

25 Alexandra Road Epsom Surrey KT17 4BP

Outline application (access) for the demolition of the existing dwelling and the erection of a new block of 10 self-contained flat units and associated parking.

Ward:	College
Contact Officer:	John Robinson

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=documents&keyVal=O983XTGY0AN00>

2 Summary

- 2.1 The application seeks outline permission for the demolition of the existing locally listed Victorian house and the erection of a part two/part three storey building comprising 10 two bedroom self-contained flat units and associated parking.
- 2.2 This application is referred to the Planning Committee for decision as the scheme is a major proposal.
- 2.3 The application is recommended for APPROVAL.

3 Site description

- 3.1 The application site lies on the north eastern side of Alexandra Road and presently comprises a detached, locally listed Victorian house. The site is situated between blocks of three storey flats, 23 Parkside Court and 27 respectively, each of which have their vehicular access roads serving their rear parking areas, almost abutting the flank boundaries of the application site.
- 3.2 The property is bounded to the north by Parkside Court. This building is located around 18m from Alexandra Road and set back between 6m at the rear and 10m at the front, from the shared flank boundary with application site. Parking for the flats is within a garage court across the entire width of the plot, with a 14m deep communal amenity space between the flats and the garages.

- 3.3 To the south, the site is bounded by a three storey block of flats with a “T” shape footprint, located 16m from the highway. The flats are set back 6m from the shared flank boundary with the application site, with an intervening access road to the rear garage parking court, which again is separated from the building by a 13m deep amenity space.
- 3.4 The application site is bounded to the east by the Alexandra Recreation Ground.
- 3.5 There are two protected trees on the application site, a Corsican Pine and a London Plane. There is a small group of trees between the site and the neighbouring flats at No 27, comprising a Horse Chestnut and Limes. There is also a protected Lime tree on the boundary within the curtilage of Parkside Court, as well as a Horse Chestnut within the radius to the access road to No 27. At the flats site at No 23, there is a Horse Chestnut on the boundary with application site.
- 3.6 The immediate area on the north eastern side of Alexandra Road is characterised by a dominance of flatted developments of varied scale, massing and appearance. The blocks of flats on either side of the application site have three storeys with flat roofs, whilst Alexandra and Danehurst Mansions (to the north and south respectively) have accommodation within a mansard roof space.

4 Proposal

- 4.1 The application seeks outline permission for the demolition of the existing house and the erection of a part two/part three storey building comprising 10 two bedroom self-contained flat units and associated parking and landscaping.
- 4.2 This is an outline application which merely seeks to establish the principle of the proposed access to the scheme, with the detailed appearance, layout, scale and landscaping to be dealt with at a later date. This means that the illustrative plans are not submitted for formal approval. The eventual details could be quite different to the illustrative plans. Permission is only being sought for development within the broad parameters of floorspace within defined boundaries. The appearance, layout, scale and landscaping of the residential development are reserved matters and a further application would be required before any development could commence. The local planning authority can set conditions to define the detail of how that development may be implemented (e.g. in relation to height, protected trees).
- 4.3 The new building, which would have a rectangular footprint, proposes an access drive down the east side of the block leading to a parking court of 19 car parking spaces and secure cycle parking at the rear. A refuse bin store and a turning head for a refuse lorry are shown at the front of the new building. The access roadway would be constructed taking into account the root protection areas of the protected trees along the east boundary of the site.

4.4 The new building would respect the established building line, but because of its narrower width and greater depth, its rear elevation would project further rearwards by around 10 m. The western flank elevation would be set back 3.34 m from the boundary with No.23 and the eastern flank set back around 11 m from the boundary on that side.

5 Comments from third parties

5.1 The application was advertised by means of letters of notification to 41 neighbouring properties, a press and site notice. To date (31.08.2016) 5 letters of objection have been received regarding:

- Loss of a heritage asset
- Highway safety
- Overdevelopment
- Impact on privacy
- Lack of parking

5.2 Epsom Civic Society: The scheme would not make a positive contribution to the Borough's visual character and appearance, contrary to Policy DM10

6 Consultations

6.1 County Highway Authority: No objections. Recommends conditions be imposed on any permission granted.

6.2 Design and Conservation Officer: No objection

6.3 Tree Officer: No objection.

6.4 Policy Officer: No objections.

7 Relevant planning history

Application number	Decision date	Application detail	Decision
15/00316/OUT	30.07.2015	Outline application (access) for the demolition of the existing dwelling and the erection of a new block of 10 self-contained flat units and associated parking.	REFUSED. Appeal DISMISSED 12.01.2016

8 Planning Policy

National Policy Planning Framework (NPPF) 2012

Chapter 7: Requiring Good Design

Core Strategy 2007

Policy CS1

General Policy

Policy CS3	Biodiversity and Nature Conservation
Policy CS4	Open spaces and green infrastructure
Policy CS5	Built Environment
Policy CS6	Sustainable Development
Policy CS7	Housing Provision
Policy CS8	Housing Location
Policy CS16	Highways

Development Management Policies Document 2015

Policy DM9	Townscape Character and Local Distinctiveness
Policy DM10	Design Requirements for New Developments
Policy DM 20	Environmentally Sustainable Development Standards/ Renewable Energy
Policy DM4	Biodiversity and New Development
Policy DM5	Trees and Landscape
Policy DM10	Design requirements for new developments
Policy DM11	Housing Density
Policy DM12	Housing standards
Policy DM35	Transport and New Development

Supplementary Planning Guidance

Sustainable Design 2012
Parking Standards for Residential development 2015

9 Planning considerations

Previous Application and Appeal Decision

9.1 A similar residential scheme for development (15/00316/OUT) seeking outline permission for the demolition of the existing building and the erection of a new block of 10 two bedroom flats, with associated landscaping and parking was refused by the planning committee in July 2015 on the following grounds:

‘The demolition of the locally listed building would result in the total loss of a heritage asset contrary to Policies BE15, CS5, paragraphs 131-133 of the NPPF and the emerging Policy DM8 (as recommended to be modified following examination).’

9.2 The application was dismissed on appeal in January 2016 (Appeal Ref: 3133849), on the grounds of the applicant failing to provide adequate provision for affordable housing, contrary to Policy CS9.

- 9.3 The Inspector, however, noted that the proposal would result in the demolition of the building, and that as the building is not statutorily protected as a listed building or within a conservation area the building could be demolished. He stated that whilst the proposals would result in the loss of the building it has previously been accepted that the significance of the asset could be safeguarded by the retention of the stained glass and its re-use in the proposed building. A point which the appellant has accepted and which the Council have suggested a condition to secure. Given the potential for the demolition of the unprotected building, the previous history and the ability to safeguard the elements of the building that are of significance I am satisfied that the proposal resulting in the demolition of the building would be acceptable.
- 9.4 He concluded that the proposed development would not result in harm to the historic environment and would not conflict with the aims and objectives of policies CS5 and DM8.
- 9.4 The Inspectors appeal decision is therefore a material consideration in assessing this application.

Principle of Development

- 9.5 The National Planning Policy Framework (NPPF) states that planning should encourage the effective use of land by re-using land that has been previously developed. Core Strategy Policy CS1 requires development and the use of land to contribute positively to the social, economic and environmental improvements necessary to achieve sustainable development in Epsom. Policy CS5 states that development should make efficient use of land and have regard to the need to develop land in a comprehensive way.
- 9.6 The redevelopment of this site within an already developed residential area is an appropriate and sustainable location for such development and in principle accords with the policies contained within national and local planning policy.

Loss of Locally Listed Building

- 9.7 The existing dwelling which is proposed to be demolished is locally listed and is described on the register as "The property is one of the few surviving late Victorian Houses on Alexandra Road, with many of its internal and external features intact. In particular, it's stained glass windows and front door, with plaster mouldings, fireplaces, timber details, staircase internally."
- 9.8 Para 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account and that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 9.9 In his decision the Inspector stated that based on the evidence before him the significance of the heritage asset was the artistic merit of the individual elements of the stained glass, which was present in the form of several windows above the stairs and in the panels in the front door. He concluded that bearing in mind the potential for retaining the stained glass, the scale of the loss of the heritage asset would not be significant.
- 9.10 This application also proposes the demolition of the locally listed building. Whilst this is regrettable the appeal inspector's decision is a material consideration in the determination of this planning application. As such it would be unreasonable to refuse this application on the basis of the loss of this heritage asset. Following on from the Inspector's comments on the windows, an appropriate planning condition requiring details of the retention/preservation of the stained glass windows within the new building, is proposed.

Density

- 9.11 Policy DM11-Housing Density states that in principle, proposals for new housing that make the most efficient use of sites within the borough's urban area will be supported in principle. The scheme proposes a density of 50 units per hectare and whilst policy DM11 states that the density of new housing developments in most cases should not exceed 40 dwellings per hectare, exceptions will be considered if the site enjoys good access to services, facilities and amenities via existing public transport, walking and cycling networks and the surrounding townscape has sufficient capacity to accommodate developments of higher density.
- 9.12 The site is in a relatively sustainable location, in proximity to a bus stop, as well as within 25minute walking distance to the railway station. The eastern side of Alexandra Road mainly comprises of flatted development and therefore the proposed scheme would be contextually appropriate. It is therefore concluded that the density is appropriate for the site.

Visual Impact

- 9.13 Indicative drawings have been submitted showing the position of the new building and its proximity to the site boundaries. The spacing between the building and density of the resulting development would respect the character and grain of the immediate surroundings.
- 9.14 Policy DM13 states that buildings higher than 12m will be inappropriate in all areas of the borough except within identified areas within the Epsom Town Centre Boundary.
- 9.15 This part of Alexandra Road is characterised by flatted development, of varying footprint, bulk, design and massing. Indicative drawings show that the new building would be two storeys in height (with mansard roof accommodation) in response to the built form and scale of the flat roofed three storey block of flats on either side.

- 9.16 Samples of materials, details of the design, scale, height, layout and boundary treatments will all be required by condition as part of the reserved matters

Residential Amenity

- 9.17 Although the building is shown to project beyond the rear of the adjoining blocks, it would be separated from those buildings by the driveways to their rear parking areas and landscaping. It would therefore not have a materially harmful impact on their respective outlooks.
- 9.18 Habitable room windows in the west flank of the building would face side windows in the adjacent flats, with the potential for mutual overlooking. Habitable room windows in the east elevation of the building would face the flats to the east at No.27 Alexandra Road. Residential amenity concerns would be addressed at the reserved matters stage.

Access

- 9.19 The new building, which would have a rectangular footprint, proposes an access drive down the east side of the block leading to a parking court of 19 car parking spaces and secure cycle parking at the rear. A refuse bin store and a turning head for a refuse lorry are shown at the front of the new building. The access roadway would be constructed taking into account the root protection areas of the protected trees along the east boundary of the site.
- 9.20 The Highways Officer is of the opinion that the development would not be prejudicial to the free flow of traffic and conditions of safety on the road and would therefore comply with Policy CS16.

Affordable Housing

- 9.21 Policy CS9 requires the provision of 20% of the 10 units in the scheme as affordable units, which equates to 2 units. In terms of the Borough's Supplementary Planning Document (SPD) - Developer Contributions, on site provision of affordable housing will always be sought in the first instance.
- 9.22 Officers have agreed that a commuted sum in lieu of on-site affordable housing provision would be acceptable. The applicant has agreed to pay the required commuted sum of £308,705.
- 9.23 The commuted sum would be secured by way of an appropriate legal agreement.

Community Infrastructure Levy

- 9.27 The proposed scheme is CIL liable.

10 Conclusion

10.1 The proposal seeks to erect a new residential building in a location which is considered appropriate. The new building would not harm the wider character of the area, nor lead to a loss of neighbouring residential amenities. In light of the above it is recommended that outline planning permission is granted.

11 Recommendation

Part A:

11.1 Subject to a legal agreement being completed and signed by 4 November 2016 to secure the following heads of terms:

A commuted sum of £308,705.

11.2 The Committee authorise the Head of Place Development to grant planning permission 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 appearance, layout, scale and landscaping, hereinafter called "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 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

(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) No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for 19 vehicles and a minimum of 10 bicycles to be parked, and for vehicles to turn so that they may enter and leave the site in forward gear. The

parking/turning area shall be used and retained exclusively for its designated purpose.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the provisions of policy CS16 of the Core Strategy (2007)

- (4) 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:
- a) Parking of the vehicles of site personnel, operatives and visitors,
 - b) Loading and unloading of plant and materials,
 - c) Storage of plant and materials used in constructing the development,
 - d) Programme of works (including measures for traffic management)
 - e) Provision of boundary hoarding behind any visibility zones
 - f) HGV deliveries and hours of operation
 - g) Vehicle routing
 - h) Measures to prevent the deposit of materials on the highway
 - i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
 - j) 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)

- (5) 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.

- (6) 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 2007.

- (7) Prior to the commencement of the development, details of the retention and preservation of the stained glass windows within the new building, shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be carried out in strict accordance with the approved details.

Reason: To safeguard and preserve the significance of the heritage asset in accordance with Policy CS5 of the Core Strategy (2007) and Policy DM8 of the Development Management Policies Document 2015.

- (8) Prior to the first occupation of the new building, "woodcrete" soffit bird and bat boxes shall be installed in accordance with details submitted to and approved by the Local Planning Authority. The boxes shall be retained thereafter.

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

- (9) 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.

- (10) The development shall not commence until an Ecology and Bat Report has been submitted to and approved by the local planning authority. The approved 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.

- (11) No development shall take place until a scheme to enhance the biodiversity interest of the site has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved and thereafter maintained.

Reason: To enhance biodiversity and nature habitats in accordance with Policy CS3 of the Core Strategy (2007) and Policy DM4 of the Development Management Policies Document 2015.

- (12) The residential units hereby approved shall not be occupied until they have achieved a water efficiency standard using not more than 110 litres per person per day maximum indoor water consumption.

Reason: To ensure that the development is sustainable and makes efficient use of water to comply with Policy DM12 of the Development Management Policies 2015.

- (13) The development hereby permitted is based on the following approved plan: Site Plan 1504/EP5 May 2015

Reason: For the avoidance of doubt and in the interests of proper planning as required by Policy DM10 of the Development Management Policies Document 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 water efficiency standard required under condition 12 has been adopted by the local planning authority through the Development Management Policies 2015. This standard is the 'optional requirement' detailed in Building Regulations 2010, Part G Approved Document (AD) Buildings Regulations (2015), at Appendix A paragraph A1.

The applicant is advised that this standard can be achieved through either:

- a) using the 'fittings approach' where water fittings are installed as per the table at 2.1 in the AD or
- b) using the water efficiency calculation methodology detailed in the AD Part G Appendix A.

Part B:

- 11.3 In the event that the section 106 Agreement referred to in Part A is not completed by 4 November 2016, the Head of Place Development be authorised to refuse the application for the following reason:

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 CS9 (Affordable Housing) and CS12 (Developer Contributions) of the 2007 Core Strategy in relation to the provision of a commuted sum in lieu of the on-site provision of affordable housing units.