Minutes of the Meeting of the PLANNING COMMITTEE held at the Council Chamber, Epsom Town Hall on 10 September 2026

PRESENT:
Councillor Clive Woodbridge (Chair); Councillor Phil Neale (Vice-Chair); Councillors Neil Dallen, Alison Kelly, James Lawrence, Robert Leach and Kate Chinn (as nominated substitute for Councillor Chris Watson)

Absent:
Councillor Jan Mason, Councillor Kieran Persand, Councillor Humphrey Reynolds and Councillor Chris Watson

Officers present:
Simon Taylor (Head of Development Management and Planning Enforcement), Gemma Paterson (Planning Development Team Leader) and Phoebe Batchelor (Democratic Services Officer)

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18 DECLARATIONS OF INTEREST

25/00368/FUL Swail House, Ashley Road, Epsom, Surrey KT18 5AZ

Councillor Neil Dallen, Other Interest: Councillor Neil Dallen declared that he knew the public speaker, speaking in objection of the application, and had communicated with him. He stated that he maintained an open mind.

Councillor Kate Chinn, Other Interest: Councillor Kate Chinn declared that she knew the public speaker, speaking in objection of the application, and had met with him on multiple occasions. She stated that she maintained an open mind.

Councillor Clive Woodbridge, Other Interest: Councillor Clive Woodbridge declared that Committee Members had received email correspondence from a representative of the Epsom and Ewell Talking Newspaper. He stated this did not affect Members judgement and he maintained an open mind.

19 MINUTES OF THE PREVIOUS MEETING

The Committee confirm as a true record the Minutes of the Meeting of the Committee held on 9 July 2026 and authorised the Chair to sign them.

20 SWAIL HOUSE, ASHLEY ROAD, EPSOM, SURREY KT18 5AZ

Description:

Demolition of the existing community rooms and caretaker's cottage and construction of two new apartment buildings comprising of 48 units together with access and parking, cycle and bin store, hard and soft landscaping.

Officer Recommendation:

Approval, subject to conditions, informatives and S106 legal agreement.

Officer Presentation:

The Committee received a presentation on the application from the Planning Development Team Leader.

Public Speaking:

The Democratic Services Officer verbally presented statements to the Committee on the application from both an Objector and the Applicant.

Decision:

Following discussions about access to the application site, the Head of Development Management and Planning Enforcement, read out an amendment to Condition 12, 'No part of the development shall be first occupied unless and until the proposed vehicular access to Swail House from Heathcote Road has been constructed and provided with pedestrian priority and visibility zones in general accordance with the approved plan 34045-H-01 Rev P1, subject to possible alterations as part of a Road Safety Audit and technical review, *including but not limited to the inclusion of a barrier near the main entrance to the application site to prevent access through the Swail House site to the existing entrance near the intersection with Ashley Road.'*

Following discussions about the recording times of the Talking Newspaper, the Planning Development Team Leader read out an amendment to Condition 29, part 'J) Measures to protect neighbouring residential amenity throughout the construction period, *and to protect the recording sessions of the Talking Newspaper;'*

The Committee unanimously approved both proposed amendments.

Following consideration, Councillor Neill Dallen proposed a motion that the Officer recommendation be agreed. The proposal was seconded by Councillor Robert Leach.

The Committee resolved (5 for, 1 abstention and the Chair not voting) to:

PART A

Grant planning permission subject to a S106 Legal Agreement with the following Heads of Terms:

a) Retention of Affordable Specialist Accommodation

b) Biodiversity Net Gain Monitoring Fee of £6000

and the following conditions and informatives,

PART B

If the Section 106 Agreement referred to in Part A is not completed by 10 March 2027, the Head of Place Development is 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, the applicant has failed to comply with Policy SC9 and CS16 of the Core Strategy 2007 and Policies DM36 and DM37 of the Development Management Policies Document 2015.

Conditions

1. Time Limit

The development hereby permitted shall begin 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 2004.

2. Approved Details

The development hereby permitted shall be carried out in accordance with the following approved plans:

- 20.019 0001.000 P1 Location Plan

- 20.019 0100.000 P4 Proposed Site Plan

- 20.019 0300.000 P2 Proposed Elevations (1)

- 20.019 0301.000 P2 Proposed Elevations (2)

- 20.019 0302.000 P2 Proposed Elevations (3)

- 20.019 0200.000 P2 Proposed Ground Floor Plans

- 20.019 0201.000 P2 Proposed First Floor Plans

- 20.019 0202.000 P2 Proposed Second Floor Plans

- 20.019 0203.000 P2 Proposed Third Floor Plans

- 24.023-BOSK-XX-XXX-DR-L-1000 P04 Roof Plan

- 20.019 0103.000 P1 Proposed Refuse Collection Strategy Plan

- 20.019 0104.000 P1 Proposed Parking Strategy Plan

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

Pre-Commencement Conditions

3. Materials

No development shall commence unless and until details of the external materials to be used for the development have been 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 Policy DM10 of the Development Management Policies Document 2015.

4. Ground Contamination

Following any necessary demolition and prior to the commencement of any further development above ground, the following shall be undertaken in accordance with current best practice guidance:

(i) a desk study, site investigation and risk assessment to determine the existence, extent and concentrations of any made ground/fill, ground gas (including hydrocarbons) and contaminants with the potential to impact sensitive receptors on and off-site. The results of the investigation and risk assessment shall be submitted to and approved by the Local Planning Authority; and

(ii) if ground/groundwater contamination, filled ground and/or ground gas is found to present unacceptable risks, a detailed scheme of risk management measures shall be designed and submitted to the Local Planning Authority for approval.

Reason: To control significant harm from land contamination to human beings, controlled waters, buildings and ecosystems as required by Policy DM10 of the Development Management Policies Document 2015.

5. SuDS Details

No development shall commence unless and until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels. Where infiltration is

proposed confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.

b) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+40% allowance for climate change) storm events. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 1.8 l/s.

c) Detailed design drawings for all drainage elements including cross sections and detailed drainage layout plan.

d) An exceedance flow routing plan demonstrating no increase in surface water flood risk on or off site. The plan must include proposed levels and flow directions.

e) Details of drainage management responsibilities and maintenance regimes for all drainage elements.

f) Details of how surface water will be managed during construction including measures to protect on site and downstream systems prior to the final drainage system being operational.

The approved details shall be implemented during the construction of the development and thereafter maintained.

Reason: To ensure that the principles of sustainable drainage are incorporated into the development and to reduce the impact of flooding in accordance with Policy CS6 of the Epsom and Ewell Core Strategy 2007 and Policy DM19 of the Development Management Policies Document 2015.

6. Tree Protection Plan and Arboricultural Method Statement

No development (including demolition and all preparatory work) shall take place until a detailed tree protection plan and arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details

Reason: To protect the trees adjacent to the 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 Document 2015.

7. Badger Licence

No development, including site clearance, groundworks or demolition works, shall commence until either:

a) a licence authorising the works affecting badgers and/or badger setts has been obtained from Natural England and a copy of the licence has been submitted to the Local Planning Authority; or

b) written confirmation from a suitably qualified ecologist has been submitted to and approved in writing by the Local Planning Authority demonstrating that a licence is not required.

The development shall thereafter be carried out in full accordance with the approved licence and any associated mitigation, compensation, monitoring and management measures.

Reason: To ensure the protection of badgers and their setts, which are protected under the Protection of Badgers Act 1992, and to preserve and enhance biodiversity in accordance with Policy CS3 of the Core Strategy 2007, Policy DM4 of the Development Management Policies Document 2015.

Pre-Above Ground Conditions

8. Habitat Management and Monitoring Plan

No above ground development shall commence unless and until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved statutory biodiversity gain plan has been submitted to, and approved in writing, by the Local Planning Authority and including:

a) A non-technical summary;

b) The roles and responsibilities of the people or organisation(s) delivering the HMMP;

c) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved statutory biodiversity gain plan;

d) The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and

e) The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

No occupation shall take place until the habitat creation and enhancement work set out in the approved HMMP have been completed; and a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

Notice in writing shall be given to the Council when the HMMP works have started. The created and/or enhanced habitat specified in the approved HMPP shall be managed and maintained in accordance with the approved HMMP.

Reason: To ensure that the development results in a biodiversity net gain which meets national standards, in accordance with Schedule 7A of the Town and Country Planning Act 1990, Section 180 of the National Planning Policy Framework and Policy DM4 of the Development Management Policies Document 2015.

9. Off-Site Biodiversity Net Gain

No above ground development shall commence until evidence has been submitted to and approved in writing by the Local Planning Authority demonstrating that sufficient off-site biodiversity units have been secured to achieve the statutory biodiversity net gain requirement for the development. The submitted details shall include:

a) the number and type of biodiversity units secured;

b) details of the off-site biodiversity gain site(s);

c) evidence that the off-site biodiversity gains have been secured for a minimum period of 30 years through a legal agreement, conservation covenant, allocation on the Biodiversity Gain Site Register, or other mechanism approved by the Local Planning Authority

Reason: To secure the delivery of the required biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended), the Environment Act 2021 and relevant development plan policies

10. Underground Services

No development shall commence above ground level until details of all proposed underground services, including drainage runs, water supply, gas, electricity, telecommunications and any associated infrastructure, have been submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate that the installation of underground services will not adversely affect retained trees, including their Root Protection Areas (RPAs), and shall include any necessary special engineering solutions and arboricultural supervision requirements. The approved works shall thereafter be carried out in full accordance with the approved details.

Reason: To protect the trees adjacent to the 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 Document 2015.

11. Landscaping

No development above ground level shall commence unless and 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 approved landscape

scheme 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 Document 2015.

Pre Occupation Conditions

12. Vehicle Access

No part of the development shall be first occupied unless and until the proposed vehicular access to Swail House from Heathcote Road has been constructed and provided with pedestrian priority and visibility zones in general accordance with the approved plan 34045-H-01 Rev P1, subject to possible alterations as part of a Road Safety Audit and technical review, including but not limited to the inclusion of a barrier near the main entrance to the application site to prevent access through the Swail House site to the existing entrance near the intersection with Ashley Road.

Reason: In order for the development not to prejudice highway safety nor cause inconvenience to other highway users in accordance with the objectives of the National Planning Policy Framework and to satisfy policies Policy CS16 of the Core Strategy 2007 and Policies DM35 and DM36 of the Development Management Policies Document 2015.

13. Pedestrian Inter-Visibility Splay

The development hereby approved shall not be first occupied unless and until a pedestrian inter-visibility splay measuring 2m by 2m has been provided on each side of the modified vehicle access to Heathcote Road, the depth measured from the back of the footway (or verge) and the widths outwards from the edges of the access. No obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

Reason: For the development not to prejudice highway safety nor cause inconvenience to other highway users in accordance with the objectives of the National Planning Policy Framework and to satisfy policies Policy CS16 of the Core Strategy 2007 and Policies DM35 and DM36 of the Development Management Policies Document 2015.

14. Parking/Turning

The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: For the development not to prejudice highway safety nor cause inconvenience to other highway users in accordance with the objectives of the National Planning Policy Framework and to satisfy policies Policy CS16 of the Core Strategy 2007 and Policies DM35 and DM36 of the Development Management Policies Document 2015.

15. Electric Vehicle Charging Points

The development hereby approved shall not be first occupied unless and until each of the proposed parking spaces are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To promote sustainable and safe travel choices, ensure appropriate accessibility and connectivity, and support sustainable development in accordance with the relevant transport and connectivity policies of the National Planning Policy Framework, and to comply with Policies DM35 and DM36 of the Development Management Policies Document 2015.

16. Cycle Store Details

Prior to first occupation of development hereby permitted, details of cycle facilities shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

(i) High quality, secure, lit and covered cycle parking for a minimum of 20 bikes;

(ii) Charging point(s) with timer(s) for e-bikes within said facilities;

(iii) Clear hardstanding routes between the cycle stores and the site access and;

(iv) 20% of all bikes (including disabled and adaptive cycles) within communal storage areas should be able to be charged at any one time. 5% of communal cycle storage spaces should cater for disabled/adaptive cycles

Thereafter the said approved facilities shall be provided prior to first occupation and retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To promote sustainable and safe travel choices, ensure appropriate accessibility and connectivity, and support sustainable development in accordance with the relevant transport and connectivity policies of the National Planning Policy Framework, and to comply with Policies DM35 and DM36 of the Development Management Policies Document 2015.

17. Refuse/Recycling Store Details

Prior to first occupation of development hereby permitted, the refuse/recycle stores within the development site shall be provided and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

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 Policy DM10 of the Development Management Policies Document 2015.

18. Drainage Verification Report

Prior to first occupation of development hereby permitted, a verification report shall be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), confirming any defects have been rectified. Provide the details of any management company. Provide an 'As-Built' drainage layout and state the national grid reference of key drainage elements.

Reason: To ensure that the principles of sustainable drainage are incorporated into the development and to reduce the impact of flooding in accordance with Policy CS6 of the Epsom and Ewell Core Strategy 2007 and Policy DM19 of the Development Management Policies Document 2015.

19. Contamination Verification Report

Prior to first occupation of development hereby permitted, the approved remediation scheme prepared under Condition 4 must be carried out in accordance with its terms. Following completion, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

Reason: To control significant harm from land contamination to human beings, controlled waters, buildings and ecosystems as required by Policy DM10 of the Development Management Policies Document 2015.

20. Privacy Screening

Prior to first occupation of development hereby permitted, details of 1.8 metre high privacy screens to the side elevations of the far north balconies on Block B at first, second and third floor level shall be submitted to and approved in writing by the Local Planning Authority to protect the private amenities of future occupiers. The approved privacy screening shall be installed in accordance with the agreed details prior to the first occupation of the proposed development and maintained and retained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities and privacy of the occupiers of the adjoining residential properties in accordance with Policy DM10 of the Development Management Policies Document 2015.

21. Boundary Treatments

Prior to first occupation of the development hereby permitted, details of all boundary treatments, including fences, walls, railings, gates, retaining structures and soft boundary features, shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be installed prior to the first occupation of the development and thereafter retained.

Reason: To secure a satisfactory appearance and safeguard the character and visual amenities of the area, in accordance with Policies DM10 and DM12 of the Epsom and Ewell Development Management Policies Document 2015.

Compliance Conditions

22. Monitoring of Habitat Management and Monitoring Plan

Habitat Management and Monitoring Plan monitoring reports shall be submitted to Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved Habitat Management and Monitoring Plan in Condition 8.

Reason: To secure measurable biodiversity net gain and ensure the conservation and enhancement of biodiversity, in accordance with Schedule 7A of the Town and Country Planning Act 1990, the relevant biodiversity policies of the National Planning Policy Framework and Policy DM4 of the Development Management Policies Document 2015

23. Compliance with Sustainable Design Measures

The development shall be carried out in strict accordance with the sustainable design measures contained in the Sustainability and Energy Statement, prepared by Iceni and dated March 2025, prior to the first occupation of the building, and shall be maintained as such thereafter and no change shall take place without the prior written consent of the Local Planning Authority.

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 in accordance with Policy CS6 of the Core Strategy 2007.

24. Compliance with Ecological Survey

The proposal shall be carried out in strict accordance with the conclusions and recommendations of the of the Ecological Impact Assessment Native Ecology, reference 1609_R05_EcIA and dated 11 June 2026.

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

25. Badger Mitigation

The development shall be carried out in accordance with the badger mitigation measures contained within the Appendix 1 of the Ecological Impact Assessment Native Ecology, reference 1609_R05_EcIA and dated 11 June 2026. Any variation to these measures shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard badgers and their habitats during construction and operation of the development, having regard to the Protection of Badgers Act 1992, Policy CS3 of the Core Strategy 2007 and Policy DM4 of the Development Management Policies Document 2015

26. Obscure Glazing

The first, second and third floor window in the north elevation of Block B 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 1.7m above the floor of the room in which the window is installed and shall thereafter be permanently retained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities and privacy of the occupiers of the adjoining residential properties in accordance with Policy DM10 of the Development Management Policies Document 2015.

27. External Lighting

No external lighting shall be installed on the site unless and until details of a scheme of external lighting have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the location, height, design, luminance levels and beam orientation of all external lighting and shall demonstrate how light spill, glare and sky glow will be minimised. The approved scheme shall be implemented prior to first occupation of the development and thereafter retained and maintained in accordance with the approved details.

Reason: To protect the amenities of the occupiers of the adjoining residential properties in accordance with Policy DM10 of the Development Management Policies Document 2015.

28. Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. In that event, an investigation and risk assessment must be undertaken and where remediation is deemed necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To control significant harm from land contamination to human beings, controlled waters, buildings and ecosystems as required by Policy DM10 of the Development Management Policies Document 2015.

29. Construction Management Plan

No development shall commence unless and until a Construction Management Plan, to include details of:

a) Construction vehicle routing to and from the site;

b) Parking for vehicles of site personnel, operatives, and visitors

c) Loading and unloading of plant and materials

d) Storage of plant and materials

e) Provision of boundary hoarding behind any visibility zones, fencing and security arrangements

f) Measures to prevent the deposit of materials on the highway

g) On-site turning for construction vehicles (or measures for traffic management)

h) Delivery hours and hours of construction operations

i) Waste storage, collection and disposal arrangements;

j) Measures to protect neighbouring residential amenity throughout the construction period, and to protect the recording sessions of the Talking Newspaper;

k) Details of site compound locations and welfare facilities;

l) Procedures for managing complaints arising from construction activities

m) Ecological and landscaping measures as necessary and/or advised by other conditions

has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in full accordance with the approved details at all times.

Reason: For the development not to cause inconvenience to other highway users and in order to safeguard the amenities of the occupiers of neighbouring properties in accordance with Policies CS5 and CS16 of the Core Strategy 2007 and Policies DM10 and DM35 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 or 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) Building Control

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced.

3) Burning of Material

No burning of materials obtained by site clearance shall be carried out on the site.

4) Control of Dust

During demolition or construction phases, adequate control precautions should be taken to control the spread of dust on the site, so as to prevent a nuisance to residents in the locality. This may involve the use of dust screens and importing a water supply to wet areas of the site to inhibit dust.

5) Pre Commencement Conditions

The applicant is reminded that this approval is granted subject to conditions which must be complied with prior to the development starting on site. Commencement of the development without complying with the pre-commencement requirements may be outside the terms of this permission and liable to enforcement action. The information required should be formally submitted to the Council for consideration with the relevant fee. Once the details have been approved in writing the development should be carried out only in accordance with those details. If this is not clear please contact the case officer to discuss.

6) Protected Species

The applicant is reminded that it is an offence to disturb protected species under the Wildlife and Countryside Act 1981. Should a protected species be found

during the works, the applicant should stop work and contact Natural England for further advice on 0845 600 3078.

This includes bats and Great Crested Newts, which are a protected species under the Conservation of Habitats and Species Regulations 2017 (as amended). Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately and an ecological consultant contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

7) Biodiversity Net Gain

The applicant is reminded of their obligations to deliver mandatory biodiversity net gain on-site in accordance with Schedule 7A of the Town and Country Planning Act 1990, including (a) submitting a Biodiversity Gain Plan that accords with the National Planning Practice Guidance and the approved BNG Assessment and Metric Tool; and (b) not operating prior to a completion report being agreed by the local planning authority.

8) Wheel Washing

Adequate precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on adjacent highways. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning, or repairing highway surfaces and prosecutes persistent offenders (Sections 131, 148 and 149 of the Highways Act 1980).

9) Works to the Highway

The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works)on the highway or any works that may affect a drainage channel/culvert or water course. In instances where the applicant is not the Highway Authority the applicant is advised that a permit and, potentially, a Section 278agreement 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 (including Stats connections/diversions required by the development itself or the associated highway works)on the highway will require a permit and an application will need to submitted to the County Council's Street W orks Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road.

Please see http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/traffic-management-permit-scheme. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act

1991.Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and community-safety/flooding-advice.

10) Damage to Highway

Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

11) Highway Drainage

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see: www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.

12) Construction Traffic

The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.

13) Design Works to the Highway

The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

14) Electric Vehicle Charging Points

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2024.

15) Electric Bike Charging Points

It is the responsibility of the developer to provide e-bike charging points with socket timers to prevent them constantly drawing a current over night or for longer than required. Signage should be considered regarding damaged or

shock impacted batteries, indicating that these should not be used/charged. The design of communal bike areas should consider fire spread and there should be detection in areas where charging takes place. With regard to an e-bike socket in [a domestic dwelling, the residence should have detection, and an official e-bike charger should be used. Guidance on detection can be found in BS 5839-6 for fire detection and fire alarm systems in both new and existing domestic premises.

16) Tree Works

The applicant should inform the Council's Tree Officer on 01372 732000 or planningsupport@epsom-ewell.gov.uk at least three working days in advance of the intention to commence the works which have been agreed.

All works must accord with British Standard 5837:2012 Recommendations for Works to Trees. Reduction cuts will be made to a substantial growth point, and co-dominant or secondary leader (drop-crotch pruning). Reduction cuts must not be made to a bud, leaving a stub.

Tree pruning shall be carried out at the appropriate time of the year to avoid bird nesting season.

17) Ordinary Watercourse

If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on the Lead Local Flood Authority website.

18) Sub Ground Structures

Sub ground structures should be designed so they do not have an adverse effect on groundwater.

19) Thames Water Public Sewers Build Over Agreements

Public sewers are crossing or close to your development. Build over agreements are required for any building works within 3 metres of a public sewer and, or within 1metre of a public lateral drain. This is to prevent damage to the sewer network and ensures we have suitable and safe access to carry out maintenance and repairs. Please refer to our guide on working near or diverting our pipes: https://www.thameswater.co.uk/developers/larger- scale-developments/planning-your-development/working-near-our-pipes. Please ensure to apply to determine if a build over agreement will be granted.

20) Thames Water Groundwater Risk Management Permit

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the

public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 0203577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

21) Thames Water Surface Water Connection

Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should the applicant require further information please refer to our website: https://www.thameswater.co.uk/help/home- improvements/how-to-connect-to-a-sewer/sewer-connection-design

22) Thames Water Mains Water

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

23) Thames Water Source Protection Zone

The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker)will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at https://www.gov.uk/government/publications/groundwater-protection-position-statements)and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

24) Fire Risk Assessment

Compliance with the compliance with Building Regulations 2010 will normally ensure the Fire Safety Order in respect of means of warning and escape in case of fire. However, the responsible person is advised to carry out a fire risk assessment of the proposals at this stage, to identify any risks that might require remedial measures when the premises is occupied, as a result of the nature of the occupancy and/or processes carried on there. Any such measures that are identified should be incorporated into the current design. Your attention is drawn to the series of publications produced by the Department for Communities and Local Government (CLG), which provides information for the responsible person about the Fire Safety Order. These publications are available from Government Services and Information website at: https://www.gov.uk/workplace-fire-safety your-responsibilities/fire-safety-advice-documents. Responsibility for ensuring that a building is provided with appropriate fire safety arrangements rests with the responsible person, once the building is occupied The responsible person

should, therefore, ensure that the fire safety arrangements in place are adequate and comply fully with the requirements of the Fire Safety Order.

25) Fire Safety Information

Fire safety information in accordance with Regulation 38 of the Building Regulations 2010 should be provided to the responsible person at the completion of the project or when the building or extension is first occupied. This information should take the form of a fire safety manual and form part of the information package that contributes to the fire risk assessment that will need to be carried out under the Regulatory Reform (Fire Safety) Order 2005.

26) Passive Fire Protection Measures

Passive fire protection measures, particularly fire stopping, fire barriers and fire resisting compartmentation, restricts the spread of smoke and fire through a building through hidden areas such as voids. We recommend that careful attention is given to this detail during construction. Certification of this work can be beneficial to confirm the suitability of the structure to meet its performance requirement lay out in this design application.

27) Automatic Water Suppression Systems (AW SS) and Automatic Fire Suppression Systems (AFSS)

Surrey Fire and Rescue Service (SFR S) would strongly recommend that consideration is given to the installation of AW SS/AFSS (ie; Sprinklers, Water Mist etc) as part of a total fire protection package to:

- protect life;

- protect property, heritage, the environment and our climate;

- help promote and sustain business continuity; and

- permit design freedoms and encourage innovative, inclusive and sustainable architecture.

The use of AW SS/AFSS can add significant benefit to the structural protection of buildings in the event of a fire. Other benefits include supporting business recovery and continuity if a fire happens. SFRS are fully committed to promoting Fire Protection Systems for both business and domestic premises.

28) 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.

29) Naming and Numbering

The applicant is advised to contact Epsom and Ewell Borough Council at an early stage to discuss naming and numbering of the development. Refer to 01372 732000 or https://www.epsom-ewell.gov.uk/street-naming-and-numbering for further information.

30) CIL Liable Development

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 100m2 or more of gross internal floorspace or involve the creation of a new dwelling, even when this is below 100m2. The levy is charged at £125/m2, index linked and is charged on the net additional floorspace generated by a development.

The Liability Notice issued by Epsom and Ewell Borough Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner.

A Commencement Notice must be submitted to the local planning authority prior to the commencement of development in order to ensure compliance with the Community Infrastructure Levy Regulations.

21 APPEALS PERFORMANCE

The Committee received and noted a report provided a summary of all planning appeal decisions and current appeals.

The following matters were discussed:

a) **Appeal inspectors.** A Member of the Committee queried if appeals are normally dealt with by different inspectors which could explain the varied decisions. The Head of Development Management and Planning Enforcement explained that generally it is different inspectors. He stated that the Council will reference other appeals and decisions to the inspectorate.

b) **Costs.** The Vice Chair asked if further detail could be added regarding whether costs were awarded following appeals. The Head of Development Management and Planning Enforcement noted the comment and agreed to add further detail. The Chair asked if the Council routinely ask for costs or only on unreasonable appeals. The Head of Development Management and Planning Enforcement explained that the cost were requested on this occasion as an identical appeal was lodged six months after a previous appeal.

c) **Hearing**. A Member of the Committee asked if officers have to defend a Committee decision when the Committee overturned the Officer's recommendation. The Head of Development Management and Planning Enforcement explained that consultants have been brought in to put forward a case on behalf of Members and clarified that officers are

supporting in an administrative role. The Member asked if they could attend the hearing. The Head of Development Management and Planning Enforcement informed the Committee that Members could attend and should email Planning Support to let them know. The Member asked if any Councillors who refused the application would be attending the hearing to defend their decision and how much roughly could the appeal cost the Council. The Head of Development Management and Planning Enforcement explained that they do not have the list of attendees for the inquiry so they cannot state if Members involved in the decision would be present. He continued to explain that roughly the appeal inquiry could cost the council £40-45k. He also explained that the appeal application is for full costs and could be easily six figures. The Chair stated that at present he was not aware of any Members being specifically invited to attend but expressed that he was sure Councillors will be involved and in attendance.

d) **SGN site**. A Member of the Committee stated that it is their understanding that the SGN site has lost its 10% affordable housing allocation. The Head of Development Management and Planning Enforcement stated that they are not aware of any changes in respect of the SGN site.

22 ENFORCEMENT PERFORMANCE

The Committee received and noted a report providing a summary of incoming and closed enforcement cases by month.

The following matters were considered:

a) **Historic Cases.** The Head of Development Management and Planning Enforcement stated that there is additional capacity in place to address current and historic enforcement cases.

b) **Hobbledown.** A Member of the Committee raised that it would be good to see the Council deal with historic Hobbledown enforcement cases. The Chair noted the comment. The Head of Development Management and Planning Enforcement explained that multiple Hobbledown cases are being dealt with in a consolidated approach. He informed the Committee, it is a complicated and resource heavy endeavour.

23 PLANNING PERFORMANCE

The Committee received and noted a report providing a summary of Planning Performance by quarter.

The following matters were considered:

a) **Affordable housing.** A Member of the Committee raised it would be useful for Members to be made aware of any changes to affordable housing allocations to an application that was agreed by Committee. The Chair noted the comments and explained that if an applicant changes

conditions voted through at committee, they have to come back to request they are amended.

b) **SGN site.** Members raised that there has been a change to the affordable housing allocation for the SGN site. The Chair stated that presently there has not been a change made to the affordable housing allocation set out in the SGN site application approved by Committee on the 24 April 2025.

24 UPCOMING APPLICATIONS

The Committee received and noted a report summarising likely applications to be heard at Planning Committee.

The following matters were considered:

a) **Planning Rules.** A Member asked if the applications listed for November Committee are likely to be heard at Committee or dealt with under officer delegation, once the new planning rules come into effect at the end of October. The Chair explained that applications that come, after the end of October, to Committee will need to go through a gateway test and be agreed by the nominated member and officer. The Chair explained that updates to the Constitution will set out who the nominated member and officer are and how planning will be dealt with under the new national regulations and framework.

b) **Member Applications.** A Member asked if they submitted a planning application, would it come to Committee, under the new regulations. The Chair raised their opinion that it would be best practice for self-interest applications to still come to Committee. The Head of Development Management and Planning Enforcement echoed the Chair's comments and explained it would be up to the nominated 'gatekeepers' to decide and a pragmatic approach would be taken.

The meeting began at 7.30 pm and ended at 9.09 pm

The meeting was adjourned between 7.49pm and 7.52pm.

The meeting was adjourned between 8.37pm and 8.46pm.

COUNCILLOR CLIVE WOODBRIDGE (CHAIR)