

## Minutes of the Meeting of the PLANNING COMMITTEE held at the Council Chamber, Epsom Town Hall on 5 October 2023

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### PRESENT -

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

Absent: Councillor Jan Mason

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

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### 18 DECLARATIONS OF INTEREST

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

### 19 MINUTES OF THE PREVIOUS MEETING

The Committee confirmed as a true record the Minutes of the Meeting of the Committee held on 7 September 2023 and authorised the Chair to sign them.

### 20 23/00967/FUL MARTIAL ARTS CENTRE, ALEXANDRA RECREATION GROUND, EPSOM, KT17 4BU

The Committee considered that a possible deferral of the application might be in order, on the basis that the building design as set out in the application may not be suitable for community use, suggesting that further time might be required for the application to be reviewed.

The Solicitor in attendance at the meeting provided legal guidance, advising the Committee to receive the Principal Planning Officer's introductory presentation to the application prior to proposing any motions and/or making any decision on the matter.

The Committee received the presentation on the application from the Principal Planning Officer.

### **Description:**

New Martial Arts Centre following demolition of existing building.

**Officer Recommendation:**

Approval, subject to following conditions and informatives.

**Decision:**

Following consideration, Councillor Dallen proposed that the application be deferred to a future meeting of the Committee in order to allow time to seek further information with respect to how the building could be utilised for community use. The proposal was seconded by Councillor Bernie Muir.

The Committee voted (3 for, 6 against and the Chair not voting) against the proposal.

Following further consideration, the Committee resolved (8 for, 1 abstention, and the Chair not voting) to:

**Grant planning permission subject to the following conditions and informatives:**

**Conditions:**

(1) Timescale

The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

(2) Approved Details

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

Drawing Number LOC02

Drawing Number GA02

Drawing Number GA04

Drawing Number GA05

Reason: For the avoidance of doubt and in the interests of proper planning as required by Policy CS5 of the Core Strategy 2007.

(3) Materials

The development hereby permitted shall be constructed entirely of the materials as detailed on the planning application form and supporting documents, unless otherwise approved in writing by the Local Planning Authority.

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) Foundation Method

Prior to the commencement of development, a method statement shall be submitted which details how the pad foundation of the building will be constructed to avoid damage to the roots of the adjacent trees for the approval in writing by the Local Planning Authority. All foundation construction works shall be carried out in strict accordance with the approved details.

Reason: To ensure satisfactory protection of trees in the interest of amenity and environmental protection as required by Policies CS5 of the Core Strategy 2007 and Policies DM5 and DM9 of the Development Management Policies 2015.

(5) Tree Protection

No demolition, site clearance or building operations shall commence on site until the protective fencing and other protection measures as shown in the Arboricultural Report, prepared by Arborsense and dated 04 September 2023 have been installed. At all times until the completion of the development, such fencing and protection measures shall be retained as approved. Within all fenced areas, soil levels shall remain unaltered and the land kept free of vehicles, plant, materials and debris.

Reason: To protect the trees on site which are to be retained 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) Tree Works

Prior to commencement of development a schedule of facilitation tree works, to include those set out in paragraph 7.4 of the Agenda Report, is to be submitted for the approval of the Local Planning Authority and implemented before site construction. No tree within or overhanging the curtilage of the site shall be felled, or pruned, during the construction phase unless detailed in the approved schedule of facilitation tree works. All tree works shall be carried out to British Standard 3998 and in strict accordance with the details as approved.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features in accordance with Policy CS5 of the Core Strategy 2007 and Policies DM5 and DM9 of the Development Management Policies 2015.

(7) Community Use

The development hereby permitted shall be used for community purposes only, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the existing community use of the site and in order to safeguard the amenities of the occupiers of neighbouring properties, visual amenity and highway safety by prevent inappropriate development on the site in accordance with Policy CS5 of the Core Strategy 2007 and Policies DM9, DM10 and M37 of the Development Management Policies 2015.

(8) Cycle Parking Provision

The cycle parking provision serving Alexandra Recreation Ground shall not be reduced beyond the level currently existing, unless otherwise approved in writing by the Local Planning Authority.

Reasons: In recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2019 to meet the objectives of the NPPF 2021, and to satisfy policies DM35 and DM36 of the Development Management Policies 2015.

**Informatives:**

- (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.

- (3) The 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 groundwork's 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) Should any protected species under the Conservation of Habitats and Species Regulations 2017 (as amended), or evidence of such species, be found prior to or during the development, all works must stop immediately and an ecological consultant contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

*The meeting began at 7.30 pm and ended at 8.11 pm*

COUNCILLOR HUMPHREY REYNOLDS (CHAIR)

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