

13 Ashley Road Epsom Surrey KT18 5AQ

Erection of an apartment building comprising 2 three bed units and 2 two bed units with basement parking and cycle/residential storage (Description amended and amended drawings received 27.11.2017)

Ward:	Town
Contact Officer:	John Robinson

1 Plans and Representations

- 1.1 The Council now holds this information electronically. Please click on the following link to access the plans and representations relating to this application via the Council's website, which is provided by way of background information to the report. Please note that the link is current at the time of publication, and will not be updated.

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OHGPUTGYMYQ00>

2 Summary

- 2.1 This application proposes the demolition of the existing two storey building (comprising two flat units) and the erection of an apartment building comprising 2 three bed units and 2 two bed units, with basement parking and cycle/residential storage
- 2.2 This application has been submitted to committee at the request of Cllr Tella Wormington.
- 2.3 **The application is recommended for APPROVAL**

3 Site description

- 3.1 The application property is a two storey building which accommodates two self-contained three bedroom flat units (on the ground and upper floor. The building is of traditional appearance, with a two storey projecting front bay element under a tiled hipped roof.
- 3.2 The site is located on the eastern side of Ashley Road, opposite the traffic island, where the Ashley Road "one-way-system" divides. The property is bounded to the north by the parking area serving the Methodist Church, beyond which lie the refectory building and the church itself, to the east by a detached garage, and to the south by an access driveway serving Ashley Court , a three storey block of flats.

- 3.3** The immediate area is characterised by a mixture of building types, ranging from inter-war period flats (Ashley Court), neo-traditional flatted developments (Windsor Court, the ex- Magistrates Court site), traditional church vernacular (Methodist Church) and contemporary (the church refectory building). Opposite the site is a two storey converted office building of traditional appearance, behind which lies the three/four storey circa 1970's shopping centre and attached parking garage (Ashley Mall)
- 3.4** The site is located outside the Epsom Town Centre Conservation Area. The boundary lies 50m to the northwest, and 70m to the north.

4 Proposal

- 4.1** This application proposes the demolition of the existing two storey building (comprising two flat units) and the erection of an apartment building comprising 2 three bed units and 2 two bed units, with basement parking and cycle/residential storage
- 4.2** The block of flats would have a pedestrian entrance set back from the front elevation and accessed via a covered walkway and a pedestrian ramp off Ashley Road, whilst the vehicular access would be via a ramp down to the basement parking area. The building would be set back around 7m from the highway boundary and the forecourt, enclosed by a 500mm high wall, would accommodate a landscaped, turfed communal amenity area.
- 4.3** The building would have a partly splayed rear elevation that would mirror the plot configuration.
- 4.4** The building which would be of "traditional" appearance would have brick elevations, articulated by sections of brick decorative panels, under a reconstituted slate tiled, hipped and crowned roof. The front and flank elevations would be further articulated by projecting balconies, enclosed by vertical steel balustrading.
- 4.5** It is proposed to provide 5 parking spaces within the basement of the building, and bicycle storage facilities. Disabled access to the upper floors would be served by a lift. Refuse storage would also be located in the basement area, adjacent to the parking area

5 Comments from third parties

- 5.1** The application was advertised by means of letters of notification to 43 neighbouring properties, and a site notice. Amended drawings were received on 25 April 2017 and neighbouring properties were re-consulted. To date (28.11.2017) 19 objections have been received with regard to the amended scheme regarding:
- Overdevelopment
 - Density
 - Scale and massing

- Out of keeping
- Highway safety
- Overlooking, loss of privacy
- Overshadowing
- Lack of parking
- Restricted access for construction /maintenance
- The open balconies shown on the plans almost overhang the church's car park, with cars parked immediately below and members of the public passing by underneath. We are concerned that this constitutes a safety hazard should items drop from above.

The application was further amended in response to objections received and amended drawings were received on 27.11.2017.

Epsom Civic Society: Recommends refusal. The front elevation is improved by the revised pedestrian access and the lowering of the basement car park, but is still unattractive and damaging to the street scene. It would occupy almost 100% of the site area, making it unacceptably overcrowded and with inadequate landscaping. The latest sketch of the entrance to the car park ramp in relation to the traffic lights does not convince that this arrangement is satisfactory. A further vehicle access at this point would be most unfortunate and dangerous.

6 Consultations

- 6.1** County Highway Authority: No objections. Conditions to be imposed on any permission granted.
- 6.2** Tree Officer: No objection.
- 6.3** Conservation Officer: No objection. There would be no impact on the setting of the Grade II* Ashley House, which is located 50m to the north west. With reference to design (scale, mass and appearance) the proposed building would have a neutral effect on the character and appearance of the streetscene.

7 Relevant planning history

Application number	Decision date	Application detail	Decision
13/00109/FUL	30.07.2013	Demolition of existing building and erection of a three storey building comprising 3 two bedroom ,1 three bedroom and 4 one bedroom self - contained flat units and associated basement parking and landscaping (Description amended 09.07.2013)	REFUSED. Appeal DISMISSED 04.03.2014

8 Planning Policy

Core Strategy 2007

Policy CS1	General Policy
Policy CS3	Biodiversity and Nature Conservation
Policy CS5	Built Environment
Policy CS6	Sustainable Development
Policy CS7	Housing Provision
Policy CS8	Housing Location
Policy CS16	Highways

Development Management Policies Document 2015

Policy DM8	Heritage Assets
Policy DM9	Townscape Character and Local Distinctiveness
Policy DM10	Design Requirements for New Developments
Policy DM4	Biodiversity and New Development
Policy DM5	Trees and Landscape
Policy DM10	Design requirements for new developments
Policy DM11	Housing Density
Policy DM12	Housing Standards
Policy DM37	Parking Standards

Supplementary Planning Documents

Parking Standards for Residential development 2015

9 Planning considerations

Previous Application and Appeal Decision

- 9.1** A similar residential scheme for development (13/00109/FUL) seeking detailed planning permission for the demolition of the existing building and the erection of a three storey building comprising 3 two bedroom ,1 three bedroom and 4 one bedroom self-contained flat units with basement parking was refused by the Planning Committee in July 2013 on the following grounds:

1. The proposed development, by virtue of its design, scale and massing, would be out of character with the established pattern of development in the immediate vicinity and would be unduly harmful to the visual appearance of the streetscene and character of the area contrary to Policies BE19, HSG11 and DC1 of the Epsom and Ewell District Wide Local Plan (2000) and Policy CS5 of the Core Strategy Plan 2007

- 9.2** The application was dismissed on appeal in March 2014 (Appeal Ref: 2207796), on the grounds that the development would have a harmful effect on the character and appearance of the area contrary to Policy CS5 and that it would have a damaging effect on the living conditions of the occupiers of Ashley Court by reason of loss of outlook and privacy.
- 9.3** The Inspector's appeal decisions are therefore a material consideration in assessing this application

Principle of Development

- 9.4** The National Planning Policy Framework (NPPF) states that planning should encourage the effective use of land by re-using land that has been previously developed. Core Strategy Policy CS1 requires development and the use of land to contribute positively to the social, economic and environmental improvements necessary to achieve sustainable development in Epsom. Policy CS5 states that development should make efficient use of land and have regard to the need to develop land in a comprehensive way.
- 9.5** There is no in principle objection to the loss of the existing building because, the application site is located in the built-up area of Epsom, it is previously developed land and in a highly sustainable location just over 70m from Epsom town centre. It is not within a conservation area and the character and appearance of the conservation area located nearby would not be adversely affected by this development. Furthermore the existing building is not listed. In principle, it therefore accords with the policies contained within national and local planning policy regarding the intensification of previously developed sites.
- 9.6** The redevelopment of this site for a residential scheme is therefore appropriate in principle, subject to compliance with other relevant development plan policies.

Density

- 9.7** Policy DM11 - Housing Density states that in principle, proposals for new housing that make the most efficient use of sites within the borough's urban area will be supported in principle. The scheme proposes a density of 133 units per hectare and whilst policy DM11 states that the density of new housing developments in most cases should not exceed 40 dwellings per hectare, exceptions will be considered if the site enjoys good access to services, facilities and amenities via existing public transport, walking and cycling networks and the surrounding townscape has sufficient capacity to accommodate developments of higher density.

- 9.8** The site is in a highly sustainable location, in proximity to a bus stop, a cycle route, as well as within easy walking distance of Epsom railway station. The immediate area is characterised by a mixture of building types, including residential buildings with densities in excess of 40 units per hectare, ranging from inter-war period flats (Ashley Court), and the neo-traditional flatted development at Windsor Court, (the ex- Magistrates Court site) which has a density of 176 units per hectare. It is therefore concluded that the density is appropriate for the site.

Visual Impact

- 9.9** Policy DM13 states that buildings higher than 12m will be inappropriate in all areas of the Borough except within identified areas within the Epsom Town Centre Boundary. This part of Ashley Road area is characterised by a variety of scales of buildings from single to three storeys (with roof accommodation). The new building would be two storeys in height (with a part basement level) in response to the built form and scale of the adjacent three storey Ashley Court and the three storey (with roof accommodation) Windsor Court further to the north.
- 9.10** In his decision the Inspector noted that because the Ashley Court roof is hipped at the corner closest to the appeal building, this has the effect of reducing its bulk and prominence from street level. He stated that therefore it was meaningful to compare the height of the proposed building with the eaves, rather than the ridge line, of Ashley Court.
- 9.11** Whilst the new building would have an overall height of some 8.6m, around 1m higher than the eaves height of the adjacent Ashley Court, it differs from the refused scheme as the eaves height of the top floor would be around 1.2m lower than the eaves level of Ashley Court.
- 9.12** The roof which would be some 1.6m lower than the existing roof, would pitch back from the southern flank boundary, and the new building with a separation gap of 6 - 7m would therefore, by virtue of its height and massing along the southern boundary, relate acceptably with the larger scaled Ashley Court.
- 9.13** The reduced scale and massing of the current scheme would not (as previously) draw the eye and accentuate the discord between the scale of the proposed building and its neighbours to the north. Whilst the north elevation of the building would be exposed to extensive views across the car park to the north, when seen from this direction, the height and massing of the building would result in an acceptable change of scale compared with the car park and adjoining hall, and would form a transition between its two rather disparate neighbours.
- 9.14** The new building extends deeper at the rear than the existing but when viewed against the backdrop of the much larger building to the side and rear, this infilled section of the site, has a negligible impact on the street scene given its rear location and it is difficult to argue that infilling this section of land would lead to an unacceptably bulky and visually harmful building which has a significantly harmful impact on the street scene.

- 9.15** It is therefore concluded that the proposed scheme in terms of its design, scale and massing would not have a harmful impact on the character and appearance of both the immediate and wider area and would therefore accord with policies DM9, DM10 and CS5.

Residential Amenity

- 9.16** Directly opposite the new building, at a distance of between 6- 7m, the return frontage of Ashley Court contains the entrances, and windows serving kitchen/dining rooms and bedrooms, of six flats (Nos 2, 3, 10, 11, 18 and 19). Due the acceptable separation gap, and the reduced scale of the current scheme, it would not have an overbearing effect on the outlook from the windows of the six flats opposite.
- 9.17** The proposed south elevation would have obscurely glazed windows serving bathrooms, and one window serving a stairwell. This would prevent any perceived or actual overlooking or loss of privacy to the neighbouring flat units (Nos 2, 10 and 18).
- 9.18** The flank entrance walkway at (raised) ground floor level would have high level windows to prevent overlooking of the affected flats in Ashley Court.
- 9.19** Concerns have been raised with regard to overlooking of the Church nursery school outdoor play area which is located to the north east of the application site. The current scheme has been amended to address this concern (the balconies on the rear splayed elevation have been relocated to the northern flank elevation) and officers consider these objections have now been satisfactorily resolved.
- 9.20** The proposed scheme would therefore accord with Policy DM10

Amenity Space

- 9.21** All flats would be provided with balconies which would meet the requirements of Policy DM12.

Standard of Accommodation

- 9.22** Each flat within the proposal would comply with national space standards in regards to overall gross internal area (GIA) and individual habitable rooms.

Parking/Access

- 9.23** Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are “severe”.
- 9.24** 5 parking spaces are proposed which would comply with the Councils adopted parking standards which require 1 and 2 bedroom flats outside of the Town Centre to have a minimum of 1 space per unit, and 3 bedroom flats to have 1.5 spaces.

- 9.25** Refuse and bicycle storage would be provided in the basement, adjacent to the parking area.
- 9.26** Concerns have been raised regarding the access to the site. In this regard The Highway Authority has commented as follows: It is noted that there are some concerns regarding the parking and access for the proposed flats. Whilst this site is in a very constrained location there is an existing use associated with it, providing at least 3 parking spaces with turning for the flats here. The proposal provides 5 spaces with ample turning space for all 5 vehicles to enter and exit the property in a forward gear. The revised plans have reduced the total number of flats from 5 to 4 and this reduces the number of movements in and out of the access with very few trips generated during peak hours. It does not constitute a severe impact on the public highway. The visibility out of the access is not the best at present and the application represents an improvement albeit a small one. The front walls will be lower than 0.6m allowing visibility out of the access.

Sustainability and Renewable Energy

- 9.27** Core Strategy Policy CS6 requires proposals to demonstrate how sustainable construction and design can be incorporated to improve the energy efficiency of development.
- 9.28** The applicants state that the proposal is orientated on an east-west axis with balconies to maximise sunlight to each apartment and it is intended for photovoltaic solar panels to be installed. Building materials would include traditional brick facing (sourced as locally as possible) with thermally efficient glazing and insulation, together with heating/ventilation systems and energy/water efficient internal fixtures and appliances to ensure current sustainability standards (with zero carbon aims) are met.
- 9.29** The proposal is indicative in the main and an appropriate planning condition is recommended to secure their inclusion.

Ecology

- 9.30** Policy DM4 of the Development Management Policy Document states that every opportunity should be taken to secure net benefit to the Borough's biodiversity.
- 9.31** It is recommended that conditions be imposed requiring the provision of both bat and bird boxes within the site.

Trees

- 9.32** Two trees are proposed to be felled as a result of the proposed development. The Borough's Tree Officer raises no objection to the proposed scheme. Details of hard and soft landscaping are secured by an appropriate condition.

Community Infrastructure Levy

- 9.27** The proposed scheme is CIL liable.

10 Conclusion

- 10.1** It is considered that the current scheme would address the previous reasons for refusal and that it would comply with Policies DM8, DM9, DM10, DM12, DM37, CS9 and CS12. In light of the above it is recommended that planning permission be GRANTED.

11 Recommendation

- 11.1** The Committee authorise the Head of Place Development to grant planning permission subject to the following conditions:

Conditions :

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- (2)** Prior to the commencement of development, details and samples of the external materials to be used for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

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

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

- (4)** No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for a maximum of 5 cars and a minimum of 4 bicycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking area shall be used and retained exclusively for its designated use.

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

- (5) 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 and 3.15 and 4.00 pm (adjust as necessary according to individual school start and finish times) nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Heathcote Road, The Parade, Ashley Avenue or any other adjacent roads during these times.**

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

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

- (6) The development hereby approved shall not be first occupied unless and until the proposed vehicular / cycle / modified access to Ashley Road 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: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with the provisions of Policy CS16 of the Core Strategy 2007

- (7) 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.**

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

- (8) Prior to the commencement of the development details of sustainability measures shall be submitted to and approved in writing by the local planning authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials including means of providing the energy requirements of the development from renewable technologies. The development shall be carried out in strict accordance with the approved details prior to the first occupation of the building, 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).

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

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

- (10) No development shall take place until details and location of the installation of bat and bird boxes to enhance the biodiversity interest of the site have been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved and thereafter maintained.**

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

- (11) No construction work shall be carried out in such a manner as to be audible at the site boundary before 07.30 hours on Monday to Friday or after 18.30 hours on Monday to Friday; no construction work shall be audible at the site boundary before 08.00 and after 13.00 hours on Saturdays and no construction work of any nature shall be carried out on Sundays or Bank Holidays or Public Holidays.**

Reason: To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties as required by Policy DM10 of the Development Management Policies Document 2015

- (12) The windows in the southern flank elevation of the development hereby permitted shall be glazed with obscure glass of no less than obscurity level 3, and shall thereafter be permanently retained as such.**

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

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

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

- (14) No development shall take place until a strategy of surface water drainage for the site using a Sustainable Drainage System (SuDS) has been submitted to and approved in writing by the local planning authority. The approved development shall be implemented in accordance with the approved strategy prior to the occupation of the building and thereafter retained in that condition.**

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 2015.

- (15) The development hereby permitted shall be carried out in accordance with the following plans:**

**J002347/ PL 03B; J002347/ PL 04C; J002347/ PL 05E; J002347/ PL 06D;
J002347/ PL 09F**

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

Informatives:

- (1) The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012**
- (2) The water efficiency standard required under Condition 9 has been adopted by the local planning authority through the Development**

Management Policies 2015. This standard is the ‘optional requirement’ detailed in Building Regulations 2010, Part G Approved Document (AD) Buildings Regulations (2015), at Appendix A paragraph A1.

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

(a) using the ‘fittings approach’ where water fittings are installed as per the table at 2.1 in the AD or

(b) using the water efficiency calculation methodology detailed in the AD Part G Appendix A.

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

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

More information and the charging schedule are available online

<http://www.epsom-ewell.gov.uk/residents/planning/planning-advice/community-infrastructure-levy-cil-guidance>