

PLANNING COMMITTEE UPDATE REPORT

18 April 2024

App Number	24/00107/FUL
Item Number	3
Address	6A Bucknills Close, Epsom, Surrey, KT18 7NY
Proposal	Demolition of residential dwelling at 6A Bucknills Close and the construction of five residential units (5 x 3-bed) (Class C3) together with car parking, landscaping and access arrangements.
Author	Gemma Paterson

CORRECTIONS AND UPDATES

1. Corrections

Walking distance to bus stop

Officers has noted an error in paragraph 19.27. In correction, the new segregated footpath would provide shorter walking routes to the local bus services than the existing vehicular access, as demonstrated in the supporting diagram on page 57 of the agenda report.

2. Member Correspondence

2.1 Flood Risk

Councillor Muir has raised the following question in respect to flood risk:

In paragraph 22.5 of Agenda Item 3 for 24/00107/FUL (6A Bucknills Close, a 'Non-major development') it states:

'As the proposed development would lie within Flood Zone 1, neither the sequential test nor the exceptions test, as set out in the Governments guidance 'Flood risk assessment: the sequential test for applicants' 2017 needs to be carried out.'

This site is at High Risk of surface water flooding according to the 2018 SFRA, lying within a critical drainage area.

Government guidance 'How Should the Sequential Test be applied to planning applications' states that 'the Sequential Test should be applied to 'Major' and 'Non-major development' proposed in areas at risk from any sources of flooding'. (Paragraph: 027 Reference ID: 7-027-20220825)

The reference, in the officer's report, to 'the Governments guidance 'Flood risk assessment: the sequential test for applicants'' appears to be incorrect. That guidance states: 'You also don't need to do a sequential test for a development in flood zone 1 **unless there are flooding issues in the area of your development**'.

There are flooding issues in the proposed development area, so a Sequential Test is required. Very importantly, government guidance states: 'You should refuse permission if the sequential and exception tests are not done or not satisfied.'

Officers Response

A sequential test aims to direct development to areas where there is the lowest risk to people and property. Paragraph 167 of the NPPF requires the Council to undertake a sequential test at the plan making stage to ensure development is in the appropriate locations. The sequential test can be found in the Council's Strategic Flood Risk Assessment (SFRA) from 2018.

The site is in an existing residential use, with part of the site falling within a critical drainage area. However, the SFRA does not suggest that the land use is unacceptable or prevent future development.

Officers acknowledge that certain development is required to undertake a sequential test as outlined by government guidance. The proposed development does not require a sequential test to be undertaken as the SFRA has not identified any risks, the development is not within Flood Zone 2 or 3, it is minor development and the existing residential use is already established on the site.

2.2 Refuse and Recycling Arrangements

Members will be in receipt of correspondence from Councillor McCormick dated 17 April 2024 (**Appendix 1**) raising questions in respect of the potential differences between the refuse and recycling arrangement as refused under previous scheme 23/00577/FUL and the proposed arrangements under this current application.

Officer Response

Via a response email from Officers dated 17 April 2024 (**Appendix 1**) Members were provided with a comprehensive background history of the evolution of the refuse and recycling arrangements under application 23/00577/FUL.

The main point to highlight is that the final refuse and recycling arrangement as refused under previous scheme 23/00577/FUL are identical to those sought under this current application and that the Council's Waste and Transport Manager did not maintain his objection to the drag distances following the submission of the final refuse and recycling arrangement proposed under 23/00577/FUL.

The Transport and Waste Manager has also highlighted the precedent of 13a and 13b Whitehorse Drive, the residents of which pull their own bins to White Horse Drive, as distance of over 30 metres.

2.3 Highway Safety

The correspondence from Councillor McCormick dated 17 April 2024 (**Appendix 1**) also raised questions in respect of highway safety issues with vehicular traffic and the proposed segregated footpath. Questions were also raised regarding the relevance of the Surrey Design Guidance in respect of the access.

Officer Response

Via a response email from Officers dated 17 April 20214 (**Appendix 1**), Members were provided with a recap of the County Highway Authority's response to the proposal on matters relating to highway safety and capacity.

The main point to highlight is that whilst the County Highway Authority raised an objection to the 6 unit scheme refused under 23/00577/FUL for reasons relating to vehicular and pedestrian risk, they consider the current scheme to be a materially different.

Having reviewed the results of a recent supporting survey of current users of the access and by securing sustainable transport mitigation, the County Highway Authority are satisfied that the current scheme would not a risk to pedestrian safety or inconvenience.

3. Applicant Correspondence

3.1 Alternative Refuse and Recycling Scheme

Members will be aware that the applicant has been in direct contact via email dated 16 April 2024. This correspondence contains a few points for clarification, along with a drawing for an alternative refuse and recycling scheme (drawing number 2024/P0255 001 Rev A) for Members consideration. The correspondence advises that a planning condition could secure this alternative waste strategy.

Comment from Council's Waste and Transport Manager

'I am grateful to the Members for giving this further consideration. However, I remain concerned that the drag distance from Bucknills Close to the newly proposed bin storage area for Units 1 and 2 is still long, at some 32 metres by my reckoning. It therefore remains well beyond our guidance, of a maximum 6 metres drag for our staff.

And, of course, should the future residents of Units 1 and 2 require assisted collections (and would therefore be entitled – and probably need – to store their bins within their property bounds) our staff would still be subject to a drag distance of up to c.70 metres as per the original proposals.

Consequently, I regret that this remains something that I am not keen on.

I am also aware that we have precedent with 13a and 13b Whitehorse Drive, the residents of which, as previously advised, pull their own bins out to Whitehorse Drive for collections'.

Officer Comments

The metre drag distance set out in Appendix 2 of the Council's Sustainable Design SPD is the maximum that residents should not be required to carry waste and recycling to the storage area. The storage area itself should be located within 6 metres of the public highway for collection by Council staff.

The applicant has advised that it is not the intention for Council staff to collect from the amended bin storage area for Plots 1 & 2 and that on bin collection day, the occupiers would drag their own bins to the storage area.

Notwithstanding this, the Council's Waste and Transport Manager has retained his objection to the alternative Refuse and Recycling Scheme. Officers reiterate paragraph 20.08 of the agenda report in that the location of the proposed refuse/recycle storage area and Plots 1 and 2 remains identical to the that supporting 23/00577/FUL, which did not sustain an objection from the Council's Waste and Transport Manager and for this reason, it would now be unreasonable and inconsistent for Officers to recommended that the application be refused.