

Minutes of the Meeting of the PLANNING COMMITTEE held on 8 September 2016

PRESENT -

Councillor Humphrey Reynolds (Chairman); Councillor Mike Teasdale (Vice-Chairman); Councillors John Beckett, Neil Dallen, Liz Frost (As nonimated substitute for Councillor Michael Arthur), Jan Mason, Tina Mountain, Peter O'Donovan, Martin Olney, David Reeve, Vince Romagnuolo, Clive Smitheram and David Wood

Absent: Councillor Michael Arthur

Officers present: Adele Castle (Planning Development Manager), Louise Mathie (Solicitor), John Robinson (Planning Officer) and Sandra Dessent (Democratic Services Officer)

22 DECLARATIONS OF INTEREST

No declarations of pecuniary interests were made by Councillors in items on this Agenda. However, in the interests of openness and transparency, any connections with the applications that were discussed are recorded under the relevant item.

23 MINUTES OF THE PREVIOUS MEETING

The Minutes of the previous meeting of the Planning Committee held on 21 July 2016 were agreed as a true record and signed by the Chairman.

24 PLANNING APPLICATION 15/01770/FUL - 5 ALEXANDRA ROAD, EPSOM, KT17 4BH

Description

Demolition of existing property and redevelopment of the site to provide nine, two bedroom flats and one, three bedroom flat in a three-storey block with accommodation in the roof space, formation of a new access onto Alexandra Road and the provision of ancillary car parking. (Description amended 17.08.2016 and amended drawings received 25.08.2016).

Decision

Planning permission is **REFUSED** for the following reasons:

- (1) **The proposed building due to its generic design, detailing, and lack of coherence fails to take the opportunities available for improving the character and quality of the local area, and does not make a positive contribution to the Borough's visual character and**

appearance, contrary to Policy DM9, DM10 and DM11 of the Development Management Policies Document 2015

- (2) The proposed building due to its design, scale height and massing would appear as a dominant and overbearing element in the streetscene, contrary to Policy DM9 and DM10 of the Development Management Policies Document 2015
- (3) The proposed scheme would lead to a material diminution of rear garden land which collectively forms part of a larger swathe of green infrastructure, which contributes to the amenity of surrounding residents, contrary to Policy DM10, DM11 and DM16 of the Development Management Policies Document 2015 and Policy CS1 of the Core Strategy 2007.
- (4) Without an appropriate agreement to secure the provision of two affordable housing units the proposal is contrary to the provisions of Policy CS9, and CS12 of the Epsom and Ewell Core Strategy (2007)
- (5) The proposed scheme would not provide at least 25% of the housing units as three bedroom units and therefore would fail to meet the requirement of Policy DM22 of the Development Management Policies Document 2015.

The Committee noted a verbal representation from the applicant's agent. Letters of representation had been published on the Council's website and were available to the public and members of the Committee in advance of the meeting.

25 PLANNING APPLICATION 16/00486/FLH - 64 THE AVENUE, WORCESTER PARK, KT4 7HH

Description

Single-storey flank and rear extension, two storey front extension (amended drawings received 18.08.2016)

Decision

Planning permission is **PERMITTED** 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(1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2005

- (2) The development hereby permitted shall be constructed entirely of the materials as detailed on the schedule of materials on the planning application form

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

- (3) The flank window in the rear south east corner of the rear extension hereby permitted shall be glazed with obscure glass of no less than obscurity level 3 and shall thereafter be permanently retained as such.

Reason: To safeguard the privacy of the occupants of adjoining properties in accordance with Policy DM10 of the Development Management Policies 2015.

- (4) The development hereby permitted shall be carried out in accordance with the following approved drawings:

500A; 501A

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

- (5) The new windows in the first floor flank elevations of the development hereby permitted shall be glazed with obscure glass of no less than obscurity level 3 and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

Reason: To safeguard the privacy of the occupants of adjoining properties in accordance with Policy 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) If you need any advice regarding Building Regulations please do not hesitate to contact Epsom & Ewell Borough Council Building Control on 01372 732000 or contactus@epsom-ewell.gov.uk.
- (3) You are advised that noisy 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 Saturdays; with no work on Saturday afternoons (after 13.00 hours), Sundays, Bank Holidays or Public Holidays.

Note: In the interests of openness and transparency, it was noted that the majority of the Committee were known to the neighbour of the applicant. However, it was not considered that it could be regarded as sufficiently close an association as to affect the consideration of this item.

- 26 PLANNING APPLICATION 16/00470/FLH - JANNAT, 2A DEREK AVENUE, WEST EWELL, KT19 9HT

Description

First floor side extension (Amended drawings received 12.08.2016)

Decision

Planning permission is **REFUSED** for the following reason:

- (1) **The proposed development, due to its design, scale, massing and location, would appear as a dominant and overbearing element in the outlook of No 2 Derek Avenue, and would lead to a material loss of daylight, contrary to Policy DM10 of the Development Management Policies Document 2015**

The Committee noted a verbal representation from an objector. Letters of representation had been published on the Council's website and were available to members of the Committee in advance of the meeting.

Note: In the interests of openness and transparency Councillors Jan Mason and Humphrey Reynolds indicated that they were known to the objector. However, it was not considered that it could be regarded as sufficiently close an association as to affect their consideration of the item.

- 27 PLANNING APPLICATION 16/00193/OUT - LAND WEST OF OLD MALDEN LANE, WORCESTER PARK KT4 7PU

Description

Outline application (Layout) for the construction of a detached two-storey dwelling

Decision

Outline Planning permission is **PERMITTED** subject to the following conditions:

Conditions:

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

expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later. Details of the access, appearance, scale and landscaping, "the reserved matters", shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

- (2) Prior to the commencement of development, details and samples of the materials to be used for the external surfaces of 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: In the interest of safeguarding visual amenity in accordance with Policy CS5 of the Core Strategy (2007) and policy DM10 of the Development Management Policies Document 2015.

- (3) Prior to the commencement of any development works, including ground preparation and demolition, a detailed Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to and approved in writing by the Local Planning Authority. The TPP shall show the root protection areas of all trees to be retained as set out in British Standard 5837. The AMS shall contain details of:

- The specification and location of tree protection (barriers fixed into the ground and/or ground protection as detailed in chapter 9 of BS5837);
- Any construction activity, excavation or level changes that may take place within the protected root area of trees shown on the TPP and the supervision and monitoring programme for these activities.
- Tree protection shall be erected prior to demolition, ground preparation and development works and shall remain in place for the duration of the construction works. The protection barriers shall only be removed on the completion of all construction activity and with the written agreement of the Local Planning Authority. All works shall be carried out in strict accordance with the approved details.

Reason: To ensure satisfactory protection of trees in the interest of amenity as required by policy DM5 of the Development Management Policies Document 2015.

- (4) Prior to the commencement of the development details of sustainability measures shall be submitted to and approved in writing by the Local Planning Authority. These details shall

demonstrate how the development would be efficient in the use of energy, water and materials and shall include means of providing the energy requirements of the development from renewable technologies. Thereafter, the development shall be carried out in strict accordance with the approved details.

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 and to comply with policy CS6 of the Core Strategy (July 2007).

- (5) Prior to the commencement of the development full details of the new areas of hard surfacing shall be submitted to and approved in writing by the Local Planning Authority. Such details shall show that the hard surface will be porous or permeable, or shall direct surface water to a porous or permeable surface within the site. Thereafter, the development shall be carried out in accordance with the approved details and so maintained.

Reason: To reduce surface water run-off from the site in line with policy CS6 of the Core Strategy (July 2007).

- (6) The development shall not commence until an “Ecology and Bat Report” has been submitted to and approved by the Local Planning Authority. The protection, mitigation and enhancement measures detailed in the ecological assessment shall be implemented prior to the first occupation of the development and/or in accordance with the approved timetable detailed in the ecological assessment and plan. The approved measures shall thereafter be maintained.

Reason: To conserve and enhance biodiversity as required by Policy CS3 of the Core Strategy 2007.

- (7) Prior to the commencement of any building or engineering operations, a Method of Construction Statement shall be submitted to and approved in writing with the local planning authority. This shall include details of:

- Parking of the vehicles of site personnel, operatives and visitors;
- Loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development;
- Programme of works (including measures for traffic management);
- Provision of boundary hoarding behind any visibility zones;
- HGV deliveries and hours of operation;

- **Vehicle routing;**
- **Measures to prevent the deposit of materials on the highway;**
- **Before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused;**
- **On-site turning for construction vehicles**

All of which shall be kept clear of the highway and the proposed access. Only the approved details shall be implemented during the construction period.

Reason: To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users as required by Policy CS16 of the Core Strategy 2007

- (8) **No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority.**

Reason: To ensure that the redevelopment does not destroy any surviving archaeological Heritage Assets, in accordance with the National Planning Policy Framework and Policy DM8

- (9) **The development hereby approved shall not be first occupied unless and until the proposed vehicular access to the existing access road off Old Malden Lane has been constructed and provided with visibility zones in accordance with the approved plans, and a scheme to be submitted to and approved in writing by the Local Planning Authority for improvements to the visibility at the existing junction with Old Malden Lane and thereafter the visibility zones shall be kept permanently clear of any obstruction measured from 0.6m above the road surface.**

Reason: To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users as required by Policy CS16 of the Core Strategy 2007

- (10) **The only means of access to the development hereby approved shall be from the existing access road.**
- **There shall be no means of vehicular/pedestrian/cycle access from the development hereby approved to Old Malden Lane.**
 - **The development hereby approved shall not be first occupied unless and until a permanent physical barrier fronting Old Malden Road has been erected to prevent the formation of unauthorised access to that**

road in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter that permanent physical barrier shall be permanently retained and maintained to the satisfaction of the Local Planning Authority.

- The development hereby approved shall not be commenced/ unless and until existing access/es from the site to Old Malden Lane have been permanently closed and any kerbs, verge, footway, fully reinstated.

Reason: To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users as required by Policy CS16 of the Core Strategy 2007

- (11) The development hereby permitted is based on the following indicative plans : J002348 PL02 J002348 PL03 J002348 PL04

Reason: For the avoidance of doubt and in the interests of proper planning as required by Policy BE1 (General Policy on the Built Environment), DC1 (General policy) of the Epsom and Ewell District Wide Local Plan 2000 and Policy DM10 of the Development Management Policies submission document (November 2014).

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) If you need any advice regarding Building Regulations please do not hesitate to contact Epsom & Ewell Borough Council Building Control on 01372 732000 or contactus@epsom-ewell.gov.uk.
- (3) Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council. 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

The Committee noted a verbal representation from the applicant's agent. Letters of representation had been published on the Council's website and were

available to the public and members of the Committee in advance of the meeting.

28 THE USE OF AGREEMENTS BY THE PLANNING SERVICE IN DELIVERING DECISIONS ON PLANNING APPLICATIONS

Planning Performance Agreements (PPAs) were a way of dealing with major planning applications. These allowed the Council to move away from standardised timescales to agreed performance targets and were a framework agreed between the local planning authority and a planning applicant for the management of complex development proposals within the planning process.

A PPA would be negotiated during the pre-application process and would encompass all stages of the process up to the decision stage. The main objective of a PPA would be to enhance the quality of the final development and to reach a decision within appropriate timescales which reflected the complexity of the issues involved in the development proposal. PPAs provided the opportunity for major schemes to be exempt from the thirteen week performance targets.

PPAs had been introduced in 2008 and the majority of the London planning authorities as well as other areas of the UK had developed a regular income stream from them.

The Committee was asked to consider the introduction of PPAs and related protocol, and the following points were noted:

- It was anticipated that developers would be keen to engage with the scheme as there were many benefits and incentives to take part including: more attention being given to major applications; a more streamlined service and improved communication and working relationships;
- Currently, in most cases, the planning service charged a fixed pre-application fee for a single meeting. With PPAs the development management team would offer a set of additional meetings in addition to the pre-application process. The fee would be negotiated on a case by case basis, dependent on the scale and complexity of the scheme, and charged on a cost recovery basis only;
- As a result of having an agreed schedule of meetings, Officers would be able to more effectively plan their workloads and establish the commitment of both internal and external working parties;
- PPAs would be used solely for major applications, i.e. in excess of 10 units.

The Committee agreed to the following amendments to the Planning Performance Protocol:

- Page 5, paragraph 8.1: "Project Champions" to be amended to read "Project Champion";

- Page 6, table in paragraph 9 (Local Planning Authority team): Officers names to be deleted to retain only job roles;
- Page 6, paragraph 10, Member Involvement: Clarification was requested regarding the number of Members who could be involved in the project, overall and per ward.

Accordingly, subject to the amendments detailed above, the Committee agreed to the use of Planning Performance Agreements and to adopt the protocol contained in the Planning Performance Agreement.

29 SITE VISITS

The Committee reviewed and considered site visits and decided that a visit should be held at the appropriate time in connection with the following application:

- The Roveries, 59-63 Cox Lane, West Ewell, KT19 9NR Ref: 15/01464/FUL

30 EXCLUSION OF PRESS AND PUBLIC

The Committee resolved to exclude the Press and Public from the meeting in accordance with Section 100A (4) of the Local Government Act 1972 on the grounds that the business involved the likely disclosure of exempt information as defined in paragraph(s) 6 of Part 1 of Schedule 12A to the Act (as amended) and that pursuant to paragraph 10 of Part 2 of the said Schedule 12A the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

31 PLANNING APPLICATION - LAND AT BURGH HEATH ROAD, EPSOM

The Committee agreed a way forward as set out in the Minutes

Note: The details are considered officially sensitive at this time and the Minute for this item will be exempt from publication.

The meeting began at 7.30 pm and ended at 10.55 pm

COUNCILLOR HUMPHREY REYNOLDS (CHAIRMAN)