

Development Site At Upper High Street, Epsom, Surrey

Proposed Mixed Use Development comprising food retail store (Use Class A1) together with 30 Residential Apartments, Access, Parking, Servicing and Landscaping (as amended)

Ward:	Town
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1 Plans

- 1.1 The Council now holds this information electronically. Please click on the following link to access the plans and representations relating to the originally permitted application via the Council's website, which is provided by way of background information to the report.

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ONPY59GYGCN00>

2 Summary

- 2.1 The application seeks planning permission for the erection of a mixed use food retail store (Use Class A1) together with 30 residential apartments, access, parking, servicing and landscaping.
- 2.2 The development would provide a total of 112 parking spaces at ground floor level the majority of which would sit below the proposed building which at first floor level would include an A1 Use Class food retail store with a net retail area of 1427 sq m. Above this at second and third floor level would be 30 residential apartments comprising a mix of 8 x 1 bed, 18 x 2 bed and 4 x 3 bed apartments. There would be a landscaped central courtyard to serve the apartments.
- 2.3 The application is referred to the Planning Committee as it is a major application.
- 2.4 **The application is recommended for APPROVAL** as it involves a policy compliant food retail and residential development and there are no visual, residential amenity or other significant concerns relating to the proposal. Traffic and parking issues have been further raised with the applicants and it is considered that the proposed arrangements as set out in the report adequately address any concerns about immediate highway impact and adequacy of the car park.

3 Site description

- 3.1 The application site comprises a vacant, broadly rectangular site totalling 0.48 hectares which is located between Upper High Street and the Depot Road public car park. The site lies to the west of Pikes Hill Conservation Area and to the east of Epsom Town Conservation Area but is within Epsom Town Centre boundary as defined in Policy E1 of Plan E.
- 3.2 The site is cleared of its former retail and office building but it still includes a protected Copper Norway Maple tree near the Upper High Street frontage. Immediately to the west of the site is a 3 storey office building with accommodation in the roof. This building fronts onto Upper High Street and to the rear of this property is Homewater House: a four storey block of retirement homes. To the east of the site is the entrance to the Upper High Street car park and to the south is an electricity sub-station and Depot Road car park. Facing across Upper High Street to the north of the site is Pickard House a 4 storey residential block.
- 3.3 The surrounding area generally comprises a mix of residential and commercial properties given its location on the edge of Epsom Town Centre.

4 Proposal

- 4.1 The application seeks permission for a mixed use development comprising food retail store (Use Class A1) together with 30 residential apartments, access, parking, servicing and landscaping.
- 4.2 The proposed food retail store would be arranged over two storeys with under-croft parking provided along with circulation staircase, lifts and a traveller leading to the food store at first floor level. The gross internal area of the food store excluding the under-croft car park would be 2,844 sq m and would include a sales area of 1,427 sq m and a warehouse area of 504 sq m over two floors. In addition there would be freezer, chiller and bakery areas together with staff welfare facilities at first floor level.
- 4.3 The proposed dwelling mix at second and third floor level would be 8 x 1 bed apartments, 18 x 2 bed apartments and 4 x 3 bed apartments.
- 4.4 Two of the 2 bed apartments are proposed as affordable rented dwellings and one of the 2 bed apartments and three of the 1 bed apartments are proposed as shared-ownership dwellings.
- 4.5 Two entrance cores with staircases and lifts are proposed for access to the apartments: one off Upper High Street in the north-east corner of the site and the other towards the rear southern side of the building accessed via a pedestrian route from Upper High Street or from the Depot Road car park. Access to the apartments would be via an open walkway around a central landscaped amenity area. Each apartment would have a balcony to provide private amenity space.

- 4.6 Access to the site would be via a new car parking and service entrance from Upper High Street near the western boundary. A total of 88 car parking spaces would be provided for the retail store together with 24 cycle parking spaces. A total of 24 car parking spaces would be provided for the residential development together with provision for 1 cycle space for each one or two bedroomed apartment and 2 cycle spaces for each 3 bedroomed apartment.
- 4.7 The applicant has engaged in pre-application discussions with planning officers and a public information event attended by around 150 people also took place in January to inform the local community of the proposed plans.
- 4.8 The applicant has submitted in support of the development proposal a number of technical reports including: Design and Access Statement; Transport Assessment and draft Travel Plan; Arboricultural Implications Assessment and Plan; Car Park Landscaping Plan and Second Floor Planting Plan; Sustainability and Energy Assessment; SuDS Appraisal, Car park lighting Proposal; Daylight, Sunlight and Overshadowing Report; Archaeological Desk based Assessment; Heritage Assessment; Affordable Housing Statement; Viability Assessment; Statement of Community Engagement; Parking Management Statement.

5 Comments from third parties

- 5.1 The application was advertised by means of letters to 352 neighbouring properties, a site and press notice. To date (18.10.17) 27 representations have been received including 13 objections raising the following matters:
- Have enough supermarkets and convenience stores in Epsom site should just be developed for flats.
 - Lack of information regarding the increased traffic impact and how it will be resolved. Traffic turning right from Church Rd onto the Upper High St will back up and make the 5-ways junction even worse to cross or negotiate in a car than it is already.
 - Dirdene Gardens is already used as a cut through from East St to bypass the town and go along Church Road. Traffic aiming at Lidl is likely to use Dirdene Gardens for that purpose but it is a quiet residential road and cannot take any more traffic.
 - The building of a new store such as Lidl as well as the development of flats will add more traffic to roads that are already congested and cause more people to park illegally on the upper high street road which already occurs and goes unchecked.
 - Increase in noise from traffic and the activity of the store impacting a lot of residents and their sleeping.
 - If this build does go through will checks be put in place to support the burdening traffic, people, speeding in the area and illegal parking.
 - This development would be better if it resembled the houses on the north side of Upper High Street with terraced and semi-detached houses.

- It is a whole floor higher than Homewater House and would adversely affect views. (*Planning Officer comment: the proposed maximum height would only be about 1.5m higher than the ridge height of Homewater House and would be similarly 4 storeys.*)
- Overlooking and overshadowing of neighbours adjoining and opposite and consequent loss of privacy.
- Timing and management of weekend, early morning and evening deliveries to the store to avoid disturbance, and the lack of a noise assessment object to the development as proposed.
- Deliveries require vehicles to reverse in an uncovered yard. Deliveries during the quiet hours of the evening and early morning will inevitably disturb residents living nearby, particularly because of the operation of reversing alarms fitted to lorries (which are seldom suppressed at night). I therefore ask that deliveries are conditioned to be confined to the hours of 0800–1900 on weekdays, and 0900–1600 on Sundays.
- In accordance with the core strategy and policy DM36, the needs of shoppers arriving by cycle should be prioritised, by providing covered cycle spaces immediately adjacent to the store entrance (replacing parking bays if needs be), and not hidden away on the far side of the car park accessible only by cycling more than twice the full length of the car park.
- Constant noise and air pollution from car park and access road.
- Under provision of affordable housing because of assumptions included in financial viability assessment. The developer should be required to meet the standard tariff of affordable housing.
- The transport plan should recognise the needs of staff using public transport by ensuring that start and finish times are flexible around available services.
- Upper High Street is only served by the 166 bus service and the 90 minutes free parking will deter pedestrians.
- Building could cause interference to satellite dish.

5.2 In addition 12 representations in support of the application, including from Epsom Town Residents Association, College Ward Residents Association and Epsom Civic Society, have been received raising the following matters:

- The proposed store with residential accommodation is fully in keeping with the size and location of the site.

- Like the design of the mixed use and 30 flats is a good number of residential units for the area.
- Application would seem to largely concur with the (now rather old) Development Brief for this site and its proximity to the car park is helpful in catering for the car parking which will be necessary.
- This proposal for 1427 sq m net sales space would be one of (the applicant's) smaller units which range from 1300-2560 sq m and this is appropriate for a site at the very edge of the town centre and too far way for many linked journeys. It would serve local residents and provide variety for destination shoppers.
- The housing includes 30 one, two and three bedroom flats around a central courtyard which seems an excellent arrangement and will encourage a sense of community and security.
- The most important benefit this foodstore will bring is in terms of how it will regenerate the Upper High Street area and High Street West, both of which suffer from not having a medium sized "anchor" store.
- Brings a derelict brownfield site back into use and greatly improve the appearance of the environment.
- Epsom has a vacancy for a mid-sized discount supermarket and such a store at this location would be highly suitable as it does not overlap with any similar retail outlet nearby.
- The site is within the Town Centre shopping zone and should bring shopper traffic to this side of town which would be beneficial to nearby shops.
- Epsom desperately needs more housing investment and the 30 apartments planned for above the store will contribute towards meeting local housing need.
- The housing element is dense for the size of the site, however, the provision of mainly 1 or 2 bedroom properties does bring much needed starter accommodation to the area.
- The design appears to be an appropriate size to help regenerate this part of Epsom Town without have a deleterious impact on nearby residential areas or on the nearby Pikes Hill Conservation area.
- The store will provide welcome employment opportunities for local or nearby residents.
- Concern that car parking spaces may be inadequate to prevent cars backing up causing serious congestion on Upper High Street.

- The maximum standard of 102 car parking spaces for the store and an adjusted standard of 30 spaces for the residential flats should be provided to deal with likely demand. *(Planning Officer comment: On the basis of Surrey CC Vehicular and Cycle Parking Guidance (2012) and the identification of the site as being 'Edge of Centre' the car parking requirement relating to the food retail store would be a maximum of 102 spaces for a gross internal floor area of 2844 sq m allowing for a 50% discount for 'Edge of Centre' status. As the store is located adjacent to the Upper High Street Car Park, which has spare capacity most times of the day, it is considered that the reduced level of parking would not lead to increased on-street parking and would be adequate to meet the needs of the store. The residential parking for the development meets the Epsom and Ewell Parking standards of 0.75 spaces per 1 and 2 bed flat and 1 space per 3 bed flat).*
- Delivery vehicles should be required to travel along East Street and to turn left at the Quadrant in order to minimise disruption and noise in the quiet residential streets south of the proposed development.
- There should not be separate entrances for affordable and private apartments unless necessitated by overall design and layout.
- Concern that the building should not appear too massive and out of scale with its neighbours.
- Concerns about servicing arrangements to and within the site and the suggestion that there should be separate rear servicing.

2 'neutral representations' have been received, including from Epsom and Ewell Cycling Action Group raising the following matters:

- Should the application be approved," the integrated footpath and cycleway networks that provide connections to existing networks on Upper High Street and Church Street" (Plan E Policy E14.10) should be a condition of approval under a s.106 agreement and the details agreed in consultation with Epsom & Ewell Cycling Action Group. *(Planning Officer comment: the proposal incorporates a footpath link between Upper High Street and Depot Road car park along the western edge of the site but there is limited scope to contribute to enhanced cycleway networks within the scheme. It is therefore not considered necessary or appropriate to include this within the S106 Heads of Terms).*

6 Consultations

- 6.1 Surrey County Council – No objections subject to standard conditions requiring the proposed vehicular access and parking to be laid out prior to first occupation or store opening and a construction transport management plan and Travel Plan to be agreed prior to commencement of development. It is also proposed that there should be a S106 Agreement before the grant of planning permission requiring:
- Right turn facility into site as shown indicatively on Plan 16/0916/SK03 Rev B, construction details to be agreed with the Highway Authority and constructed under Section 278 agreement.
 - Relocation of Bus stop adjacent to store in position to be agreed and provision of shelters and real-time information for relocated stop and existing stop outside no 47 Upper High Street.
 - A contribution of £50,000 towards improvements for Pedestrians at the Quadrant Junction (Church Road/ Upper High Street/ High Street/ East Street junction) as outlined in Plan E An Area Action Plan for Epsom Town Centre (2011) Policy E14
 - Improvements to Pedestrian crossing facilities at the 5 Ways junction (Upper HighStreet/ Church Road North/ Church Road South/ Mill Road/ Alexandra Road Junction) to be carried out by the developer under agreement with the Highway Authority
- 6.2 Strategic Housing Manager - The applicants propose to develop a supermarket with 30 residential units, triggering a policy requirement to deliver 12 affordable housing units. However, the applicants submitted evidence to suggest that viability on this scheme is marginal, and they are unable to provide any affordable housing.
- 6.3 The advice of an independent viability consultant reached a different conclusion from the applicants' viability team, and indicated that some affordable housing could be delivered on site. Following negotiation with officers, the applicants have undertaken to provide 6 on-site affordable housing units, representing 20% affordable housing provision against a target for this site of 40%.
- 6.4 The applicants are also required to give an undertaking that if they do not commence development within two years, a viability review will be carried out again to re-assess the viability of delivering a greater proportion of on-site affordable housing.
- 6.5 The scheme will deliver: 2 no. x two bedroom flats for affordable rent, 1 no. x two bedroom flats for shared ownership and 3 no. x one bedroom flats for shared ownership.

- 6.6 Borough Contaminated Land Officer – this site is known to be contaminated due to previous use as a motor engineering works and garages including petrol storage in underground tanks (capacity 22730 – now filled). There was a fuel spill in 1974. A 2006 ground investigation found elevated PAH and TPH. It is accordingly proposed that conditions 11-15 be attached to any grant of planning permission that will satisfy the Borough Council's preventative contaminated land requirements.
- 6.7 Surrey CC as Lead Flood Authority has reviewed the surface water drainage strategy for the proposed development and assessed it against the requirements under NPPF, its accompanying PPG and Technical Standards. It is satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents and can recommend planning permission is granted. It is recommended that should planning permission be granted, suitably worded conditions are applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development and suggests conditions 16 and 17.

7 Relevant planning history

Application number	Decision date	Application detail	Decision
03/00748/FUL	18.05.04	Demolition of 40-52 Upper High Street, redevelopment to provide a mixed-use development comprising 73 residential units, associated car parking, A1 (retail) units, A3 (food and drink) unit and car dealership (Amended scheme)	Granted on Appeal
05/01263/FUL	09.06.06	Demolition of existing buildings and redevelopment to provide a retail unit (Use Class 1) with car parking, access, landscaping and associated works.(Amended drawings received 03/05/2006).	Refused
09/00650/FUL	05.02.10	Demolition of 58 Upper High Street and the redevelopment of site (40 -58 Upper High Street) to provide a mixed use development comprising a food retail store (Use Class A1) with a net sales area of 4410 sq m) , ancillary retail unit (Use Class A1-A5) with a net sales area of 60 sq m, in store cafe, 15 one bedroom and 3 two bedroom flat units and 491 associated car parking spaces.	Withdrawn

8 Planning Policy

National Policy Planning Framework (NPPF) 2012

Chapter 6: Delivering a wide choice of high quality homes

Core Strategy 2007

Policy CS1	Creating Sustainable Communities
Policy CS3	Biodiversity and Designated Nature Conservation Areas
Policy CS4	Open Space and Green Infrastructure
Policy CS5	The Built Environment
Policy CS6	Sustainability in New Developments
Policy CS7	Housing Provision
Policy CS8	Broad Location of Housing Development
Policy CS9	Affordable Housing

Policy CS12	Developer Contributions to Community Infrastructure
Policy CS16	Managing Transport and Travel

Development Management Policies 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 Density
Policy DM12	Housing Standards
Policy DM13	Building Heights
Policy DM17	Contaminated land
Policy DM19	Flood Protection
Policy DM21	Meeting Local Housing Needs
Policy DM22	Housing Mix
Policy DM29	Major New Retail Developments
Policy DM35	Transport and New Development
Policy DM36	Sustainable Transport for new Development
Policy DM37	Parking Standards

Epsom Town centre Area Action Plan (Plan E) 2011

Policy E2	Housing Capacity in the Town Centre
Policy E3	Town Centre Retail Capacity
Policy E7	Town Centre Building height
Policy E9	Public Realm
Policy E10	Improving accessibility and facilities for cyclists
Policy E11	Deliveries to premises
Policy E12	Town Centre parking
Policy E14	Depot Road and Upper High Street Strategic Opportunity Site

Revised Supplementary Planning Document 2014 - Developer Contributions

Supplementary Planning Document 2012 - Sustainable Design

Supplementary Planning Document Parking Standards for Residential Development 2015

Surrey CC Vehicular and Cycle Parking Guidance (2012)

Strategic Housing and Land Availability Assessment – Findings Report (2017)

Strategic Housing Market Assessment (2016)

Environmental Character Study (2008)

Upper High Street, Depot Road and Church Street Development Brief (2012)

9 Planning considerations

Principle of Development

- 9.1 In principle the proposal for a mixed use development comprised of new foodstore and residential on the former Iceland site, Upper High Street, Epsom is policy compliant in terms of retail floorspace and housing numbers. It is located on a sequentially preferable site, within the Epsom Town Centre boundary, which has been allocated for this use. It is a lot closer to what Plan E envisages for this site than previous schemes for the site.
- 9.2 The application site forms part of the wider Upper High Street, Depot Road and Church Street strategic opportunity site. This is identified and allocated in Plan E Epsom Town Centre Area Action under Policy E14. The site allocation policy is further articulated through the associated site specific development brief. Policy and the development brief seek the delivery of a small-medium sized foodstore within the site (between 1767 sq m – 2466 sq m as set out in Policy E3). This site is one of the locations identified (in the development brief) as being suitable. The development brief also seeks the delivery of at least 130 new dwellings, including at least 52 new affordable homes to meet local needs. In respect of the aforementioned policies (and their requirements), the proposal is broadly compliant albeit the scale of affordable housing envisaged would not be delivered through this development proposal for reasons set out further below.

Layout, Design and Scale.

- 9.3 The layout, scale and massing of the proposed development has been subject to considerable pre-application discussions and has been further negotiated on and revised since the application was submitted. This has resulted in various changes including in particular the setting back at second and third floor level of the front façade to the north-east corner of the building and additional fenestration to the eastern façade of the corner together with layout amendments such as loss of parking spaces next to the vehicular entrance.
- 9.4 The amended scheme as now presented is considered to be of a scale and massing that is acceptable within the site's context and meets the key design requirements of the Upper High Street, Depot Road and Church Street Development Brief. The brief refers to a possible maximum building height of 16.0m and suggests a stepping back from the road frontage to create a graduated transition from the town centre to the adjoining residential area. The maximum ridge height of the building is 16.0m and the stepping back of the residential apartments from the Upper High Street frontage together with the varied roof design incorporating a mix of different sized gables and varied facing materials all combine to reduce the overall mass of the development.

- 9.5 The density of 68.75 dwellings per hectare (dph) exceeds the general guidance of a maximum 40 (dph) set out in Policy DM11. It is however, considered that the applicant has sufficiently demonstrated that the exceptional circumstances relating to accessibility and townscape are met through this proposal, not to mention the expectations for a minimum of 130 dwellings set out for the wider Depot Road and Upper High street strategic site set out in Policy E14 within Plan E.

Visual Impact

- 9.6 The external walls are predominantly brickwork with feature brick detailing but it is also proposed to include cladding in different colours to the southern residential entrance and projecting bays together with the use of green walls between the projecting bays on the western elevation. The majority of the Upper High Street elevation at ground and first floor level is glazed with the shopfront extending across the full width of the store and returning across the front part of the western elevation to accommodate the entrance. Above the store frontage would be glazed balconies serving the residential apartments which would be set back behind a band of soft landscaping.
- 9.7 It is proposed in the Design and Access Statement that the internal elevations to the courtyard would be mainly timber cladding with render finishes. Detailed elevations and specification of materials can be reserved by planning condition for the internal courtyard.
- 9.8 It is considered that the scheme as proposed would be visually compatible with its surroundings in terms of design, scale, materials and appearance and would provide an attractive and multi-faceted building that would in terms of form and style meets the principal objectives of the development brief in 'stitching into' the adjacent townscape and which would enhance the setting of the nearby Town Centre and Pikes Hill Conservation Areas.

Residential Amenity

- 9.9 The proposed residential accommodation would be provided on two levels and would be accessed via two entrance cores: one off Upper High Street from the north-eastern corner of the site and one from the rear southern side of the building which would be accessed via a pedestrian route from Upper High Street or from the Depot Road car park.
- 9.10 The apartments are proposed around a central landscaped courtyard that would provide a total of 946 sq m of amenity space for the residents of the apartments. Access to the apartments would be via an open walkway around the landscaped courtyard area which would enable windows to be incorporated in the inward facing walls to the amenity area thereby providing the apartments with a dual aspect. In addition each of the apartments incorporate a balcony on the outward face of the building to provide private amenity space for the residents.

- 9.11 Each of the dwellings would comply with the DCLG Technical housing standards – nationally prescribed space standard as referred to under Policy DM12.
- 9.12 It is considered that the proposed residential apartments incorporate appropriate layout and access arrangements, privacy, outlook, external and internal amenity that would meet the needs of future residents and accordingly comply with the design requirements of Policy DM10.
- 9.13 The nearest dwellings immediately to the west of the application site would all exceed the minimum separation distance of 21m between habitable windows considered necessary to safeguard privacy and avoid overlooking.
- 9.14 The applicants have submitted a Daylight, Sunlight and Overshadowing report which demonstrates that the nearest properties at Homewater House, 30-38 Upper High Street, Pickard House, 59-67, 69-73, 56-58 Upper High Street would not be adversely affected in terms of daylight, sunlight or overshadowing.
- 9.15 Concerns have been expressed about the potential for noise and disturbance to nearby residents, especially from the car park and servicing area. It is considered that the separation distances and limited servicing associated with the food retail store would not give rise to an unreasonable level of noise and disturbance in this town centre location.
- 9.16 It is accordingly concluded that the proposed development complies with Policy DM10 in respect of its impact on residential amenity.

Transport, Parking and Access

- 9.17 Vehicular access for both the retail and residential uses would be taken via a new Bellmouth junction with Upper High Street. Pedestrian access into the site would be provided from dedicated footway links alongside the vehicular access, linking the site to the surrounding footway network
- 9.18 The proposals seek to provide a total of 88 parking spaces for food retail use, which based on the Surrey County Council's parking standards would fall within the maximum standard of 102 spaces (based on an overall GIA of 2,844 square metres).
- 9.19 The residential units would be provided with 24 spaces, which is in accordance with this Council's minimum car parking standards, for 'Epsom Town Centre' locations. The proposed development complies with the Council's Parking Standards for Residential Development, December 2015 with each one and two bed apartment having a 0.75 parking space and 3 bed apartments having 1 car parking space.

- 9.20 Cycle parking provision would include 24 spaces associated with the foodstore which would meet the minimum standards of Surrey CC of 23 spaces for a store of this size. The cycle parking provision for the apartments would also meet standards resulting in 1 cycle space for each one or two bedroomed apartment and 2 cycle spaces for each 3 bedroomed apartment: a total of 36 spaces that would be provided in a cycle store accessed near the north-eastern corner of the site from Upper High Street and cycle stores at both residential levels next to the southern entrance core.
- 9.21 The applicant has submitted a Parking Management Statement at the request of the Council to confirm arrangements for ensuring the efficient operation of the car park and for enforcing against use by all day parkers or other non-store shoppers. The management of the car park will be critical to keeping the car park spaces available for store shoppers and proposed measures include:
1. Limiting the duration of stay to 90 minutes - leading to a fine if exceeded
 2. Ensuring that only customers of the shop use the car park by use of an automatic number plate recognition (ANPR) system to record vehicle number plates and requiring customers to provide registration details at check out.
 3. Keeping bays clear of trolleys and inconsiderate parking.
 4. Providing a marshal at peak times if necessary to ensure utilisation of all the spaces available.
 5. Reduce permitted duration of stay if deemed necessary.
- 9.22 It is considered that the above measures should enable the store to make good use of the spaces without vehicles parking on street to the detriment of other highway users. The layout of the car park has been improved to enable more vehicles to stack in the car park waiting for space to become available. This will remove vehicles from the public highway where queuing may cause obstruction and inconvenience to other car drivers. The provision of the right turn facility will also help to keep the carriageway clear for through traffic although it will necessitate the removal of some on street parking bays.

- 9.23 The applicants submitted Transport Assessment confirms that delivery vehicles would be routed from regional distribution centres via A roads and would be limited to two or three vehicles each day with waste material and returns being taken away in the same vehicle. The applicant has separately confirmed that servicing times are not specified in the Transport Assessment given that the store is (probably) some 30 months away from opening and it is therefore not possible to specify precisely how and when the store will be serviced. In broad terms, HGV's will route from the A24 to the west of the site via Upper High Street, which ensures the shortest distance from the site to the strategic highway network. This avoids the need to pass through surrounding residential areas, and will also tie in with HGV movements associated with adjacent retail facilities.
- 9.24 The trips generated by the store have been calculated using survey data from the existing applicant's store at Chessington. This gives equivalent vehicle movements to the store of 121 arrivals in the Friday evening peak hour with 118 departures and 144 arrivals in the Saturday peak hour with 133 departures. Although the figures appear to indicate that parking may be in short supply, the average time of stay within this type of store is 30 minutes, providing a higher turnover of spaces and accounting for the lower parking requirement. The submitted parking accumulation information indicates a peak parking demand on Friday 12.00-13.00 hours of 72 vehicles and 77 vehicles between 11.30-12.00 hours and 13.30-14.00 hours on Saturday. It is accordingly claimed by the applicant that the proposed provision of 88 parking spaces for the store is sufficient to accommodate the anticipated demand. Taking into account the sustainability of the location and the proximity of the public car park it is concluded that there is sufficient parking within the site to cater for the needs of the store.
- 9.25 Many of the trips would be diverted or pass by journeys where motorists link journeys home with a short stop to pick up supplies. Very few, if any trips, undertaken to the store in the peak hour would be new to the network. It is likely that the impact of the increased traffic would be more noticeable during the day at off peak times where trips may be made to specifically shop at the store.
- 9.26 Although there would be an increase in traffic to the store throughout the day, the overall impact of the store on the local highway network as demonstrated by the capacity modelling of the surrounding road network would not be significant.
- 9.27 Policy DM36 requires developments to prioritise the access needs of pedestrians and cyclists in the design of new developments. The proposed development makes provision for each one and two bedroomed apartment to have 1 cycle space and each 3 bedroomed apartment 2 cycle spaces either within a separate store near the northern-eastern corner to the site or a store near the southern core entrance on the second or third floor.

- 9.28 The layout provides for improved pedestrian linkages across the site from Upper High Street to Depot Road car park and other land to the rear in accordance with the requirements of the development brief.
- 9.29 A draft Travel Plan has been submitted which identifies a range of measures designed to promote walking, cycling and use of public transport for employees and customers to the store. It is proposed that a planning condition be imposed to require the submission and approval of a final Travel Plan scheme.
- 9.30 Public transport improvements will be secured through the proposed S106 Agreement to relocate the bus stop currently from where the access to the car park would be to a more convenient position in front of the store with a shelter and real time bus information. Similarly, the bus stop located further to the west on the opposite side of Upper High Street will be improved with the provision of a bus shelter and real time bus information.
- 9.31 Pedestrian improvements suggested by Surrey County Council for the 5 Ways crossroad to the east of the site and Quadrant junction to the west have not been secured through this development because it would have further undermined the viability of the scheme for affordable housing and in any event are not considered essential to make this scheme acceptable.

Housing Mix

- 9.32 The proposed housing mix comprises 8 x 1 bed units, 18 x 2 bed units and 4 x 3 bed units. The scheme doesn't therefore strictly comply with the requirements of Policy DM22 which seeks a minimum of 25% 3 bed units in a scheme of 4 or more units. In this case it is considered that there are justifiable exceptional circumstances including the endangering of the viability of the proposal and the location above the food store not being ideally suited to larger family housing.

Affordable Housing

- 9.33 The applicants submitted a viability assessment that seeks to demonstrate that it is not viable to deliver the required affordable housing contribution of 12 units (40%) on a 30 unit scheme development. This initially proposed that the development was not capable of making any affordable housing contribution without threatening the viability of the scheme.
- 9.34 An independent consultant reviewed the viability submission on the Council's behalf at two separate stages and as a result of this it has been negotiated with the applicant that the scheme should deliver 2 affordable rented units (2 x 2 bed units) and 4 shared ownership units (1 x 2 bed and 3 x 1 bed units). Whilst the scheme would not deliver a policy compliant affordable housing contribution it is considered that the 6 units (20%) contribution is the best that can be obtained from the scheme.

- 9.35 The Head of Housing and Community supports the affordable housing offer as now presented with a mix of 2 rented and 4 shared ownership units but, as is usual when there is an issue of viability raised by the applicant, it is proposed that there should be a review mechanism in the S106 Heads of Terms requiring the developer to reach slab level of construction on 10 units within two years of planning permission having been granted. If not a (viability) review process will be triggered to ensure that the permission is not 'land banked' in order to avoid a full affordable housing contribution.

Landscaping

- 9.36 An Arboricultural Impact Assessment and Method Statement and a landscaping scheme has been submitted with this application. The proposal would result in the loss of a Copper Norway Maple that is protected by TPO No 137 but the loss of which was permitted under the 03/00748/FUL scheme permitted on appeal in 2004. The Arboricultural Implications Report asserts that the proposed new planting would mitigate the loss of the tree.
- 9.37 Landscaping proposals include a strip of landscaping comprising trees and shrubs along the western edge of the site adjacent to the proposed footpath running through the site from Upper High Street to Depot Road. This would serve to screen and separate the car parking and pedestrian route from the occupants of Renaissance House and Homewater House situated immediately to the west. Additional planting is also proposed along the southern and eastern boundaries as well as at second floor level within the central courtyard area.
- 9.38 The Borough Tree Officer is concerned that the proposed planting pits of 1m x 1m x 750mm will not have sufficient soil volumes to sustain the trees and is also concerned that the stock size of the trees is too small to adequately compensate for the loss of the protected Copper Norway Maple. It is accordingly proposed, as agreed with the applicant, that notwithstanding the submitted landscaping condition a planning condition be included requiring the submission of a landscaping scheme for subsequent approval in order to ensure the scheme can comply with the requirements of Policy DM5.

Biodiversity

- 9.39 The application would provide landscaping and elements such as a green wall that would all contribute to enhancing the biodiversity of the site in accordance with Policy DM4.

Flood Risk and Drainage

- 9.40 Surrey CC as Lead Flood Authority has reviewed the surface water drainage strategy for the proposed development and assessed it against the requirements under NPPF, its accompanying PPG and Technical Standards. It is satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents and can recommend planning permission is granted subject to suitably worded conditions to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.

Sustainability

- 9.41 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. Policy DM12 requires new developments to comply with Part G of Building Regulations for water efficiency.
- 9.42 An Energy and Sustainability Statement has been submitted in support of this application. The documentation states that a comprehensive set of energy and sustainability measures have been incorporated into the design. Detailed features proposed to be incorporated include energy efficient heating systems, movement sensor lighting with reduction of sales area lighting by one-third before and after trading hours to allow for re-stocking, recycling of waste, compacting of waste card and packaging, high levels of insulation to residential units, use of permeable car parking block paving, rainwater harvesting for communal roof terrace plants. It is accordingly concluded that the proposed development would comply with Policy CS6.

Contamination

- 9.43 The Borough Contaminated Land Officer has recommended precautionary conditions in order to comply with the requirements of Policy DM17.

Refuse

- 9.44 Satisfactory provision is made for refuse storage for the residential element within a dedicated bin store areas next to the apartment car parking area and north-east entrance core. The low level of waste from the retail store would be stored in sealed skips within a compound area next to the southern boundary of the site and collected at least twice a week.

Community Infrastructure Levy

- 9.45 The scheme is CIL liable.

Section 106 Agreement

9.46 The applicant has confirmed a willingness to enter into a legal agreement to secure the affordable housing in perpetuity and specific infrastructure contributions to ensure that the development is acceptable in planning terms. Heads of Terms have been agreed and it is expected that a signed S106 Agreement will be completed.

9.47 The Heads of Terms agreed by the applicant include the following:

- Affordable housing (2 affordable rented units & 4 shared ownership units) in accordance with an Affordable Housing Plan and including a review mechanism requiring reaching slab level of construction on a specified number of units (to be agreed) within 2 years of planning permission being granted, if not a viability review process being triggered.
- Highway improvement measures covering:
 - Right turn facility into site;
 - Relocation and upgrading of bus stop adjacent to store and upgrading of shelter on northern side of Upper High St.
- Implementation, management and enforcement of the submitted Parking Management Statement

10 Conclusion

10.1 The application proposal meets planning policy objectives and in particular makes an important contribution to meeting the Borough's Plan E Proposals and associated Development Brief guidelines that the Upper High Street site should deliver a small-medium sized foodstore. It also makes a welcome contribution to meeting the Borough's housing needs. It will result in a mixed use development of a design, scale and appearance with no harmful impact on the residential amenity of neighbouring occupiers or upon the visual amenities of the area.

10.2 In view of the above, it is recommended that planning permission is granted subject to the signing of a legal agreement.

11 Recommendation

Part A

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

- (a) The provision of 6 on-site affordable units comprising 2 homes for affordable rent and 4 for shared ownership in accordance with an Affordable Housing Plan. The applicants will be required to reach slab level of construction on 10 units within two years**

of planning permission having been granted, if not a (viability) review process will be triggered.

- (b) Highway improvement measures covering:
 - (i) Right turn facility into site;
 - (ii) Relocation and upgrading of bus stop adjacent to store and upgrading of shelter on northern side of Upper High Street.
- (c) Implementation, management and enforcement of the submitted Parking Management Statement.

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) The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 010001 Rev10, 010002 Rev 8, 010003 Rev 10, 010004 Rev 9, 020002 rev 13, 020001 Rev 13, 030001 Rev 1, 16/0916/SK03 Rev B, 16/0916/TK04 Rev A, 16/0916/TK01 Rev D.

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).

- (3) 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.

- (4) 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 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

- (5) The development hereby approved shall not be commenced unless and until the proposed vehicular access to Upper High Street has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction measured from 0.6m above the road surface.**

Reason: To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policies DM35 and DM37 of the Development Management Policies 2015.

- (6) The development hereby approved shall not be first occupied or first opened for trading unless and until the existing redundant accesses from the site to Upper High Street have been permanently closed and any kerbs, verge, footway, fully reinstated.**

Reason: To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policies DM35 and DM37 of the Development Management Policies 2015.

- (7) The development hereby approved shall not be first occupied or first opened for trading unless and until space has been laid out within the site in accordance with the approved plans for and 24 customer cycles and 34 residential cycles to be parked and for the loading and unloading of 1 vehicle and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / loading and unloading / turning areas shall be retained and maintained for their designated purposes. 88 retail customer vehicle spaces and 24 residential vehicle spaces**

Reason: To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policies DM35 and DM37 of the Development Management Policies 2015.

- (8) Prior to the commencement of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide", and in general accordance with**

the 'Heads of Travel Plan' document. The approved Travel Plan shall be implemented on first occupation and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

Reason: To encourage travel by means other than private motor vehicles in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM36 of the Development Management Policies 2015.

- (9) 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**
- (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) no HGV movements to or from the site shall take place between the hours of 8.00 and 9.15 am nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Church Road (North and South) Alexandra Road, Mill Road during these times**
- (k) 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: To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.

- (10) The residential units hereby approved shall not be occupied until it has 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.

- (11) Before the development hereby permitted commences and in addition to any assessment provided with the application, a ground contamination investigation and risk assessment must be completed. The scope and detail of these are subject to the approval in writing by the local planning authority. The investigation and risk assessment must be undertaken by suitably qualified and accredited persons and a written report of the findings must be produced. The final written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

(i) details of the extent, scale and nature of contamination

(ii) an assessment of the potential risks to:

human health

property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes

adjoining land and occupants

groundwaters and surface waters

ecological systems

archaeological sites and ancient monuments

(iii) details of viable remedial options, and identification of and justification for the preferred option(s).

This must be conducted in accordance with Defra and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.

- (12) The development must be carried out in complete accordance with the approved written report. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until appropriate remediation has been undertaken.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to

ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM17 of the Development Management Policies 2015 and the National Planning Policy Framework.

- (13) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared by suitably qualified and accredited persons, and shall be submitted to and approved in writing by the local planning authority.

The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that, after remediation, as a minimum, the site should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990.

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

- (14) Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be prepared by suitably qualified and accredited persons and submitted to the local planning authority for written approval.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, Policy DM17 of Development Management Policies 2015.

- (15) In the event that unexpected contamination is found at any time when carrying out the approved development it must be reported in writing to the local planning authority immediately. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared and approved in writing by the local planning authority. Development must accord with the approved details. Following completion of the remediation works, a verification report must be prepared by suitably qualified and accredited persons and submitted to the local planning authority for written approval.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, Policy DM17 of the Development Management Policies 2015.

- (16) A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation and the provision of reports on the same must be prepared by suitably qualified and accredited persons, both of which are subject to the local planning authority's written approval. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced by suitably qualified and accredited persons and submitted to the local planning authority. This must be conducted in accordance with Defra and the Environment Agency's Model Procedures for the Management of land Contamination, CLR 11.**

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM17 of the Development Management Policies 2015.

- (17) A Certificate of Completion shall be prepared by suitably qualified and accredited persons and provided to the local planning authority before occupation of any part of the site by any end user, stating that remediation has been carried out in accordance with the approved remediation scheme and that 'the site is suitable for the permitted end use'.**

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM17 of the Development Management Policies 2015.

- (18) The development hereby permitted shall not commence until the detailed design of the surface water drainage scheme have been submitted to and approved in writing by the planning authority. Those details shall include:**

- a) A design that satisfies the SuDS Hierarchy and follows the principles set out in the approved drainage strategy 'Surface Water Strategy, Management and Maintenance Report'**
- b) Detailed drawings showing drainage layout, long or cross sections of each drainage element, pipe sizes and invert and cover levels.**
- c) Appropriate calculations to the elements above showing how the national SuDS standards have been met (if different from approved strategy).**
- d) Details of outline construction phasing and how surface water and any associated pollution risk will be dealt with during the construction of the development, and how any on site drainage systems will be protected and maintained.**
- e) Details of who will maintain the drainage elements and their associated maintenance regimes.**
- f) Details of where any exceedance flows (i.e. rainfall greater than design or flows following blockages) would run to, avoiding risks to people and property.**

Reason: To prevent an increased risk of flooding and to prevent pollution of the water environment in accordance with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

- (19) Prior to the first occupation of the development, 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 Urban Drainage System has been constructed as per the agreed scheme.**

Reason: To ensure the Sustainable Drainage System is designed to the technical standards in accordance with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

- (20) Prior to above ground works commencing details of the lighting to the food retail store outside operational hours which should be designed to minimise the risk of light spillage beyond the development site boundary shall be submitted to and approved in writing by the local planning authority and the lighting shall thereafter be operated in accordance with the approved details.**

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy DM10 of the Development Management Policies 2015.

- (21) The food retail store use hereby permitted shall not operate other than between the hours of 08.00- 22.00 hours Mondays to Saturdays (inclusive) and 10.00-17.00 hours on Sundays.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy DM10 of the Development Management Policies 2015.

- (22) 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.

- (23) Prior to the commencement of development, detailed elevational drawings for the internal courtyard at second and third floor level 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.

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 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.
- (3) When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.

- (4) The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs.

www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs

- (5) A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.
- (6) The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
- (7) The developer is advised that a standard fee may be charged for input to, and future monitoring of, any Travel Plan.
- (8) Any unilateral undertaking shall be in accordance with Surrey County Council's standard format.
- (9) The developer would be expected to instruct an independent transportation data collection company to undertake the monitoring survey. This survey should conform to a TRICS Multi-Modal Survey format consistent with the UK Standard for Measuring Travel Plan Impacts as approved by the Highway Authority. To ensure that the survey represents typical travel patterns, the organisation taking ownership of the travel plan will need to agree to being surveyed only within a specified annual quarter period but with no further notice of the precise survey dates. The Developer would be expected to fund the survey validation and data entry costs.
- (10) The water efficiency standard required under condition 10 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.

- (11) 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/residents/planning/planning-advice/community-infrastructure-levy-cil-guidance>

- (12) Works related to the construction of the development hereby permitted, including works of demolition or preparation prior to building operations shall not take place other than between the hours of 08.00 to 18.00 hours Mondays to Fridays; 08.00 to 13.00 hours Saturdays; with no work on Saturday afternoons (after 13.00 hours), Sundays, Bank Holidays or Public Holidays.

Part B

- 11.3 In the event that the section 106 Agreement referred to in Part A is not completed by 21 December 2017 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 affordable housing units, a commuted sum towards transport measures and estate maintenance arrangements.