

The Ebbisham Centre, 7 The Derby Square, High Street, Epsom KT19 8AG

Erection of a canopy structure, feature seating and landscaping in Derby Square together with High Street entrance feature.

Ward:	TOWN
Contact Officer:	K. Haizelden

1 Plans and Representations

- 1.1 The Council now holds this information electronically. Please click on the following link to access the plans and representations relating to this application via the Council's website, which is provided by way of background information to the report. Please note that the link is current at the time of publication, and will not be updated.

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=O48SJGGYKPK00>

2 Summary

- 2.1 The application is for the erection of a canopy structure, feature seating and landscaping in Derby Square together with a High Street entrance feature. It follows negotiations with the new owners of the development regarding re branding the area to give it a better profile in the town centre and increase its marketing potential. The actual street names and official postal addresses for the properties will not change. The name Epsom Square will be used to re-brand the whole of the development and public open space.
- 2.2 The application is being reported to the planning committee on the request of ward councillors and given council land interests in the development.

3 Site description

- 3.1 Derby Square is the large pedestrianised area to the front of The Ebbisham Centre. The square can be accessed from the High Street as well as the station side of the town centre. The square was completed in 2000 and is very frequently used by visitors to the town centre. Oaks Square is situated on the main train station side of the town centre. Pedestrian access to the High Street can be achieved through the square.
- 3.2 The Ebbisham Centre contains the library and other community and NHS services. To the ground floor of the square are a number of restaurants pubs and other A3 uses. There is a large basement car park that serves the development with a service area around the building.
- 3.3 The development was completed approximately 15 years ago and is well used. Consequently at street level it is looking tired and in need of a facelift to make it a more attractive space within the town centre.

4 Proposal

- 4.1 This proposal is for the new street furniture, features and landscaping that will be placed around The Ebbisham Centre. The new central canopy feature will be a 'jumberella' with circular wooden seats all around it. The 'jumberella' will be a canopy structure off a central pole measuring 9.3x9.3m. If an event is planned in the square it can be removed. The manufacturing information describes the structure as *an ultra-sized standing umbrella structure on a centre pole with a collapsible superstructure*.
- 4.2 Circular wooden benches are proposed around the structure.
- 4.3 A new metal arbour type structure is also proposed along the length of the existing walkway from the High Street. This structure will be 4m high and approximately 22m in length spanning the full width of the walk way at approximately 9m in width. The frame will be galvanised steel.
- 4.4 To the High Street the frame will have individual illuminated letters of Epsom Square fixed to it to provide an entrance feature from this part of the High Street.
- 4.5 New planters and landscaping are proposed around the square and cycle stands and other street furniture will be relocated or replaced. The main new planters will be located to the left of the walkway towards The Ebbisham Centre from the High Street, underneath the new metal arbour structure. There will also be two new planters within the main square one opposite to the Slug and Lettuce Public House and the other opposite the library. This is intended to green up the existing blank walls of the square and add a landscape interest to these dead spaces.
- 4.6 Three kiosks are proposed and feature on the ground floor plan and artist's impressions. The exact position of the kiosks has not been decided yet. It is likely that the final appearance could be provided by a future tenant so final design and operational details will be provided at a later stage and are subject to agreement by condition. Two kiosks are to be placed along the walkway under the new metal arbour. The other directly outside The Ebbisham Centre to the side of the existing library entrance.
- 4.7 New lights proposed for the area will replace the existing lights in the same location and be placed at more strategic areas, for example under the walkway area from Oaks to Derby Square and around the canopy structure. The lighting details and more precise specification will be subject to a planning condition to ensure that there is no adverse impact on residential properties situated above the town and within the vicinity of The Ebbisham Centre generally.
- 4.8 The existing mosaic will remain outside the library and be cleaned up. A new plaque placed here to give more prominence to the artwork and explain its relevance in the area.

- 4.9 The application is made in conjunction with an advertisement application (reference 15/01852/ADV) to change and update the signage around the square. In this respect it is proposed to remove one street tree to enable the steel frame and new totem advert to be placed at the High Street entrance.

5 Comments from third parties

- 5.1 The application was advertised by means of letters of notification to 48 neighbouring properties. To date (30.06.2016) 3 letters of objection have been received regarding:

- Unnecessary loss of the healthy and attractive tree for a sign
- Adverse impact on visual amenity
- Contrary to local plan policies
- Design
- Impact on ecology
- Not enough cycle stands
- Commuting a sum of money to mitigate for tree loss inappropriate as no physical space to plant a tree in the town centre
- Tree provides an attractive visual feature at this part of the High Street.

6 Consultations

- 6.1 Surrey County Council Highways – no objections
- 6.2 Design and Conservation – no objections
- 6.3 .Arboricultural Officer – objects to the removal of the tree – as this is a healthy tree providing a good amenity feature in the town centre and was designed as part of the original landscaping of The Ebbisham Centre.

7 Relevant planning history

Application number	Decision date	Application detail	Decision
94/00278/REN	12.09.1994	Demolition of existing buildings & erection of three storey office building (1331 sqm) with ground floor & surface car parking (66 spaces) - Renewal of permission no.91/0341/0197.	Grant
98/00104/FUL	31.03.1999	12-26 (EVENS) WATERLOO RD,44 HIGH ST & LAND TO REAR OF WATERLOO RD/HIGH STREET(EXISTING PUBLIC CAR PARK),EPSOM - Mixed use development to comprise private health club, G.P surgery, cafeteria, community & ancillary rooms (Lifestyle Centre)	Grant

8 Planning Policy

National Policy Planning Framework (NPPF) 2012

Chapter 2: Ensuring vitality of town centres

Core Strategy 2007

Policy CS14 Measures to improve Epsom Town Centre

Development Management Policies September 2015

Policy DM9 Townscape character and local distinctiveness

Policy DM10 Design requirements for new developments

9 Planning considerations

Visual Amenity and Street Scene

9.1 The new 'jumberella' feature and seating will replace the existing central bronze statue in this location. This bronze statue is much loved by many and will be moved to another prominent town centre location, with the location as yet to be agreed. The 'jumberella' and feature seating will provide a central focus for the square and enable people to sit directly outside the Ebbisham Centre. It is hoped that this with the new landscaping will provide an attractive public space for town centre users to enjoy. The proposal would produce an acceptable addition to the square and comply with relevant planning policy.

- 9.2 The new metal arbour structure will provide a sense of enclosure along the existing thoroughfare. It is intended that the frame and new kiosks will give people a reason to stay in this location for longer periods of time. Unfortunately one of the four street trees is in the way of the proposed main signage and totem and restricts the main entrance into the square. It is proposed that this tree is removed and replaced elsewhere in the town centre. The frame would provide a benefit to this part of the square and it is acceptable in terms of townscape and would provide a localised distinctive feature. The loss of the street tree is regrettable however on balance the wider benefits of the entrance feature to the town centre together with new signage, the proposal to lose this tree in these particular circumstances can be supported. Together with the undertaking of the applicants to enter into a S106 legal agreement to replace the tree in the town centre, the proposal can be supported. The new feature is compliant with relevant planning policy.
- 9.3 At the top of this structure facing towards the High Street there will be individually illuminated letters with an illuminated face of the frame and stainless steel back and sides. The letters will be bolted to the top of the frame. This is compliant with relevant planning policy.
- 9.4 The new landscaping planters and features around the square will add interest and be of benefit to the overall ambience of the square. It is intended the features will add interest and refresh the square to enable an increase in usage. This will strengthen the town centre generally and complies with relevant planning policy.

Cycle Stands

- 9.5 The plan shows the relocation of the existing 5 stands and replacing the 2 broken from Derby Square so there will be 7 by the planter. The 9 stands in Oak Square will remain but be cleaned as part of the scheme. There will be a total of 16 cycle stands within the area of the centre.

Community Infrastructure Levy

- 9.6 No levy is required as part of this development.

10 Conclusion

- 10.1 The new features and investment in the public area aim to revitalise the square and result in more frequent use and for longer periods by the local community and visitors to the town centre. The proposals are welcome and supported by relevant planning policy.

11 Recommendation

- 11.1 Part A

Subject to a legal agreement being completed and signed by 21st September 2016 to secure the replacement of the tree which is to be removed from the site and relocated within the town centre the Head of Place Development be authorised to grant planning permission subject to the following conditions:

Conditions:

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans BUR5855_101.1, BUR5855_101.2, BUR5855_101.3 received on/dated 30.06.2016.

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) No development shall take place until details of existing and proposed finished site levels, of the frame and letters to be erected, and finished external levels have been submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In order to safeguard the visual amenities of the area in accordance with Policy CS5 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies 2015.

- (4) Prior to the commencement of development, details and samples of the external surfaces, metal frame, 'jumberella', planters and benches to be used for the development shall be 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 2015.

- (5) All planting, seeding or turfing approved shall be carried out in the first planting and seeding season following the occupation of the development or the completion of the development, whichever is the sooner. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or diseased in the opinion of the local planning authority, 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 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) The proposed lighting shall not be brought into use until precise lighting details including hours of use and measures to prevent light spillage and unacceptable glare to users of the public highway or adjacent residential properties have been provided in accordance with [the approved plans / a scheme to be submitted to and approved in writing by the local planning authority and the lighting shall thereafter be retained in accordance with the approved details.

Reason: In order to safeguard the amenities of the occupiers of neighbouring properties or highway safety in accordance with Policies CS5 and CS16 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

- (7) No development shall take place until an Arboricultural Method Statement (detailing all aspects of construction and staging of works) and a Tree Protection Plan in accordance with British Standard 5837:2012 (or later revision) has been submitted to and approved in writing by the local planning authority. 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 has been erected in accordance with the Tree Protection Plan. Within any area fenced 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 fencing 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.

- (8) 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. 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.

- (9) No equipment, machinery or materials shall be brought onto the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees as shown on the submitted plans, beyond the outer edge of the overhang of their branches in accordance with British Standard 5837: 2012 - Trees in Relation to Construction (or later revision), has been submitted to and approved in writing by the local planning authority, and the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.

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) The development hereby permitted shall not be occupied until the bicycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM36 of the Development Management Policies 2015.

- (11) Prior to the commencement of development, details and samples of the external surfaces to be used for the development of the three kiosks shall be 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 2015.

Informatives:

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.**

- (2) 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/flooding-advice.**

11.2 Part B

In the event that the section 106 Agreement referred to in Part A is not completed by 21st September 2016, the Head of Place Development be authorised to refuse the application for the following reasons:

- (1) In the absence of a completed legal obligation under section 106 of the Town and Country Planning Act 1990 (as amended), the applicant has failed to comply with DM5 (Trees and Landscape) and DM9 Townscape Character and Local Distinctiveness of the Development Management Policies September 2015 in relation to the provision of protection and enhancement of the Borough's trees and landscape assets.**