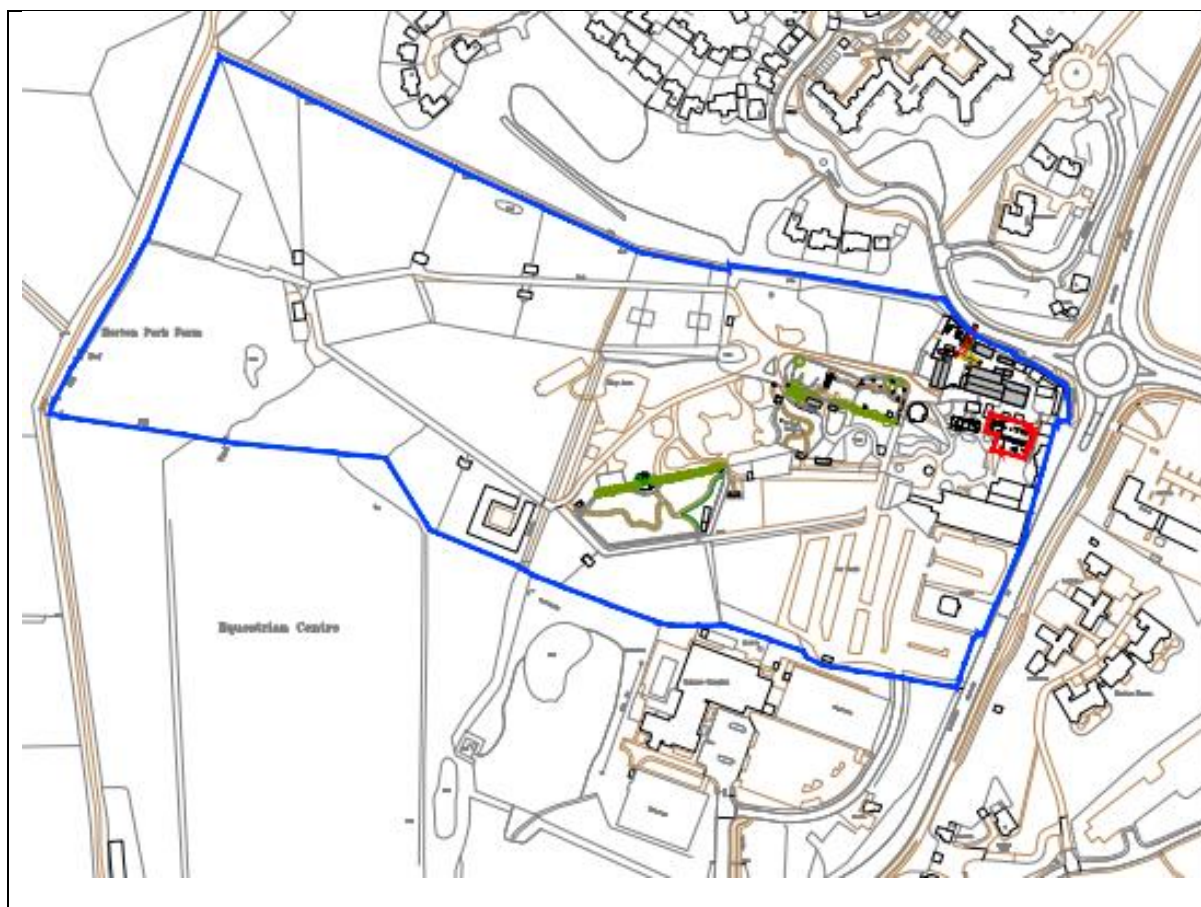


Planning Committee
18 April 2024

Planning Application
Number: 23/01349/FUL

23/01349/FUL, Hobbledown, Horton Lane, Epsom, Surrey, KT19 8PT

Application Number	23/01349/FUL
Application Type	Full Planning Permission (Minor)
Address	Hobbledown, Horton Lane, Epsom KT19 8PT
Ward	Horton Ward
Proposal	Installation of play equipment and construction of timber covered entrance and exit ways and a buggy storage area outside the Imaginarium within Hobbledown (Retrospective)
Expiry Date	19 April 2024
Recommendation	Approval, subject to conditions and informatives
Reason for Committee	Called in by Ward Member
Case Officer	Ginny Palmer
Contact Officer	Simon Taylor, Interim Manager
Plans, Documents and Submissions	Available here: Hobbledown
Glossary	Available here: Glossary of Terms



SUMMARY

1. Summary and Recommendation

- 1.1. The planning application was presented to the Planning Committee on 8 February 2024 with a recommendation for conditional approval and was deferred for the following reason:

“In order to obtain additional information and clarity on the sustainable drainage system referenced by the Local Flood Authority at paragraph 16.6 of the report”.

- 1.2. This Update Report summarises the additional information received from the Applicant since the deferral of the planning application, relevant Consultee responses, and neighbour representation. It does not seek to review all material considerations contained within the original Committee Report, dated 8 February 2024. For ease, the original Committee Report is appended to this Update Report.

- 1.3. Officers recommend approval of the application, subject to Conditions.

PROPOSAL AND DESIGNATIONS

2. Description of Proposal

- 2.1. The Application Site ('Site') is an area of land within the wider Hobbledown Site, where a timber covered entrance and exit ways and a buggy storage area outside the Imaginarium have been constructed. Retrospective planning permission is sought, as the development is built.

- 2.2. The Site has the following constraints:

- Green Belt
- Great Crest Newt Impact Zone
- Critical Drainage Area

CONSULTATIONS

Consultee	Comments
Surrey County Council Lead Local Flood Authority (SCC LLFA)	Response dated 04.03.2024: Reviewed “Hobbledown Applications EOT, RPS, February 2024, ref: HLEF03991” and “Letter Correspondence, Laister Planning Limited, undated”. As there is no change to the impermeable area, we would have no further comments. There appears to be opportunity to accommodate sustainable drainage systems (SuDS) within the

Consultee	Comments
	site. Consideration should be given to including SuDS where possible. <u>Officer comment</u> : This is discussed in the body of the report.
Public Consultation	
Neighbours	There was no requirement to re-consult neighbours on the additional information, but further comment (objection) has been received from one resident regarding flood risk and drainage implications, which is discussed within this Update Report.

PLANNING LEGISLATION, POLICY, AND GUIDANCE

3. Planning Policy

- 3.1. The Planning Policy relevant to this planning application is contained within the original Committee Report, which is appended to this Update Report.

PLANNING ASSESSMENT

4. Update Report

- 4.1. This Update Report summarises the additional information received from the Applicant since the deferral of the planning application, relevant Consultee responses, and neighbour representation. It does not seek to review all material considerations contained within the original Committee Report, dated 8 February 2024. For ease, the original Committee Report is appended to this Update Report.

5. Flooding and Drainage

- 5.1. Paragraphs 159 and 167 of the NPPF, Policy CS6 of the CS and Policy DM19 of the DMPD state that development at medium or high risk from flooding must ensure that there is no increase in flood risk, whether on or off site, and implementation of flood resilience and mitigation to reduce it to acceptable levels.
- 5.2. The Site is within Flood Zone 1 which is low flood risk area but also falls within a Critical Drainage Area which is an area that has been identified by the Environment Agency as an area with identified drainage issues where flooding may occur if surface runoff is not effectively managed.
- 5.3. Concerns have been raised by a nearby neighbour around the Agent's unsubstantiated assertions regarding the ground surfacing before and after the Imaginarium development remaining the same. The new additions are impermeable.

- 5.4. In response to the Planning Committee's decision to defer the planning application, the Applicant prepared and submitted the following:
 - 12.02.2024: Email and Imaginarium Aerial Context image (both publicly available)
 - 20.02.2023: Email with Imaginarium Drainage image (publicly available)
- 5.5. The email, dated 12.02.2024, sets out that whilst acknowledged to be in an area of critical drainage, the actual drainage regime is not affected by the development that has been undertaken and therefore would have a neutral impact on the critical drainage area.
- 5.6. The email, dated 12.02.2024, sets out that as can be seen from aerial imagery showing the Application Site both pre and post development, the overall surfacing of the area subject to this planning application does not change as a result of the development. It was hardstanding (self-binding gravel) prior to development and is the same post development. This area has always been hard surfaced, previously tarmacked, but subsequently over-laid with self-binding gravel since Hobbledown have operated the wider site.
- 5.7. The email, dated 12.02.2024, sets out that in terms of the drainage system, the courtyard area and the Imaginarium building (including the application development) drain directly to the main storm drain sewer system as indicated on the Application Form as originally submitted, and not part of any SUDs.
- 5.8. The email, dated 20.02.2024, includes an image of three storm drain points within the area of the Site.
- 5.9. Surrey County Council Lead Local Flood Authority (SCC LLFA) reviewed the documentation submitted with the planning application and confirmed that *"as there is no change to the impermeable area, we would have no further comments. There appears to be opportunity to accommodate sustainable drainage systems (SuDS) within the Site. Consideration should be given to including SuDS where possible"*.
- 5.10. In response to SCC LLFA's response, the Agent confirmed that there is no objection to a Condition (should planning permission be granted) requiring the installation of a planter to capture/attenuation of surface water runoff from the roof of the development.
- 5.11. Officers are satisfied that the Applicant has provided the information requested by Members during the deferral of the planning application, and that SCC LLFA has no objection to the additional information, subject to a Condition, should planning permission be granted.
- 5.12. Discussion at the previous meeting of the Planning Committee referred to Condition 2 of the draft recommendation, which required compliance with the recommended mitigation in the FRA, of which there was no proposed

mitigation. SCC LLFA did not recommend this Condition but it was imposed on the advice given by SCC LLFA for application ref: 23/1343/FUL and 23/1345/FUL for the Lemur Enclosure and Prairie Dog Enclosure respectively and to enable consistency across the wider Hobbledown site. Based on the recommendations of the FRA, discussions at the Planning Committee and since, it is clear that Condition 2 is surplus to requirements and serves no purpose. The revised comments from SCC LLFA maintain no objection but recommend additional sustainable drainage, which is conditioned and represents a proactive and better outcome.

CONCLUSION

6. Conclusion

- 6.1. The additional information supplied by the Applicant Team is considered to address the Members' reason for deferring this planning application.
- 6.2. A Condition is proposed, should planning permission be granted to ensure that a planter to installed, to capture. attenuate surface water runoff from the roof of the development, to accommodate sustainable drainage systems (SuDS). The proposal accords with Policy DM19.
- 6.3. The planning application is recommended for approval.

RECOMMENDATION

To grant planning permission subject to the following Conditions and Informatives:

Conditions

1) Approved Plans

Unless otherwise agreed in writing by the local planning authority, the development hereby permitted shall be carried out in accordance with the plan numbered 002 Rev A, received by the local planning authority on 10 November 2023.

Reason: For 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) Sustainable Drainage

Within three months of the date of this planning permission, details of a planter, to capture/attenuate surface water runoff from the roof of the development hereby permitted in a sustainable manner, shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved details shall be installed within one

month of the date of that approval and thereafter maintained for the lifetime of the development.

Reason: To accommodate sustainable drainage systems (SuDS) within the Application Site, to accord with Policy DM19 of the Development Management Policies Document (2015).

Informatives

1) Positive and 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, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

2) Changes to the Approved Plans

Should there be any change from the approved drawings during the build of the development, this may require a fresh planning application if the changes differ materially from the approved details. Non-material changes may be formalised by way of an application under s.96A Town and Country Planning Act 1990.

APPENDICES

- 1) Committee Report, ref: 23/01349/FUL, dated 08 February 2024.