

Lower Mill, Kingston Road, Ewell

Demolition of existing office building and redevelopment to provide 53 no. extra-care apartments with associated facilities (within Class C2), including conversion and alteration of the Grade II Listed Mill House and Granary Buildings, with parking, access, landscaping and other associated works

Ward:	Woodcote Ward
Contact:	Ginny Johnson, Officer

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=PDR5H KGYKR700>

2 Summary

- 2.1 This application seeks Full Planning Permission to demolish an existing vacant office building and redevelopment of the Application Site ('The Site') to provide 53 no. extra-care apartments within four buildings with undercroft parking and associated facilities, falling within Use Class C2. This application also seeks to convert and alter two vacant Grade II Listed Buildings at the Site: Mill House and The Granary. The proposal seeks to provide parking at ground and basement level, access, landscaping and other associated works.

- 2.2 The description of development for which Full Planning Permission is sought is as follows:

"Demolition of existing office building and redevelopment to provide 53 no. extra-care apartments with associated facilities (within Class C2), including conversion and alteration of the Grade II Listed Mill House and Granary Buildings, with parking, access, landscaping and other associated works. (Listed Building Consent)"

- 2.3 A Listed Building Consent application has also been submitted in tandem with this Application, under ref: 18/00865/LBA.

- 2.4 The principle of development at the Site is considered acceptable. The Site currently offers vacant office accommodation in a location considered too remote for most office occupiers. The commercial space itself is too fragmented and alternative uses within the existing buildings are unviable.
- 2.5 The Site is located within a 'Built Up Area', which is an area deemed appropriate for housing development. There is a shortfall of specialist retirement housing in the Borough and the provision of 53 no. extra-care apartments is considered appropriate at this Site.
- 2.6 The proposal seeks four new buildings at the Site, with internal and external alterations to the Listed Buildings. The proposed buildings have been designed to create a functional layout for the extra-care apartments, whilst optimising the Site and respecting the Listed Buildings and Conservation Area.
- 2.7 The proposal is considered to create a distinguishable, yet sensitively designed development. The proposed buildings are considered to integrate well into the Site, creating a sense of place within this part of the Borough.
- 2.8 The Local Planning Authority issued a screening opinion for the proposal on 26.09.2018. This confirmed that the proposed development did not meet the thresholds identified under Schedule 2 of the Environmental Impact Assessment Regulations (2017). As such, an Environmental Impact Assessment was not a scheme requirement.
- 2.9 The application is recommended for **APPROVAL**, subject to the competition of a Section 106 Agreement and subject to Planning Conditions.
- 2.10 The grant of Planning Permission would involve a "departure" from the Development Plan as the majority of the Site is identified as "Strategic Open Space" in line with the Local Plan Proposals Map. Any resolution to approve the application would need to be referred to the Secretary of State (SoS), who may decide to determine the application, under call-in powers.

Site Description

- 2.11 The Application Site ('The Site') comprises land and three vacant buildings, two of which are Grade II Listed. The Site is broadly 'L' shaped and measures approximately 0.55 hectares in size. It is accessed via Kingston Road.
- 2.12 The Site comprises a Gross Internal Area of 1,762sqm. A brief overview of the existing and vacant buildings on the Site is provided below:

- Mill House

Mill House is a Grade II Listed Building, located to the South-East of the Site. It is Georgian in style and two storeys in height, with a Basement and rooms at roof level. It is visible from the Site's main access, via Kingston Road.

The Site was historically used for milling operation and Mill House remains the only link to the Site's past use. In the late 20th Century, Mill House was converted to an office building. During this conversion, a large extension was added to the rear of the building, providing further office space.

In accordance with information provided by Historic England, the Listing details of Mill House is provided below:

“Early C18. Two storeys, colour washed brick, four sash windows in cased frames. Central door case with hood on shaped brackets, ornamental fanlight. Capped parapet, hipped old tile roof with two flat topped dormers. Large plain stacks. Attractive building set back from road in grounds. The Mill itself has been demolished; the present building was the attached house. Interior has staircase with turned balusters”.

2.13 Internally, Mill House has undergone numerous changes to its layout, excluding its Basement, suggesting that here best represents its original layout.

- The Granary

The Granary is a Grade II Listed Building, located to the North-East of the Site. It is historically connected to Mill House, presumably as a granary. It is two storeys in Site and cannot be seen from the Site's main access, via Kingston Road.

In accordance with information provided by Historic England, the Listing details of The Granary is provided below:

“Early C19. Red brick. Hipped slate roof with overhanging eaves. 2 storeys. 2 ranges of fixed windows with glazing bars. Loft door set in continuous panel with, and above, entrance door”.

Externally, The Granary has retained much of its original form. Internally, the layout of the buildings holds very limited significance.

- Office Building

A relatively large vacant office building is located to the rear of Grade II Listed Mill House and is therefore not overly visible from the Site's access, via Kingston Road. It is two storeys in height and dates back

to the 1980s, with associated car parking at Ground and Basement level.

- 2.14 The Site is largely level, although it does drop from the existing access at the East of the Site towards the railway line, at the West of the Site. Beyond the Western boundary, the Site rises sharply up an embankment to a railway line.
- 2.15 The boundaries of the Site are well vegetated, with tree planting. Part of the Northern boundary of the Site is formed by an existing brick wall. This wall also forms the rear boundary of the rear gardens on Meadow Walk, which adjoin the Site to the North.
- 2.16 The surrounding area predominately comprises residential dwellings and open space. To the North of the Site, is Meadow Walk, which typically comprises two storey detached houses, located in sizeable plots. To the East of the Site is Kingston Road, which is typically lined with two storey semi-detached and detached residential dwellings. A number of independent shops are also located on Kingston Road. A dense woodland and the Hogsmill River is immediately to the South of the Site and train tracks with a large area of open space beyond is to the West of the Site.
- 2.17 There are a number of Statutory Listed Buildings in the surrounding Area. Details are provided below:
- 25 and 27 Kingston Road is Grade II Listed, located to the North-East of the Site
 - 29 and 31 Kingston Road is Grade II Listed, located to the North-East of the Site
 - 80 and 82 Kingston Road is Grade II Listed, located to the South-East of the Site.
- 2.18 The Site benefits from good transport links. Ewell By-Pass (A240) is located approximately 0.4 kilometres to the North of the Site, which provides vehicular access to Tolworth to the North-West and Epsom to the South-East. Stoneleigh Train Station is located approximately 1.2 kilometres to the North-East of the Site, Ewell West Train Station is located approximately 0.9 kilometres to the South-West of the Site and Ewell East Train Station is located approximately 2 kilometres to the South-East of the Site.
- 2.19 The nearest bus stops are located on Kingston Road, which provide services to Kingston and Epsom.
- 2.20 The Site is designated as Strategic Open Space and a Built Up Area. It is also located within the Ewell Village Conservation Area.

The Granary	1	0	1	0	0	0	0	0	0	2
The Mill House	1	0	0	0	1	0	0	0	0	2
Building 1	0	0	1	3	0	2	0	0	0	6
Building 2	2	2	1	3	0	1	3	2	0	14
Building 3	2	4	1	5	0	1	5	4	1	23
Building 4	0	2	0	2	0	2	0	0	0	6
Sub-Total	6	8	3	14	1	6	8	6	1	
Total	14 Apt		18 Apt			14 Apt		07 Apt		53
Parking Spaces	43 Parking Spaces (including 5 disabled)/17 Cycle Spaces (9 Sheffield Stands)									

- 3.9 A Listed Building Consent application has also been submitted in tandem with this application, under ref: 18/00865/LBA.

Layout

- 3.10 The proposal seeks to erect three new buildings to the rear of the Grade II Listed "Mill House" (known as Buildings 1, 2 and 3) and a further building to the rear of the Grade II Listed "The Granary" (known as Building 4).
- 3.11 Buildings 1-3 are proposed to be linked at Ground floor level, to enable future residents to access communal facilities, which are found within Building 1.
- 3.12 Buildings 1-3 increase in height, with Building 1 designed to be lower in height than Mill House. The Ground Floor level of Building 1-3 matches the existing lower level of Mill House (sunken by approximately 1m from Mill House's entrance level). Buildings 2 and 3 are proposed to increase in height.

3.13 Building 1 is Ground and First floor with a recessed Second floor, and Buildings 2 and 3 are Ground, First and Second with a recessed Third floor. A Basement is proposed to run below Buildings 1 – 3 to deliver 'back of house' facilities and car parking. Building 4 provides accommodation at Ground and First floor, with rooms at the roof.

3.14 The proposal seeks to convert Mill House and The Granary into C2 Use:

Mill House

- 1 x one bedroom apartment at Ground Floor
- 1 x two bedroom apartment at First Floor
- 1 x one bedroom Guest Suite at First Floor

The Granary

- 1 x one bedroom apartment at Ground Floor
- 1 x one bedroom apartment at First Floor.

Access

3.15 Access to the Site will remain as existing, via Kingston Road.

4 Procedural Matters

4.1 The proposed development is a departure from the development plan and accordingly the consultation procedure as set out in The Town and Country Planning (Consultation) (England) Direction 2009 has been undertaken. In addition to neighbour notification letters, 1 site notice was erected near to the site and a press notice for the proposal was published.

4.2 The proposal is of a type and scale of development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and as such the applicant made an application to screen the proposal. The LPA confirmed on 26 September 2018 that the development proposal would not require an EIA.

5 Comments from third parties

5.1 The application was advertised by means of letters of notification to 20 neighbouring properties. To date (13.02.2019) 246 letters of representation has been received in response to this proposal, regarding:

- Height, scale and mass
- Traffic generation and inadequate parking spaces
- Ecological Impact
- Loss of trees
- Concerns of construction
- Impact on Infrastructure.

6 Consultations

The following Statutory Consultees were consulted:

Contamination (Internal) (13.03.2019) – recommend condition (Condition 4)

Surrey County Council (Flood Authority) (17.09.2018) – the following documents should be referred to as part of any future submissions or discharge of planning conditions:

- Flood Risk Assessment, PBA, August 2018, Revision C, ref: 43797/4001
- Proposed drainage statement for redevelopment of Lower Mill, Ewell, JPP, August 2018, ref: 9946K/WRA/RS/001B

SCC Flood Authority is satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents and can recommend planning permission be granted, that suitably worded conditions are applied to ensure that the SuDs Scheme is properly implemented and maintained throughout the lifetime of the development. See Conditions 9 and 10.

Surrey County Council (Heritage Conservation Team: Archaeology) (10.09.2018) - acknowledged that the applicant submitted an Archaeological Desk Based Assessment. Given the archaeological potential of the site, there is need for further archaeological work in respect of the application. That work should take form of an Archaeological Evaluation. Recommended a condition. Condition 3.

Environment Agency (13.12.2018) – no objection, subject to conditions. See Conditions 11, 12 13 and 14.

Surrey County Council (Highways) (22.01.2019) – CHA are able to support the application and it is not considered to impact highway safety, subject to planning conditions.

7 Relevant planning history

There is an extensive planning history relating to the Site. The below sets out the most recent and relevant applications pertaining to the Site:

Reference	Description of Development	Decision	Decision Date
17/00842/LBA	Installation of temporary covering (boarding) to windows and	Granted	6 February 2018

	doors to prevent vandalism		
06/00931/FUL	Works to entrance including new block paving, installation of new bollards and raised fence	Granted	17 January 2007
06/00659/FUL	Erection of 2.4m high palisade fence to river side	Granted	20 October 2006

8 Planning Policy

National Policy Planning Framework (NPPF) 2018

- | | |
|------------|--|
| Chapter 2 | Achieving sustainable development |
| Chapter 5 | Delivering a sufficient supply of homes |
| Chapter 6 | Building a strong, competitive economy |
| Chapter 9 | Promoting sustainable transport |
| Chapter 11 | Making effective use of land |
| Chapter 12 | Achieving well-designed places |
| Chapter 14 | Meeting the challenge of climate change, flooding and coastal change |
| Chapter 15 | Conserving and enhancing the natural environment |
| Chapter 16 | Conserving and enhancing the historic environment |

Core Strategy 2007

- | | |
|------|---|
| CS3 | Biodiversity and Designated Nature Conservation Area |
| CS4 | Open Spaces and Green Infrastructure |
| CS5 | Conserving and Enhancing the Quality of the Built Environment |
| CS6 | Sustainability in New Developments |
| CS7 | Providing for Housing and Employment Development |
| CS8 | Broad Location of Housing Development |
| CS9 | Affordable Housing and meeting Housing Needs |
| CS16 | Managing Transport and Travel |

Development Management Policies Document (2015)

- | | |
|------|---|
| DM4 | Biodiversity and New development |
| DM5 | Trees and Landscape |
| DM8 | Heritage Assets |
| DM9 | Townscape Character and Local Distinctiveness |
| DM10 | Design Requirements for New Developments (including House Extensions) |

DM13	Building Heights
DM17	Contaminated Land
DM21	Meeting Local Housing Needs
DM24	Employment Uses Outside of Existing Employment Policy Areas
DM36	Sustainable Transport for New Development

Revised Developer Contributions Supplementary Planning Document (2014)

Planning considerations

- Principle of Proposed Development
- Provision of accommodation for older people
- Design and Heritage
- Visual Impact
- Neighbouring Amenity
- Quality of Accommodation
- Affordable Housing
- Highway and Parking
- Refuse and Recycling
- Trees and Landscaping
- Ecology
- Flood Risk and Drainage
- Contamination
- Archaeology
- Sustainability
- Legal Agreements.

Principle of Proposed Development

8.1 The three key principles to consider for this application are:

- Loss of Employment Uses;
- Development on Strategic Open Space; and

- Development directly affecting Listed Buildings

Loss of Employment

- 8.2 Chapter 6 of the NPPF relates to building a strong, competitive economy. Paragraph 80 of the NPPF sets out that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 8.3 Policy DM24 (Employment Uses Outside of Existing Employment Policy Areas) sets out that outside of employment locations and Epsom Town Centre, proposals resulting in the loss of employment floor space will not be granted planning permission unless there is genuine evidence, including that the site has been marketed without success, that the site, as it stands, is no longer suitable for its existing or other employment uses. The Council will require that the site has been marketed for a minimum period of 18 months at an appropriate rate for its location and condition.
- 8.4 Policy DM24 further states that where the loss of existing employment floor space can be demonstrated, new mixed-use redevelopment will be allowed provided that the development provides for a mix of uses, including a significance element of employment generating uses.
- 8.5 A Marketing History Report (dated 5 May 2017) accompanies the Planning Application. This report sets out that Lower Mill is a unique and attractive property, but that its location is too remote for most office occupiers. Furthermore, the commercial space itself is too fragmented for today's office users. Alternative users were considered for the Site, including schools, charities and medical users/therapy centres, however it has been demonstrated that the Site is no longer suitable for either its existing office use or other employment users.
- 8.6 It is considered that the applicant has attempted to market the existing vacant office building, with no success. It has therefore been demonstrated that the Site is no longer suitable for its existing use or other employment uses. The proposed Care Home seeks to employ approximately 12 members of staff and therefore complies with Policy DM24.

Strategic Open Space

- 8.7 The majority of the Site is identified as Strategic Open Space in line with the Local Plan Proposals Map. Policy CS4 (Open Spaces and Green Infrastructure) sets out that emphasis will continue to be placed on protecting and enhancing Strategic Open Spaces. These areas provide a particularly important recreational, amenity and wildlife resource.

- 8.8 The Site comprises two vacant Grade II Listed Buildings and an office, formally supporting employment uses. The Site has been demonstrated as no longer suitable for either its existing use or other employment uses, in line with the Marketing History Report (dated 5 May 2017).
- 8.9 The proposal seeks to provide landscaping as part of the scheme, including mown lawns, a bees and birds garden and numerous plant species. The applicant also proposes a financial contribution towards a Woodland Management Plan, for improvements and enhancements to the woodland, which falls within the Council's ownership, to the South of the Hogsmill River.
- 8.10 It is considered that the proposal seeks to enhance the Strategic Open Space designation at this Site, by bringing the Site back into use, providing landscaping as part of the scheme, but also contributing towards the improvement and enhancement of the woodland, which is to the South of the Hogsmill River.

Development directly affecting Listed Buildings

- 8.11 The application seeks to convert and alter two Listed Buildings at the Site, to bring them into a viable use that is compatible with the provision of extra-care apartments.
- 8.12 A separate Listed Building Consent Application (ref: 18/00865/LBA) has been submitted in tandem with this application. This sets out that the alterations to the Listed Buildings is considered acceptable and whilst the proposed heights and massing of the new four buildings will result in a minor adverse impact on the sitting of the Listed Buildings and Conservation Area, the buildings have been designed well to respond positively to the woodland character of the Site.

Provision of accommodation for older people

- 8.13 Chapter 11 of the NPPF relates to the effective use of land. Paragraph 117 of the NPPF sets out that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 8.14 Chapter 5 of the NPPF encourages the delivery and supply of homes.
- 8.15 Policy CS7 (Providing for Housing and Employment Development) sets out that Borough seeks the provision of sufficient housing.

- 8.16 Paragraph 3.11.1 of the Core Strategy sets out that new housing development in Epsom and Ewell will be focused in locations that perform best in sustainability terms. Policy CS8 (Providing for Housing and Employment Development) sets out that that new housing development will be located within the defined built up area of Epsom and Ewell and within the three hospital clusters. Within these areas, the emphasis will be on the re-use of suitable previously developed land (including the re-use or conversion of existing buildings) for housing. Subject to other policies, planning consent will be given for development within the built up areas, including infilling, redevelopment and conversion.
- 8.17 Policy DM21 (Meeting Local Housing Needs) sets out that planning permission will be granted for specialised forms of residential accommodation, subject to the following requirements being met:
- That the application documentation includes clear and robust evidence that demonstrates that there is a need for the new accommodation; and
 - The delivery of the new accommodation does not result in an over-provision of that particular type of accommodation; and
 - The design of the proposal is demonstrated as being sufficiently flexible to readily accommodate conversion to other appropriate uses, either residential or non-residential, in the event that the need for the permitted use declines.
- 8.18 The Site is located within a 'Built Up Area', which in accordance with Policy CS8, is an area deemed appropriate for housing development. The Site is also considered to comprise previously development land.
- 8.19 An 'Evidence of housing demand and supply' report accompanies the application, dated September 2017. This appraises the potential demand for specialist retirement housing in Epsom and Ewell. It sets out that there is a shortfall of specialist retirement housing in the Borough and that specifically, that there is a need for between 151 and 247 apartments. The modelling relates to the position at 2018.
- 8.20 This proposal seeks to promote an effective use of land at the Site, which complies with the objective of Paragraph 117 of the NPPF. Specifically, it seeks to provide 53 no. extra-care apartments, which will contribute towards the need for specialist retirement housing in the Borough. The proposal is therefore considered to comply with the principle of Policy DM21.

- 8.21 The Standard Method Calculation indicates a high demand for new housing in the new plan period. The provision of 'extra-care' at the Site falls under Use Class C2 (Residential Institution). It does not fall under Use Class C3 (Dwellinghouse). The "Housing Delivery Test Measurement Rule Book", dated July 2018, is the basis of calculating the 'net homes delivered' for communal accommodation, including Care Homes. In accordance with this guidance, the 53 bedrooms proposed at the Site would be calculated as 29 additional homes.
- 8.22 In summary, the Site is located within a 'Built Up Area', where housing development is deemed appropriate. An 'Evidence of housing demand and supply' report accompanies the application (September 2017) that set out that there is a shortfall of specialist retirement housing in the Borough. The redevelopment of the Site for extra-care apartments is therefore considered appropriate and complies with Policy DM21.

Sustainable Communities

- 8.23 Policy DM21 (Meeting Local Housing Needs) sets out that the Council will grant planning permission for specialised forms of residential accommodation subject to the following requirements being met:
- That the application documentation includes clear and robust evidence that demonstrates that there is a need for the new accommodation; and
 - The delivery of the new accommodation does not result in an over-provision of that particular type of accommodation; and
 - The design of the proposal is demonstrated as being sufficiently flexible to readily accommodate conversion to other appropriate uses, either residential or non-residential, in the event that the need for the permitted use declines.
- 8.24 Supporting paragraph 4.9 of Policy DM21 sets out that it is important that the Council ensures that new housing developments provide a choice and mix of housing so that the Borough continues to be comprised of balanced and sustainable communities.
- 8.25 The Site seeks to demolish an existing vacant office building, which is too remote for most office occupiers and its commercial space too fragmented for today's office users. The application proposed to redevelop the Site to provide 53 no. extra-care apartments with associated facilities, which will contribute towards the need for specialist retirement housing in the Borough.
- 8.26 The Site is located in close proximity to Ewell Village, which has a commercial centre. The Site also benefits from good transport links, with Ewell By-Pass (A240) located approximately 0.4 kilometres to the North of the Site, providing vehicular access to Tolworth to the North-West and Epsom to the South-East. Furthermore, four train stations are in close proximity to the Site and a number of bus stops located on Kingston Road, providing regular services to Kingston to the North-East and Epsom to the South-East of the Site.

- 8.27 It is considered that the demolition of the existing vacant office building and redevelopment of the Site to provide extra-care apartments is appropriate. Furthermore, the Site is located in close proximity to Ewell Village and benefits from good transport links. It is therefore considered that the Site has adequate access to services and facilities required to support sustainable communities. The proposal is considered to comply with Policy DM21.

Design and Heritage

- 8.28 Chapter 12 of the NPPF relates to the achievement of well-designed places.
- 8.29 Paragraph 124 sets out that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 8.30 Paragraph 127 of the NPPF sets out that Planning Decisions should ensure that developments (inter alia) function well, are visually attractive, are sympathetic to local character and history and establish or maintain a strong sense of place.
- 8.31 Paragraph 131 of the NPPF sets out that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 8.32 Chapter 16 of the NPPF relates to the conservation and enhancement of the historic environment.
- 8.33 Paragraph 192 of the NPPF sets out that in determining applications, local planning authorities should take account of (inter alia) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation of heritage assets can make to sustainable communities, including their economic viability.
- 8.34 Policy CS5 (The Built Environment) sets out that the Council will protect and seek to enhance the Borough's heritage assets including historic buildings and conservation areas. Development should:
- Create attractive, functional and safe public and private environments;
 - Reinforce local distinctiveness and complement the attractive characteristics of the Borough; and
 - Make efficient use of land and have regard to the need to develop land in comprehensive way.

- 8.35 Policy DM8 (Heritage Assets) sets out that the Council will resist the loss of Heritage Assets and every opportunity to conserve and enhance them should be taken by new development.
- 8.36 Policy DM9 (Townscape Character and Local Distinctiveness) sets out that Planning Permission will be granted for proposals which make a positive contribution to the Borough's visual character and appearance.
- 8.37 The Site is within the Ewell Village Conservation Area. The Ewell Village Conservation Area Map sets out that Mill House is a Listed Building, a Focal Building and an Importance View. The Granary is recognised as a Listed Building, in accordance with the Map. As such, any proposed development at the Site should respect these Listed Buildings and the view of Mill House from the access.

Layout

- 8.38 Buildings 1-3 are positioned to the rear of Mill House. These will be set back from the Northern Site boundary, with the rear gardens at Meadow Walk behind.
- 8.39 The Ground floor level of Buildings 1-3 matches the existing lower level of the Mill House (sunken by approximately 1 metre from Mill House's entrance level). Building 1 is lower in height than Mill House and buildings 2 and 3 are proposed to increase in height towards the North-West of the Site. This ensures that Mill House retains a prominent feature within the Site.
- 8.40 Amended drawings were submitted to the Council on 07.12.2018 that sought to alter the massing of Building 1. To provide a degree of visual separation from the view in front of The Granary and the view in front of the access off Kingston Road, Building 1 was amended and the building line was brought back to the line established by Mill House. This in turn reduced the perceived bulk of Building 1 and ensured that the heritage value of Mill House was retained and respected.
- 8.41 Building 4 is proposed to the rear of The Granary and comprises a faceted footprint. The siting of the proposed four buildings are considered to optimise the Site.

Height and Mass

- 8.42 Concerns have been raised regarding the proposed height and massing of the proposed buildings. Currently, a large office building is located to the rear of Mill House and comprises a relatively large footprint.
- 8.43 The proposed four buildings have been designed to create a functional layout for the extra-care apartments. Buildings 1-3 are proposed to the rear of Mill House and Building 4 is proposed to the rear of The Granary.

- 8.44 Building 1 comprises Ground and First floors, with a recessed Second floor. Buildings 2 and 3 comprise Ground, First and Second Floors with a recessed Third floor. A Basement is proposed to run below Buildings 1-3 to deliver 'back of house' facilities and car parking. Building 4 provides accommodation at Ground and First floor, with rooms in the roof.
- 8.45 The Ground floor level of Buildings 1-3 matches the existing lower level of the Mill House (sunken by approximately 1 metre from Mill House's entrance level). Building 1 will measure approximately 10 metres in height and Buildings 2 and 3 measure approximately 12 metres in height. These buildings were broken up as a result of pre-application discussions, to allow for permeability of views through the Site from Meadow Walk. Building 4 will measure approximately 9.6 metres in height.
- 8.46 It is considered that the proposed height and massing of the proposed buildings is acceptable, given that these seek to optimise the Site, allow for permeability of views from Meadow Walk, respect the Listed Buildings and retain distance from Site boundaries.

Design and Materials

- 8.47 The core materials for the new buildings were discussed at pre-application stage. The core materials proposed comprise a mix of facing brick and kebony, which is a natural wood. These materials were considered to respond positively to the woodland setting of the Site.
- 8.48 To ensure privacy to the properties located at Meadow Walk, oriel windows are proposed on the Northern boundary on Buildings 1 -3. This restricts views and therefore limits potential overlooking. There are no balconies proposed on the elevation fronting Meadow Walk, to ensure no adverse impact on neighbouring amenity.
- 8.49 The Hogsmill River elevation of Buildings 1-3 is South facing. This elevation benefits from large windows, set within timber cladding. Balconies are proposed on this elevation, allowing residents to benefit from views of the Hogsmill Rover and beyond.
- 8.50 Building 4 also comprises facing brickwork and timber cladding. It comprises balconies and roof dormers.
- 8.51 The design of the four buildings and core materials proposed are respond positively to the Listed Buildings, Conservation Area and woodland setting of the Site.

Heritage

- 8.52 Buildings 1-3 have been designed specifically to deliver specialist accommodation for the elderly, which has dictated the design of the buildings. Buildings 1-3 seek to retain separation distances from relevant boundaries, but it is acknowledged that these will impact Mill House.

- 8.53 Building 4 comprises a faceted footprint, breaking up its mass. The North flanking elevation of Building 4 fronts The Granary. This comprises a facing red brick wall, a window at Ground Floor Level, a window at First Floor Level and a window at Third Floor Level. It is acknowledged that Building 4 will impact The Granary, however it is considered that its faceted design limits this impact.
- 8.54 A Heritage Statement, dated July 2018, accompanies the application. This assesses the significance of both the Grade II Listed Buildings, in line with the requirement of Policy DM8. The Heritage Statement also notes that the proposed development results in a minor adverse impact on the Listed Buildings given the overall increase in height and massing of the proposed scheme. It also sets out that the proposed scheme will have a minor beneficial impact on the significance of the Listed Buildings, given that they will be provided with a viable use, along with improvements to their fabric, significance and setting.
- 8.55 In summary, given the Site's existing layout, which includes the positioning of the Listed Buildings, the location of the proposed four buildings is considered appropriate, seeking to optimise the Site. The proposed heights of the four buildings will have a minor adverse impact on the significance of the Listed Buildings, however these buildings will be provided with a viable use, along with improvements to their fabric, outweighing the harm of the heights and mass of the proposed buildings. When weighing up the planning balance, it is considered that the scheme presents an opportunity to bring the Site into use, creating a functional environment with a strong sense of place. This is considered to outweigh any adverse impact on the Listed Buildings and Conservation Area.
- 8.56 The proposal is also subject to a Listed Building Consent application (18/00865/LBA), which imposes all Conditions required to ensure an acceptable conversion and alterations of the Listed Buildings. These conditions do not need to be imposed as part of this application.

Visual Impact

- 8.57 Chapter 12 of the NPPF relates to the achievement of well-designed places. Paragraph 127 of the NPPF sets out that planning decisions should ensure that developments are (inter alia) visually attractive as a result of good architecture and layout and are sympathetic to local character, including the surrounding built environment and landscape setting.
- 8.58 Policy DM9 (Townscape Character and Local Distinctiveness) sets out that Planning Permission will be granted for proposals which make a positive contribution to the Borough's visual character and appearance. In assessing this, the following will be considered:
- compatibility with local character and the relationship to the existing townscape and wider landscape;
 - the surrounding historic and natural environment;

- the setting of the proposal site and its connection to its surroundings; and the inclusion of locally distinctive features and use of appropriate materials.

8.59 Policy DM10 (Design Requirements for New Developments, including House Extensions) sets out that development proposals will be required to incorporate principles of good design. The most essential elements identified as contributing to the character and local distinctiveness of a street or area which should be respected, maintained or enhanced include, but are not limited to, the following:

- prevailing development typology, including housing types and sizes;
- prevailing density of the surrounding area;
- scale, layout, height, form (including roof forms), massing;
- plot width and format which includes spaces between buildings;
- building line; and
- typical details and key features such as roof forms, window format, building materials and design detailing of elevations, existence of grass verges etc.

8.60 In May 2018, the Licensing Planning Policy Committee took a decision to set aside Policy DM13 (Building Heights). This was on the basis of the policy restricting opportunities for growth in the Borough.

8.61 The proposal seeks to retain the existing access to the Site, off Kingston Road. This is the main viewpoint of the Site from the street scene. The existing courtyard will be retained at the front of the Site with Mill House located behind this. Buildings 1-3 are proposed to be located to the rear of Mill House.

8.62 Amended drawings were submitted to the Council on 07.12.2018 that sought to alter the massing of Building 1. To provide a degree of visual separation from the view in front of The Granary and the view in front of the access off Kingston Road, Building 1 was amended by bringing the building line back to the line established by Mill House. This in turn reduced the perceived bulk of Building 1 from the main viewpoint of the Site from Kingston Road.

8.63 The Ground floor level of Buildings 1-3 matches the existing lower level of the Mill House (sunken by approximately 1 metre from Mill House's entrance level). Building 1 is lower in height than Mill House and buildings 2 and 3 increase in height towards the North-West of the Site. Given the separation distance between Building 1 and Mill House, it is not considered to adversely impact the view of the Site from the street scene. Instead, Mill House remains a focal building from this viewpoint.

8.64 The Granary is located to the North-East of the Site and is not visible from the access off Kingston Road. Building 4 is to be located to the rear of The Granary and will not be visible from the Site's access.

- 8.65 The Site's surrounding area predominately comprises residential dwellings and open space. To the North of the Site is Meadow Walk, which typically comprises two-storey detached houses. Buildings 1 to 3 are proposed to be located to the rear of Mill House and will be visible from Meadow Walk. Buildings 1-3 have been designed to incorporate principles of good design to create distinguishable, yet sensitively designed buildings.
- 8.66 Building 4 is proposed to the rear of The Granary and in close proximity to the Site's boundary to the North. Building 4 will therefore be viewable from the street scene. This building is two storeys in height and comprises a faceted form, breaking up its visual impact from the street scene. The building incorporates principles of good design to ensure that it integrates with its surroundings.
- 8.67 To the South of the Site is a dense woodland and the Hogsmill River. Beyond this is Epsom Sports Club. Given the woodland setting, Buildings 1-3 will be visually screened from views from the South of the Site. As such, the proposed buildings benefit from large windows on the Southern Elevations of Buildings 1-3. The proposals are not considered to adversely impact the views enjoyed from Epsom Sports Club.
- 8.68 To the West of the Site is a railway track, with open space located beyond this. The rear elevation of Building 3 is therefore most relevant. This again incorporates principles of good design and will not adversely impact the views from the open space located beyond the railway track.
- 8.69 In summary, the proposed buildings have been carefully designed to optimise the Site and limit any adverse visual impact from Meadow Walk and Kingston Road. Through the imposition of Condition 2 relating to plans, an acceptable outcome is secured. The proposal is therefore considered to comply with Policy DM9 and DM10.

Neighbouring Amenity

- 8.70 Policy DM9 (Townscape Character and Local Distinctiveness) sets out that Planning Permission will be granted for proposals which make a positive contribution to the Borough's visual character and appearance. In assessing this, the following will be considered:
- compatibility with local character and the relationship to the existing townscape and wider landscape;
 - the surrounding historic and natural environment;
 - the setting of the proposal site and its connection to its surroundings; and the inclusion of locally distinctive features and use of appropriate materials.

- 8.71 Policy DM10 (Design Requirements for New Developments, including House Extensions) sets out that development proposals will be required to incorporate principles of good design. The most essential elements identified as contributing to the character and local distinctiveness of a street or area which should be respected, maintained or enhanced include, but are not limited, to the following:
- prevailing development typology, including housing types and sizes;
 - prevailing density of the surrounding area;
 - scale, layout, height, form (including roof forms), massing;
 - plot width and format which includes spaces between buildings;
 - building line; and
 - typical details and key features such as roof forms, window format, building materials and design detailing of elevations, existence of grass verges etc.
- 8.72 In May 2018, the Licensing Planning Policy Committee took a decision to set aside Policy DM13 (Building Heights). This was on the basis of the policy restricting opportunities for growth in the Borough.
- 8.73 The Site seeks to demolish the existing vacant office building, which is no longer considered viable. This is a 1980s build and comprises a relatively large footprint to the rear of Mill House. New buildings 1 to 3 are proposed to be located to the rear of Mill House and will comprise a larger footprint than the existing office building. Building 4 is proposed to the rear of The Granary.
- 8.74 The Ground floor level of Buildings 1-3 matches the existing lower level of the Mill House (sunken by approximately 1 metre from Mill House's entrance level). Building 1 will measure approximately 9.5 metres in height from Ground Floor Level and Buildings 2 and 3 measure approximately 12 metres in height from Ground Floor Level. Building 4 will measure approximately 8.5 metres in height from Ground Floor Level.
- 8.75 The Site's surrounding area predominately comprises residential dwellings and open space. To the North of the Site is Meadow Walk, which typically comprises two-storey detached dwellings. To the East of the Site is Kingston Road, which is typically lined with two storey semi-detached and detached residential dwellings and independent shops. There are no residential properties that would be impacted by the development to the South or West of the Site.
- 8.76 The proposed buildings seeks to maintain separation distances from the rear boundaries of the existing residential properties located on Meadow Walk. Approximate distances are provided below:
- Building 1 is sited nearly 33 metres from no. 25 Meadow Walk;
 - Building 2 is sited nearly 40m from no. 29 Meadow Walk;
 - Building 3 is sited over 35m from no. 35 Meadow Walk; and
 - Building 4 is sited just over 20m from no. 2 Meadow Walk.

- 8.77 It is acknowledged that the proposed buildings will be visible by residential properties located on Meadow Walk. As such, it is important to consider the heights and design of the proposed buildings.
- 8.78 Buildings 1-3 are considered to incorporate principles of good design, including a flat roof and appropriate materials palette. This includes multi-red brick facing brickwork, timber cladding and oriel privacy windows, which provide a degree of privacy for neighbouring residents on Meadow Walk. This in turn helps to create a distinguishable, yet sensitively designed buildings.
- 8.79 Building 4 will be located to the rear of The Granary and will be viewable from residential properties located at Meadow Walk. This building is two storeys in height and comprises a faceted form, which breaks up its visual impact from Meadow Walk. The building will comprise several different materials, including multi-red brick facing brickwork and grey reconstituted slate roof tiles, to ensure that it assimilates within its immediate surroundings.
- 8.80 In considering potential amenity impacts to neighbouring properties, construction noise has been considered. The accompanying Construction Environmental Management Plan, dated 26 November 2019, sets out strict hours of construction to minimise any potential harm to neighbouring properties. Subject to Planning Permission being granted, this document shall be Conditioned (Condition 5).
- 8.81 Given the quality of design, heights and proposed separation distances to be retained from nearby residential dwellings, the proposal is not considered to adversely impact the residential amenity enjoyed at Meadow Walk. It therefore complies with Policies DM9 and DM10.

Quality of Accommodation

- 8.82 The proposal seeks to provide 53 no. extra-care apartments with associated facilities. This comprises:
- 21 x 1 bedroom apartments;
 - 31 x 2 bedroom apartments; and
 - 1 x 3 bedroom apartments.
- 8.83 The total GIA of the proposed development is 5383sqm, with a total GEA of 7048sqm. The proposed apartments provide independent accommodation, with a bedroom, en-suite bathroom, kitchen and lounge/diner within each unit.
- 8.84 In addition to the individual apartments, the proposed development incorporates communal facilities, including a restaurant and kitchen, a wellness and fitness suite, hairdressing and beauty salon, a snug and a club room. The development also includes a guest suite within Mill House, allowing visitor stay.

8.85 The proposed scheme of accommodation is provided below:

Schedule of Accommodation – Extra-Care										
Floor	Ground		First			Second		Third		Total
Beds	1	2	1	2	3	1	2	1	2	
The Granary	1	0	1	0	0	0	0	0	0	2
The Mill House	1	0	0	0	1	0	0	0	0	2
Building 1	0	0	1	3	0	2	0	0	0	6
Building 2	2	2	1	3	0	1	3	2	0	14
Building 3	2	4	1	5	0	1	5	4	1	23
Building 4	0	2	0	2	0	2	0	0	0	6
Sub-Total	6	8	3	14	1	6	8	6	1	
Total	14 Apt		18 Apt			14 Apt		07 Apt		53
Parking Spaces	43 Parking Spaces (including 5 disabled)/17 Cycle Spaces (9 Sheffield Stands)									

8.86 Nationally Described Space Standards are not applicable to proposed C2 Uses. The bedrooms proposed within the apartments vary in size between 8.15m² and 19.95m². The majority of apartments also benefit from a terrace.

8.87 Given that Nationally Described Space Standards are not applicable for C2 Uses, the Council has considered the proposed areas of the bedrooms within each apartment and the provision of private amenity space. It is considered that the floor-spaces of the proposed apartments are acceptable, along with the proposed private amenity space.

8.88 The development would not be able to convert to a full unrestricted C3 Use, without Planning Permission.

Affordable Housing

- 8.89 Chapter 5 of the NPPF relates to the delivery of a sufficient supply of homes. Paragraph 61 sets out that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including affordable housing).
- 8.90 Paragraph 62 of the NPPF sets out that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be on-site unless:
- a) Off-site provision or an appropriate financial contribution in lieu can be robustly justified; and
 - b) The agreed approach contributes to the objective of creating mixed and balanced communities.
- 8.91 Policy CS9 (Affordable Housing an meeting Housing Needs) sets out that the Council has a target that overall, 35% of new dwellings should be affordable. Residential development of 15 or more dwellings gross (or on sites of 0.5ha or above) should include at least 40% of dwellings as affordable.
- 8.92 Supporting paragraph 3.12.11 sets out that where there are specific and overriding site constraints, or where development-specific issues inhibit the provision of affordable housing, off site provision or financial contributions may be acceptable.
- 8.93 Paragraph 8.9 of the Revised Developer Contributions Supplementary Planning Document (2014) sets out that the Council will apply Policy CS9 to extra-care housing. The Government has confirmed that there is no distinction between these sorts of proposal and other open market housing.
- 8.94 The proposal is subject to the provision of affordable housing. The applicant has undertaken a Viability Assessment, which has been independently reviewed by two Viability Consultants, for the Council. The independent reviews confirm that the scheme cannot support on-site affordable housing. A financial contribution of £422,251 has been proposed, which is subject to a review mechanism to assess the Ground Rent Assessment.
- 8.95 The above commuted sum would be secured through a Section 106 Agreement. It is recommended that a review mechanism is included within the Section 106 Agreement, in the event that Government Legislation changes with regard to Ground Rent Assessments.

Highway and Parking

- 8.96 Chapter 9 of the NPPF relates to the promotion of sustainable transport.

- 8.97 Paragraph 108 Of the NPPF sets out that in assessing applications for development, it should be ensured that:
- appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
 - safe and suitable access to the site can be achieved for all users; and
 - any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 8.98 Paragraph 109 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.99 Policy CS16 (Managing Transport and Travel) encourages development proposals that foster an improved and integrated transport network and facilitate a shift of emphasis to non-car modes as a means of access to services and facilities. Development proposals should (inter alia) provide safe, convenient and attractive accesses for all, including the elderly, disabled, and others with restricted mobility. Development proposals should be appropriate for the highways network in terms of the volume and nature of traffic generated, provide appropriate and effective parking provision, both on and off-site, and vehicular servicing arrangements. Furthermore, development proposals must ensure that vehicular traffic generated does not create new, or exacerbate existing, on street parking problems, not materially increase other traffic problems.
- 8.100 Policy DM36 (Sustainable Transport for New Development) sets out that to secure sustainable transport patterns across the Borough, the Council will (inter alia) prioritise the access needs of pedestrians and cyclists in the design of new developments and require new development to provide on-site facilities for cyclists as appropriate, including showers, lockers and secure, convenient cycle parking, in accordance with standards.
- 8.101 Policy DM37 sets out that developments will have to demonstrate that the new scheme provides an appropriate level of off street parking to avoid an unacceptable impact on on-street parking conditions and local traffic conditions.
- 8.102 A full Transport Assessment accompanies the application, dated August 2018. This sets out that the Site is located within a highly accessible location, with numerous local amenities and public transport available. A wider array of services are available within Epsom Town Centre.
- 8.103 The Transport Assessment sets out that the Site will continue to be accessed via the existing access. This measures 5 metres in width, which accords with Manual for Streets guidance.

- 8.104 The Transport Assessment sets out that the proposal would result in a decrease of vehicle trips in comparison to the former use of the Site. Specifically, Table 6 of the Transport Assessment sets out that the proposed development is anticipated to result in a reduction of 165 trips over a 12 hour period. As such, the proposals would result in an overall betterment to the operation of the local highway network.
- 8.105 The Parking Standard for Residential Development Supplementary Planning Document does not specifically provide parking standards for Care Homes. As such, the Transport Assessment sets out that the standards outlined by Surrey County Council's Vehicular and Cycle Parking Guidance (January 2012) for Care Homes was considered.
- 8.106 Surrey County Council (Highways) was formally consulted as part of this application. The Highways Authority queried a number of operation points during the application's determination and requested a greater level of detail from the applicant on these aspects, which are summarised below. The applicant provided revised drawings on 29.01.2019, to address the comments raised by the Highways Authority. A formal response was provided by the Highways Authority on 23.01.2019 with no objections, subject to Planning Conditions.

Car Parking Provision

- 8.107 The proposal provides 43 parking spaces, including 5 disabled spaces. 39 car parking spaces are to be located underground and will be accessed via a ramp at Building 3. 24 of the spaces are for residents and the remaining are for visitors and staff.
- 8.108 Surrey County Council (Highways) initially commented that the proposal had insufficient parking, however the applicant confirmed that the majority of residents are unlikely to drive and therefore would not require a parking space each. In the Extra-Care Industry, the benchmark for car parking is to allocate an average of 0.4 spaces per apartment, which calculates as 24 car parking spaces for this Site. The provision of 24 resident spaces is therefore appropriate.

Servicing

8.109 To accommodate servicing arrangements, the Site provides two drop-off/turning head areas: the courtyard and the drop-off point, which is shown on the Proposed Site Plan (APL004 Rev G). These areas provide adequate space for vehicles servicing the Site (including refuse vehicles, emergency vehicles and deliveries). Apart from refuse vehicles, all other refuse vehicles would be able to use either area.

8.110 In the event that the drop-off point is in use, the courtyard area would provide space for a further two vehicles.

8.111 Subject to Planning Permission being granted, Surrey County Council (Highways) has recommended a Condition, which requires a Service Management Plan. This will ensure that management arrangements are in place to facilitate deliveries and waste collection with the Site.

8.112 *Waste Collection*

8.113 Surrey County Council (Highways) initially commented that inadequate information had been submitted with the application in respect of waste collection. This aspect has now been addressed and waste collection will be undertaken within the Site. A refuse vehicle is able to enter and exit the Site in forward gear, with no impact on the public highway or Meadow Walk. A Tracking Plan (ref: 020.0374.006 Rev A) was provided to Surrey County Council by the applicant, demonstrating that a refuse vehicle can turn on Site and enter and exit the Site in forward gear, with no impact on the public highway or Meadow Walk.

8.114 Should Planning Permission be granted, a Condition is included, requiring a Service Management Plan, which requires specific details of waste collection within the Site.

8.115 *Emergency Access and Disabled Spaces*

8.116 Due to the height restriction (2.25 metres), an ambulance will not access the Basement Car Park. Surrey County Council (Highways) noted this, but required further information regarding Blue Badge parking bays within the Basement. A revised Proposed Basement Plan (APL006 Rev I) was prepared by the applicant reconfiguring the disabled spaces at Basement Level, so that these are located towards the entrance of Building 3, with a minimum headroom of 2.6 metres.

8.117 18 Cycle Spaces are proposed as part of this application. Surrey County Council (Highways) initially commented that the ramp gradient within the basement was inappropriate for cycle access. The applicant responded to this, relocating cycle spaces to Ground Floor. These are shown on the proposed Ground Floor Plan, ref: APL007 Rev I.

8.118 In summary, the proposed development is anticipated to result in a reduction of 165 trips over a 12 hour period, providing an overall betterment to the operation of the local highways network. Surrey County Council (Highways) was formally consulted as part of this application and raised a number of operation points during the application's determination period. The applicant responded accordingly and subject to Planning Conditions, Surrey County Council (Highways) has set out that the Application is not considered to impact highway safety. The application is considered to comply with Policies CS16, DM27 and DM36.

Refuse and Recycling

8.119 Policy CS6 (Sustainability in New Developments) sets out that proposals for development should result in a sustainable environment. To conserve natural resources, waste should be minimised and recycling encouraged. Development should incorporate waste management processes.

8.120 Surrey County Council (Highways) was formally consulted as part of this Planning Application. During the Application's determination, Surrey County Council commented that inadequate information had been submitted in respect of waste collection. This aspect was addressed by the applicant accordingly. Waste collection shall be undertaken within the Site and a refuse vehicle is able to enter and exit the Site in forward gear, with no impact on the public highway or Meadow Walk. A Tracking Plan (ref: 020.0374.006 Rev A) was provided to Surrey County Council by the applicant, demonstrating that a refuse vehicle can turn on Site and enter and exit the Site in forward gear, with no impact on the public highway or Meadow Walk.

8.121 Should Planning Permission be granted, Surrey County Council has recommended a Planning Condition, which requires a Service Management Plan. The Condition sets out that the development shall not be occupied, unless and until, management arrangements are in place to facilitate deliveries and waste collection within the Site.

8.122 In summary, waste collection will be undertaken within the Site. Surrey County Council (Highways) was formally consulted as part of this Application and has recommended a Condition, subject to Planning Permission being granted, requiring a Service Management Plan. This ensures that management arrangements are in place to facilitate deliveries and waste collection within the Site. The proposal is considered to comply with Policy CS6.

Trees, Landscaping and Open Space

- 8.123 Chapter 15 of the NPPF concerns the conservation and enhancement of the natural environment. Paragraph 170 sets out that planning decisions should contribute to and enhance the local environment by (inter alia) recognising the intrinsic character and beauty of the countryside and the wider benefits from ecosystem services, including trees and woodland.
- 8.124 Paragraph 175 of the NPPF sets out that development resulting in the loss or deterioration or irreplaceable habitats such as ancient woodland and ancient or veteran trees should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.
- 8.125 Policy SC4 (Open Spaces and Green Infrastructure) sets out that emphasis will continue to be placed on protecting and enhancing the Borough's Strategic Open Spaces.
- 8.126 Policy DM5 (Trees and Landscape) of the Development Management Policies Document (2015) sets out that the Borough's trees, hedgerows and other landscape features will be protected and enhanced by (inter alia):
- Planting and encouraging others to plant trees and shrubs to create woodland, thickets and hedgerows; and
 - Requiring landscape proposals in submissions for new development, which retain existing trees and other important landscape features where practicable and include the planting of new semi-mature tree and other planting.
- 8.127 Policy DM5 further states that where trees, hedgerows or other landscape features are removed, appropriate replacement planting will normally be required. Consideration should be given to the use of native species as well as the adaptability to the likely effects of climate change.
- 8.128 The Site is designated as 'Strategic Open Space'. A Landscape Plan accompanies this Application. The Landscape Plan proposes mown lawns, a bees and birds garden and numerous plant species as part of the scheme.
- 8.129 An updated Tree Survey and Impact Assessment was provided by the applicant on 07.12.2018, ref: 1055-KC-XX-YTREE-TreeSurvey-and-ImpactAssessment-Rev0. This sets out that the proposals seek to retain trees in key locations and remove trees to allow space for the development. It also proposes new tree planting as part of the development proposals. A Tree Protection Plan accompanies the application, ref: 1055-KC-XX-YTREE-TPP01RevD. This sets out that 29 trees that were surveyed will be removed as part of the application.

- 8.130 The Tree Survey and Impact Assessment sets out that the proposed four buildings are to be located in areas of open space, where there are few trees. The proposed Basement at Building 3 extends marginally within the root protection area of trees 46, 49 and 50.
- 8.131 The Tree Survey and Impact Assessment sets out that the majority of the trees proposed for removal are of low quality and value. Two trees proposed to be removed are of moderate quality (32 and 59) with their loss unavoidable due to building footprints. Trees are proposed to be coppiced along the boundary of the stream to provide room for the proposed development, allowing for improved light levels. Ash trees are also proposed to be removed, in light of the impact of Ash Dieback. Their removal will facilitate the planting of a mix of native species on the Site.
- 8.132 The Tree Survey and Impact Assessment sets out that where proposed hard surfaces coincide with Root Protection Areas, specialist measures shall be deployed to minimise harm to the trees. The report confirms that services and utilities can be remotely sited from the trees or, if they need to be located within root protection areas, specialist measures can be deployed for their installation to minimise harm to retained trees.
- 8.133 Epsom and Ewell's Arboricultural Officer has objected to the proposed development as the scheme will have construction challenges that will impact trees, however these are not subject to Tree Protection Areas. The following Arboricultural and landscaping issues arise from the scheme:
- The scale of the proposed development necessitates the removal of a large number of trees on Site, which denudes the pleasant woodland character. The proposed residential accommodation will not integrate well or be harmonious with the woodland setting and in turn will create harm to amenity
 - The proposed development threatens to damage retained trees on Site because the tree protection measures are not comprehensive and in some areas un-viable due to construction intensity, inevitable excavation damage and lack of construction access/working space
 - There is insufficient provision for amenity space within the Site to create a pleasant living environment and allow compensatory planting to restore the lost treescape
 - A tight spatial separation between the trees and the proposed buildings will initially cause shading concerns from residents and then potential fears over tree safety.
- 8.134 Having regard for the above four bullet points, the following assessment is made.

- 8.135 In order to facilitate the development, 29 trees are proposed to be lost, the majority of which are of low significance. The accompanying Tree Survey and Impact Assessment sets out that measures can be deployed to minimise risk to retained root protection areas, which will be controlled by condition. This is considered a robust approach to minimise risk.
- 8.136 In its current form, the Site does not offer a functional space due to its abandoned nature. The proposal seeks to replant trees, to provide a diverse portfolio of tree cover. The ash trees are also to be removed, which is considered favourably as this will allow for the planting of a mix of native species on the Site. The provision of tree planting and landscaping is considered to be of a scale and design that compliments the scheme. This will create a sense of place and enhance the Site's designation as 'Strategic Open Space'.
- 8.137 The proposal seeks to provide private amenity space for residents, but also mown lawns, which can be enjoyed by both residents and visitors. The scheme benefits are considered to outweigh concerns over tree loss.
- 8.138 A considerable amount of attention has been given to the issue of trees and landscaping. A Tree Survey and Impact Assessment has been carried out and Conditions are proposed to resolve any potential harm to existing trees on Site. In addition to the on-site solutions, the Applicant has proposed a financial contribution to Epsom and Ewell Borough Council towards a Woodland Management Plan. This will allow for improvements and enhancements to the trees located to the South of the Hogsmill River.
- 8.139 Regulation 122 of the CIL Regulations sets out the limitations on the use of Planning Obligations. It is unlawful for a Planning Obligation to be taken into account when determining a planning application for a development, which does not meet all of the following tests:
- It is necessary to make the development acceptable in planning terms;
 - It is directly related to the development; and
 - It is fairly and reasonable related in scale and kind to the development.
- 8.140 Officers consider that the Woodland Management Plan Contribution is Regulation 122. Whilst not strictly meeting the first two criteria, it is fairly and reasonable related in scale and kind of the development. As such, the contribution towards a Woodland Management Plan is appropriate.
- 8.141 Having regard to the comments raised, the assessments carried out, the Conditions proposed and the solutions presented, it is considered that the scheme should be supported and should not be refused on this matter. The proposal is considered to comply with Policies CS4 and DM5.

Ecology

- 8.142 Chapter 15 of the NPPF relates to the conservation and enhancement of the natural environment. Paragraph 170 sets out that planning decisions should contribute to and enhance the natural and local environment by (inter alia) protecting and enhancing valued landscapes and sites of biodiversity. Development should, wherever possible, help to improve local environmental conditions, such as air and water quality.
- 8.143 Paragraph 175 of the NPPF sets out that development whose primary objective is to conserve or enhance biodiversity should be supported, while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 8.144 Policy CS3 (Biodiversity and Nature Conservation Areas) of the Core Strategy (2007) sets out that the biodiversity of Epsom and Ewell will be conserved and enhanced through the support for measures which meet the objectives of National and Local biodiversity action plans in terms of species and habitat. Development that would harm Grade 3 Sites of Nature Conservation Interests (SNCIs) will not be permitted unless suitable measures are put in place and it has been demonstrated that the benefits of a development would outweigh the harm caused.
- 8.145 Policy DM4 (Biodiversity and New development) seeks to ensure that new development takes every opportunity to enhance the nature conservation potential of a Site and secure a net benefit to biodiversity. It sets out that development affecting existing or proposed nature conservation sites and habitats of international, national or local importance will only be permitted if:
- The development would enhance the nature conservation potential of the site or is proven to be necessary for the conservation management of the site; or
 - There is no alternative location for the development and there would be no harm to the nature conservation potential of the site; or
 - There are imperative reasons of overriding public interest for the development.
- 8.146 Elsewhere in the Borough, development affecting any site or building that supports species protected by Law including their habitats, will only be permitted if appropriate mitigation and compensatory measures are agreed to facilitate the survival of the identified species, keep disturbance to a minimum and provide adequate alternative habitats to ensure no net loss of biodiversity.
- 8.147 A Preliminary Ecological Appraisal, Bat Survey and “summarising letter” accompanies this application.
- 8.148 The Preliminary Ecological Appraisal, dated August 2018, sought to assess the overall ecology position of the Site and the likelihood of the proposed development to impact species. It sets out that twelve Phase I habitat types were recorded during the field survey. Habitats with potential to support protected species were also identified.

- 8.149 The Preliminary Ecological Appraisal sets out that within the survey area there are habitats suitable for reptiles and mature trees with some bat potential. Furthermore, the buildings within the survey area are considered to have some suitability for bats.
- 8.150 A Bat Assessment Survey of Buildings and Trees and Bat Activity Survey, dated August 2018, accompanies the application. This sets out that no roosting bats were identified during the surveys, however The Granary was found to have low-moderate potential to support bats and 2 sycamore trees that will be felled as part of the development were found to have a high potential to support bats. Due to the potential, precautionary mitigation is recommended to this area.
- 8.151 A letter was prepared by Ecology Services, dated 15 August 2018, summarising the findings of the Preliminary Ecological Appraisal and Bat Assessment. The summary of recommendations contained within the Preliminary Ecological Appraisal and Bat Assessment Survey shall be controlled by Planning Condition, subject to the application being considered favourably. In addition, the provision of integrated bat boxes and swift bricks are also required as part of this Condition. This is considered a robust approach to ensure that the ecological value to the Site is both conserved and enhanced.
- 8.152 In summary, a Preliminary Ecological Appraisal and Bat Survey accompanies the application. These reports set out recommendations for the Site, to ensure that the ecological value of the Site is conserved and enhanced. The proposals are considered to conform to Policies CS3 and DM4.

Flood Risk and Drainage

- 8.153 Chapter 14 of the NPPF relates to meeting the challenge of climate change, flooding and coastal change. Paragraph 155 stipulates that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Paragraph 163 sets out that when determining any planning applications, Local Planning Authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.
- 8.154 Policy CS6 (Sustainability in New Developments) of the Core Strategy (2007) sets out that proposals for development should result in a sustainable environment and reduce, or have a neutral impact upon, pollution and climate change. The Council will expect proposals to demonstrate how sustainable construction and design can be incorporated to improve the energy efficiency of development – both new build and conversion. In order to conserve natural resources, minimise waste and encourage recycling, the Council will ensure that new development (inter alia):

- has no adverse effects on water quality, and helps reduce potential water consumption for example by the use of water conservation and recycling measures and by minimising off-site water discharge by using methods such as sustainable urban drainage; and
- avoids increasing the risk of, or from, flooding.

8.155 The Site is within Flood Zone 1 (Low Probability of Flooding). The Southern Side of the Site, which is adjacent to the Hogsmill River, and a small localised area on the West of the Site are located within Flood Zone 2 (Medium Probability of Flooding) and Flood Zone 3 (High Probability of Flooding).

8.156 A Flood Risk Assessment, dated August 2018, accompanies the application. It confirms that the proposed built development will fall within Flood Zone 1 (Low Probability of Flooding).

8.157 The Environmental Agency (EA) initially objected to the Proposal, on 18 October 2018 in relation to the proposed development's proximity to the existing watercourse. As a standard requirement, the EA seeks a minimum 8m buffer. The EA was not satisfied that sufficient information had been provided by the Application indicating the proposed offset of the development to the Hogsmill River and mitigation for the potential loss of biodiversity as a result of the proposed development.

8.158 The applicant prepare two documents to address the above matters. Firstly, a letter from PPA, dated 31 October 2018, relates to the suggestion of an 8m buffer. It highlighted that the proposals provide improves accessibility along the length of the Hogsmill River and that the proposed buildings are set further back from the existing. Secondly, a Mitigation and Management Plan was prepared, dated 01/11/2018. This details the importance ecological features of the Site and the management principles for the pre-construction, construction and operational phase of the development.

8.159 Correspondence between the Applicant and Environment Agency confirmed offset distances between the top of the riverbank and the proposed development. This indicates the proposed buildings are a minimum of 6 metres from the top of the bank (compared to a minimum of 4.6 metres for the existing building). The EA provided a response on 13.12.2018, confirming it had no objections to the scheme as submitted, subject to conditions.

- 8.160 A letter accompanies the application, dated 20 August 2018, which relates to the potential drainage of the Site. The Site currently has existing drainage and outfalls to an existing watercourse. This letter sets out the proposed drainage strategy. An existing 150mm foul water sewer is located to the east of the site. It is proposed that the foul water will be collected within the basements of buildings 1, 2 and 3. A pumping station will be provided within the basement to pump the foul water to a suitable chamber within the site. The remaining foul water from the building will ultimately outfall via gravity into the Thames Water's sewer manhole to the east of the site.
- 8.161 A formal response from Surrey County Council (SUDS) was received on 17.09.2018, confirming that the proposed drainage scheme is acceptable. Conditions and Informatives are recommended, subject to the approval of the Planning Application.
- 8.162 In summary, the proposed development is considered to comply with Policy CS6.

Contamination

- 8.163 Policy DM17 (Contaminated Land) sets out that where it is considered that land may be affected by contamination, planning permission will only be granted for development provided that the following criteria are satisfied:
- all works, including investigation of the nature of any contamination, can be undertaken without escape of contaminants which could cause unacceptable risk to health or to the environment;
 - it is demonstrated that the developed site will be suitable for the proposed use without risk from contaminants to people, buildings, services or the environment including the apparatus of statutory undertakers.
- 8.164 A Site Investigation Report, dated September 2017, accompanies this application. It confirms that conditions on Site do not represent a significant risk of harm to users and therefore no remedial works are required. However, it sets out that it would be prudent to put in place a Discovery Strategy, in the unlikely event that unforeseen potential contamination is identified during groundworks.
- 8.165 A letter, dated 7 March 2019, provides supplementary advice with regards to ground gas risk. This was provided in support of a request from the Applicant that the wording of the proposed Contamination Land Condition previously suggested by Epsom and Ewell's Contamination Officer was changed, to allow for demolition on Site to be carried out prior to the Site Investigation, Risk Assessment and any necessary remediation.

- 8.166 In summary, the letter sets out that further sampling is required and that until a gas risk assessment is carried out, gas measures will not be designed into the buildings. However, the supplementary information provided was reviewed by Epsom and Ewell's Contamination Land Officer, who confirmed no objection to the proposed development, subject to a pre-occupation Condition being imposed should Planning Permission be granted.
- 8.167 The proposal is considered to comply with Policy DM17.

Archaeology

- 8.168 Chapter 16 of the NPPF refers to the conservation and enhancement of the historic environment. Paragraph 189 states that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 8.169 Policy CS5 (Conserving and Enhancing the Quality of the Built Environment) of the Core Strategy (2007) sets out that the Council will protect and seek to enhance the Borough's heritage assets including (inter alia) archaeological remains. The settings of these assets will be protected and enhanced.
- 8.170 Policy DM8 (Heritage Assets) of the Development and Management Policies seeks to resist the loss of Heritage Assets and instead promote the opportunity to conserve and enhance these. Specifically, on any major development site of 0.4ha or greater, applicants are required to undertake prior assessment of the possible archaeological significance of a site and the implications of the proposals.
- 8.171 An Archaeological Desk-Based Assessment, dated August 2017, accompanies the application. It sets out that the proposed development is not identified as having an impact on any designated archaeological assets and that it has a generally low archaeological potential.
- 8.172 In summary, an Archaeological Desk-Based Assessment sets out that the proposed development is not identified as having an impact on any designated archaeological assets and it has low archaeological potential. A Condition was recommended, subject to Planning Permission being granted. It is considered to conform with Policy CS5.

Sustainability

- 8.173 Chapter 2 of the NPPF relates to achieving sustainable development. Paragraph 8 of the NPPF sets out that there are three strands to achieving sustainable development, including an environmental objective. This is for development to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 8.174 Policy CS6 (Sustainability in New Developments) sets out that proposals for development should result in a sustainable environment. The Council will ensure that new development (inter alia) minimise the use of energy in scheme, minimises the emission of pollutants into the wider environment, minimises the energy requirements of construction and incorporates waste management processes.
- 8.175 A Sustainable Design Statement accompanies the application, dated 17.08.2018. This sets out that the project U-values are improved by at least 35% over the Building Regulations Limiting Standards. A range of energy generation methods are considered and a CHP boiler is proposed.
- 8.176 The proposed scheme has sought to integrate sustainability into the design of the proposal and it is considered to comply with Policy CS6.

Community Infrastructure Levy

- 8.177 The scheme would be CIL liable.

Vacant Building Credit

- 8.178 Vacant Building Credit (VBC) sits as a separate process to a Financial Viability Assessment. The Planning Application passes each of the tests set by the National Planning Guidance, relating to VBC.
- 8.179 The application site does benefit from Vacant Building Credit and this has been established to be the equivalent of 14 affordable housing units.

9 Conclusion

- 9.1 There have been a substantial number of comments received regarding the proposed development at the Site. The Applicant has worked proactively with the Local Planning Authority to deliver a scheme that provides many benefits and a financial contribution, as a result of a Viability Assessment.

- 9.2 The principle of development at this Site has been addressed. The Site currently offers vacant office accommodation in a location considered too remote for most office occupiers. The commercial space itself is too fragmented and alternative uses within the existing buildings are unviable.
- 9.3 With a shortfall of specialist retirement housing in the Borough, the provision of 53 no. extra-care apartments is considered favourably at this Site. It is considered that the proposal will enhance the Site's "Strategic Open Space" designation, by providing new tree coverage and landscaping, but also enhancements to the woodland South of the Hogsmill River.
- 9.4 The alterations to the Listed Buildings on the Site have been dealt with by a separate Listed Building Consent applications, which has been submitted in tandem with this Application.
- 9.5 It is recommended that the scheme is supported and referred to the Secretary of State.

Legal Agreements

- 9.6 The following Heads of Terms are proposed:
- A financial contribution of £10,000 towards a Woodland Management Plan, for improvements and enhancements to the woodland in the Council's ownership, immediately to the South of the Hogsmill River and the Application Site
 - A financial contribution of £422,251 in lieu of on-site affordable housing provision
 - A review mechanism is included, in the event the Government Legislation changes with regard to Ground Rent Assessments.

10 Recommendation

- 10.1 **Part A:** Refer to Secretary of State with a recommendation to Grant Planning Permission, subject to the Section 106 Agreement being signed by 13 July 2019 and the proposed conditions.
- 10.2 **Part B:** Following confirmation from the Secretary of State that the matter is not to be called in, delegation be given to the Head of Planning to determine the application subject to Section 106 Agreement being signed by 13 July 2019, and securing:

- A financial contribution of £10,000 towards a Woodland Management Plan, for improvements and enhancements to the woodland in the Council's ownership, immediately to the South of the Hogsmill River and the Application Site
- A financial contribution of £422.251 in lieu of on-site affordable housing provision
- A review mechanism is included, in the event the Government Legislation changes with regard to Ground Rent Assessments.

and in accordance with the proposed conditions listed below.

10.3 **Part C:** In the event the Section 106 Agreement referred to in Part B is not completed by 13 July 2019 the Head of Planning is authorised to refuse the application for the following reason:

In the absence of a completed legal obligation under section 106 of the Town and Country Planning Act 1990) as amended), the applicant has failed to comply with Policy CS9 (Affordable Housing and meeting Housing Needs) in relation to the provision of a housing or a commuted sum in lieu of the on-site provision of affordable housing.

Conditions:

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

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

- (2) **The development hereby permitted shall be carried out in strict accordance with the approved drawings:**

APL001 Rev B – Site Location Plan – dated July 2018

APL006 Rev I – Proposed Basement Plan – dated July 2018

APL 012 Rev E – Proposed Elevation A – dated July 2018

APL 013 Rev E – Proposed Elevation B – dated July 2018

APL 014 Rev D – Proposed Elevations C, D, E, F, G, H – dated July 2018

APL008 Rev H – Proposed First Floor Plan – dated July 2018

APL007 Rev I – Proposed Ground Floor Plan – dated January 2019

APL005 Rev G – Proposed Landscape Plan – dated July 2018

APL 019 Rev C – Existing and Proposed Elevations – dated July 2018

APL018 Rev C – Existing and Proposed Floor Plans – dated July 2018

APL021 Rev C – Existing and Proposed Internal Elevations 1 – dated July 2018

APL022 Rev C – Existing and Proposed Internal Elevations 2 – dated July 2018

APL011 Rev F – Proposed Roof Plan – dated July 2018

APL009 Rev J – Proposed Second Floor Plan – dated July 2018

APL017 Rev C – Proposed Section – dated July 2018

APL004 Rev G – Proposed Site plan – dated July 2018

APL016 Rev C – Proposed Site Section 1-3 – dated July 2018

APL 010 Rev H – Proposed Third Floor Plan – dated July 2018

APL015 Rev B – Proposed Elevations J, K, L, M, N, O, P, Q – dated July 2018

APL020 Rev B – Sections and Photographic Record – dated July 2018

APL023 Rev B – Existing and Proposed Plans, Elevations and Photos Outhouse – dated July 2018

APL003 Rev B – Existing Plans and Elevations – dated July 2018

APL024 Rev B – Existing and Proposed Elevations, Details Outhouse – dated July 2018

APL028 Rev A – Existing and Proposed Gate and Bin Store – dated July 2018

1055-KC-XX-YTREE-TPP01RevD – Tree Protection Plan – dated July 2018

1055-KC-XX-YTREE-TCP01RevA – Tree Constraints Plan – dated May 2018

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans to comply with Policy CS5 of the Core Strategy (2007).

- (3) **No development shall take place until the applicant has submitted a programme of archaeological work in accordance with a Written Scheme of Investigation which has been approved by the Planning Authority.**

Reason: The site is of high archaeological potential and it is important that the archaeological information should be preserved as a record before it is destroyed by the development in accordance with Policy CS5 of the Core Strategy (2007).

- (4) **Unless otherwise agreed by the Local Planning Authority, the following must be undertaken prior to any occupation of the site in accordance with current best practice guidance:**

- (i) a site investigation and risk assessment to determine the existence, extent and concentrations of any made ground/fill, ground gas and contaminants with the potential to impact sensitive receptors on and off site. The scope and detail of these are subject to the approval in writing by the local planning authority. The results of the investigation and risk assessment shall be submitted to and approved by the Local Planning Authority; and
- (ii) if ground/groundwater contamination, filled ground and/or ground gas is found to present unacceptable risks, a detailed scheme of risk management measures shall be designed and submitted to the Local Planning Authority for approval. The site shall be remediated in accordance with the approved measures and a verification report shall be submitted to and approved by the Local Planning Authority.

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

- (5) Any demolition and construction works shall be undertaken in accordance with the Construction Environmental Management Plan, dated 26 November 2018, or as updated, and agreed in writing with the Local Planning Authority.

Reason: To ensure the safe operation of the development both during the demolition and throughout the construction phase of the development.

- (6) The proposed development shall be carried out in accordance with the recommendations of the Bat Assessment Survey of Buildings and Trees and Bat Activity Survey, dated August 2018 and the Preliminary Ecological Appraisal, dated August 2018. In addition, integrated bat boxes and swift bricks shall be installed on the proposed buildings, to enhance the biodiversity interest of the site. The boxes and bricks shall be installed prior to the occupation of the development hereby approved and thereafter maintained.

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

- (7) No development, other than demolition, shall commence until a scheme of hard and soft landscaping has been submitted to the Local Planning Authority for approval, which shall include indications of all existing trees on the land, and details of any to be

retained, together with measures for their protection, in the course of development. The scheme shall indicate the location and species of plants and trees to be planted on the site. The approved scheme shall be implemented so that planting can be carried out during the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees of planted removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the tree(s) receive the appropriate treatment and that the tree work is of a satisfactory standard to protect amenity in accordance with Policies CS1 and CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

- (8) No development shall 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 development shall be carried out in accordance with the agreed details 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. Within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit, without the prior written consent of the local planning authority. The fencing shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

- (9) The development hereby permitted (excluding demolition) shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDs, NPPF and Ministerial Statement on SuDS. The required drainage shall include:

- a) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change), storm events, during all stages of the development (Pre, Post and during), associated discharge rates and storages volumes shall be provided using a Greenfield discharge rate of 2.5l/s (as per the SuDs pro-forma or otherwise as agreed by the LPA)
- b) 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.)
- c) 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
- d) Details of drainage management responsibilities and maintenance regimes for the drainage system
- e) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase floor risk on or off site

- (10) Prior to first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDs.

- (11) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason: There is always the potential for unexpected to be identified during development groundworks. We should be consulted should any contamination by identified that could present an unacceptable risk to Controlled Waters (the site is located over a Secondary Aquifer, within SPZ3 and adjacent to the Hogsmill River).

- (12) Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express 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 resultant unacceptable risk to the Controlled Waters. The development shall be carried out in accordance with the approved details.**

Reason: Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

- (13) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express 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 resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.**

Reason: The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling of other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites.' We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.

- (14) No development shall take place until a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by, the local planning authority. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:**
- Details of maintenance regimes**
 - Details of any new habitat created on site and/or buffers around water bodies**

- **Details of management responsibilities**

Reason: To ensure that the wildlife areas are protected and managed appropriately. Also, to secure opportunities for enhancing the site's nature conservation value in line with national planning policy and adopted Policy DM4 in the Development Management Policies Document (2015) of the Epsom and Ewell Local Plan.

- (15) Prior to the occupation of the development a Travel Plan Statement shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework. And then the approved Travel Plan Statement shall be implemented prior to occupation and, thereafter maintain and develop the Travel Plan Statement to the satisfaction of the Local Planning Authority, to include:**
- (a) Details of the secure, covered and step-free provision of parking for bicycles within the development at ground floor, for staff, residents and visitors,**
 - (b) Details of access and availability to electric vehicle charge points within the site,**
 - (c) Contact details of the Travel Plan Statement coordinator, and**
 - (d) Information pack to be appended to submitted Travel Plan Statement, to include information being provided to residents / staff / visitors regarding the availability of and whereabouts of local public transport / walking / cycling / car sharing clubs / car clubs**

Reason: required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2018

- (16) The development hereby approved shall not be occupied unless and until at least nine of the available parking spaces are provided with electric charging points in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.**

Reason: required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2018

- (17) (a) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans to be submitted to and approved in writing by the Local Planning Authority for vehicles to be parked and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / loading and unloading / turning] area(s) shall be retained and maintained for their designated purpose.**

(b) The existing vehicle and turning courtyard area at the premises (as shown on the application drawings) shall be permanently retained and maintained for the designated purpose.

Reason: required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

- (18) No development shall commence until a Construction Transport Management Plan has been submitted to and approved by the Local Planning Authority, 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 (see restricted vehicle movement hours below);**
 - (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) HGV movements to or from the site shall not take place between the hours of 8.00 to 9.15 am and 4.45 to 6.00 pm only nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Meadow Walk and Kingston Road during these times,**
 - (k) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.**

Reason: required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

- (19) The development hereby approved shall not be first occupied unless and until management arrangements are in place to facilitate deliveries and waste collection within the site, details to include:**
- (a) The types of vehicles to be used and hours of their operation;**
 - (b) The design of loading/delivery areas within the development site;**
 - (c) The dimensions and layout of loading area(s) and turning space(s) and how these will be kept clear of non-service related vehicles,**
 - (d) Management of loading bay and turning area to ensure service vehicles can enter and exit the site in forward gear;**
 - (e) Details of management of service vehicle access and loading area within the site when an emergency response vehicle is on-site and;**

(f) Details on how service and waste collection vehicles will be undertaken in relation to the car park entry control mechanism, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be implemented.

Reason: required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

(20) The development hereby approved shall not be first occupied unless and until management arrangements are in place for the management of general car parking provision are outlined within the site, to include details of:

(a) How the car parking spaces will be designated, assigned and managed for staff, residents, visitors, Blue Badge Holders and Electric Vehicles, to ensure car parking does not take place on the public highway,

(b) Contact details of who will be responsible for the car park management plan and day to day access operations

(c) Details on how the car park access control proposals will operate, in particular at times when unloading/ loading and waste collection is taking place,

(d) Details on how cyclists will be restricted from accessing the car park ramp (due to its steep gradient), and

(e) Details on how the height restriction will be managed to ensure oversized vehicles do not access the vehicle ramp on entry to the basement car park,

have been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be implemented.

Reason: required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

(21) No operations involving the bulk movement of earthworks materials to or from the development site shall commence unless and until facilities have be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority to so far as is reasonably practicable prevent the creation of dangerous conditions for road users on the public highway. The approved scheme shall thereafter be retained and used whenever the said operations are undertaken.

Reason: required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

(22) Details of any external plant or machinery (including to mechanical ventilation systems) shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The

development shall proceed only in accordance with those approved details.

Reason: To protect the occupants of nearby residential properties from noise disturbance in accordance with Policy DM10 of the Development Management Policies 2015.

- (23) Prior to the first occupation, an external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved scheme before the occupation and retained thereafter, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to safeguard the amenities of the occupiers of neighbouring properties, visual amenity and to mitigate impacts on ecology in accordance with Policy CS3, CS5 of the Core Strategy (2007) and Policies DM4, DM9 and DM10 of the Development Management Policies 2015.

- (24) Sample panels of all of the external materials demonstrating the colour, texture, face bond and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.

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

Informatives:

- (1) In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.
- (2) If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.
- (3) If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will

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11 April 2019

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require proof of surface water treatment to achieve water quality standards.