

37 & 37A Cheam Road Ewell Surrey KT17 1QX

The demolition of existing two dwellings on site and the erection of a new four-storey building to provide 17 flats and associated parking to the rear. (Amended drawings received 28.07.2016)

Ward:	Nonsuch
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=O6ASF1GYL0L00>

2 Summary

- 2.1 The application site is located on the northern side of Cheam Road, 200m east of the railway line. The land is currently occupied by two detached dwellings. This application seeks permission for the demolition of the houses and the erection of a four-storey building to provide 17 flats and associated parking to the rear.
- 2.2 The application is recommended for APPROVAL.

3 Site description

- 3.1 The application site is located on the northern side of Cheam Road, 200m east of the railway line. The land is currently occupied by two detached dwellings.
- 3.2 The existing buildings on the site are two storeys with tiled pitched roofs and substantial chimneys. The buildings have a brick plinth with render/hung tile upper elevations. The rear gardens are mainly laid to lawn with mature planting to the rear boundary. The front comprises hard landscaped driveways and parking. Both dwellings have attached single storey garages.
- 3.3 The site is bounded to the west by Charlemont House, a part 3/part 4 storey building, a circa 9 year old scheme of mock Tudor style with pitched roof, which contains 19 flats with substantial parking to the rear.

- 3.4** Dormans Court to the east comprises a circa 1960s flat-roofed three storey building containing 10 flats with parking and single storey garages to the rear. The vehicular access is between the 3 storey building and the application site.
- 3.5** Further to the east and west, the buildings along Cheam Road, and to the rear of the site, comprise 2 storey detached properties of varying architectural styles and scale.

4 Proposal

- 4.1** This application seeks permission for the demolition of the houses and the erection of a four-storey building to provide 17 flats (6 one bedroom, 5 two bedroom and 6 three bedroom units) and associated parking to the rear.
- 4.2** The flats would meet national space standards, with access to both private balconies and private landscaped amenity space for the ground floor flats. The unit layouts have been designed to meet the requirements of Lifetime Homes.
- 4.3** The flat roofed building would have an overall height of 12.4metres. It would sit below Charlemont House (12.8m) and above Dorman Court (9m), its immediate neighbours. It would be set back 11m from Dormans Court and 7m from Charlemont House. The front building line would align with the neighbouring properties (at the furthest point in the centre of the building) and would recede in “steps” at the sides.
- 4.4** The apartment building would have red brick elevations, partly clad with zinc panels. The building would be articulated by stepped sections of brickwork, with the zinc clad top floor set well back from the floors below. The elevations would be punctuated by recessed and projecting balconies, with the entrance on the eastern flank emphasised by a recessed vertical zinc clad elevation.
- 4.5** Parking for 20 vehicles would be provided in a parking court to the rear of the new building. Access is proposed via a driveway along the eastern flank boundary of the site. The drive way would be single lane in part to control vehicles. There would be sufficient turning space for refuse collection and an on-site waiting area for cars.
- 4.6** 23 bicycle spaces would be provided for residents in a secure cycle store to the rear of the site and a refuse store adjacent to the eastern flank boundary.
- 4.7** Indicative landscaping plans, including an Arboriculture Survey have been submitted with the application. These plans show that the more prominent trees around the boundaries would be retained. The proposal would include the planting of new trees and new hedgerows to outline the boundaries of the proposed ground floor gardens and to further reinforce existing screening along the boundaries of the site. The proposed scheme includes the removal of several trees and other overgrown vegetation across the site, but the removed trees would be mainly of low quality.

5 Comments from third parties

5.1 The application was advertised by means of letters of notification to 58 neighbouring properties, a site and press notice. To date (01.09.2016) 19 letters of objection have been received regarding:

- Overdevelopment
- Loss of privacy
- Out of keeping
- Overbearing
- Parking provision
- Highway safety
- Flooding (*Officer Comment: The site does not fall within a Flood Zone*)
- Density

Nonsuch Residents Association: Out of keeping, overdevelopment, and insufficient parking

6 Consultations

6.1 County Highways Officer: No objection.

6.2 Tree Officer: No objection.

6.3 Lead Local Flood Authority – is satisfied with the proposed drainage scheme subject to the imposition of relevant conditions.

7 Relevant planning history

Application number	Decision date	Application detail	Decision
08/00814/FUL	21.11.2008	Demolition of existing dwellings and construction of ten two-bedroom and two one-bedroom flats and associated parking (Amended drawings received 8.11.2008 and 13.11.2008)	REFUSED Appeal GRANTED 20.10.2009
12/00580/REN	06.02.2013	Renewal of planning permission 08/00814/FUL (Demolition of existing dwellings and construction of ten two-bedroom and two one-bedroom flats and associated parking).	GRANTED

8 Planning Policy

National Policy Planning Framework (NPPF) 2012

Paragraph 17	Core Planning Principles
Chapter 6	Delivering a Wide Choice of Quality Homes
Chapter 7	Requiring Good Design

Core Strategy 2007

Policy CS1	Sustainable Development
Policy CS3	Biodiversity
Policy CS5	Built environment
Policy CS6	Sustainability in new developments
Policy CS7	Housing Provision
Policy CS8	Broad location of housing development
Policy CS9	Affordable Housing
Policy CS16	Managing transport and travel

Development Management Policies Document 2015

Policy DM4	Biodiversity and new development
Policy DM5	Trees and landscape
Policy DM9	Townscape character and local distinctiveness
Policy DM10	Design requirements for new developments
Policy DM11	Housing design
Policy DM12	Housing standards
Policy DM13	Building heights
Policy DM20	Environmentally sustainable development
Policy DM21	Meeting Local Housing Need
Policy DM22	Housing mix
Policy DM35	Transport and new development
Policy DM36	Sustainable Transport for new development
Policy DM37	Parking standards

9 Planning considerations

Principle of Development

- 9.1** The principle of demolishing the existing dwellings and the redevelopment of the site has been established through the previous permission (12/00580/REN) for the erection of a building comprising ten two-bedroom and two one-bedroom flats and associated parking.
- 9.2** 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.

Density

- 9.3** 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 87 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.

- 9.4** The site is in a sustainable location, in proximity to a bus stop, as well as within 150m of the Ewell East railway station. The site falls between two existing blocks of flats, both of which exceed 40 dwellings per hectare and therefore the proposed scheme would be contextually appropriate. It is therefore concluded that the density is appropriate for the site.

Visual Impact

- 9.5** While the predominant pattern of development in the area is characterised by detached, two-storey inter-war period houses, there are several examples of other forms of development, notably on the immediately adjoining sites. Charlemont House, to the west, is a very substantial, recently built 4-storey development, and to the east, Dormans Court, a circa 1960s 3-storey flat-roofed block of flats.
- 9.6** These neighbouring buildings are very dissimilar from each other architecturally. However, they have some design features in common, including their set back from Cheam Road, their relatively large footprints and substantial massing and bulk compared with the application site's existing houses and other nearby dwellings, and their inclusion of parking areas at the rear.
- 9.7** The new block of flats would occupy a similar, but slightly larger footprint than the previous scheme. The building would have a depth of approximately 24m and a height of around 12.4 metres. The neighbouring properties vary in depth between approximately 19m – 24m, and have heights between 9m – 13m.
- 9.8** In visual terms the scheme would be successful. It would form a transition between its two rather disparate neighbours, having about the same setback from Cheam Road and being approximately intermediate in overall height and footprint. It would appear no more dominant and assertive in the street scene than Charlemont House. The articulated front elevation, with top floor set back, would mitigate the perceived scale and massing. In officer's opinion, it would be more appropriate within this short section of Cheam Road than the two existing dwellings, which now appear somewhat isolated and anomalous within a much changed frontage.
- 9.9** The proposed apartment block would establish its own contemporary design character by utilising construction materials, methods and architectural design that would be reflective of the present era, without resorting to pastiche.
- 9.10** The use of brickwork and metal cladding panels has been carefully considered and detailed, and would acknowledge the traditional materials used in surrounding area albeit in a contemporary manner. The proposed fenestration details and their juxtaposition with a contemporary palette of materials are well chosen and well mannered.
- 9.11** It is concluded that the proposed scheme would not have a harmful impact on the streetscene, or the character and appearance of the wider and would therefore accord with Policy DM8, DM9 and DM10.

Neighbour Amenity

- 9.12** The new building has been designed, and detailed, such that the impact on neighbouring properties would be minimised.
- 9.13** Windows are limited on the flank elevations and any potential overlooking would be prevented by a combination of obscure glazing and fixed screening. Overlooking from the rear roof terrace to the rear garden of the nearest property in Boleyn Walk would be prevented by a proposed 1200mm high brick parapet wall, which would also prevent overlooking to Dormans Court. Balconies would have glazed 1.7m height flank privacy screens.
- 9.14** The first floor, rear facing windows (serving habitable rooms) and balconies would face the rear garden of the 8 Boleyn Avenue at a distance of some 26m, and habitable room windows in the eastern flank elevation, would face Dormans Court at an oblique distance of 21m, which is acceptable.
- 9.15** The flank walls of the new building would be setback between 7m and 17m from the neighbouring buildings. Loss of daylight to the affected properties would be negligible at this distance.
- 9.16** It is therefore concluded that the proposed scheme would not have a materially harmful impact on neighbour amenity in terms of overlooking, loss of privacy, daylight or being overbearing in their outlook.

Parking and Access

- 9.17** Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are “severe”.
- 9.18** 20 parking spaces are proposed which would comply with the Council’s adopted parking standards which require 1 and 2 bedroom flats outside of the Town Centre to have 1 space per unit, and 3 bedroom flats to have 1.5 spaces.
- 9.19** The County Highways Authority has no objection to the proposal subject to the imposition of highway conditions regarding the provision of the parking spaces. 23 bicycle spaces are provided within a purpose-built storage area which would accord with the requirements of local guidance.

Refuse

- 9.20** A bin store for waste and recycling would be provided adjacent to the eastern flank boundary. There would sufficient turning space for refuse collection in the front of the site.

Landscaping

- 9.21** Indicative landscaping plans, including an Arboriculture Survey have been submitted with the application. These plans show additional planting is proposed to the flank and rear boundaries to act as a green buffer between the proposed development and the adjacent properties. The proposed scheme includes the removal of several trees and other overgrown vegetation across the site, but the trees to be felled are generally of low quality.
- 9.22** Hard landscaping materials such as brick paviours are proposed to create pathways and areas of hardstanding within the site. The vehicular access way would be permeably paved.
- 9.23** A detailed landscaping scheme will be secured via an appropriate planning condition.

Sustainable Drainage System (SuDS)

- 9.24** SuDS became a material planning consideration on 6 April 2015 whereby details of proposed SuDS must be considered as part of the planning process and it must be demonstrated that the development would have no adverse impact on flood risk. This approach is supported by Policy CS6 which states that new development should avoid increasing the risk of flooding and Policy DM19 which requires development to reduce the volume and rate of surface water run off through the incorporation of appropriately designed SuDS.
- 9.25** The applicant has submitted information with regard to the provision of SuDS as part of their application. The Lead Local Flood Authority at Surrey County is satisfied that the proposed drainage scheme would meet the requirements set out in paragraphs 051, 079 and 080 of the revised NPPF Planning Practice Guidance (PPG) for Flood Risk and Coastal Change. They recommend that should planning permission be granted, that suitably worded conditions are applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.

Sustainability

9.26 Policy CS6 requires development to reduce or have a neutral impact on pollution and climate change. It also requires proposals to demonstrate how sustainable design and construction can be incorporated to improve energy efficiency. A Sustainable Energy Strategy has been submitted to demonstrate how the proposal will secure an energy efficient design and minimise its environmental impact. The Strategy confirms best practice for air tightness and U-values (in relation to loss of heat through areas of glazing), high levels of insulation and features such as low energy lighting will provide a reduction in the demand for energy before the inclusion of renewables. The applicant proposes to use photovoltaic panels to provide at least 10% of the energy requirements from renewable resources on site.

Ecology

9.27 The scheme is supported by a Phase 1 Ecological Assessment and a Bat Survey. The Bat Survey stated that there were no signs of bat ingress into the property and no bats were seen emerging from the properties. It is recommended that a condition requiring the installation of bat and bird boxes, as well as the planting of native trees and shrubs be imposed, in order to enhance the value of the site for local wildlife, with a net gain for biodiversity as encouraged by Policy DM4.

Affordable Housing

9.28 Policy CS9 seeks 40% affordable housing to be provided on developments of 15 or more dwellings. The proposal for 17 dwellings therefore generates a requirement for 6.8 dwellings to be provided on-site as affordable housing units.

9.29 The applicant instructed its affordable housing viability consultant to undertake an affordable housing viability appraisal to establish if the scheme could afford to make a contribution to affordable housing.

9.30 The affordable housing viability appraisal submitted alongside this planning application demonstrates that the scheme cannot afford to make either on-site provision or an offsite financial contribution in lieu of on-site provision.

9.31 The Council's consultant has assessed the Viability Report and whilst they agree that the scheme would not be able to support S.106 contributions and affordable housing at a policy compliant level, they conclude that there would be a surplus of **£21,531.00** so the scheme would be viable and able to fund a commuted sum in lieu of on-site provision of affordable housing.

9.32 The commuted sum has been secured by a legal agreement.

Community Infrastructure Levy

9.33 The scheme is CIL liable.

10 Conclusion

- 10.1 The proposal meets planning policy objectives and gives the opportunity to redevelop this residential site with a high quality residential scheme.

11 Recommendation

Part A:

- 11.1 Subject to a legal agreement being completed and signed by 14 October 2016 to secure the following heads of terms:

A commuted sum of £21,531.00

- 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 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) Prior to the commencement of development, details and samples of the external materials 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.

- (3) No development shall take place until full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, have been submitted to and approved in writing by the local planning authority. The landscaping shall incorporate the planting of native species of trees and shrubs. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and thereafter retained.

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.

- (4) The development works including ground preparation, demolition and construction; shall be carried out in strict accordance with the submitted Arboricultural Method Statement 2016035 April 19th 2016. 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.

- (5) Before the development is occupied, the proposed vehicular/pedestrian/cycle modified access to Cheam Road shall be constructed and provided with visibility zones in accordance with (the approved plans, all to be permanently maintained to a specification to be agreed in writing with the Local Planning Authority.

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.

- (6) No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for a maximum of 20 cars and a minimum of 23 cycles 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.

- (7) No development shall commence until a Construction Transport Management Plan, to include details of:
- a) parking for vehicles of site personnel, operatives and visitors
 - b) loading and unloading of plant and materials
 - c) storage of plant and materials
 - 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

h) on-site turning for construction vehicles

has been submitted to and approved in writing by the local planning authority. Only the approved details shall be implemented during the construction of the development.

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.

- (8) No construction work shall be carried out in such a manner as to be audible at the site boundary before 07:30 hours or after 18:30 hours Monday to Friday; no construction work shall be audible at the site boundary before 08:00 or after 13:00 hours on Saturdays and no construction work of any nature shall be carried out on Sundays or Bank/Public Holidays.

Reason: To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers or highway safety or cause inconvenience to other highway users in accordance with Policies DM10 of the Development Management Policies Document 2015 and Policy CS16 of the Core Strategy (2007).

- (9) A report is to be submitted to the local planning authority, within 6 months of the commencement of any use of any part of the building, to demonstrate that the renewable technologies (as detailed in the submitted Sustainability Statement) hereby approved have been fully implemented and are functioning.

Reason: In order to promote sustainable construction in accordance with Policy CS6 of the Core Strategy 2007.

- (10) All new photo voltaic panels or tiles shall be fitted flush with the adjoining roof surface and shall not project beyond the plane of the roof.

Reason: To safeguard the visual amenities of the area and to ensure a satisfactory appearance to the buildings in accordance with policy DM9 and DM10 of the Development Management Policies Document 2015

- (11) 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.

- (12) Prior to construction of the development hereby approved, plans and information relating to the following:

- i. A drainage layout detailing the exact location of SUDs elements, pipes. Impervious areas and drainage sub-catchments (if applicable)
- ii. Details of all SUDs elements and other drainage features, including long and cross sections, pipe diameters and respective levels

shall be submitted to and approved by the local planning authority. The development will proceed only in complete accordance with the approved details.

Reason: To ensure the design fully meets the national SuDS technical standards.

- (13) Before the commencement of the construction of the development hereby approved, details of how the Sustainable Drainage System will be protected and maintained during the construction of the development shall be submitted to and approved by the local planning authority. The development shall thereafter be carried out in strict accordance with those approved details.

Reason: To ensure that the construction works do not compromise the functioning of the agreed Sustainable Drainage System.

- (14) Prior to construction of the development hereby approved, details of the proposed maintenance regimes for each of the SuDS elements must be submitted to and approved by the local planning authority. The approved details shall be fully complied with for the duration of the development.

Reason: To ensure the drainage system is maintained throughout its life time to an acceptable standard.

- (15) Prior to occupation, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Drainage System has been constructed as per the agreed scheme.

Reason: To ensure the Sustainable Drainage System has been constructed as agreed.

- (16) 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.

- (17) The development hereby permitted shall be carried out in accordance with the following approved plans:
PA-001 revA - Existing site plan

PA-002 revA - Existing elevations
PA-101 revC - Proposed site plan
PA-102 revA - Proposed 3-D perspectives
PA-110 revA - Proposed ground and first floor plans
PA-111 revB - Proposed second and third floor plans
PA-112 revB - Proposed roof plan
PA-120 revA - Proposed section A-A
PA-130 revA - Proposed north and south elevations
PA-131 revA - Proposed east and west elevations
PA-101 revC - Proposed site plan
PA-150 revB - Refuse truck swept path analysis
PA-112 revB - Proposed roof plan

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).

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 11 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.
- (3) This form of development is considered liable for the Community Infrastructure Levy (CIL). CIL is a non-negotiable charge on new developments which involve the creation of 100 square metres or more of gross internal floorspace or involve the creation of a new dwelling, even when this is below 100 square metres. The levy is a standardised, non-negotiable charge expressed as pounds per square metre, and are charged on the net additional floorspace generated by a development.

You will receive more information regarding the CIL in due course.

More information and the charging schedule are available online:

<http://www.epsom-ewell.gov.uk/NR/exeres/74864EB7-F2ED-4928-AF5A-72188CBA0E14,frameless.htm?NRMODE=Published>

Part B:

- 11.3 In the event that the section 106 Agreement referred to in Part A is not completed by 14 October 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.