

Epsom General Hospital, Dorking Road
Epsom KT18 7EG

Appeal A: Agreed Conditions for
Amended Plans

Mike Kiely

Tim Spencer

14 July 2021



Mike Kiely
planning + regeneration

Site Address

Epsom General Hospital, Dorking Road, Epsom KT18 7EG (the Appeal Site)

Description of Development

Description amended and agreed to take account of the Amended Plans:

Demolition of the existing hospital buildings, accommodation block and associated structures and redevelopment of the site to provide a new care community for older people arranged in two buildings, comprising 301 care residences, 10 care apartments and 28 care suites providing transitional care, together with ancillary communal and support services Use Class C2, 24 key worker units Use Class C3, children's nursery Use Class E, as well as associated back of house and service areas, car and cycle parking, altered vehicular and pedestrian access, landscaping, private amenity space and public open space.

(Proposed Development A)

Applicant

Senior Living Urban (Epsom) Limited (the Appellant)

References

Epsom & Ewell Borough Council (the Council): 19/01722/FUL

Planning Inspectorate (PINS): APP/P3610/W/21/3272074

Commented [PD1]: 302 – as confirmed by appellant in opening

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AGREED CONDITIONS (TRACK CHANGED)

Without prejudice to either party's case, the following conditions are agreed as necessary to impose on any grant of planning permission for the Proposed Development in Appeal A. Where a condition is not agreed, it is set out in a table with the Council's preferred wording on the left and the Appellant's on the right.

These conditions relate to the amended plans that have been agreed to be substituted for Appeal A. The changes between the previous set of agreed conditions for this appeal and this set are identified using a track-change format with **new text like this** and **deleted text like this**. The reasons for the changes are set out in the Statement of Common Ground between the Council and the Appellant for Appeal B.

Compliance conditions

1. Statutory: life of permission

- 1.1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1.2. 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. Statutory: compliance with approved plans

- 2.1. The development hereby permitted shall be carried out in accordance with the **approved plans and drawings listed below**, other than where those details are altered pursuant to the conditions of this planning permission:

- 18120-MPI-XX-XX-DR-A-01-001 – SITE LOCATION PLAN & EXISTING SITE PLAN – dated 20.12.19
- 18120-MPI-XX-XX-DR-A-01-003 – PROPOSED SITE PLAN – dated 20.12.19
- 18120-MPI-XX-XX-DR-A-10-001 – DEMOLITION PLAN – dated 20.12.19
- 18120-MPI-XX-00-DR-A-20-001 – LEVEL 00 FLOOR PLAN **Rev A – dated-20.12.19 25.05.21**
- 18120-MPI-XX-01-DR-A-20-002 – LEVEL 01 FLOOR PLAN **Rev A – dated-20.12.19 28.05.21**
- 18120-MPI-XX-02-DR-A-20-003 – LEVEL 02 FLOOR PLAN **Rev A – dated-20.12.19 28.05.21**
- 18120-MPI-XX-03-DR-A-20-004 – LEVEL 03 FLOOR PLAN **Rev A – dated-20.12.19 28.05.21**
- 18120-MPI-XX-04-DR-A-20-005 – LEVEL 04 FLOOR PLAN **Rev A – dated-20.12.19 28.05.21**
- 18120-MPI-XX-05-DR-A-20-006 – LEVEL 05-08 FLOOR PLAN **Rev A – dated-20.12.19 28.05.21**

Commented [PD2]: List will require updating to match the revised plans list. As discussed in the opening session, it has yet to be confirmed whether two new landscape plans will be included.

- 18120-MPI-XX-06-DR-A-20-007 – LEVEL ROOF PLAN Rev A – dated ~~20.12.19~~ 28.05.21
- 18120-MPI-ZZ-00-DR-A-20-100 – EAST BUILDING – LEVEL 00 Rev A – dated ~~20.12.19~~ 28.05.21
- 18120-MPI-ZZ-01-DR-A-20-101 – EAST BUILDING – LEVEL 01 Rev A – dated ~~20.12.19~~ 28.05.21
- 18120-MPI-ZZ-02-DR-A-20-102 – EAST BUILDING – LEVEL 02 Rev A – dated ~~20.12.19~~ 28.05.21
- 18120-MPI-ZZ-03-DR-A-20-103 – EAST BUILDING – LEVEL 03 Rev A – dated ~~20.12.19~~ 28.05.21
- 18120-MPI-ZZ-04-DR-A-20-104 – EAST BUILDING – LEVEL 04 Rev A – dated ~~20.12.19~~ 28.05.21
- 18120-MPI-ZZ-05-DR-A-20-105 – EAST BUILDING – LEVEL 05-08 Rev A – dated ~~20.12.19~~ 28.05.21
- 18120-MPI-ZZ-06-DR-A-20-106 – EAST BUILDING – LEVEL ROOF Rev A – dated ~~20.12.19~~ 28.05.21
- 18120-MPI-ZZ-00-DR-A-20-107 – WEST BUILDING – LEVEL 00 Rev A – dated ~~20.12.19~~ 28.05.21
- 18120-MPI-ZZ-01-DR-A-20-108 – WEST BUILDING – LEVEL 01 Rev A – dated ~~20.12.19~~ 28.05.21
- 18120-MPI-ZZ-02-DR-A-20-109 – WEST BUILDING – LEVEL 02 Rev A – dated ~~20.12.19~~ 28.05.21
- 18120-MPI-ZZ-03-DR-A-20-110 – WEST BUILDING – LEVEL 03 Rev A – dated ~~20.12.19~~ 28.05.21
- 18120-MPI-ZZ-04-DR-A-20-111 – WEST BUILDING – LEVEL 04 Rev A – dated ~~20.12.19~~ 28.05.21
- 18120-MPI-ZZ-05-DR-A-20-112 – WEST BUILDING – LEVEL 05-08 Rev A – dated ~~20.12.19~~ 28.05.21
- 18120-MPI-ZZ-06-DR-A-20-113 – WEST BUILDING – LEVEL ROOF Rev A – dated ~~20.12.19~~ 28.05.21
- 18120-MPI-XX-ZZ-DR-A-20-200 – SITE SECTIONS Rev A – dated ~~20.12.19~~ 25.05.21
- 18120-MPI-XX-ZZ-DR-A-20-201 – BUILDING SECTION A-A' & B-B' Rev A – dated ~~20.12.19~~ 25.05.21
- 18120-MPI-XX-ZZ-DR-A-20-202 – BUILDING SECTION C-C' & D-D' Rev A – dated ~~20.12.19~~ 25.05.21
- 18120-MPI-XX-ZZ-DR-A-20-203 – BUILDING SECTION E-E' – dated 20.12.19
- 18120-MPI-XX-ZZ-DR-A-20-300 – ELEVATION 1A-1A Rev A – dated ~~20.12.19~~ 27.05.21
- 18120-MPI-XX-ZZ-DR-A-20-301 – ELEVATION 1B-1B Rev A – dated ~~20.12.19~~ 27.05.21

- 18120-MPI-XX-ZZ-DR-A-20-302 – ELEVATION 2-2 Rev A – dated ~~20.12.19~~ 27.05.21
- 18120-MPI-XX-ZZ-DR-A-20-303 – ELEVATION 3-3 – dated 20.12.19
- 18120-MPI-XX-ZZ-DR-A-20-304 – ELEVATION 4-4 Rev A – dated ~~20.12.19~~ 27.05.21
- 18120-MPI-XX-ZZ-DR-A-20-305 – ELEVATION 5-5 Rev A – dated ~~20.12.19~~ 27.05.21
- 18120-MPI-XX-ZZ-DR-A-20-306 – ELEVATION 6-6 Rev A – dated ~~20.12.19~~ 27.05.21
- 18120-MPI-XX-ZZ-DR-A-20-307 – ELEVATION 7-7 Rev A – dated ~~20.12.19~~ 27.05.21
- 18120-MPI-XX-ZZ-DR-A-20-308 – ELEVATION 8-8 Rev A – dated ~~20.12.19~~ 27.05.21
- 18120-MPI-XX-ZZ-DR-A-20-309 – ELEVATION 9-9 Rev A – dated ~~20.12.19~~ 27.05.21
- 18120-MPI-XX-ZZ-DR-A-20-310 – ELEVATION 10-10 Rev A – dated ~~20.12.19~~ 27.05.21
- 18120-MPI-XX-ZZ-DR-A-20-311 – ELEVATION 11-11 – dated 20.12.19
- 18120-MPI-XX-ZZ-DR-A-20-312 – ELEVATION 12-12 – dated 20.12.19
- 18120-MPI-XX-ZZ-DR-A-20-313 – ELEVATION 13-13 – dated 20.12.19
- 18120-MPI-XX-ZZ-DR-A-21-300 – TYPICAL BAY STUDY – BAY 1 – JULIET BALCONY DETAIL – dated 20.12.19
- 18120-MPI-XX-ZZ-DR-A-21-301 – TYPICAL BAY STUDY – BAY 2 – BOLT ON BALCONY DETAIL – dated 20.12.19
- 18120-MPI-XX-ZZ-DR-A-21-302 – TYPICAL BAY STUDY – BAY 3 – DROP OFF DETAIL Rev A – dated ~~20.12.19~~ 27.05.21
- 18120-MPI-XX-XX-DR-A-30-100 – TYPICAL UNIT LAYOUTS – 1 BED M4(2) & M4(3) – dated 20.12.19
- 18120-MPI-XX-XX-DR-A-30-101 – TYPICAL UNIT LAYOUTS – 2 BED M4(2) & M4(3) – dated 20.12.19
- 18120-MPI-XX-XX-DR-A-30-102 – TYPICAL UNIT LAYOUTS – 3 BED M4(2) & M4(3) – dated 20.12.19
- 18120-MPI-XX-XX-DR-A-30-103 – TYPICAL UNIT LAYOUTS AGED CARE SUITES – dated 20.12.19
- EPS001-ASD-SZ-00-DR-L-000100-P10 – Masterplan Ground Floor – hard landscape – dated 06.08.20
- EPS001-ASD-SZ-00-DR-L-000101-P01 – Masterplan Ground Floor – Detail Zoom in – dated 07.08.20
- 596-S-00-100-P01 – Landscape General Arrangement Sections A-A – dated 16.12.19
- 596-S-00-101-P01 – Landscape General Arrangement Section B-B & C-C – dated 16.12.19
- 596-P-00-100-P03 – Ground Floor Masterplan – dated 16.12.19
- 596-P-02-100-P03 – Roof Garden Masterplan – dated 16.12.19

2.2. Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans.

3. Control of construction phase

LPA's Position	Appellant's position
<p>3.1. The development shall be carried out in accordance with the Construction Environmental Management Plan, Revision 5 and the Demolition Method Statement, Revision 1 (both (prepared by Morgan Sindall) and the Environmental Noise Survey and Acoustic Design Statement (carried out by Hann Tucker Associates document reference 26691/PNA1/Rev2 dated 19 December 2019). In particular:</p>	<p>3.1 The development shall be carried out in accordance with the Construction Environmental Management Plan, Revision 5 and the Demolition Method Statement, Revision 1 (both (prepared by Morgan Sindall) and the Environmental Noise Survey and Acoustic Design Statement (carried out by Hann Tucker Associates document reference 26691/PNA1/Rev2 dated 19 December 2019).</p>
<p>a) solid hoardings shall be erected to the boundary, as detailed in the CEMP;</p> <p>b) no construction, demolition, preparation or other works shall take place except between the hours of 08.00 to 18.00 hours Mondays to Fridays; 08.00 to 13.00 hours Saturdays; with no such works on Sundays, Bank Holidays or Public Holidays; and</p> <p>c) no burning of materials arising from site clearance, demolition, construction or other works on the site may be carried out at any time.</p> <p>3.2. The development shall be implemented in accordance with the approved Construction Environmental Management Plan, Demolition Method Statement and the Environmental Noise Survey and Acoustic Design Statement</p>	<p>3.2 The development shall be implemented in accordance with the approved Construction Environmental Management Plan, Demolition Method Statement and the Environmental Noise Survey and Acoustic Design Statement and shall be maintained as approved for as long as the construction programme lasts.</p>

LPA's Position	Appellant's position
and shall be maintained as approved for as long as the construction programme lasts.	

3.3. Reason: To safeguard the amenities of the occupiers of neighbouring properties.

4. Unexpected contamination safeguarding

4.1. If, during the implementation of the development groundworks, contamination not previously identified (including any contamination that could present a risk to Controlled Waters) is found to be present at the site then no further works or other such activity shall be carried out ~~(unless otherwise agreed in writing with the Local Planning Authority)~~ until the developer has submitted to and obtained written approval from the Local Planning Authority for a remediation strategy detailing how this contamination shall be dealt with. The remediation strategy shall be implemented as approved, and, prior to the occupation of any part of the development, a verification report shall be submitted to and approved by the Local Planning Authority, ~~verified and reported in writing to the satisfaction of the Local Planning Authority, which will be confirmed in writing.~~

4.2. Reason: To deal with the potential for unexpected contamination that is identified during development groundworks.

5. Air quality safeguarding

5.1. The development must be carried out in accordance with the submitted Air Quality Assessment, including any proposed mitigation measures, as specified by Hydrock Consultants Limited Project No. C-12025-C Document Ref: GLW-MYD-XX-XX-Y-RP- 003-PO2 dated 31 March 2020. The submitted scheme shall be maintained for as long as the development is in use.

5.2. Reason: To ensure compliance with and contribute towards EU limit values or national objectives for pollutants.

6. Water efficiency

6.1. ~~Prior to the first occupation of any part of the development, details of water efficiency measures shall be submitted to and approved in writing by the local planning authority.~~

Commented [PD3]: This is a "tailpiece" – such clauses are generally undesirable
Commented [MK4R3]: Agreed, can be deleted.

Commented [PD5]: This is vague. If the intention is that a verification report will be submitted to and approved in writing by the LPA then this should be explicit (including trigger point)
Commented [MK6R5]: Agreed – amended wording added.

The details shall show a water efficiency standard using not more than 110 litres per person per day maximum indoor water consumption. The measures shall be installed in accordance with the approved details and thereafter maintained as for as long as the development is in use.

6.2. Reason: To ensure that the development is sustainable and makes efficient use of water

7. Boiler emissions

7.1. All non-CHP space and hot water fossil fuel (or equivalent hydrocarbon-based fuel) boilers installed as part of the development must achieve dry NOx emission levels equivalent to or less than 30 mg/kWh.

7.2. Reason: To protect air quality and people's health by ensuring that the production of air pollutants, such as nitrogen dioxide and particulate matter, are kept to a minimum during the course of building works and during the lifetime of the development. To contribute towards the maintenance or to prevent further exceedances of National Air Quality Objectives.

8. Tree safeguarding

8.1. With respect to existing trees identified in the approved plans as being retained:

- a) no such tree shall be cut down, uprooted, destroyed or otherwise damaged without the written approval of the Local Planning Authority;
- b) if any such tree is cut down, uprooted, destroyed or is otherwise damaged or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning; and
- c) no such tree shall be pruned other than with the written approval of the Local Planning Authority. Any pruning shall be carried out in accordance with British Standard 3998 (tree work) and in accordance with the arboricultural method statement.

8.2. The tree protection provisions above shall last for a period of 5 years following the first occupation of any part of the development.

8.3. Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality.

9. Control of plant testing

9.1. ~~Testing of the emergency standby generator and smoke extract fans is limited to a once monthly test event lasting no longer than 30 minutes which shall only take place between the hours of 9am and 5pm on a weekday, excluding any bank holidays.~~ Prior to occupation of any part of the development, the testing frequency and times of the standby generators and smoke extraction fans shall be submitted to and agreed in writing by the LPA and subsequent testing shall only be carried out in accordance with the agreed frequency and times.

Commented [PD7]: submitted to and approved in writing by (for consistency with other conditions)

Commented [MK8R7]: Agreed – amendment made

9.2. Reason: To safeguard residential amenity.

10. Control of retail use

10.1. The retail units shall be limited to the uses described in part E(a) (Display or retail sale of goods, other than hot food) of the Use Classes Order and for no other use (notwithstanding any provisions in the Use Classes Order or the General Permitted Development Order that allow otherwise now or in the future). ~~The units shall not be used as a food retailing shop (eg supermarket).~~ The retail units shall only be open for trade between the hours of 0700 and 2100 Mondays to Saturdays and 0800 and 2100 hours on Sundays.

Commented [PD9]: I will ask about the justification for this clause, whether it is enforceable, and whether any benefits of allowing food sales would outweigh any harm. If there is concern about the living conditions of nearby occupiers, could this be better addressed through the hours of operation?

Commented [MK10R9]: The reason for the condition was concerns about highway safety from the generally expected increase in traffic generation from food retail compared to other retail.

10.2. Reason: in order that the development does not prejudice highway safety nor cause inconvenience to other highway users and to safeguard the amenities of the occupiers of neighbouring properties.

11. Control of nursery use

11.1. The nursery shall be limited to a creche or day nursery use only and for no other use (notwithstanding any provisions in the Use Classes Order or the General Permitted Development Order that allow otherwise now or in the future). The creche or day nursery use shall be limited to a maximum of 40 children at any one time.

11.2. Reason: To safeguard the amenities of the occupiers of neighbouring properties and highway safety.

Pre-commencement conditions: all works

12. Contamination: groundwater protection

- 12.1. The development shall not commence until a Contamination Safeguarding Scheme has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall include:
- a) a site investigation, based on the Preliminary Risk Assessment, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;
 - b) the results of the site investigation and detailed risk assessment referred to in (a) shall inform an options appraisal and remediation strategy that gives full details of the remediation measures required and how they are to be undertaken; and
 - c) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- 12.2. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resulting unacceptable risk to groundwater.
- 12.3. The development shall be implemented in accordance with the approved Contamination Safeguarding Scheme and shall be maintained as approved for as long as the development is in use."
- 12.4. Reason: These details are required to be agreed prior to commencement of development because of the potential effects on underlying Controlled Waters as the site is located over a Secondary Aquifer and it is understood that the site may be affected by historic contamination.

13. SuDS details and groundwater safeguarding

- 13.1. The development shall not commence until a Surface Water Drainage Scheme has been submitted to and approved in writing by the Local Planning Authority. The design must satisfy the Sustainable Drainage System Hierarchy and be compliant with the national Non-Statutory Technical Standards for Sustainable Drainage Systems, National

[Planning Policy Framework](#) and Ministerial Statement on [Sustainable Drainage Systems](#).

The Scheme shall include:

- a) evidence that infiltration of surface water drainage into the ground will be confined to those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters;
- b) evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development and associated discharge rates and storage volumes shall be provided using a maximum discharge rate equivalent of 52l/s;
- c) detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc);
- d) a plan showing exceedance flows (ie during rainfall greater than design events or during blockage) and how property on and off site will be protected;
- e) details of drainage management responsibilities and maintenance regimes for the drainage system; and
- f) details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

13.2. The development shall be implemented in accordance with the approved Surface Water Drainage Scheme and shall be maintained as approved for as long as the development is in use.

13.3. Reason: These details are required to be agreed prior to commencement of development because of the potential to affect underlying Controlled Waters as the site is located over a Secondary Aquifer and it is understood that the site may be affected by historic contamination.

14. Archaeological work

14.1. The development shall not commence until the developer has secured the implementation of a programme of archaeological work to be conducted in accordance with a Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Scheme of Investigation.

Commented [PD11]: Avoid abbreviations that need to be defined – put SuDS and NPPF in full

Commented [MK12R11]: Changes made

14.2. Reason: These details are required prior to commencement of development because the site is of high archaeological potential. It is important that the archaeological information should be preserved as a record before it is destroyed by the development.

15. Construction Transport Management Plan

15.1. The development shall not commence until a Construction Transport Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of:

- g) parking for vehicles of site personnel, operatives and visitors;
- h) loading and unloading of plant and materials;
- i) storage of plant and materials;
- j) programme of works (including measures for traffic management);
- k) provision of boundary hoarding behind any visibility zones;
- l) HGV deliveries and hours of operation;
- m) vehicle routing;
- n) measures to prevent the deposit of materials on the highway;
- o) a before and after construction condition surveys of the highway **and a commitment to fund the repair of any damage caused;** and
- p) on-site turning for construction vehicles.

15.2. The development shall be implemented in accordance with the approved Construction Transport Management Plan and shall be maintained as approved for as long as the construction programme lasts.

15.3. Reason: These details are required to be agreed prior to commencement of development to ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users.

16. Tree protection

~~16.1 The development shall not commence until a Tree Protection Scheme has been submitted to and approved in writing by the Local Planning Authority. Such a Scheme shall include details of the measures to protect retained trees during construction in accordance with the details set out in the BS:5837 Arboricultural Implications Assessment Tree Protection Plan & Method Statement (Ref GD/190110R2- R3/sh dated 11 December 2019) and Tree Protection Plan Ref GD/190110/TPP dated 11/12/2019.~~

Commented [PD13]: Is this not covered under highways legislation?

Commented [MK14R13]: My understanding is that the Highways Act (S131 etc) covers specific areas of damage to the highway whereas this provision is designed to cover all damage from the construction works. The Act only provides for fines whereas this provision is to provide for covering the cost of repair.

~~16.2 The developer shall arrange a pre-commencement site meeting after the installation of the Scheme between the Local Planning Authority and the developer's project arboriculturist to allow inspection and verification of the protection measures.~~

~~16.3 Such protection measures shall be maintained in-situ and not moved or removed until all construction has finished, and all equipment, materials and machinery are removed from site. No storage of materials shall take place within the root protection zones.~~

16.1. The development shall not take place until an Arboricultural Method Statement (detailing all aspects of construction and staging of works) and a Tree Protection Plan in accordance with British Standard 5837:2012 (or later revision) **have** been submitted to and approved in writing by the local planning authority. The Statement shall include details of:

Commented [PD15]: have

- a) All underground services within the root protection areas (RPA`s) of trees and measures for construction methods to prevent root damage;
- b) All level changes within RPA`s of retained trees and measures of construction methods to prevent root damage
- c) All construction activity both above and below ground within RPA`s of retained trees and measures of construction methods to prevent root damage;
- d) All hard surface treatments both above and below ground within RPA`s of retained trees and measures of construction methods to prevent root damage;
- e) A Tree Protection Scheme ~~has been submitted to and approved in writing by the Local Planning Authority.~~ Such a Scheme shall include details of the measures to protect retained trees during construction and a pre-commencement site meeting after the installation of the Scheme between the Local Planning Authority and the developer's project arboriculturist to allow inspection and verification of the protection measures; and
- f) A programme of arboricultural supervision and reporting of protection measures to the LPA.

Commented [PD16]: These words seem unnecessary duplication because the need for approval is covered above.

Commented [MK17R16]: Agreed

16.2. The development shall be carried out in accordance with the agreed Method Statement and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the Tree Protection Plan.

16.3. Within any area fenced in accordance with this condition, such areas shall be kept clear and nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit. Such protection measures shall be maintained in-situ and not moved or removed until

all construction has finished, and all equipment, materials and machinery are removed from site.

16.4. Reason: These details are required to be agreed prior to commencement of development to protect the trees on site which are to be retained in the interests of the visual amenities of the locality.

17. Site levels

17.1. The development shall not commence until Details of existing and proposed finished site levels, finished floor and parapet levels of the buildings to be erected, and finished external surface levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Details.

17.2. Reason: These details are required to be agreed prior to commencement of development to safeguard the visual amenities of the area and to safeguard the amenities of the occupiers of neighbouring properties.

Commented [PD18]: Are these not defined on the drawing "site sections" that would become an approved drawing, with compliance secured by C2

Commented [MK19R18]: This gives the opportunity for final level details to be submitted. It is not uncommon for these details to be refined once RIBA Stage 4 drawings are finalised after the Planning process (RIBA Stage 3).

Pre-commencement conditions: superstructure works

18. Contamination: safeguarding future occupants

18.1. The construction of any building above ground level shall not commence until a site investigation and risk assessment Report and a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority. The Report and Strategy shall include:

- a) details of the existence, extent and concentrations of any made ground/fill, ground gas and contaminants (including asbestos and hydrocarbons) with the potential to impact sensitive receptors on and off site; and
- b) where ground/groundwater contamination, filled ground and/or ground gas is found to present unacceptable risks, a detailed scheme of remediation and risk management measures.

18.2. The development shall be implemented in accordance with the approved Report and Strategy and shall be maintained as approved for as long as the development is in use.

18.3. Reason: These details are required to be agreed prior to commencement of above ground works to ensure that the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.

19. Overheating

19.1. The construction of any building above ground level shall not commence until an assessment of the risk of overheating has been submitted to and approved in writing by the Local Planning Authority. The Assessment shall be undertaken with dynamic simulation, based on CIBSE TM59:2017 and adopting weather files as indicated in CIBSE TM49:2014 or any other methodology that may replace it. If overheating is present on the assessment, Strategic Mitigation Measures to mitigate the problem shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the Strategic Mitigation Measures and shall be maintained as approved for as long as the development is in use.

19.2. Reason: These details are required to be agreed prior to commencement of development to mitigate the risk of overheating with passive strategies avoiding reliance on active cooling systems.

Control of noise

~~The construction of any building above ground level shall not commence until a Scheme for the control of noise emanating from the completed development has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Scheme and shall be maintained as approved for as long as the development is in use.~~

~~Reason: These details are required to be agreed prior to commencement of above ground works to protect the amenities of residents of the site and nearby from noise.~~

20. External appearance of buildings

20.1. The construction of the relevant part of **any building** above ground level shall not commence until Details of the External Appearance of that part of the building have been submitted to and approved in writing by the Local Planning Authority. The Details shall include, where relevant:

- a) **all new cladding materials including aluminium panelling and railings / balconies shall be made available for inspection on site;**
- b) a sample of each of the proposed brick finishes and a 1m X 1m panel shall be constructed on site for inspection and ~~approval in writing by the local planning~~

Commented [PD20]: Any building?

Commented [MK21R20]: Agreed

Commented [PD22]: Suggestion: samples of any external cladding materials and/or any railings or balconies shall be made available for inspection on site

No need to repeat approval – already dealt with above

Commented [MK23R22]: Agreed - amendment made.

authority and the panel shall illustrate the proposed brick in colour, texture, module, bond, pointing and mortar colour proposed for the building and shall be retained on site as a model for the work on site;

- c) section drawings through all parapets, roof edges (including the boundaries of roof terraces, reveals, soffits, lintels, cills), windows and balconies at a scale of 1:20;
- d) section drawings through door and windows and balconies at a scale of 1:20; and
- e) ~~details of the drop off entrance, including details of doors, glazing and soffit sections.~~
- e) details of all landscape furniture ~~shall be submitted for approval in writing to the local planning authority either as fully specified drawings or on-site samples.~~

20.2. The development shall be implemented in accordance with the approved Details and samples and shall be maintained as approved for as long as the development is in use.

20.3. Reason: These details are required to be agreed prior to commencement of above ground works to secure a satisfactory appearance in the interests of the visual amenities and character of the locality.

21. Security Management Plan

21.1. ~~The construction of any building above ground level shall not commence until a Security Management Plan has been submitted to and approved in writing by the Local Planning Authority. The developer shall consult with Surrey Police in preparing the Plan. The development shall be implemented in accordance with the approved Plan, no part of the development shall be occupied until the Plan's provisions are implemented with respect to that part of the development and the Plan's provisions shall be maintained as approved for as long as the development is in use.~~

21.2. Reason: ~~These details are required to be agreed prior to commencement of above ground works in order to provide a safe physical environment.~~

22. Landscaping details

22.1. The construction of any building above ground level shall not commence until a Scheme of Hard and Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall include:

- a) details of all existing trees on the land, and details of those to be retained;
- b) the location and species of plants and trees to be planted on the site;

Commented [PD24]: As above

Commented [MK25R24]: Agreed - amendment made.

Commented [PD26]: As above

Commented [MK27R26]: Agreed - amendment made

Commented [PD28]: Do these words add anything?

Commented [MK29R28]: Yes – they give the developer the choice of submitting drawings or samples on site.

- c) the proposed times of planting, which should be no later than the first planting season following the completion of the development; and
- d) the arrangements for aftercare over a period of 5 years.

22.2. The development shall be implemented in accordance with the approved Scheme.

22.3. All trees and plants shall be maintained for five years following planting and any that die, are removed or damaged or become diseased within that period shall be replaced in the same position in the next planting season with trees/plants of similar size and species to those originally required to be planted, unless the Local Planning Authority gives written consent to any variation.

22.4. Reason: These details are required to be agreed prior to commencement of above ground works to ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality.

23. Boundary treatment

23.1. The construction of any building above ground level shall not commence until details of all proposed walls, fences and other boundary treatments have been ~~are~~ submitted to, and approved in writing by the Local Planning Authority. The boundary treatments shall be carried out in accordance with the approved details prior to the first occupation of the development for residential purposes and shall be retained as approved to the satisfaction of the Local Planning Authority for as long as the development is in use.

Commented [PD30]: Have been

Commented [PD31]: Retained as approved (consistency with other conditions)

Commented [MK32R31]: Agreed – amendment made

23.2. Reason: These details are required to be agreed prior to commencement of above ground works to secure a satisfactory appearance in the interests of the visual amenities and character of the locality.

Prior to occupation conditions

24. Contamination safeguarding: completion report

24.1. No part of the development shall be occupied or brought into use until a Verification Report demonstrating completion of the works set out in the approved remediation strategy required by condition 18 and the effectiveness of the remediation has been submitted to and approved in writing by the Local Planning Authority. The Report shall include:

- a) results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met; and
- b) a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the Report.

24.2. Any long-term monitoring and maintenance plan shall be implemented in accordance with the approved Report and shall be maintained as approved for as long as the development is in use.

24.3. Reason: These details are required to be agreed prior to occupation to ensure that the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.

25. SuDS: completion report

25.1. No part of the development shall be occupied or brought into use until a Verification Report carried out by a qualified drainage engineer demonstrating that the drainage system has been properly implemented has been submitted to and approved in writing by the Local Planning Authority. The Report must:

- a) demonstrate that the drainage system has been constructed in accordance with the agreed scheme ~~(or detail any minor variations)~~;
- b) provide details of the maintenance plan;
- c) provide the details of any management company; and
- d) state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

25.2. The approved measures shall be maintained for as long as the development is in use.

25.3. Reason: These details are required to be agreed prior to occupation to ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS.

26. Biodiversity safeguarding

26.1. No part of the development shall be occupied or brought into use until evidence has been submitted to and approved in writing by the Local Planning Authority that the development has been carried out in accordance with:

Commented [PD33]: This seems to introduce a lack of precision. If any variations are material, approval should already have been obtained.

Commented [MK34R33]: Agreed

- a) the protection, mitigation and enhancement measures detailed in the Ecological Impact Assessment, dated 20 December 2019;
- b) the recommendations detailed in the Preliminary Roost Assessment, dated 11.05.2020; and
- c) in accordance with the approved timetable detailed in the ecological assessment and plan.

26.2. The approved measures shall be maintained for as long as the development is in use.

26.3. Reason: These details are required to be agreed prior to occupation to preserve and enhance biodiversity and habitats.

27. Implementation of cycling facilities

27.1. No part of the development shall be occupied or brought into use until Details of cycling facilities for visitors to the site (including workers) has been submitted to and approved in writing by the Local Planning Authority. The Details shall include details of:

- a) secure parking for bicycles within the site;
- b) facilities within the site for cyclists to change into and out of cycling equipment and to shower; and
- c) facilities within the site for cyclists to store cycling equipment.

Commented [PD35]: s

27.2. The development shall be implemented in accordance with the approved Details and shall be maintained as approved for as long as the development is in use.

27.3. Reason: These details are required to be agreed prior to occupation to promote sustainable transport.

28. Car parking implementation

28.1. No part of the development shall be occupied or brought into use until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear.

28.2. 20% of the proposed parking spaces shall be provided with a fast charge socket, and an additional 20% shall be provided with the infrastructure required for electric vehicle charging (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved by the Local Planning Authority.

28.3. The development shall be implemented in accordance with the approved plans and details and shall be maintained as approved for as long as the development is in use.

28.4. Reason: These details are required to be agreed prior to occupation in order that the development should encourage the use of more sustainable vehicles, not prejudice highway safety nor cause inconvenience to other highway users.

29. Vehicular access completion

29.1. No part of the development shall be occupied or brought into use until the Vehicular Access Arrangements have been completed to the satisfaction of the Local Planning Authority. The arrangements shall include:

- a) the two proposed vehicular accesses to Woodcote Green Road, including visibility zones on the vehicular accesses clear of any obstruction over 0.6m high, in general accordance with drawing B/GLEPSOM.1/01 Rev A;
- b) a pedestrian inter-visibility splay measuring 2m by 2m on each side of each access to Woodcote Green Road, the depth measured from the back of the footway and the widths outwards from the edges of the access and the visibility splays shall be clear of any obstruction to visibility between 0.6m and 2m in height above ground level;
- c) the existing vehicular access to Epsom General Hospital from Woodcote Green Road being modified in accordance with drawing EPS001-ASD-SZ-00-DR-L-000101 P01; ~~and~~
- d) 'No Entry' signing and 'No Entry' markings provided at the site egress and 'Entry' signing and 'One Way' markings within the site ingress in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.; ~~and~~
- e) Two Vehicle Activated Signs have been provided on Woodcote Green Road following consultation with the County Highway Authority and in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

29.2. The development shall be implemented in accordance with the approved Vehicular Access Arrangements and shall be maintained as approved for as long as the development is in use, including keeping all visibility zones/splays clear of any obstruction.

29.3. Reason: These details are required to be agreed prior to occupation in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

30. Footway widening

30.1. No part of the development shall be occupied or brought into use until the footway on Woodcote Green Road has been widened to 2m wide along the southeastern boundary of the application site in accordance with a Scheme to be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Scheme and shall be maintained as approved for as long as the development is in use.

30.2. Reason: These details are required to be agreed prior to occupation in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

31. Car Park Management Plan

31.1. No part of the development shall be occupied or brought into use until a Car Park Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Plan and its provisions shall be maintained as approved for as long as the development is in use.

31.2. Reason: These details are required to be agreed prior to occupation in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

32. Refuse, Deliveries and Servicing Management Plan

32.1. No part of the development shall be occupied or brought into use until a Refuse, Deliveries and Servicing Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Plan and its provisions shall be maintained as approved for as long as the development is in use.

32.2. Reason: These details are required to be agreed prior to occupation in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

33. External lighting

33.1. No part of the development shall be occupied or brought into use until details of all external lighting have ~~has~~ been submitted to and approved in writing by the Local Planning Authority. Such details shall include the location, height, type and direction of light sources, means of controlling light spillage and intensity of illumination. The development shall be implemented in accordance with the approved lighting details and shall not be altered, other than for routine maintenance, for as long as the development is in use.

Commented [PD36]: have

33.2. Reason: These details are required to be agreed prior to occupation to safeguard the amenities of the occupiers of neighbouring properties and in the interest of visual amenity.

34. Control of BREEAM performance

34.1. No part of the development shall be occupied or brought into use until evidence has been submitted to and approved in writing by the Local Planning Authority that the non-residential areas of the development have achieved BREEAM 'very good' (or any such national measure of sustainability ~~for house design~~ that replaces this). No non-residential unit shall be occupied until a Certificate has been issued certifying that ~~the~~ BREEAM rating has been achieved for that unit. Any measures necessary to maintain the designed BREEAM performance shall be maintained as approved for as long as the development is in use.

Commented [PD37]: Delete these words?

Commented [MK38R37]: Agreed

Commented [PD39]: Is this the right wording for BREEAM?

Commented [MK40R39]: No – correct wording amended

34.2. Reason: These details are required to be agreed prior to occupation to ensure the sustainability credentials of the development's design are delivered.

35. Nursery: control of activity

~~35.1. The nursery shall not be occupied or brought into use until Details of the following have been submitted to and approved in writing by the Local Planning Authority:~~

- ~~a) hours of operation of the facility;~~
- ~~b) hours of operation of the open areas; and~~
- ~~c) the maximum number of children to be in the open area at any time.~~
- ~~d) the design of the children's play area, including the number, type and design of play equipment, surfacing and enclosures.~~

35.1. The nursery shall not be occupied or brought into use until details of the hours of operation of the facility have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved ~~Details and shall be maintained as approved hours of operation~~ for as long as the development is in use.

35.2. ~~The development shall be operated in accordance with the approved hours of operation for as long as the development is in use~~

35.3. Reason: These details are required to be agreed prior to the nursery being brought into use to safeguard the amenities of the occupiers of neighbouring properties ~~and visual amenity~~.

Commented [PD41]: duplication

Commented [MK42R41]: Agreed

Post occupation conditions

36. Travel Plan implementation

36.1. The approved Travel Plan (May 2020 Planning Issue v2) shall be implemented upon first occupation of the site. All occupiers and users of the development shall be subject to the provisions of the Travel Plan. The Travel Plan shall be implemented as approved ~~maintained and developed to the satisfaction of the Local Planning Authority~~.

36.2. Reason: To promote sustainable transport.

Commented [PD43]: Lacks precision. How about: the Travel Plan shall be implemented as approved

Commented [MK44R43]: Agree – amended wording added.

AGREED CONDITIONS (CLEAN VERSION)

This is a clean version of the conditions set out previously.

Compliance conditions

1. Statutory: life of permission

- 1.1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1.2. 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. Statutory: compliance with approved plans

- 2.1. The development hereby permitted shall be carried out in accordance with the approved plans and drawings listed below, other than where those details are altered pursuant to the conditions of this planning permission:

- 18120-MPI-XX-XX-DR-A-01-001 – SITE LOCATION PLAN & EXISTING SITE PLAN – dated 20.12.19
- 18120-MPI-XX-XX-DR-A-01-003 – PROPOSED SITE PLAN – dated 20.12.19
- 18120-MPI-XX-XX-DR-A-10-001 – DEMOLITION PLAN – dated 20.12.19
- 18120-MPI-XX-00-DR-A-20-001 – LEVEL 00 FLOOR PLAN Rev A – dated 25.05.21
- 18120-MPI-XX-01-DR-A-20-002 – LEVEL 01 FLOOR PLAN Rev A – dated 28.05.21
- 18120-MPI-XX-02-DR-A-20-003 – LEVEL 02 FLOOR PLAN Rev A – dated 28.05.21
- 18120-MPI-XX-03-DR-A-20-004 – LEVEL 03 FLOOR PLAN Rev A – dated 28.05.21
- 18120-MPI-XX-04-DR-A-20-005 – LEVEL 04 FLOOR PLAN Rev A – dated 28.05.21
- 18120-MPI-XX-05-DR-A-20-006 – LEVEL 05-08 FLOOR PLAN Rev A – dated 28.05.21
- 18120-MPI-XX-06-DR-A-20-007 – LEVEL ROOF PLAN Rev A – dated 28.05.21
- 18120-MPI-ZZ-00-DR-A-20-100 – EAST BUILDING – LEVEL 00 Rev A – dated 28.05.21
- 18120-MPI-ZZ-01-DR-A-20-101 – EAST BUILDING – LEVEL 01 Rev A – dated 28.05.21
- 18120-MPI-ZZ-02-DR-A-20-102 – EAST BUILDING – LEVEL 02 Rev A – dated 28.05.21
- 18120-MPI-ZZ-03-DR-A-20-103 – EAST BUILDING – LEVEL 03 Rev A – dated 28.05.21
- 18120-MPI-ZZ-04-DR-A-20-104 – EAST BUILDING – LEVEL 04 Rev A – dated 28.05.21
- 18120-MPI-ZZ-05-DR-A-20-105 – EAST BUILDING – LEVEL 05-08 Rev A – dated 28.05.21
- 18120-MPI-ZZ-06-DR-A-20-106 – EAST BUILDING – LEVEL ROOF Rev A – dated 28.05.21

- 18120-MPI-ZZ-00-DR-A-20-107 – WEST BUILDING – LEVEL 00 Rev A – dated 28.05.21
- 18120-MPI-ZZ-01-DR-A-20-108 – WEST BUILDING – LEVEL 01 Rev A – dated 28.05.21
- 18120-MPI-ZZ-02-DR-A-20-109 – WEST BUILDING – LEVEL 02 Rev A – dated 28.05.21
- 18120-MPI-ZZ-03-DR-A-20-110 – WEST BUILDING – LEVEL 03 Rev A – dated 28.05.21
- 18120-MPI-ZZ-04-DR-A-20-111 – WEST BUILDING – LEVEL 04 Rev A – dated 28.05.21
- 18120-MPI-ZZ-05-DR-A-20-112 – WEST BUILDING – LEVEL 05-08 Rev A – dated 28.05.21
- 18120-MPI-ZZ-06-DR-A-20-113 – WEST BUILDING – LEVEL ROOF Rev A – dated 28.05.21
- 18120-MPI-XX-ZZ-DR-A-20-200 – SITE SECTIONS Rev A – dated 25.05.21
- 18120-MPI-XX-ZZ-DR-A-20-201 – BUILDING SECTION A-A´ & B-B´ Rev A – dated 25.05.21
- 18120-MPI-XX-ZZ-DR-A-20-202 – BUILDING SECTION C-C´ & D-D´ Rev A – dated 25.05.21
- 18120-MPI-XX-ZZ-DR-A-20-203 – BUILDING SECTION E-E´ – dated 20.12.19
- 18120-MPI-XX-ZZ-DR-A-20-300 – ELEVATION 1A-1A Rev A – dated 27.05.21
- 18120-MPI-XX-ZZ-DR-A-20-301 – ELEVATION 1B-1B Rev A – dated 27.05.21
- 18120-MPI-XX-ZZ-DR-A-20-302 – ELEVATION 2-2 Rev A – dated 27.05.21
- 18120-MPI-XX-ZZ-DR-A-20-303 – ELEVATION 3-3 – dated 20.12.19
- 18120-MPI-XX-ZZ-DR-A-20-304 – ELEVATION 4-4 Rev A – dated 27.05.21
- 18120-MPI-XX-ZZ-DR-A-20-305 – ELEVATION 5-5 Rev A – dated 27.05.21
- 18120-MPI-XX-ZZ-DR-A-20-306 – ELEVATION 6-6 Rev A – dated 27.05.21
- 18120-MPI-XX-ZZ-DR-A-20-307 – ELEVATION 7-7 Rev A – dated 27.05.21
- 18120-MPI-XX-ZZ-DR-A-20-308 – ELEVATION 8-8 Rev A – dated 27.05.21
- 18120-MPI-XX-ZZ-DR-A-20-309 – ELEVATION 9-9 Rev A – dated 27.05.21
- 18120-MPI-XX-ZZ-DR-A-20-310 – ELEVATION 10-10 Rev A – dated 27.05.21
- 18120-MPI-XX-ZZ-DR-A-20-311 – ELEVATION 11-11 – dated 20.12.19
- 18120-MPI-XX-ZZ-DR-A-20-312 – ELEVATION 12-12 – dated 20.12.19
- 18120-MPI-XX-ZZ-DR-A-20-313 – ELEVATION 13-13 – dated 20.12.19
- 18120-MPI-XX-ZZ-DR-A-21-300 – TYPICAL BAY STUDY – BAY 1 – JULIET BALCONY DETAIL – dated 20.12.19
- 18120-MPI-XX-ZZ-DR-A-21-301 – TYPICAL BAY STUDY – BAY 2 – BOLT ON BALCONY DETAIL – dated 20.12.19
- 18120-MPI-XX-ZZ-DR-A-21-302 – TYPICAL BAY STUDY – BAY 3 – DROP OFF DETAIL Rev A – dated 27.05.21
- 18120-MPI-XX-XX-DR-A-30-100 – TYPICAL UNIT LAYOUTS – 1 BED M4(2) & M4(3) – dated 20.12.19

- 18120-MPI-XX-XX-DR-A-30-101 – TYPICAL UNIT LAYOUTS – 2 BED M4(2) & M4(3) – dated 20.12.19
- 18120-MPI-XX-XX-DR-A-30-102 – TYPICAL UNIT LAYOUTS – 3 BED M4(2) & M4(3) – dated 20.12.19
- 18120-MPI-XX-XX-DR-A-30-103 – TYPICAL UNIT LAYOUTS AGED CARE SUITES – dated 20.12.19
- EPS001-ASD-SZ-00-DR-L-000100-P10 – Masterplan Ground Floor – hard landscape – dated 06.08.20
- EPS001-ASD-SZ-00-DR-L-000101-P01 – Masterplan Ground Floor – Detail Zoom in – dated 07.08.20
- 596-S-00-100-P01 – Landscape General Arrangement Sections A-A – dated 16.12.19
- 596-S-00-101-P01 – Landscape General Arrangement Section B-B & C-C – dated 16.12.19
- 596-P-00-100-P03 – Ground Floor Masterplan – dated 16.12.19
- 596-P-02-100-P03 – Roof Garden Masterplan – dated 16.12.19

2.2. Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans.

3. Control of construction phase

LPA's Position	Appellant's position
<p>3.1. The development shall be carried out in accordance with the Construction Environmental Management Plan, Revision 5 (prepared by Morgan Sindall) and the Environmental Noise Survey and Acoustic Design Statement (carried out by Hann Tucker Associates document reference 26691/PNA1/Rev2 dated 19 December 2019). In particular:</p>	<p>3.1 The development shall be carried out in accordance with the Construction Environmental Management Plan, Revision 5 (prepared by Morgan Sindall) and the Environmental Noise Survey and Acoustic Design Statement (carried out by Hann Tucker Associates document reference 26691/PNA1/Rev2 dated 19 December 2019).</p>

LPA's Position	Appellant's position
<p>d) solid hoardings shall be erected to the boundary, as detailed in the CEMP;</p> <p>e) no construction, demolition, preparation or other works shall take place except between the hours of 08.00 to 18.00 hours Mondays to Fridays; 08.00 to 13.00 hours Saturdays; with no such works on Sundays, Bank Holidays or Public Holidays; and</p> <p>f) no burning of materials arising from site clearance, demolition, construction or other works on the site may be carried out at any time.</p> <p>3.2. The development shall be implemented in accordance with the approved Construction Environmental Management Plan and the Environmental Noise Survey and Acoustic Design Statement and shall be maintained as approved for as long as the construction programme lasts.</p>	<p>3.2 The development shall be implemented in accordance with the approved Construction Environmental Management Plan and the Environmental Noise Survey and Acoustic Design Statement and shall be maintained as approved for as long as the construction programme lasts.</p>

3.3. Reason: To safeguard the amenities of the occupiers of neighbouring properties.

4. Unexpected contamination safeguarding

4.1. If, during the implementation of the development groundworks, contamination not previously identified (including any contamination that could present a risk to Controlled Waters) is found to be present at the site then no further works or other such activity shall be carried out (unless otherwise agreed in writing with the Local Planning Authority) until the developer has submitted to and obtained written approval from the Local Planning Authority for a remediation strategy detailing how this contamination shall be dealt with. The remediation strategy shall be implemented as approved,

verified and reported in writing to the satisfaction of the Local Planning Authority, which will be confirmed in writing.

- 4.2. Reason: To deal with the potential for unexpected contamination that is identified during development groundworks.

5. Air quality safeguarding

- 5.1. The development must be carried out in accordance with the submitted Air Quality Assessment, including any proposed mitigation measures, as specified by Hydrock Consultants Limited Project No. C-12025-C Document Ref: GLW-MYD-XX-XX-Y-RP- 003-PO2 dated 31 March 2020. The submitted scheme shall be maintained for as long as the development is in use.

- 5.2. Reason: To ensure compliance with and contribute towards EU limit values or national objectives for pollutants.

6. Water efficiency

- 6.1. Prior to the first occupation of any part of the development, details of water efficiency measures shall be submitted to and approved in writing by the local planning authority. The details shall show a water efficiency standard using not more than 110 litres per person per day maximum indoor water consumption. The measures shall be installed in accordance with the approved details and thereafter maintained as for as long as the development is in use.

- 6.2. Reason: To ensure that the development is sustainable and makes efficient use of water

7. Boiler emissions

- 7.1. All non-CHP space and hot water fossil fuel (or equivalent hydrocarbon-based fuel) boilers installed as part of the development must achieve dry NO_x emission levels equivalent to or less than 30 mg/kWh.

- 7.2. Reason: To protect air quality and people's health by ensuring that the production of air pollutants, such as nitrogen dioxide and particulate matter, are kept to a minimum during the course of building works and during the lifetime of the development. To contribute towards the maintenance or to prevent further exceedances of National Air Quality Objectives.

8. Tree safeguarding

- 8.1. With respect to existing trees identified in the approved plans as being retained:
- d) no such tree shall be cut down, uprooted, destroyed or otherwise damaged without the written approval of the Local Planning Authority;
 - e) if any such tree is cut down, uprooted, destroyed or is otherwise damaged or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning; and
 - f) no such tree shall be pruned other than with the written approval of the Local Planning Authority. Any pruning shall be carried out in accordance with British Standard 3998 (tree work) and in accordance with the arboricultural method statement.
- 8.2. The tree protection provisions above shall last for a period of 5 years following the first occupation of any part of the development.
- 8.3. Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality.

9. Control of plant testing

- 9.1. Prior to occupation of any part of the development, the testing frequency and times of the standby generators and smoke extraction fans shall be agreed in writing by the LPA and subsequent testing shall only be carried out in accordance with the agreed frequency and times.
- 9.2. Reason: To safeguard residential amenity.

10. Control of retail use

- 10.1. The retail units shall be limited to the uses described in part E(a) (Display or retail sale of goods, other than hot food) of the Use Classes Order and for no other use (notwithstanding any provisions in the Use Classes Order or the General Permitted Development Order that allow otherwise now or in the future). The units shall not be used as a food retailing shop (eg supermarket). The retail units shall only be open for trade between the hours of 0700 and 2100 Mondays to Saturdays and 0800 and 2100 hours on Sundays.

10.2. Reason: in order that the development does not prejudice highway safety nor cause inconvenience to other highway users and to safeguard the amenities of the occupiers of neighbouring properties.

11. Control of nursery use

11.1. The nursery shall be limited to a creche or day nursery use only and for no other use (notwithstanding any provisions in the Use Classes Order or the General Permitted Development Order that allow otherwise now or in the future). The creche or day nursery use shall be limited to a maximum of 40 children at any one time.

11.2. Reason: To safeguard the amenities of the occupiers of neighbouring properties and highway safety,

Pre-commencement conditions: all works

12. Contamination: groundwater protection

12.1. The development shall not commence until a Contamination Safeguarding Scheme has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall include:

- d) a site investigation, based on the Preliminary Risk Assessment, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;
- e) the results of the site investigation and detailed risk assessment referred to in (a) shall inform an options appraisal and remediation strategy that gives full details of the remediation measures required and how they are to be undertaken; and
- f) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

12.2. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resulting unacceptable risk to groundwater.

12.3. The development shall be implemented in accordance with the approved Contamination Safeguarding Scheme and shall be maintained as approved for as long as the development is in use."

12.4. Reason: These details are required to be agreed prior to commencement of development because of the potential effects on underlying Controlled Waters as the site is located over a Secondary Aquifer and it is understood that the site may be affected by historic contamination.

13. SuDS details and groundwater safeguarding

13.1. The development shall not commence until a Surface Water Drainage Scheme has been submitted to and approved in writing by the Local Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The Scheme shall include:

- q) evidence that infiltration of surface water drainage into the ground will be confined to those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters;
- r) evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development and associated discharge rates and storage volumes shall be provided using a maximum discharge rate equivalent of 52l/s;
- s) detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc);
- t) a plan showing exceedance flows (ie during rainfall greater than design events or during blockage) and how property on and off site will be protected;
- u) details of drainage management responsibilities and maintenance regimes for the drainage system; and
- v) details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

13.2. The development shall be implemented in accordance with the approved Surface Water Drainage Scheme and shall be maintained as approved for as long as the development is in use.

13.3. Reason: These details are required to be agreed prior to commencement of development because of the potential to affect underlying Controlled Waters as the site is located over a Secondary Aquifer and it is understood that the site may be affected by historic contamination.

14. Archaeological work

14.1. The development shall not commence until the developer has secured the implementation of a programme of archaeological work to be conducted in accordance with a Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Scheme of Investigation.

14.2. Reason: These details are required prior to commencement of development because the site is of high archaeological potential. It is important that the archaeological information should be preserved as a record before it is destroyed by the development.

15. Construction Transport Management Plan

15.1. The development shall not commence until a Construction Transport Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of:

- w) parking for vehicles of site personnel, operatives and visitors;
- x) loading and unloading of plant and materials;
- y) storage of plant and materials;
- z) programme of works (including measures for traffic management);
- aa) provision of boundary hoarding behind any visibility zones;
- bb) HGV deliveries and hours of operation;
- cc) vehicle routing;
- dd) measures to prevent the deposit of materials on the highway;
- ee) a before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused; and
- ff) on-site turning for construction vehicles.

15.2. The development shall be implemented in accordance with the approved Construction Transport Management Plan and shall be maintained as approved for as long as the construction programme lasts.

15.3. Reason: These details are required to be agreed prior to commencement of development to ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users.

16. Tree protection

16.1. The development shall not take place until an Arboricultural Method Statement (detailing all aspects of construction and staging of works) and a Tree Protection Plan in accordance with British Standard 5837:2012 (or later revision) has been submitted to and approved in writing by the local planning authority. The Statement shall include details of:

- g) All underground services within the root protection areas (RPA`s) of trees and measures for construction methods to prevent root damage;
- h) All level changes within RPA`s of retained trees and measures of construction methods to prevent root damage
- i) All construction activity both above and below ground within RPA`s of retained trees and measures of construction methods to prevent root damage;
- j) All hard surface treatments both above and below ground within RPA`s of retained trees and measures of construction methods to prevent root damage;
- k) A Tree Protection Scheme has been submitted to and approved in writing by the Local Planning Authority. Such a Scheme shall include details of the measures to protect retained trees during construction and a pre-commencement site meeting after the installation of the Scheme between the Local Planning Authority and the developer's project arboriculturist to allow inspection and verification of the protection measures; and
- l) A programme of arboricultural supervision and reporting of protection measures to the LPA.

16.2. The development shall be carried out in accordance with the agreed Method Statement and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the Tree Protection Plan.

16.3. Within any area fenced in accordance with this condition, such areas shall be kept clear and nothing shall be stored, placed or disposed of above or below ground, the

ground level shall not be altered, no excavations shall be made, nor shall any fires be lit. Such protection measures shall be maintained in-situ and not moved or removed until all construction has finished, and all equipment, materials and machinery are removed from site.

- 16.4. Reason: These details are required to be agreed prior to commencement of development to protect the trees on site which are to be retained in the interests of the visual amenities of the locality.

17. Site levels

- 17.1. The development shall not commence until Details of existing and proposed finished site levels, finished floor and parapet levels of the buildings to be erected, and finished external surface levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Details.

- 17.2. Reason: These details are required to be agreed prior to commencement of development to safeguard the visual amenities of the area and to safeguard the amenities of the occupiers of neighbouring properties.

Pre-commencement conditions: superstructure works

18. Contamination: safeguarding future occupants

- 18.1. The construction of any building above ground level shall not commence until a site investigation and risk assessment Report and a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority. The Report and Strategy shall include:
- c) details of the existence, extent and concentrations of any made ground/fill, ground gas and contaminants (including asbestos and hydrocarbons) with the potential to impact sensitive receptors on and off site; and
 - d) where ground/groundwater contamination, filled ground and/or ground gas is found to present unacceptable risks, a detailed scheme of remediation and risk management measures.
- 18.2. The development shall be implemented in accordance with the approved Report and Strategy and shall be maintained as approved for as long as the development is in use.

18.3. Reason: These details are required to be agreed prior to commencement of above ground works to ensure that the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.

19. Overheating

19.1. The construction of any building above ground level shall not commence until an assessment of the risk of overheating has been submitted to and approved in writing by the Local Planning Authority. The Assessment shall be undertaken with dynamic simulation, based on CIBSE TM59:2017 and adopting weather files as indicated in CIBSE TM49:2014 or any other methodology that may replace it. If overheating is present on the assessment, Strategic Mitigation Measures to mitigate the problem shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the Strategic Mitigation Measures and shall be maintained as approved for as long as the development is in use.

19.2. Reason: These details are required to be agreed prior to commencement of development to mitigate the risk of overheating with passive strategies avoiding reliance on active cooling systems.

20. External appearance of buildings

20.1. The construction of the relevant part of the building above ground level shall not commence until Details of the External Appearance of that part of the building have been submitted to and approved in writing by the Local Planning Authority. The Details shall include, where relevant:

- f) all new cladding materials including aluminium panelling and railings / balconies shall be made available for inspection and approval in writing by the local planning authority on site;
- g) a sample of each of the proposed brick finishes and a 1m X 1m panel shall be constructed on site for inspection and approval in writing by the local planning authority and the panel shall illustrate the proposed brick in colour, texture, module, bond, pointing and mortar colour proposed for the building and shall be retained on site as a model for the work on site;
- h) section drawings through all parapets, roof edges (including the boundaries of roof terraces, reveals, soffits, lintels, cills), windows and balconies at a scale of 1:20;
- i) section drawings through door and windows and balconies at a scale of 1:20; and

- j) details of all landscape furniture shall be submitted for approval in writing to the local planning authority either as fully specified drawings or on-site samples.

20.2. The development shall be implemented in accordance with the approved Details and samples and shall be maintained as approved for as long as the development is in use.

20.3. Reason: These details are required to be agreed prior to commencement of above ground works to secure a satisfactory appearance in the interests of the visual amenities and character of the locality.

21. Security Management Plan

21.1. The construction of any building above ground level shall not commence until a Security Management Plan has been submitted to and approved in writing by the Local Planning Authority. The developer shall consult with Surrey Police in preparing the Plan. The development shall be implemented in accordance with the approved Plan, no part of the development shall be occupied until the Plan's provisions are implemented with respect to that part of the development and the Plan's provisions shall be maintained as approved for as long as the development is in use.

21.2. Reason: These details are required to be agreed prior to commencement of above ground works in order to provide a safe physical environment.

22. Landscaping details

22.1. The construction of any building above ground level shall not commence until a Scheme of Hard and Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall include:

- e) details of all existing trees on the land, and details of those to be retained;
- f) the location and species of plants and trees to be planted on the site;
- g) the proposed times of planting, which should be no later than the first planting season following the completion of the development; and
- h) the arrangements for aftercare over a period of 5 years.

22.2. The development shall be implemented in accordance with the approved Scheme.

22.3. All trees and plants shall be maintained for five years following planting and any that die, are removed or damaged or become diseased within that period shall be replaced in the same position in the next planting season with trees/plants of similar size

and species to those originally required to be planted, unless the Local Planning Authority gives written consent to any variation.

- 22.4. Reason: These details are required to be agreed prior to commencement of above ground works to ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality.

23. Boundary treatment

- 23.1. The construction of any building above ground level shall not commence until details of all proposed walls, fences and other boundary treatments are submitted to, and approved in writing by the Local Planning Authority. The boundary treatments shall be carried out in accordance with the approved details prior to the first occupation of the development for residential purposes and shall be retained and maintained thereafter to the satisfaction of the Local Planning Authority for as long as the development is in use.

- 23.2. Reason: These details are required to be agreed prior to commencement of above ground works to secure a satisfactory appearance in the interests of the visual amenities and character of the locality.

Prior to occupation conditions

24. Contamination safeguarding: completion report

- 24.1. No part of the development shall be occupied or brought into use until a Verification Report demonstrating completion of the works set out in the approved remediation strategy required by condition 18 and the effectiveness of the remediation has been submitted to and approved in writing by the Local Planning Authority. The Report shall include:
- c) results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met; and
 - d) a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the Report.

24.2. Any long-term monitoring and maintenance plan shall be implemented in accordance with the approved Report and shall be maintained as approved for as long as the development is in use.

24.3. Reason: These details are required to be agreed prior to occupation to ensure that the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.

25. SuDS: completion report

25.1. No part of the development shall be occupied or brought into use until a Verification Report carried out by a qualified drainage engineer demonstrating that the drainage system has been properly implemented has been submitted to and approved in writing by the Local Planning Authority. The Report must:

- e) demonstrate that the drainage system has been constructed in accordance with the agreed scheme (or detail any minor variations);
- f) provide details of the maintenance plan;
- g) provide the details of any management company; and
- h) state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

25.2. The approved measures shall be maintained for as long as the development is in use.

25.3. Reason: These details are required to be agreed prior to occupation to ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS.

26. Biodiversity safeguarding

26.1. No part of the development shall be occupied or brought into use until evidence has been submitted to and approved in writing by the Local Planning Authority that the development has been carried out in accordance with:

- d) the protection, mitigation and enhancement measures detailed in the Ecological Impact Assessment, dated 20 December 2019;
- e) the recommendations detailed in the Preliminary Roost Assessment, dated 11.05.2020; and
- f) in accordance with the approved timetable detailed in the ecological assessment and plan.

26.2. The approved measures shall be maintained for as long as the development is in use.

26.3. Reason: These details are required to be agreed prior to occupation to preserve and enhance biodiversity and habitats.

27. Implementation of cycling facilities

27.1. No part of the development shall be occupied or brought into use until Details of cycling facilities for visitors to the site (including workers) has been submitted to and approved in writing by the Local Planning Authority. The Details shall include details of:

- d) secure parking for bicycles within the site;
- e) facilities within the site for cyclist to change into and out of cycling equipment and to shower; and
- f) facilities within the site for cyclists to store cycling equipment.

27.2. The development shall be implemented in accordance with the approved Details and shall be maintained as approved for as long as the development is in use.

27.3. Reason: These details are required to be agreed prior to occupation to promote sustainable transport.

28. Car parking implementation

28.1. No part of the development shall be occupied or brought into use until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear.

28.2. 20% of the proposed parking spaces shall be provided with a fast charge socket, and an additional 20% shall be provided with the infrastructure required for electric vehicle charging (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved by the Local Planning Authority.

28.3. The development shall be implemented in accordance with the approved plans and details and shall be maintained as approved for as long as the development is in use.

28.4. Reason: These details are required to be agreed prior to occupation in order that the development should encourage the use of more sustainable vehicles, not prejudice highway safety nor cause inconvenience to other highway users.

29. Vehicular access completion

- 29.1. No part of the development shall be occupied or brought into use until the Vehicular Access Arrangements have been completed to the satisfaction of the Local Planning Authority. The arrangements shall include:
- f) the two proposed vehicular accesses to Woodcote Green Road, including visibility zones on the vehicular accesses clear of any obstruction over 0.6m high, in general accordance with drawing B/GLEPSOM.1/01 Rev A;
 - g) a pedestrian inter-visibility splay measuring 2m by 2m on each side of each access to Woodcote Green Road, the depth measured from the back of the footway and the widths outwards from the edges of the access and the visibility splays shall be clear of any obstruction to visibility between 0.6m and 2m in height above ground level;
 - h) the existing vehicular access to Epsom General Hospital from Woodcote Green Road being modified in accordance with drawing EPS001-ASD-SZ-00-DR-L-000101 P01;
 - i) 'No Entry' signing and 'No Entry' markings provided at the site egress and 'Entry' signing and 'One Way' markings within the site ingress in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority; and
 - j) Two Vehicle Activated Signs have been provided on Woodcote Green Road following consultation with the County Highway Authority and in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
- 29.2. The development shall be implemented in accordance with the approved Vehicular Access Arrangements and shall be maintained as approved for as long as the development is in use, including keeping all visibility zones/splays clear of any obstruction.
- 29.3. Reason: These details are required to be agreed prior to occupation in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

30. Footway widening

- 30.1. No part of the development shall be occupied or brought into use until the footway on Woodcote Green Road has been widened to 2m wide along the southeastern

boundary of the application site in accordance with a Scheme to be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Scheme and shall be maintained as approved for as long as the development is in use.

- 30.2. Reason: These details are required to be agreed prior to occupation in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

31. Car Park Management Plan

31.1. No part of the development shall be occupied or brought into use until a Car Park Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Plan and its provisions shall be maintained as approved for as long as the development is in use.

- 31.2. Reason: These details are required to be agreed prior to occupation in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

32. Refuse, Deliveries and Servicing Management Plan

32.1. No part of the development shall be occupied or brought into use until a Refuse, Deliveries and Servicing Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Plan and its provisions shall be maintained as approved for as long as the development is in use.

- 32.2. Reason: These details are required to be agreed prior to occupation in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

33. External lighting

33.1. No part of the development shall be occupied or brought into use until details of all external lighting has been submitted to and approved in writing by the Local Planning Authority. Such details shall include the location, height, type and direction of light sources, means of controlling light spillage and intensity of illumination. The development shall be implemented in accordance with the approved lighting details

and shall not be altered, other than for routine maintenance, for as long as the development is in use.

- 33.2. Reason: These details are required to be agreed prior to occupation to safeguard the amenities of the occupiers of neighbouring properties and in the interest of visual amenity.

34. Control of BREEAM performance

- 34.1. No part of the development shall be occupied or brought into use until evidence has been submitted to and approved in writing by the Local Planning Authority that the non-residential areas of the development have achieved BREEAM 'very good' (or any such national measure of sustainability for house design that replaces this). No non-residential unit shall be occupied until a Certificate has been issued certifying that the code level has been achieved for that unit. Any measures necessary to maintain the designed BREEAM performance shall be maintained as approved for as long as the development is in use.

- 34.2. Reason: These details are required to be agreed prior to occupation to ensure the sustainability credentials of the development's design are delivered.

35. Nursery: control of activity

- 35.1. The nursery shall not be occupied or brought into use until details of the hours of operation of the facility have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved hours of operation for as long as the development is in use.
- 35.2. The development shall be operated in accordance with the approved hours of operation for as long as the development is in use
- 35.3. Reason: These details are required to be agreed prior to the nursery being brought into use to safeguard the amenities of the occupiers of neighbouring properties.

Post occupation conditions

36. Travel Plan implementation

- 36.1. The approved Travel Plan (May 2020 Planning Issue v2) shall be implemented upon first occupation of the site. All occupiers and users of the development shall be subject to

the provisions of the Travel Plan. The Travel Plan shall be maintained and developed to the satisfaction of the Local Planning Authority.

36.2. Reason: To promote sustainable transport.