

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

**(8) Vehicular access**

No part of the development shall be first occupied unless and until the proposed vehicular accesses Aragon Avenue and proposed modified access to Boleyn Avenue have been constructed in general accordance with the approved plans.

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and are in recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework (2021).

**(9) Visibility splays**

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

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and are in recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework (2021).

**(10) Stopping up of existing access**

The development hereby approved shall not be first occupied unless and until any existing accesses from the site have been permanently closed and any kerbs, verge, footway, fully reinstated.

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and are in recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework (2021).

**(11) EV charging**

The development hereby approved shall not be occupied unless and until the proposed dwelling is provided with a fast-charge Electric Vehicle charging point (current minimum requirements – 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

**Reason:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and are in recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework (2021).

**(12) Cycle and bin storage**

The development hereby permitted shall not be occupied until the cycle and bin storage is implemented in accordance with the plan ref: EP895-22-01 Rev E alongside the written document prepared by Ely Planning Co, as approved in discharge application 23/00651/COND.

**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.

**(13) Boundary treatments**

The approved boundary treatments on the plan ref: EP895-22-01 Rev E alongside the written document prepared by Ely Planning Co, as approved in discharge application 23/00651/COND shall be implemented prior to the first occupation of the development. The approved scheme shall thereafter be retained.

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

**Informatives:**

**(1) Proactive discussion**

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, to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

**(2) Building regulations**

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.

**(3) Party Wall Act**

Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

- carry out work to an existing party wall.
- build on the boundary with a neighbouring property.
- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "The Party Walls etc. Act 1996 - Explanatory Booklet.

**(4) Works to the highway**

The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior

approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. Please refer to: [www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs).

**(5) Felling of a highway tree**

If the access works require the felling of a highway tree not being subject to a Tree Preservation Order, and its removal has been permitted through planning permission, or as permitted development, the developer will pay to the County Council as part of its licence application fee compensation for its loss based upon 20% of the tree's CAVAT valuation to compensate for the loss of highway amenity.

**(6) Street works**

The applicant is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to streetlights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

**(7) EV charging points**

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.

**(8) Materials**

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).

**(9) Section 59 of the Highways Act**

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.

**(10) Protected species**

The applicant is reminded that it is an offence to disturb protected species under the Wildlife and Countryside Act 1981. Should a protected species be found during the works, the applicant should stop work and contact Natural England for further advice on 0845 600 3078.

*The meeting began at 7.28 pm and ended at 7.43 pm*

COUNCILLOR HUMPHREY REYNOLDS (CHAIR)