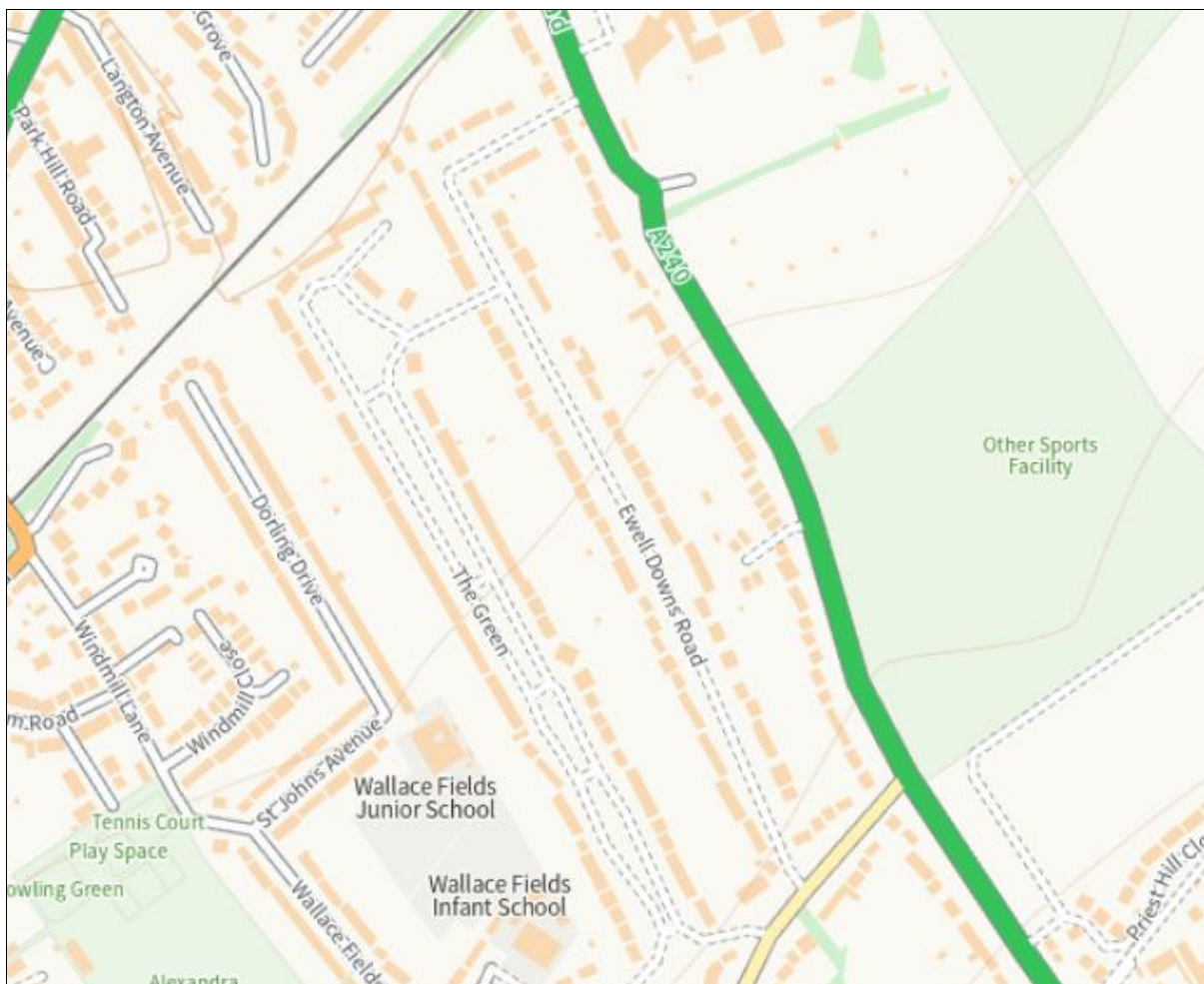


24/01360/FUL - Ewell Downs Road, Ewell

Application Number	24/01360/FUL
Application Type	Full Planning Permission (Major)
Address	Ewell Downs Road, Ewell
Ward	Nonsuch Ward
Proposal	Installation of a roadside CCTV system
Expiry Date	25 February 2025
Recommendation	Approval, subject to conditions and informatives
Number of Submissions	None
Reason for Committee	Major development (>1 hectare)
Case Officer	Simon Taylor
Contact Officer	Simon Taylor, Manager
Plans, Documents and Submissions	Available here
Glossary of Terms	Available here: Glossary of Terms



SUMMARY

1. Summary and Recommendation

- 1.1. The proposal involves the installation of four CCTV cameras on poles along the length of Ewell Downs Road with associated signage, two electricity cabinets and underground cabling.
- 1.2. The total site area is greater than one hectare, thus constituting major development and consideration at Planning Committee in accordance with the Council's Scheme of Delegation.
- 1.3. The site is within The Green/Ewell Downs Road Conservation Area and the primary consideration is the harm that the poles pose to the conservation area. No resident/public submissions were received but the Council's Conservation Officer has raised objection. However, when weighing this harm against the public benefits, no objections are raised.

PROPOSAL

2. Description of Proposal

- 2.1. The proposal involves the installation of four closed circuit television cameras atop poles at the following locations within Ewell Downs Road/The Green:
 - 1) On the northern side of Ewell Downs Road, adjacent to the northern entrance/exit gates, replacing an existing 'Give Way' pole. The new pole will be 4m in height and painted green or black
 - 2) Near the intersection with The Green on a new 4m high green pole with nearby electricity cabinet on the grass verge to power the CCTV and store images
 - 3) Within the circular flower bed on Ewell Downs Road on a new 4m high green pole with cabinet on the verge on the eastern side of Ewell Downs Road outside 43A Ewell Downs Road
 - 4) On the eastern side of Ewell Downs Road, adjacent to the southern entrance/exit gates, replacing an existing Give Way pole. The new pole will be 4m in height and painted green or black
- 2.2. Poles comprise metal materials with a small sign indicating the use of CCTV and the cameras affixed to the top of the pole. Underground cabling is required to power the cameras and store images.

SITE

3. Description

- 3.1. The site comprises the length of Ewell Downs Road and part of The Green. It falls within the verge of the private gated estate as part of The Green/Ewell Downs Road Conservation Area. Surrounding development comprises large, detached dwellings on well-manicured grounds.

4. Constraints

- Built Up Area
- The Green/Ewell Downs Road Conservation Area
- Site of Special Scientific Interest Risk Area
- Great Crested Newt Impact Zone
- Tree Preservation Orders (various across site)
- Flood Zone 1
- Critical Drainage Area (part of site)
- Private road

5. History

- 5.1. There is no relevant site history.

CONSULTATIONS

Consultee	Comments
Conservation	Objection raised – less than substantial harm.
Highway Authority	No objection.
Trees	No comments received.
Public Consultation	
Neighbours	The application was advertised by means of a site notice, press notice, and notification to 79 neighbouring properties. No submissions were received.

PLANNING LEGISLATION, POLICY, AND GUIDANCE

6. Legislation and Regulations

- 6.1. Town and Country Planning Act 1990
6.2. Environment Act 2021
6.3. Planning (Listed Buildings and Conservation Areas) Act 1990
6.4. Community Infrastructure Levy Regulations 2010

7. Planning Policy

7.1. National Planning Policy Framework 2024 (NPPF)

- Section 2: Achieving Sustainable Development
- Section 4: Decision-Making
- Section 8: Promoting Healthy and Safe Communities
- Section 12: Achieving Well-Designed and Beautiful Places
- Section 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Section 15: Conserving and Enhancing the Natural Environment
- Section 16: Conserving and Enhancing the Historic Environment

7.2. Epsom and Ewell Core Strategy 2007 (CS)

- Policy CS1: Sustainable Development
- Policy CS3: Biodiversity and Designated Nature Conservation Areas
- Policy CS5: The Built Environment
- Policy CS6: Sustainability in New Development

7.3. Epsom and Ewell Development Management Policies Document 2015 (DMPD)

- Policy DM4: Biodiversity and New Development
- Policy DM5: Trees and Landscape
- Policy DM8: Heritage Assets
- Policy DM9: Townscape Character and Local Distinctiveness
- Policy DM10: Design Requirements for New Developments

8. Supporting Guidance

8.1. Other Documentation

- Ewell Downs Road/The Green Character Appraisal
- Community Infrastructure Levy Charging Schedule 2014

PLANNING ASSESSMENT

9. Principle of Development

- 9.1. The site is located within the built-up area of Ewell and the principle of development is acceptable, subject to consideration of the objectives and policies in the CS, the DMPD and supporting guidance and documents.

10. Design and Character/Heritage and Conservation

- 10.1. Paragraphs 129, 135 and 139 of the NPPF 2024 refer to the need for functional and visually attractive development that is sympathetic to local character and history. Policy CS5 of the CS requires high quality design that is attractive, relates to local distinctiveness and complements the attractive characteristics of the area. Policy DM9 of the DMPD requires a positive contribution to and compatibility with the local character and the

historic and natural environment and Policy DM10 requires good design that respects, maintains or enhances the prevailing house types and sizes, density, scale, layout, height, form and massing, plot width and building separation, building lines and key features.

- 10.2. The site is within Ewell Downs Road/The Green Conservation Area and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to the desirability of preserving or enhancing the character or appearance of that area. Policy CS5 of the CS and Policy DM8 of the DMPD seek to protect and enhance heritage assets and their setting.
- 10.3. The proposal involves the installation of CCTV cameras at four locations on The Green and Ewell Downs Road. Two of the locations (at the northern and southern gated entrances) will comprise the replacement of existing poles with new higher poles and utilisation of existing electricity supply. The two remaining locations (two towards the middle of Ewell Downs Road and one within The Green) will comprise new poles and electricity cabinets to power these cameras and store images. All poles will be to 4.0m height and include a small sign indicating the use of CCTV and the camera atop the poles. Underground cabling is required to power the CCTV and store images.
- 10.4. The Council's Design and Heritage Officer identified less than substantial harm with the proposal on the basis of the impact upon the character of the conservation area, raising concerns with the addition of poles in the street verge, preferring to have the locations of these poles and cabinets be more concealed.
- 10.5. Whilst the conservation area is characterised by its spaciousness and uncluttered nature, there are existing poles in the area, including road signage and lampposts at the northern and southern entrances (Locations 1 and 2) and a lamppost at Location 3 in the circular roundabout. The new poles will be marginally higher than street signage but lower than the lampposts. In this respect, the signage is not out of context with the area and would not contribute to undue street clutter. The new pole at Location 4 will be within a more open location that is devoid of other poles but as a singular feature, is not inconsistent with the continuity of lampposts and other signage. Broadly speaking, CCTV is permitted development if undertaken by a statutory authority or if undertaken by anybody else, if attached to a building. Therefore, such features are anticipated.
- 10.6. The two electricity cabinets are at ground level and sited on the verge. They would have the appearance similar to that of broadband cabinets which are common features in the streetscene. Whilst readily apparent, particularly at Location 3, they are not unduly out of place and the dark green colour would sufficiently compliment the leafy character.
- 10.7. Paragraphs 203-208 of the NPPF 2024 requires consideration of the harm to the significance of a designated heritage asset. Paragraph 206 requires

clear and convincing justification where there is harm to or the loss of a designated heritage asset. Paragraph 202 states that where there is less than substantial harm, the harm must be weighed against the public benefits. Because of the objection from the Conservation Officer, less than substantial harm is attributed.

- 10.8. The application is submitted on behalf of the residents of Ewell Downs Road with the intention being to manage anti-social behaviour within the private/gated road. Recordings will normally be kept for 30 days. Given the expressed safety and security concerns within the public domain, these are sufficient benefits to outweigh the minor level of harm and on this basis, no objection is raised. The use of materials and colours is conditioned.

11. Trees and Landscaping

- 11.1. Paragraph 136 of the NPPF 2024, Policy CS3 of the CS, Policy DM5 of the DMPD and the Householder SPG seek the retention, protection and enhancement of existing and new trees, hedgerows, and other landscape features, with removal of trees supported by sound justification and appropriate replacement planting of native species.
- 11.2. The electricity cabinet for Location 3 is within proximity of protected trees (Beech and Cedar trees at 43A Ewell Downs Road – TPO60/T17 and TPO60/T18 respectively). However, it is still at least 8m from the nearest of these trees and given the minimal groundworks associated with installing the cabinet and associated cabling along the verge, there are no realistic issues with the proposal and no objection is raised.

12. Neighbour Amenity

- 12.1. Policy CS5 of the CS and Policy DM10 of the DMPD seeks to protect occupant and neighbour amenity, including in terms of privacy, outlook, sunlight/daylight, and noise whilst Paragraph 191 of the NPPF 2024 and Policy CS6 of the CS seek to mitigate and reduce noise impacts.
- 12.2. The poles themselves pose no adverse neighbour impact due to their slimline nature and site location in the public domain. The cameras are also directed to face away from habitable areas. On this basis, no objection is raised.

13. Parking and Access

- 13.1. There are no highways related implications and no objections raised by the Highways Authority.

14. Ecology and Biodiversity

- 14.1. Paragraphs 180 and 186 of the NPPF 2024, Policy CS3 of the CS and Policy DM4 of the DMPD require the conservation and enhancement of

on-site biodiversity, with minimisation of impacts and the provision of mitigation measures. The site is within a SSSI Impact Risk Zone Area. However, due to the minor nature of the proposal and as the site is in built-up area with low ecological status, there is no foreseeable harm to protected species and no objection raised.

- 14.2. Schedule 7A of the Town and Country Planning Act 1990 and Section 180 of the NPPF require delivery of biodiversity net gain (BNG) of 10%, including by establishing coherent ecological networks that are more resilient to current and future pressures with the overall intention to deliver a more or better quality natural habitat than there was before development. The proposal is exempt from BNG requirements as it affects less than 25m² of priority habitat.

15. Flooding and Drainage

- 15.1. The site is within Flood Zone 1 and there are no flood risk or vulnerability issues. Part of the red line site area falls within a critical drainage area but none of the proposed locations are specifically within a critical drainage area. Given the limited extent of groundworks, there are no drainage issues.

16. Accessibility and Equality

- 16.1. Policy CS16 of the CS and Policy DM12 of the DMPD requires safe, convenient, and attractive access to be incorporated within the design of the development. There are no accessibility implications from the proposal.
- 16.2. The Council is also required to have regard to its obligations under the Equality Act 2010, including protected characteristics of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion, or belief. There would be no adverse impacts because of the development.

17. Planning Obligations and Community Infrastructure Levy

- 17.1. The Community Infrastructure Levy Charging Schedule 2014 indicates that the application is not chargeable for CIL payments because there is no change in floor space.

CONCLUSION

18. Planning Balance

- 18.1. Section 2 of the NPPF has an underlying presumption in favour of sustainable development which is carried through to the Development Plan. Policy CS1 of the CS expects development to contribute positively to the social, economic, and environmental improvements in achieving

sustainable development whilst protecting and enhancing the natural and built environment.

- 18.2. Section 10 of this report has concluded that the public benefits (Social considerations) outweigh the less than substantial harm (environmental considerations). On this basis, no objection is raised, and approval is recommended.

RECOMMENDATION

To grant planning permission subject to the following conditions and informatives

Conditions

1) Timescale

The development hereby permitted shall be commenced within three years from the date of this decision.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2) Approved Plans

Unless otherwise agreed in writing by the local planning authority, the development hereby permitted shall be carried out in accordance with the Location Plan (received 26 November 2024), Block Plan (received 18 November 2024), associated outline explanatory document and elevation on page 6 (received 25 January 2025).

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.

3) Materials

The materials to be used shall accord with those indicated with the approved documents, including the use of metal poles (black in colour at the northern and southern entrances and dark green on the roundabout and The Green) and dark green electricity cabinets, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a satisfactory external appearance in accordance with Policy CS5 of the Core Strategy 2007 and Policies DM9 and DM10 of the Development Management Policies Document 2015.

4) Removal of CCTV and associated infrastructure

When the CCTV and/or associated poles and cabinets are no longer used for their approved purpose or a deactivated, they must be removed as soon as reasonably practicable and no later than 3 months after ceasing use.

Reason: To ensure a satisfactory appearance in accordance with Policy CS5 of the Core Strategy 2007 and Policies DM8, DM9 and DM10 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.