

Minutes of the Meeting of the PLANNING COMMITTEE held at the Council Chamber, Epsom Town Hall on 7 March 2024

PRESENT -

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

Absent: Councillor Neil Dallen and Councillor Clive Woodbridge

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

44 DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interests were made by Members with respect to any items of business to be considered at the meeting.

45 MINUTES OF THE PREVIOUS MEETING

The Committee confirmed as a true record the Minutes of the Meeting of the Committee held on the 08 February 2024 and authorised the Chair to sign them.

46 FORMER POLICE STATION, CHURCH STREET, EPSOM, KT17 4PS

Description:

Demolition of the existing police station ambulance station and erection of a new residential, nursing and dementia care home for the frail elderly (Use Class C2) comprising ancillary communal facilities and dementia care, basement parking, reconfigured vehicular access onto Church Street, landscaping and all other associated works.

Officer Recommendation:

Approval, subject to conditions and informatives.

Officer Presentation:

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

Public Speaking:

A member of the public spoke in objection to the application.

The Applicant spoke in support of the application.

The Applicant's Agent spoke in support of the application.

Decision:

Following consideration, Councillor Peter O'Donovan proposed a motion to agree the Officer recommendation as set out in the report. The motion was seconded by Councillor Phil Neale.

Subsequently, the Committee resolved (6 for, 1 against, 1 abstaining, and the Chair not voting):

PART A

To grant planning permission subject to a S106 Legal Agreement with the following Heads of Terms:

- a) **Real Time Passenger Information display**
- b) **Pedestrian crossing point on Church Street**
- c) **Improvements to bus stops on Church Street**
- d) **Travel Plan Auditing fee**

and the following conditions and informatives.

and;

PART B

That if the Section 106 Agreement referred to in Part A is not completed by 09 September 2024, the Head of Place Development is authorised to refuse the application for the following reason:

"In the absence of a completed legal obligation under Section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy SC9 and CS16 of the Core Strategy 2007 and Policies DM36 and DM37 of the Development Management Policies Document 2015."

Conditions:

- (1) Time limit**

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 and reports:

- Drawing Number APL001 Site Location Plan Rev B
- Drawing Number APL002 Topographical Plan Rev B
- Drawing Number APL004 Proposed Site Plan Rev G
- Drawing Number APL005 Proposed Landscape Plan Rev H
- Drawing Number APL006 Proposed Basement Plan Rev E
- Drawing Number APL007 Proposed Ground Floor Plan Rev D
- Drawing Number APL008 Proposed First Floor Plan Rev D
- Drawing Number APL009 Proposed Second Floor Plan Rev D
- Drawing Number APL010 Proposed Third Floor Plan Rev D
- Drawing Number APL012 Proposed Roof Plan Rev D
- Drawing Number APL013 Proposed Church St. Elevation A-A' Rev D
- Drawing Number APL014 Proposed South Elevation B-B' Rev D
- Drawing Number APL015 Proposed West Elevation C-C' Rev D
- Drawing Number APL016 Proposed Elevations D-D' to G-G' Rev D
- Drawing Number APL017 1:100 Proposed Elevation H-H' Rev D
- Drawing Number APL018 1:250/1:500 Proposed Street Elevations Rev D
- Drawing Number APL019 1:200 Proposed Site Sections Rev D
- Drawing Number APL029 1:100 Basement Fire Strategy Plan Rev C
- Drawing Number APL030 1:100 Ground Floor Fire Strategy Plan Rev C

- Drawing Number APL031 1:100 First Floor Fire Strategy Plan Rev B
- Drawing Number APL032 1:100 Second Floor Fire Strategy Plan Rev B
- Drawing Number APL033 1:100 Third Floor Fire Strategy Plan Plan Rev B

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

Pre-Commencement Conditions

(3) Materials

No development shall commence until details of all external materials to be used for the development have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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 Document 2015.

(4) Construction Transport Management Plan

No development shall commence until a Construction Transport Management Plan, to include details of:

- a) parking for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) storage of plant and materials
- d) programme of works (including measures for traffic management)
- e) provision of boundary hoarding behind any visibility zones
- f) measures to prevent the deposit of materials on the highway
- g) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- h) on-site turning for construction vehicles

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: In order for the development not to prejudice highway safety nor cause inconvenience to other highway users in accordance with the objectives of the National Planning Policy Framework 2023., and to satisfy policies DM35 and DM36 of the Development Management Policies Document 2015 and Policy CS16 of the Core Strategy 2007.

(5) Ground Contamination

Following demolition and prior to the commencement of any further development, the following shall be undertaken in accordance with current best practice guidance:

- a) A desk study, site investigation and risk assessment to determine the existence, extent and concentrations of any made ground/fill, ground gas (including hydrocarbons) and contaminants (including asbestos and PFAS) with the potential to impact sensitive receptors on and off-site.

The results of the investigation and risk assessment shall be submitted to and approved by the Local Planning Authority; and

- b) if ground/groundwater contamination, filled ground and/or ground gas is found to present unacceptable risks, a detailed scheme of risk management measures shall be designed and submitted to the Local Planning Authority for approval.

Prior to any occupation of the site, an approved remediation scheme prepared in accordance with the above, must be carried out in accordance with its terms. Following completion, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

Reason: To control significant harm from land contamination to human beings, controlled waters, buildings and ecosystems as required by Policy DM10 of the Development Management Policies Document 2015.

(6) Groundwater Site Investigation

No development shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall include the following components:

- a) A preliminary risk assessment which has identified:
- all previous uses.
 - potential contaminants associated with those uses.

- a conceptual model of the site indicating sources, pathways and receptors; and
 - potentially unacceptable risks arising from contamination at the site.
- b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- c) The results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved prior to any occupation of the development

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in accordance with Policy DM17 of the Development Management Policies Document 2015 with paragraph 174 of the National Planning Policy Framework.

(7) Sustainable Drainage System (SuDS) Details

The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS. The required drainage details shall include:

- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels or confirmation from a geotechnical engineer that ground contamination precludes the use of infiltration.
- b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. Associated discharge rates and storage volumes shall

be provided using a maximum discharge rate of 1.0 l/s, discharged to the surface water sewer.

- c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). Including proposed green roof, rain garden planters, permeable paving and filter drains.
- d) A plan showing exceedance flows (i.e., during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
- e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

The surface water drainage scheme shall be implemented as approved prior to any occupation of the development.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site in accordance with Policy CS6 of the Epsom and Ewell Core Strategy 2007, Policy DM19 Development Management Policies Document 2015 and paragraph 173 of the National Planning Framework 2023.

(8) Environmental Construction Plan

The development hereby permitted shall not commence until an Environmental Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: In order to safeguard the amenities of the occupiers of neighbouring properties in accordance with Policy DM10 of the Development Management Policies Document 2015.

(9) Tree Protection Plan

No development (including demolition and all preparatory work) shall take place until a detailed tree protection plan and arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority, which are to be in accordance with Method Statement 1845KCXXYTREE REV D and Tree Protection Plan 1845 KCXX YTREE

TOO01 REV D. Specific issues to be dealt with in the enhanced Tree Protection Plan and Arboricultural Method Statement shall include:

- a) Methods of demolition within the root protection areas of retained trees numbered 3-5 and 9-14.
- b) Location and installation of services/ utilities/ drainage in particular adjacent to the frontage verge trees numbered 3-8 and side flank trees numbered 9-14.
- c) Details of construction for foundations or other structures which require excavation within the RPAs of retained trees.
- d) A full specification for the construction of any, basement, roads, parking areas, hard surfacing, hard landscaping and driveways which are constructed within the RPA's of retained trees, including details of the tree protection measures and no-dig specifications.
- e) An enhanced specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- f) A specification for scaffolding and ground protection within RPAs of construction exclusion zones, where total protection cannot be achieved due to access and construction requirements.
- g) Details of site access, temporary contractor parking, on site welfare facilities and services, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires.
- h) Methodology and detailed assessment of root pruning within RPAs.
- i) Arboricultural supervision and inspection by a suitably qualified arboricultural consultant.
- j) Reporting to the LPA of inspection and supervision.
- k) Methods to improve the rooting environment for retained and proposed trees.

The development thereafter shall be implemented in strict accordance with the approved details.

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

(10) Tree Working Procedures

Before any development or construction work begins, a pre-commencement meeting shall be held on site and attended by the developers appointed arboricultural consultant, the site manager/foreman and a representative from the Local Planning Authority to discuss details of the working procedures and agree either the precise position of the approved tree protection measures to be installed or that all tree protection measures have been installed in accordance with the approved tree protection plan. To include a reasonable supervision and monitoring programme with the LPA for the duration of development. The development shall thereafter be carried out in accordance with the approved details, or any variation as may subsequently be agreed in writing by the LPA. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by a suitably qualified and pre-appointed tree specialist.

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

(11) Archaeology details

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, to be conducted in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority. The scheme shall be implemented as approved prior to any occupation of the development.

Reason: To ensure archaeological investigation recording in accordance with Policy DM8 of the Development Management Policies Document 2015

Pre-Above Ground Level Condition

(12) Hard and Soft Landscaping

No development above ground level shall take place until a detailed Scheme of Hard and Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority, which are to be in accordance with the hard and soft landscaping plan APL005 revision F. The detailed scheme shall include.

- a) Details of the design and external appearance of all hard surface, fences, gates, walls, bollards and any other hard landscaping features
- b) The location, species and size of plants and trees to be planted on the site.

- c) Details of underground tree planting pits and/or crate systems, planting and tree surround specifications
- d) Schedules of landscape maintenance and aftercare

All planted materials shall be maintained for five years and any trees or planting that is removed, damaged, dying or diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.

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

Pre-Occupation Conditions

(13) Modified Access

No part of the development shall be first occupied unless and until the proposed modified accesses to Church Street have been constructed and provided with visibility zones in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

Reason: In order for the development not to prejudice highway safety nor cause inconvenience to other highway users in accordance with the objectives of the National Planning Framework 2023, and to satisfy policies DM35 and DM36 of the Development Management Policies Document 2015 and Policy CS16 of the Core Strategy 2007.

(14) Access and Egress

No part of the development shall be occupied until 'No Entry' signing and 'No Entry' markings have been provided at the site egress and 'Entry' signing, and 'One Way' markings have been provided within the site ingress in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, and thereafter shall be permanently retained and maintained.

Reason: In order for the development not to prejudice highway safety nor cause inconvenience to other highway users in accordance with the objectives of the National Planning Framework 2023, and to satisfy policies DM35 and DM36 of the Development Management Policies Document 2015 and Policy CS16 of the Core Strategy 2007.

(15) Kerb/Verge/Footway Reinstatement

The development hereby approved shall not be first occupied unless and until all existing redundant accesses have been permanently removed or closed, and all kerbs, verge, footway, adjacent to the frontage of the site have been fully reinstated and all redundant Ambulance station signage and roadmarkings and the fire station wig wags have been relocated to the satisfaction of Surrey Fire and Rescue and Surrey County Council.

Reason: In order for the development not to prejudice highway safety nor cause inconvenience to other highway users in accordance with the objectives of the National Planning Framework 2023, and to satisfy policies DM35 and DM36 of the Development Management Policies Document 2015 and Policy CS16 of the Core Strategy 2007.

(16) Parking and Turning

The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: In order for the development not to prejudice highway safety nor cause inconvenience to other highway users in accordance with the objectives of the National Planning Framework 2023, and to satisfy policies DM35 and DM36 of the Development Management Policies Document 2015 and Policy CS16 of the Core Strategy 2007.

(17) Sustainable Transport Measures

The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for:

- a) The secure parking of bicycles within the development site, this shall be secure, covered and lit and at-grade to allow for accessible cycle parking,
- b) Facilities within the development site for cyclist to change into and out of cyclist equipment/ shower,
- c) RTPI display linked to Surrey County Council's RTPI system to be installed within a communal area of the development,
- d) Provision of an uncontrolled pedestrian crossing point on Church Street
- e) Improvements to the two bus stops on Church Street closest to the site to consist of real time passenger information, shelter provision, lighting, raised kerbing and seating

and thereafter shall be kept permanently retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To meet the objectives of of Section 9 'Promoting Sustainable Transport' in the National Planning Framework 2023, and to satisfy policies DM35 and DM36 of the Development Management Policies Document 2015

(18) Travel Plan

Prior to the occupation of the development, a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide", and in general accordance with the 'Workplace Travel Plan (Framework)' document. The approved Travel Plan shall be implemented prior to occupation and for each and every subsequent occupation of the development to the satisfaction of the Local Planning Authority.

Reason: To meet the objectives of Section 9 'Promoting Sustainable Transport' in the National Planning Framework 2023, and to satisfy policies DM35 and DM36 of the Development Management Policies Document 2015

(19) Ground Contamination Verification Report

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. In that event, an investigation and risk assessment must be undertaken and where remediation is deemed necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing by the Local Planning Authority. The scheme shall be implemented as approved prior to any occupation of the development.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete, in accordance with Policy DM17 of the Development Management Policies Document 2015 with paragraph 174 of the National Planning Policy Framework 2023

(20) Groundwater Verification Report

Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation

shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in accordance with Policy DM17 of the Development Management Policies Document 2015 with paragraph 174 of the National Planning Policy Framework 2023

(21) Landscape Management Plan

A landscape management plan covering a period of no less than 5 years, including long term design objectives, management responsibilities, maintenance and inspection schedules for all landscape areas shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or any completed phase of the development, whichever is the sooner. Should Cedar T4 fail during development or during the 5-year maintenance period the details of a compensatory tree planting scheme with aftercare showing tree species, number, stock size and planting specification shall be submitted to and approved in writing by the local planning authority. Any trees or plants which, within a period of five years after planting, are removed, die or in the opinion of the local planning authority become seriously damaged or diseased, shall be replaced in the next available planting season with others of similar size, species and number, unless otherwise agreed in writing by the local planning authority.

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.

(22) Compliance with Flood Risk Assessment

Prior to the first occupation of the development, the development hereby permitted shall be constructed in accordance with the Flood Risk and Surface Water Management Statement, prepared by SLR, reference 402.12442.00002 Version 2 and dated May 2022. The development is to be maintained in accordance with the recommendations of the Flood Risk Assessment for the life of the development.

Reason: To ensure the design makes adequate provision for flood protection and does not increase flood risk on or off site in accordance with Policy CS6 of the Epsom and Ewell Core Strategy 2007, Policy DM19 Development Management Policies Document 2015 and paragraph 173 of the National Planning Framework 2023.

(23) Compliance with Noise Assessment

Prior to the first occupation of the development, the development hereby permitted shall be constructed in accordance with the identified mitigation outlined in the submitted Noise Assessment, prepared by SLR, reference 402.12442.0000_Noise Version 1 and dated May 2022. Prior to occupation of the site, the applicant shall submit evidence to the Local Planning Authority that this mitigation has been installed and/or commissioned as necessary.

Reason: To ensure the occupiers of the development are not unduly affected by noise disturbance in accordance with Policy DM10 of the Development Management Policies 2015.

(24) Compliance with Sustainable Design Measures

Prior to the first occupation of the development, the sustainable design measures shall be carried out in strict accordance with the Energy and Sustainability Assessment, prepared by SLR, reference 401.12442.00002 version 1 and dated May 2022, and shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

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 in accordance with Policy CS6 of the Core Strategy 2007

(25) Compliance with External Lighting Strategy and Lighting Impact Assessment

Prior to the first occupation of the development, the mitigation methods recommended in the External Lighting Strategy and Lighting Impact Assessment, prepared by DPA and dated 16 May 2023, shall be carried out in strict accordance and shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the occupiers of the development and surrounding properties are not unduly affected by light pollution in accordance with Policy DM10 of the Development Management Policies 2015.

(26) Compliance with Ecology Report

Prior to the first occupation of the development, the development hereby permitted shall be carried out in strict accordance with the recommendations and ecology enhancements set out in the Preliminary Ecological Appraisal and Bat Preliminary Roost Assessment, prepared by Surrey Wildlife Trust, reference 3717-1 Version 1.0 and dated 07 March 2019 and the recommendations and ecology enhancements set out in the Updated Bat Survey Report, prepared by Surrey Wildlife Trust, reference 3717-6 Version 1.0 and dated 16 September 2022.

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.

Other

(27) Hours of work

Works related to the construction of the development hereby permitted, including works of demolition or preparation prior to building operations shall not take place other than between the hours of 08.00 to 18.00 hours Mondays to Fridays; 08.00 to 13.00 hours Saturdays; with no work on Saturday afternoons (after 13.00 hours), Sundays, Bank Holidays or Public Holidays

Reason: To safeguard the amenities of the occupiers of neighbouring properties in accordance with Policy DM10 of the Development Management Policies 2015

(28) Compliance with Arboricultural Report

The development shall be carried out strictly in accordance with the Arboricultural Method Statement produced by Keen Consultants dated September 2022, the Tree Protection Plan produced by Keen Consultants and dated April 2022 and the Tree Survey and Impact Assessment produced by Keen Consultants and dated September 2023.

The development shall be carried out in accordance with the agreed details and no equipment, machinery, or materials shall be brought onto the site for the purposes of the development until fencing and ground protection has been erected in accordance with the Method Statement and Tree Protection Plan. Within any exclusion or fenced area in accordance with this condition, nothing shall be stored, placed, or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit, without the prior written consent of the local planning authority. The tree protection measures shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

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.

(29) Groundwater Remediation Strategy

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in accordance with Policy DM17 of the Development Management Policies Document 2015 with paragraph 174 of the National Planning Policy Framework 2023

(30) Ground Surface Water Drainage

No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. Where consent is approved, the development shall be carried out in accordance with the approved details prior to any occupation of the development.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in accordance with Policy DM17 of the Development Management Policies Document 2015 with paragraph 174 of the National Planning Policy Framework 2023

(31) Piling

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in accordance with Policy DM17 of the Development Management Policies Document 2015 with paragraph 174 of the National Planning Policy Framework 2023

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 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) 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 or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.
- (5) The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the

classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice.

- (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) The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
- (8) 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.
- (9) The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.
- (10) 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:
<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
- (11) A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.
- (12) Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
- (13) The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.

- (14) If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on the Lead Local Flood Authority website
- (15) If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standard
- (16) Sub ground structures should be designed so they do not have an adverse effect on groundwater.
- (17) Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus, it should be demonstrated that any proposed piling will not result in contamination of groundwater. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73".
- (18) The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

 - excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
 - treated materials can be transferred between sites as part of a hub and cluster project formally agreed with the EA
 - some naturally occurring clean material can be transferred directly between sites.
- (19) Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed-on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.
- (20) The Environment Agency recommends that developers should refer to the Position statement on the Definition of Waste: Development Industry Code of Practice The Environmental regulations page on GOV.UK
- (21) A build over agreement is required with Thames Water before commencing works, as the proposed development is within 3 metres of a public sewer (of which, the internal diameter is less than or equal to

150mm). Further information can be found at <https://www.thameswater.co.uk/help/home-improvements/building-over-sewers-or-public-drains>

- (22) Thames Water do not permit driven piles within 15m of a public sewer. Technical guidance can be found at <https://www.thameswater.co.uk/media-library/home/help/home-improvements/building-near-our-pipes/build-over-technical-specs.pdf>
- (23) The proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy, carried out by a competent person in line with paragraph 178 of the NPPF. The Planning Practice Guidance defines a "Competent Person (to prepare site investigation information): A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation. <http://planningguidance.planningportal.gov.uk/blog/policy/achieving-sustainable-development/annex-2-glossary/>
- (24) Compliance with the Building Regulations 2010 will normally ensure compliance with the Fire Safety Order in respect of means of warning and escape in case of fire. However, the responsible person is advised to carry out a fire risk assessment of the proposals at this stage, to identify any risks that might require remedial measures when the premises is occupied, as a result of the nature of the occupancy and/or processes carried on there. Any such measures that are identified should be incorporated into the current design.

Your attention is drawn to the series of publications produced by the Department for Communities and Local Government (CLG), which provides information for the responsible person about the Fire Safety Order. These publications are available from Government Services and Information website at: <https://www.gov.uk/workplace-fire-safety-your-responsibilities/fire-safety-advice-documents>.

Responsibility for ensuring that a building is provided with appropriate fire safety arrangements rests with the responsible person, once the building is occupied. The responsible person should, therefore, ensure that the fire safety arrangements in place are adequate and comply fully with the requirements of the Fire Safety Order.

- (25) Fire safety information in accordance with Regulation 38 of the Building Regulations 2010 should be provided to the responsible person at the completion of the project or when the building or extension is first occupied. This information should take the form of a fire safety manual and form part of the information package that contributes to the fire risk assessment that will need to be carried out under the Regulatory Reform (Fire Safety) Order 2005

- (26) Passive fire protection measures, particularly fire stopping, fire barriers and fire resisting compartmentation, restricts the spread of smoke and fire through a building through hidden areas such as voids. We recommend that careful attention is given to this detail during construction. Certification of this work can be beneficial to confirm the suitability of the structure to meet its performance requirement lay out in this design application.
- (27) Surrey Fire and Rescue Service (SFRS) would strongly recommend that consideration is given to the installation of AWSS (i.e., Sprinklers, Water Mist etc) as part of a total fire protection package to:
- protect life;
 - protect property, heritage, the environment and our climate;
 - help promote and sustain business continuity; and
 - permit design freedoms and encourage innovative, inclusive and sustainable architecture.

The use of AWSS can add significant benefit to the structural protection of buildings in the event of a fire. Other benefits include supporting business recovery and continuity if a fire happens

The meeting began at 7.30 pm and ended at 8.12 pm

COUNCILLOR HUMPHREY REYNOLDS (CHAIR)