

Ward:	Woodcote Ward
Site:	Woodcote Grove, Ashley Road, Epsom, Surrey, KT18 5BW
Application for	Demolition of existing office buildings and redevelopment of Application Site to provide 98 apartments/dwellings, including conversion of the Grade II* Listed Woodcote Grove and Grade II Listed Stable Block, with parking, access, landscaping and other associated works
Contact Officer:	Ginny Johnson

## 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/simpleSearchResults.do?action=firstPage>

## 2 Summary

- 2.1 The application was presented to Planning Committee on 23 July 2020 with an Officer's recommendation for approval. Planning Committee deferred the application on the basis that it required further information on a range of matters, including:
- Block A
  - Block F
  - Density
  - Housing Mix
  - Private amenity space, including details of children's play area
  - Heritage
  - Highways and car parking
  - Affordable housing
  - Trees.
- 2.2 The Applicant has prepared additional information, which was subject to formal consultation.
- 2.3 The application proposes 98 apartments/dwellings, including the conversion of Grade II\* listed Woodcote Grove (otherwise referred to as "Mansion House") and Grade II listed Stable Block, with parking, access, landscaping and other associated works, following the demolition of the existing reprographics centre and conference centre. The proposed development is a distillation of extensive engagement between the Applicant, Officers and Statutory Consultees and technical work undertaken by the Applicant team.
- 2.4 The proposed scheme is considered to viably offer eight affordable units, at the proposed tenure mix of seven shared ownership and one social rented unit. These are proposed within Building A (otherwise referred to as "Block A"). The development appraisal shows that the scheme produces a surplus of £15,950, agreed as a payment in-lieu.

- 2.5 90 car parking spaces would be provided at the Site, of these 9 are disability spaces. In addition, there would be 122 cycling spaces. The Local Planning Authority's car parking standard require 101 car parking spaces for the development.
- 2.6 The refurbishment and conversion of the Grade II\* listed Woodcote Grove and Grade II listed Stable Block to residential use is considered acceptable in principle. The internal refurbishment is considered acceptable and the exterior alterations are considered to preserve the special historic interest of the buildings.
- 2.7 The proposal seeks a coherent layout that opens up the link between the two listed buildings, achieved through the orientation of new buildings, sensitive design and careful landscaping. The architectural character of the development is considered to respond to the Site's surroundings, but with a more contemporary and sustainable context.
- 2.8 The proposed new building (Block F) adjacent to the Grade II\* listed Woodcote Grove would replace the former Atkins office building. It was initially envisaged as part of an earlier development that the existing office building would be removed from the Site to improve the setting of the Grade II\* Woodcote Grove. However, the Local Planning Authority's severe housing land supply deficit and the requirements of the National Planning Policy Framework ("NPPF", or the "Framework") mean that all sites should be considered for optimisation. The design of Block F is considered acceptable, subject to details and finishes being secured by Condition, subject to planning permission being granted. It is established that retaining a building in this location would have a less than substantial harm. This harm must be weighed against the public benefits of the scheme, which are considered wide ranging in this case.
- 2.9 When employing the presumption in favour of sustainable development, the adverse impacts of this development are not held to significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework.

### **3 Site description**

- 3.1 The Application Site ("Site") measures 1.29 hectares in size and comprises five buildings, including a Grade II\* and Grade II listed building.
- 3.2 The Site presently forms part of the wider Atkins campus. Planning permission was granted on 26 January 2015, under application ref: 14/01150/FUL, for a new office building. This is located immediately adjacent to this Site in question. Due to the new office building, which is nearing completion, the buildings located on this Site, are considered surplus to requirements. In essence, Atkins has consolidated its office requirements on the adjacent Site.
- 3.3 The Site is immediately bound by the Atkins Office building and its associated car park to the north. It is bound by woodland to the east (falling within the Green Belt) and by a wall to the south and west.
- 3.4 To the south of the Site is Chalk Lane, which comprises a hotel (benefiting from planning permission to accommodate 21 dwelling units, application ref: 17/01275/FUL), residential properties and a pub. To the north-west of the Site is Worple Road, which typically comprises residential properties. The Site is located approximately 1.8 kilometres from Epsom town centre.
- 3.5 The Site is currently accessed from Ashley Road, to the north-east, which falls within the Green Belt. The proposal seeks an underground car park (beneath proposed Block F), which is accessed via the existing access off Ashley Road. The proposal also seeks a new vehicular access along Chalk Lane.

- 3.6 The Site is designated as a Built up Area and is within the Chalk Lane Conservation Area. As above, the Site comprises a Grade II\* and Grade II listed building and a wall. In accordance with Historic England's records, the wall surrounding the Site is not independently listed.
- 3.7 The surrounding area also comprises the following listed buildings:
- Chalk Lane Hotel. Grade II listed.
  - Maidstone House. Grade II listed.
  - 2, 4, 5, 6, 8, 10, 12 and 14 Chalk Lane. Grade II listed.
  - Woodcote Green House. Grade II\* listed.
  - South East Boundary Wall to Woodcote Mews. Grade II listed.
  - South East Boundary Wall to 1 Woodcote Mews. Grade II listed.
- 3.8 The Site is located within a sustainable location:
- The nearest bus stops are on Ashley Road, approximately 0.2 miles from the Site (approximately three minute walk), with buses travelling towards Tadworth and Crawley, to the south-east
  - Epsom train station is located approximately 1.3 kilometres to the north of the Site (approximately 18 minute walk)
  - Epsom Downs train station is located approximately 3.2 kilometres to the east of the Site (approximately 40 minute walk)
  - Tattenham Corner is located approximately 3.2 kilometres to the south-east of the Site (approximately 35 minute walk)
- 3.9 The Site is located within Flood Zone 1 (low probability of flooding).
- 3.10 Descriptions and details of the five existing buildings at the Site are provided below:

*Woodcote Grove*

Woodcote Grove (otherwise referred to as "Mansion House") is a Grade II\* listed building. It is four storeys in height, including a basement and attic and comprises office floor space.

*Stable Block*

The Stable Block is a Grade II listed building. It is two storeys in height and comprises office floor space.

*Atkins office building*

The Atkins office building is four storeys in height and comprises office floor space. This building is in the process of being demolished.

Planning permission was granted on 26.01.2015, under ref: 14/01150/FUL, for a new office building at W S Atkins Ltd, Woodcote Grove. The formal description of development is as follows:

*Proposed new office building (use class B1) of 9924m GIA with associated revised access and parking, demolition of existing blocks A, B and C with the reinstatement of land and landscaping of site*

Condition 3 of planning permission ref: 14/01150/FUL sets out that the existing office blocks shall be demolished and resultant material removed from the Site within 6 months of first occupation of the new building. The Atkins office building identified within this application in question, is an office block required to be demolished under ref: 14/01150/FUL.

*Conference centre*

The conference centre is a single-storey building, used for conferences and as a canteen.

*Print room*

This is single-storey building, in use for printing services.

#### **4 Proposal**

- 4.1 The Site presently forms part of the wider Atkins campus, but is considered surplus to requirements, since Atkins consolidated its office requirements under application ref: 14/01150/FUL, granted on 26.01.2015. This adjacent office building, approved under ref: 14/01150/FUL, is nearing completion.
- 4.2 The proposal seeks to demolish the existing office buildings and redevelop the Site to provide 98 flats/dwellings. The below paragraphs set out further information regarding this proposal.
- 4.3 As above, planning permission was granted in 2015 under application ref: 14/01150/FUL, for a new office building at W S Atkins Ltd, Woodcote Grove. Condition 3 of this planning permission required existing office blocks to be demolished within 6 months of first occupation of the new building. The four storey Atkins office block (located at the south-eastern part of this Site in question) was identified for removal. This building is being demolished and it is proposed to be replaced with residential accommodation (proposed Block F).
- 4.4 The proposal includes the conversion of the Grade II\* listed building Woodcote Grove and Grade II listed Stable Block to residential use. Parking, access, landscaping and other associated works are also proposed.
- 4.5 A Listed Building Consent application was submitted in tandem with this application, under ref: 19/00998/LBA. This was also deferred by Planning Committee on 23 July 2020.
- 4.6 The following development is proposed:  
Building A (otherwise referred to as "Block A") (plots 1-8)
- 4.7 The existing print room, proposed to be demolished, measures 4 metres in height, from the surrounding courtyard. Building A is proposed in this location.
- 4.8 The general height of Building A is 8.275 metres, measured from surrounding site level (the existing ground level has been excavated by 500mm as part of the proposed development).

- 4.9 Building A is located at the north-western end of the Site. This comprises an irregular shape and is two storeys in height, with an eaves height of 63.55 metres AOD and a ridge height of 66.44 metres AOD. This building would provide eight flats: four flats at ground floor level and four at first floor level. The below table provides a breakdown of the housing mix for Building A:

Building A			
Floor	2B4P	3B5P	Total
Ground Floor	3	1	4
First Floor	3	1	4
Total	6	2	8

Stable Block (otherwise referred to as “Building B”) (plots 9-12)

- 4.10 Building B seeks the conversion of the Grade II listed Stable Block to residential use. This building seeks the provision of four flats: two flats at ground floor level and two flats at first floor level. The below table provides a breakdown of the housing mix for Building B:

Building B	
Floor	1B2P
Ground Floor	2
First Floor	2
Total	4

Buildings C and D (otherwise referred to as “terraces” or “houses”) (plots 13-26)

- 4.11 The existing conference building, proposed to be demolished, measures 6.02 metres in height, measured from ground level to roof apex.
- 4.12 Buildings C and D are two identical rows of terraces. Each row comprises seven dwellings, totalling 14 dwellings in total. These comprise two-bedroom, four person houses.
- 4.13 The general building height for proposed Buildings C and D is 8.2 metres. Building C is two-storeys in height, with an eaves height of 64.27 metres (AOD) and a ridge height of 66.8metres (AOD). Building D is two-storeys in height, with an eaves height of 64.05metres (AOD) and a ridge height of 66.94metres (AOD).

Building C and D		
Building	C	D
2 storey House (2B4P)	7	7
Total	7	7

Woodcote Grove (otherwise referred to as “Mansion House” or “Building E”) (plots 27-22)

- 4.14 Building E seeks the conversion of the Grade II\* listed Woodcote Grove. This seeks the provision of seven flats:

Building E					
Floor	1B2P	2B4P	3B5P	3B6P	Total
Basement			2		2
Ground Floor	1	1			2
First Floor		1	1(DUPLEX)	1(DUPLEX)	3
Second Floor					
Total					7

Block F (otherwise referred to as “Building F” (plots 34-98)

- 4.16 Block F is a new build, replacing the existing office building at the south-eastern end of the Site. This comprises a basement, with a vehicular access ramp leading to Ashley Road. This building seeks the provision of 65 flats.
- 4.17 The height of the existing office building is as follows:
- 11.8 metres to ridge (measured from Garden Square level)
  - 15.2 metres to top of lift overrun (from Garden Square level)
- 4.18 The proposed general building height of Block F is 15.4 metres (from Garden Square level to ridge).
- 4.19 The below table provides a breakdown of the housing mix for Building F:

Building F					Finished Floor Level (FFL)
Floor	1B2P	2B3P	2B4P	Total	FFL (AOD)
Ground Floor	6	1	7	14	59.63 (AOD)
First Floor	4	5	7	16	62.63 (AOD)
Second Floor	4	5	7	16	65.63 (AOD)
Third Floor	6	1	6	13	68.63 (AOD)

Fourth Floor	2	2	2	6	71.63 (AOD)
Total	22	14	29	65	Ridge: 74.88 (AOD)

4.20 The proposed basement of Block F comprises 61 car parking spaces, 8 disabled spaces, totalling 69 car parking spaces. It also comprises 4 motorcycle spaces.

## 5 Comments from third parties

5.1 The application was advertised by means of letters of notification to 126 neighbouring properties. 89 letters of objection were initially received regarding:

- Principle of development
- Density, massing and design
- Adverse visual impact
- Adverse impact on historical significance of listed buildings, wall and the character of Conservation Area
- Impact on neighbouring amenities
- Loss of light/overbearing
- Loss of outlook
- Noise
- Traffic/Parking implications
- Flood risk
- Ecology and biodiversity
- Green Belt
- A response from Woodcote (Epsom) Residents' Society was received, regarding (inter alia) proposed Block F, traffic and parking impact, lack of affordable housing units and new pedestrian gateway within the wall
- A response from Epsom Civic society was received, regarding (inter alia) the principle of Block F, the height, massing and design of Block F, the proposed buildings do not compliment the listed buildings and Conservation Area, the pedestrian access into the wall, vehicular access from Chalk Lane, lack of car parking, emergency access to the Site, potential construction works and refuse.
- A response from the Jockey Club was received. The comments are references and addressed within this report
- A response from The Durdans Stables was received, regarding the secondary route and emergency access at Chalk Lane

5.2 A Site Notice was displayed and the application was advertised in the local paper.

### Update

5.3 Following deferral by Planning Committee on 23 July 2020, the Applicant prepared additional information. The Local Planning Authority re-consulted accordingly (21 days) and a Site Notice was displayed and the application was advertised in the local paper. 161 letters of objection have been received regarding:

- The amended proposal is not materially different from the application deferred at Planning Committee
- Principle of development
- Residential provision (need for housing)
- Density, massing and design
- Accommodation mix

- Affordable housing/viability
  - Adverse visual impact
  - Adverse impact on historical significance of listed buildings, wall and the character of Conservation Area
  - Private amenity space
  - Loss of light/overbearing
  - Noise
  - Traffic/parking implications (too few car parking spaces proposed)
  - Flood risk
  - Ecology and biodiversity (wildflower)
  - Sustainability, environment, climate change
- A response from Woodcote (Epsom) Residents' Society was received, regarding (inter alia) density, housing mix, private amenity space, impact of Block F on Mansion House, inadequate car parking provision and implications of overspill parking.
  - A response from Epsom Civic society was received, regarding (inter alia) the Site's planning history and the principle of Block F, the impact of Block F on Mansion House and the impact of development on Conservation Area. Objection to proposed highways junction improvements and construction access, density, housing mix and private amenity space.
  - A response on behalf of The Board at Sandown Lodge Estate, regarding principle of development, impact of development on character of area, density, affordable housing, Block F and traffic implications.

## 6 Consultations

6.1 The following consultees were consulted on the application. Following deferral at Planning Committee in July 2020, the applicant prepared additional information. The 'updated responses' relate to the latest replies received by consultees.

- Thames Water (02.09.2019): No objection, informative recommended
- Natural England (06.03.2020): No comments to make
  - Natural England **updated response** (14.08.2020): No additional comments
- The Georgian Group (20.09.2019): Does not wish to formally comment
- The Victorian Society (24.09.2019): No comments to make
  - The Victorian Society **updated response** (18.08.2020): No additional comments
- Ecology (09.10.2019): No Objection, subject to conditions
  - Ecology **updated response** (07.09.2020): No objection. Request updated recommendations section of report.
- SCC Archaeology (20.02.2020): No Objection, subject to conditions
  - SCC Archaeology **updated response** (19.08.2020): No additional comments



- SCC Local Lead Floor Authority (LLFA) (03.03.2020): No objection, subject to conditions and Informatives
  - SCC LLFA **updated response** (01.09.2020): No objection, subject to conditions and Informatives
- Environmental Agency (03.03.2020): No Objection, subject to conditions
  - Environmental Agency **updated response** (10.08.2020): No additional comments
- Historic England (18.03.2020): No objection
  - Historic England **updated response** (28.08.2020): do not wish to offer any comments. Letter of 18.03.2020 represents HE's substantive response
- Contaminated Land (23.03.2020): No Objection, subject to conditions
- Arboricultural (30.06.2020): Conditions proposed to enable development to proceed
- SCC Highways (18.05.2020): No objection, subject to S106 Obligations and conditions
  - SCC Highways **updated response** (02.09.2020): No objection, subject to S106 Obligations and conditions
- Fire & Rescue (14.04.2020): No objection, subject to Informatives
  - Fire & Rescue **updated response** (01.09.2020): No objection, subject to Informatives
- EEBC Transport and Waste: (14.04.2020) Objection, but condition recommended
  - EEBC Transport and Waste **updated response** (02.09.2020): arrangements for waste and recycling collections not having changed. Objection.
- Design and Conservation Officer (16.04.2020): No objection, subject to conditions
  - Design and Conservation Officer **updated response** (01.09.2020): No objection. Queried road junction improvements and impact on integrity Conservation Area. Officers advised that this is in relation to highways works.
- Environment Health: no objection, subject to condition
- The Ancient Monuments Society: no response received
- The Council for British Archaeology: no response received
- The Twentieth Century Society: no response received.

## 7 Relevant planning history

The below table sets out principle recent and relevant planning history relating to the Application Site and the adjacent (W S Atkins Ltd, Woodcote Grove) Site. For clarity, it does not include minor full planning applications, approval of non-material amendment applications, approval of details applications or tree applications.

Application number	Decision date	Application detail	Decision
18/01009/REM	Granted	Application to vary Condition 27 of planning permission 14/01150/FUL as varied by planning permission 15/01097/REM and planning permission 16/01591/REM to enable a final plant solution to be implemented	15.02.2019
16/01591/REM	Granted	Variation of Condition 27 of planning application reference: 14/01150/FUL and 15/01097/REM to enable the erection of a fixed guard railing to the main office building	28.04.2017
15/01097/REM	Granted	Variation of Conditions 2 (Phasing), 5 (Materials), 9 (Construction traffic management plan) and 13 (Soft landscaping) of planning permission 14/01150/FUL. Changes to the wording of the conditions is required to revise the overall phasing of the development and to allow some conditions to be discharged in a phased manner	14.12.2015
14/01150/FUL	Granted	Proposed new office building (use class B1) of 9924m GIA with associated revised access and parking, demolition of existing blocks A, B and C with the reinstatement of land and landscaping of site	26.01.2015

## 8 Planning Policy

*National Policy Planning Framework (NPPF) 2019*

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 13	Protecting Green Belt Land

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*

CS2 Conserving and Enhancing Open Space and Landscape Character

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)*

DM1 Extent of the Green Belt

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)*

*Chalk Lane Conservation Area Character Appraisal and Management Proposals (August 2010)*

*Parking Standards for Residential Development Supplementary Planning Document (2015)*

## 9 Update

- 9.1 The planning application was presented at Planning Committee on 23 July 2020, with an Officer's recommendation for approval. This was deferred by Members, who requested additional information to enable an informed decision.
- 9.2 The applicant prepared additional information, including an amended planning statement (titled 'additional information in support of the proposed development at Woodcote Grove, Epsom'). The below is a link to the document:

[http://eplanning.epsom-ewell.gov.uk/online-applications/files/4B2DE561A17AA1EA3D72F67908130039/pdf/19\\_00999\\_FUL-Planning\\_Statement-1125144.pdf](http://eplanning.epsom-ewell.gov.uk/online-applications/files/4B2DE561A17AA1EA3D72F67908130039/pdf/19_00999_FUL-Planning_Statement-1125144.pdf)

- 9.3 The following material planning considerations formed part of the Members discussion at Planning Committee. Below is a brief summary of the discussions' main points, with each area reviewed in more detail within the relevant sections of this report.

Block F (reviewed at paragraphs 10.16 – 10.24)

- Queries relating to the principle of a building in its location within the Site

Density and Heritage (reviewed at paragraphs 15.89 – 15.96)

- The development was considered too dense
- Queries regarding whether the scheme would improve the setting of the Site's listed buildings and whether there would be wider public benefits as a result of the scheme
- Queries regarding what weight should be attributed to Historic England's formal response

Housing Mix (reviewed at paragraphs 13.13 – 13.22)

- The development is not policy compliant in relation to housing mix, specifically lacking 3 bedroom family units

Private amenity space, including details of playground (reviewed at paragraphs 14.9 – 14.20)

- The development was not considered to provide sufficient private amenity space
- There was a lack of detail of the proposed children's play area.

Block A (reviewed at paragraphs 15.59 – 15.63)

- Concerns regarding the impact of the height, massing and design of Block A on the character of the listed Stable Block.

Highways impact and car parking (reviewed at paragraphs 18.52 – 18.71)

- The development is not policy compliant in terms of car parking provision
- Concerns that the proposed car club is not on-site
- Queries relating to how far the Site is from nearby public transport nodes (reviewed at paragraph 3.8)

Affordable housing (reviewed at paragraphs 13.13 – 13.22)

- Queries regarding mix of affordable housing
- Queries regarding review mechanism

Trees and landscaping (reviewed at paragraphs 20.43 – 20.48)

- Concerns regarding potential impact on trees

## 10 Planning considerations

- Principle of Proposed development
- Residential provision
- Green Belt
- Affordable Housing
- Quality of Accommodation
- Design and Heritage
- Visual Impact
- Neighbouring Amenity
- Air Quality
- Highways and Parking
- Refuse and Recycling
- Trees and Landscaping
- Ecology
- Flood Risk and Drainage
- Archaeology
- Contamination
- Sustainability
- Legal Agreements

### Principle of proposed development

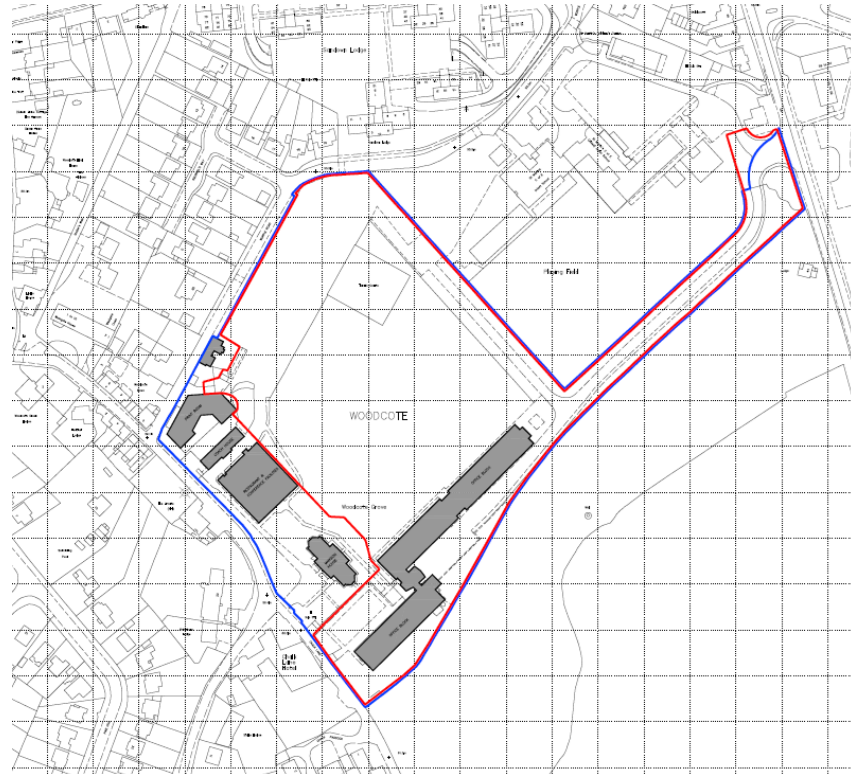
10.1 The key principles to consider for this application are:

- i. Presumption in favour of sustainable development
- ii. Loss of employment uses
- iii. Heritage

### *Presumption in favour of sustainable development*

10.2 The NPPF is a key consideration in relation to this application and is a material consideration. It states that the purpose of the planning system is to contribute to the achievement of sustainable development.

- 10.3 The Site is located within the built up area of the Borough. The existing access road partly falls within the Green Belt. It does not affect any other assets of particular importance, including SSSI, AONB or any European or National ecological designations. These designations would be given additional weight by the NPPF. When considering the principle of development, the presumption in favour of sustainable development is fundamental, in this case.
- 10.4 The proposal does affect the setting of listed buildings and a Conservation Area. These designated heritage assets do not disengage the presumption in favour of sustainable development (footnote 6 of paragraph 11, NPPF). But, it does require the decision maker to balance any harm to these assets against the public benefits of the scheme.
- 10.5 In accordance with paragraph 12 of the NPPF, development proposals that accord with an up to date Development Plan should be approved and where a planning application conflicts with an up to date Development Plan, planning permission should not usually be granted.
- 10.6 Development policies are regarded as being out of date where a Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites or where the housing delivery test indicates that the delivery of housing was substantially below the housing requirement over the previous three years (paragraph 11d and footnote 7 of the NPPF). Existing policies should not be considered out of date simply because they were adopted or made prior to the publication of the 2018 NPPF or its reissue in 2019. Due weight should be given to existing policies according to their degree of consistency with the policies of the NPPF (paragraph 213). The NPPF is therefore an important material consideration that may over-ride Development Plan policies that were adopted prior to the publication of the NPPF and which are not consistent with it.
- 10.7 Policy CS7 of the Core Strategy is considered out of date under the terms of the NPPF. The housing target of 188 dwellings per annum was taken from the South East Plan, which was revoked in 2012, with housing requirements then to be determined by local need. The Core Strategy pre-dates the NPPF and in accordance with paragraph 213 of the NPPF, the policies of the Core Strategy should be given due weight according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given). In the case of old housing targets within Policy CS7, no weight should be given.
- 10.8 The Government's standard method for calculating the Borough's assessed housing need identifies a housing requirement of 579 new homes each year. In the absence of a five year housing land supply, this has been increased to 695 under the housing delivery test, as published on 13 February 2020. The Local Planning Authority is presently falling significantly short of this requirement and cannot presently demonstrate five years housing land supply.
- 10.9 Paragraph 11d of the NPPF is engaged via footnote 7 in circumstances where Local Planning Authorities cannot demonstrate a five year housing land supply. The practical application and consequence of this is that unless a site is located in an area or involves an asset of particular importance that provides a clear reason for refusal, then planning permission must be granted, unless it can be demonstrated that any adverse impacts demonstrable outweigh the benefits, when assessed against the NPPF as a whole.
- 10.10 Turning to this application, it is noted that planning permission was granted on 26.01.2015 for a new office, associated access and parking, under ref: 14/01150/FUL, at W S Atkins Ltd, Woodcote Grove. The Site Location Plan for application ref: 14/01150/FUL includes the "Atkins office building" that is identified for redevelopment within this pending application. This is located at the south-eastern corner of this Site.
- 10.11 For clarity, the below provides a screenshot of the Site Location Plan, attached to planning application ref: 14/01150/FUL (WDGR-ATK-00-00-DR-A-1000 Rev P2 – Location Plan – dated 09.09.14)



- 10.12 Condition 3 of planning permission ref: 14/01150/FUL sets out that the existing office blocks shall be demolished and resultant material removed from the site within 6 months of first occupation of new the new building. The reason for this was to ensure that the development does not adversely impact on visual amenity or the setting of Woodcote Grove (the Grade II\* listed building). For clarity, the Condition wording is provided below:

*The existing office blocks shall be demolished and resultant material removed from the site within 6 months of first occupation of new building and the grass bank and soft landscaping shall be reinstated in accordance with the Landscape Masterplan Drawing Number WDGR-ATK-XX-XX-SK-A-0001 (dated 2014-12-19).*

*Reason: To ensure the development does not have any adverse impact on visual amenity or the setting of the listed building in accordance with Policies BE1 and DC1 of the Epsom and Ewell District Wide Local Plan (May 2000), Policy CS5 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies submission document (November 2014).*

- 10.13 The accompanying Planning Statement sets out at paragraph 6.8 that this Site, subject to this application, is surplus to requirements, given that Atkins has consolidated its office requirements under application ref: 14/01150/FUL. The planning permission at Atkins is key to consider as part of this application, as it presents an opportunity to optimise this Site for new residential development. The NPPF encourages optimising the potential of sites to accommodate and sustain an appropriate amount and mix of development.
- 10.14 The purpose of the planning system is to contribute to the achievement of sustainable development. This Site comprises two listed buildings and it is in a Conservation Area, so the decision maker must balance any harm to these assets against the public benefits of the scheme.

- 10.15 This application is considered to provide an opportunity to optimise the Site for residential development. As assessed within this report, the adverse impacts of this development are not held to significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework.

### Update

- 10.16 At Planning Committee, queries were raised about the principle of Block F, given that this area of land was required to be landscaped, as part of application ref: 14/01150/FUL.
- 10.17 Concerns have been raised by nearby residents regarding the principle of development at this part of the Site. Representation refers to landscaping conditions that has been discharged (15/01392/COND and 18/01381/COND). A representation encloses a report, dated 12 May 1959, by the Ministry of Housing and Local Government, confirming that an appeal is allowed at the Application Site. Representation is considered under the Officer's response below.

#### *Applicant's response*

- 10.18 The updated planning statement references the planning history of the Site, but, it does not provide reference to the principle of development.

#### *Officer's response*

- 10.19 A representation received has enclosed a report, dated 12 May 1959, by the Ministry of Housing and Local Government, confirming that an appeal was allowed at the Application Site. Local planning policy has significantly changed since 1959 and this appeal bears little weight in the consideration of this application.
- 10.20 Subject to planning permission being granted, this application, if implemented, would override the requirement of part of the Site to be reinstated to landscaping, as required by application ref: 14/01150/FUL. For the avoidance of doubt, this would also override Conditions that have been discharged relating to landscaping of this area.
- 10.21 This Site is considered surplus to requirements, since Atkins has consolidated its office requirements at the adjacent Site. This provides an opportunity to re-develop this Site, in line with the NPPF, which seeks site optimisation. Block F would provide residential flats, each with private amenity space, which is a scheme benefit, weighing positively in the planning balance, specifically given that the Local Planning Authority cannot demonstrate a five year housing land supply.
- 10.22 In the updated planning statement, the Applicant highlights that the proposal seeks to rebuild on a section of the Site, where the former office building was located. This is illustrated on supporting drawing 1.04 of Appendix 1, which shows that the footprint of proposed Block F is smaller than the former office building.
- 10.23 The design of Block F and its relationship to the Grade II\* listed building is considered acceptable. Its design had been improved during the application's determination period, in response to Historic England's initial comments. Significant weight should be given to Historic England's comments and in this case, in its updated response, dated 18 March 2020, Historic England acknowledged that the scale of Block F had been reduced, which decreases the prominence of this building in key views of Woodcote Grove and thus also the harm to the Grade II\* listed building. The Local Planning Authority's Design and Conservation Officer sets out that the design alterations to Block F significantly reduces its dominance on the Site and its massing should no longer compete with the listed building.



- 10.24 In summary, the Site is considered surplus to requirements, with an opportunity for redevelopment and optimisation, as required by the NPPF. Block F is proposed in a location that should be reinstated to landscaping as part of a previous application, but, given that it proposes much needed residential flats and comprises an acceptable design that would not adversely impact the adjacent listed building, it is considered acceptable and appropriate.

Loss of employment uses

- 10.25 Chapter 6 of the NPPF relates to building a strong, competitive economy. Paragraph 80 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.
- 10.26 Paragraph 82 sets out that planning decisions should recognise and address the specific locational requirements This includes making provision for clusters or networks knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of different sectors.
- 10.27 Policy DM24 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 and 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.
- 10.28 Policy DM24 further states that where the loss of existing employment floor space can be demonstrated, new mixed-use redevelopment will be allowed if the development provides for a mix of uses, including a significance element of employment generating uses.
- 10.29 As detailed in the above section, planning permission was granted on 26.01.2015 for a new office, associated access and parking, under ref: 14/01150/FUL, at W S Atkins Ltd, Woodcote Grove. The Site Location Plan for application ref: 14/01150/FUL includes the "Atkins office building", which is identified for redevelopment within this pending application.
- 10.30 Condition 3 of planning permission ref: 14/01150/FUL sets out that the existing office blocks shall be demolished and resultant material removed from the site within 6 months of first occupation of new the new building. The reason for this was to ensure that the development does not adversely impact on visual amenity or the setting of the Grade II\* listed Woodcote Grove. As set out in the accompanying Planning Statement, this Site (identified in this application) is surplus to requirements, given that Atkins has consolidated its office requirements under application ref: 14/01150/FUL. Officers also note that development has commenced at the adjacent site and understand that this is nearing completion.
- 10.31 The large office building is being demolished and proposed as residential accommodation within this application, as Block F. Given that the office use is being re-provided at the adjacent Atkins site and that this building is required to be demolished as part of application ref: 14/01150/FUL, Officers are satisfied with the loss of employment use within this building.
- 10.32 Woodcote Grove is a Grade II\* listed building and given its constraints as a historic building, its commercial space is considered too constrained for most office occupiers. The other buildings on the Site are considered to comprise ancillary office accommodation and during site visits undertaken by Officers, it was noted that these buildings were vacant.

- 10.33 Whilst the Site has not been marketed for a minimum period of 18 months, in line with the requirements of DM24, it is accepted that the buildings are no longer suitable for employment uses and have been adequately replaced. The proposal presents an opportunity to redevelop the Site and to provide residential accommodation, especially given that the Local Planning Authority cannot demonstrate a five-year housing land supply.
- 10.34 In summary, the loss of employment space at the Site is considered acceptable, given that the Site is considered surplus to requirements as Atkins has consolidated its office accommodation on the adjacent Site. Furthermore, the commercial space within the Listed buildings on this Site is likely to be considered too constrained for most office occupiers.

### Heritage

- 10.35 A separate Listed Building Consent application (ref: 19/00998/LBA) has been submitted in tandem with this application.
- 10.36 The refurbishment and conversion of the Grade II\* listed Woodcote Grove and Grade II listed Stable Block to residential use is considered acceptable in principle. The internal refurbishment is considered acceptable and the exterior alterations are considered to preserve the special historic interest of the buildings.
- 10.37 The proposal seeks a coherent layout that opens up the link between the two listed buildings, achieved through sensitive design, the orientation of new buildings and careful landscaping. The architectural character of the development is considered to respond to the Site's surroundings, but with a more contemporary and sustainable context.
- 10.38 The proposed development is considered to deliver an optimum viable use for the listed Buildings, helping to secure their longer-term future. The proposed adaptations and alterations are considered suitably sensitive, preserving the special historical and architectural character of these buildings and their setting.
- 10.39 In summary, the proposal presents an opportunity to enhance the listed buildings on the Site and the Conservation Area.

## **11 Provision of residential development**

- 11.1 Chapter 5 of the NPPF relates to delivering a sufficient supply of homes. Paragraph 59 sets out that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 11.2 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.
- 11.3 Policy CS8 sets out that new housing development will be located within the defined built up area of Epsom and Ewell. Within these areas the emphasis will be on the re-use or conversion of existing buildings for housing. In principle, higher density development is directed to central locations, such as Epsom town centre and other local centres, close to existing services and facilities and accessible by public transport, walking and cycling. This enables relatively lower densities to be applied to other parts of the built up area to help retain their character and local distinctiveness.

- 11.4 In May 2018, the Licensing Planning Policy Committee took a decision to set aside Policy DM11 (Housing Density) and Policy DM13 (Building Heights). This was based on the policy restricting opportunities for growth in the Borough.
- 11.5 Concerns have been raised by nearby residents regarding the principle of Block F, given that application ref: 14/01150/FUL required the existing office building to be removed and grass bank and soft landscaping reinstated. Concerns have also been raised regarding converting Grade II\* listed Woodcote Grove into residential flats. These concerns have been taken into consideration by Officers in the assessment.
- 11.6 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 surrounded by a mix of uses, including residential properties at Chalk Lane and Worple Road. As such, the provision of residential use at this Site is considered appropriate within its spatial context.
- 11.7 The proposal seeks to demolish existing office buildings, which are considered surplus to requirements, due to Atkins consolidating its office requirements under application ref: 14/01150/FUL. The Site's redevelopment to residential use, including the provision of Block F, is considered to promote an effective use of the Site in meeting the needs for homes, complying with paragraph 117 of the NPPF. The Site comprises two listed buildings and given the constraints of these (in terms of their historical significance), it is considered that their commercial spaces would be too constrained for most office occupiers. But, converting these buildings into residential use would bring them into viable use and contribute to much needed housing within the Borough.
- 11.8 In summary, the Site is located within a Built Up Area, where housing development is deemed appropriate. The provision of residential development at this Site is considered suitable within its spatial context. The proposal seeks to bring two listed buildings into viable use and develop the remainder of the Site, contributing towards the Local Planning Authority's housing need. The provision of new housing is a substantial public benefit, which weighs in favour of this application. The proposal is considered to comply Policy CS8.

## 12 Green Belt

- 12.1 Chapter 13 of the NPPF relates to the protection of Green Belt land. Paragraph 134 sets out that the Green Belt serves five purposes:
- a) to check the unrestricted sprawl of large built-up areas;
  - b) to prevent neighbouring towns merging into one another;
  - c) to assist in safeguarding the countryside from encroachment;
  - d) to preserve the setting and special character of historic towns; and
  - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 12.2 Paragraph 143 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 12.3 Paragraph 144 of the NPPF sets out that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

- 12.4 Paragraph 146 of the NPPF sets out that certain forms development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. This includes (inter alia) local transport infrastructure which can demonstrate a requirement for a Green Belt location.
- 12.5 Policy CS2 sets out that to ensure the Green Belt continues to serve its key functions, its existing general extent will be maintained and, within its boundaries, strict control will continue to be exercised over inappropriate development as defined by Government policy.
- 12.6 Policy DM1 sets out that the Green Belt will be maintained along the boundaries of the existing built-up area.
- 12.7 Concerns have been raised by nearby neighbours that the proposal represents inappropriate green belt development. This has been taken into considered by Officers in the assessment.
- 12.8 Part of the existing access road from Ashley Road falls within the Green Belt. This part of the access road currently serves the Site and adjacent Atkins Site and is considered a requirement from a local transport infrastructure perspective, given that it provides existing access. No development is proposed on the strip of access road that falls within the Green Belt. As such, it is considered to comply with Paragraph 146 of the NPPF.
- 12.9 For clarity, no other part of the Site falls within the Green Belt, other than part of the existing access road.
- 12.10 The proposal is considered to comply with policies CS2 and DM1.

### **13 Affordable Housing**

- 13.1 Chapter 5 of the NPPF relates to delivering a sufficient supply of homes. Paragraph 64 of the NPPF sets out where major development involving the provision of housing is proposed, planning decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs to specific groups. Exemptions to this 10% requirements should also be made where the site or proposed development:
- Provides solely for Build to Rent homes;
  - Provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
  - Is proposed to be developed by people who wish to build or commission their own homes; or
  - Is exclusively for affordable housing, an entry-level exception site or a rural exception site.
- 13.2 Policy CS9 sets out that the Council has a target that overall, 35% of new dwellings should be affordable. Taking into account the viability of the development proposed and other planning objectives, the Council will negotiate to achieve the provision of affordable housing. 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.
- 13.3 Supporting paragraph 3.12.11 sets out that other than in exceptional circumstances the provision of the affordable housing should be made on site. 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.

- 13.4 Concerns have been raised by nearby residents that the proposal seeks inadequate affordable housing provision. Concerns have been taken into consideration by Officers in this assessment.
- 13.5 The proposal is subject to the provision of affordable housing.
- 13.6 An Economic Viability Appraisal Report, dated August 2019, was submitted with the application, which was independently reviewed by Viability Consultants BPS, on behalf of the Local Planning Authority.
- 13.7 Following a revision of the proposed scheme, the Applicant prepared an updated Viability Appraisal Report, dated January 2020, which was also independently reviewed by BPS Surveyors (BPS), on behalf of the Local Planning Authority.
- 13.8 BPS prepared a "Summary of Viability Discussions" report, dated 7 May 2020. This sets out that the scheme viably offers eight affordable units, at the proposed tenure mix of seven shared ownership and one social rented unit, which are to be provided in Block A. The development appraisal shows that the scheme produced a surplus of £15,950. BPS did not consider that this would be sufficient to convert a private unit to an affordable housing unit, nor an intermediate unit to social rent. But, it could be used to contribute towards a payment in lieu of affordable housing, given that the proposed scheme is not policy compliant. The Applicant agreed on 1 July 2020 to accept this amount as a payment in lieu.
- 13.9 A letter prepared by ULL Property, dated 26 May 2020, seeks to provide justification for the Applicant not providing 10% affordable housing, as required by paragraph 64 of the NPPF. The proposal has been through viability testing and seeks 8.2% affordable housing provision. The projections are for a global recession to match or exceed the effects of the Global Financial Crisis of 2008. It is unlikely that the project's viability will improve in the short or medium term. The proposal cannot viably sustain 10% affordable housing today, with the prospects for improvement being poor.
- 13.10 It is not for Officers to provide reasoning or justification for the shortfall in the affordable housing offer. But, in this case, Officers recognise that there are significant costs associated with the development of this Site, including the conversion of two listed buildings, developing a scheme that incorporates high quality design to respect the listed buildings and the integrity of the Conservation Area. Furthermore, basement parking is a significant cost, which in this case is considered a positive feature of the Site, as it removes the need for significant surface car parking, which could detract from the Site's historic significance. Officers take advice from BPS and positive weight should be attributed to the provision of eight affordable units and the surplus of £15,950.
- 13.11 Officers recommend the implementation of a review mechanism, which would allow the Council to benefit from any improvements in scheme viability over the development period. Subject to planning permission being granted, this would be included within the S.106 Agreement and would require the submission of a revised Viability Statement.
- 13.12 In summary, the proposal has been subject to viability testing. Officers have taken the advice of BPS and confirm that the proposal viably offers eight affordable units, at the proposed tenure mix of seven shared ownership and one social rented unit. Furthermore, the scheme produces a surplus of £15,950. Whilst the scheme is not policy compliant, providing 8.2% affordable housing, it does provide on-site affordable housing units, which is a public benefit and which should be given moderate positive weight.

**Update**

- 13.13 A range of questions were raised at Planning Committee on 23 July 2020, relating to the affordable housing offer, the affordable housing mix and a S106 Agreement review mechanism.
- 13.14 Concerns have been raised by nearby residents that an inadequate provision of affordable housing is proposed. Representation is considered under the Officer's response below.

*Applicant's response*

- 13.15 The updated planning statement sets out the significant costs associated with the development, including the provision of a basement and restoration of two listed buildings. The statement sets out that the Applicant went through a strict viability review process, with the Local Planning Authority's viability consultants, coming to a conclusion on the affordable housing offer. The statement also makes reference to estimate CIL charges.
- 13.16 The updated planning statement sets out that the viability review mechanism would be agreed as part of a S106 Agreement.
- 13.17 The updated planning statement sets out that all affordable units benefit from private amenity space.

*Officer's response*

- 13.18 Officers acknowledge that the scheme is not policy compliant. The shortfall in the affordable housing offer has been explained as being linked to significant costs associated with the development of this Site. The Applicant has made reference to an estimate CIL payment, which is due once a development starts. It must be stressed that CIL liability is not a material planning consideration and therefore this is of no relevance to the shortfall
- 13.19 The Local Planning Authority has sought the advice of independent viability consultants and have been advised that the scheme viably offers eight affordable units, at the proposed tenure mix of seven shared ownership and one social rented unit, with a surplus of £15,950. Positive weight is attributed to this provision. Affordable housing tenure mixes are tested as part of viability process, to ensure that the maximum affordable housing offer is achieved.
- 13.20 Review mechanisms are agreed as part of the S106 Agreement negotiations. Review mechanisms can be carried out at an early stage in the development, where the benefit lies in providing additional affordable housing on Site, or, towards the end of a development, where up to date values and costs can be taken into account. The choice is dependent on the scale of development, the development period and other factors that may be relevant. The purpose of a review mechanism is to strengthen the ability of the Local Planning Authority to seek compliance with relevant policies over the lifetime of a project.
- 13.21 The affordable housing is proposed within Block A. These comprises a mix of 2 and 3 bedroom units, each benefiting from private amenity space and car parking provision.
- 13.22 In summary, though the scheme is not policy compliant, it does present a viable offer of eight affordable housing units at an appropriate tenure. The provision of on-site affordable housing should be considered positively, as a scheme benefit.

## 14 Quality of Accommodation

- 14.1 The Nationally Described Space Standards (March 2015) sets out internal space standards for new dwellings.
- 14.2 Supporting paragraph 3.35 of Policy DM12 (Housing Space Standards) sets out that for houses a minimum total private outdoor space of 70m<sup>2</sup> for 3 or more beds and 40m<sup>2</sup> for 2 beds are required. A minimum depth of 10m of domestic rear garden space is required. For flats, a minimum of 5m<sup>2</sup> of private outdoor space for 1-2 person dwellings is required and an extra 1m<sup>2</sup> should be provided for each additional occupant.
- 14.3 Policy DM22 requires all residential development proposals for four or more units be comprised of a minimum of 25% three bedroom, or more, units. We will consider exceptions to this approach where it can be demonstrated that such a mix would be inappropriate to the location or endanger the viability of the proposal.
- 14.4 The proposal seeks to provide 98 flats/dwellings.
- 14.5 The application proposes the following mix:
- 1 bedroom flats = 27
  - 2 bedroom flats = 51
  - 3 bedroom flats = 6
  - 1 bedroom houses = 0
  - 2 bedroom houses = 14
  - 3 bedroom houses = 0
  - 4 bedroom houses = 0

### Building A:

- This seeks the provision of 8 flats, which accord with internal space standards
- Each proposed flat benefits from a terrace and all ground floor flats benefit from a further rear amenity courtyard.

### Stable Block (Building B):

- This seeks the conversion of the Grade II listed Stable Block to residential accommodation. This seeks the provision of 4 flats, which accord with internal space standards.

### Building C:

- This seeks the provision of 7 houses, which accord with internal space standards
- The private amenity space for both Blocks C and D vary between 21.1sqm and up to 34.2sqm

### Building D:

- This seeks the provision of 7 houses, which accord with internal space standards.
- The private amenity space for both Blocks C and D vary between 21.1sqm and up to 34.2sqm

### Woodcote Grove (Building E):

- This seeks the conversion of the Grade II\* listed Woodcote Grove to allow for 7 flats, which accord with internal space standards.
- Plots 31 and 32 benefit from balconies. The balcony for plot 31 measures 7.1sqm and the balcony for plot 32 measures 8sqm.

Block F

- This seeks the provision of 65 flats, which accord with internal space standards.
- The private amenity space for each flats vary between 5sqm to 36.2sqm.

Private Amenity Space*Flats*

- Proposed flats (73 units) across Buildings A and F meet the required private amenity space standards. This is calculated at 5sqm for 1B2P and an additional 1sqm per occupant. In addition 36no.units exceed the requirements (50%)
- Of the converted listed buildings, the Stable Block has no private amenity space. Woodcote Grove includes 2 units, plots 31 & 32, which meet the required area standards.
- The proposed flats within Woodcote Grove exceed internal floor plan requirements, in order to respond to the historic fabric of the building. The provision of private amenity space (in the form of balconies, for example) could have been at the detriment of the buildings.
- Total meet or exceed standards –  $75/84 = 89.2\%$  (all new dwellings)
- Total below standards –  $9/84 = 10.8\%$  (Blocks B & E – Listed Buildings)

*Houses*

- The proposed houses fall short of the required private amenity areas and range in size from 21.1sqm – 34.2sqm (the standard is 40sqm)
- The reduced private amenity space is a result of the Applicant responding to the relationship between Grade II\* listed Woodcote Grove and the Grade II listed Stable Block. The design proposal reinstates the link between these heritage assets. The design of the terrace housing provides a framed view between these two listed buildings and is based on the axial relationship between the centre point of Woodcote Grove and the gates of the Stable Block.
- Total meet or exceed standards –  $0/14 = 0\%$
- Total below standards –  $14 /14 = 100\%$

*Site*

- Communal open space provision: 3176sqm
- Children's play area: 60sqm.

*Summary*

- 14.6 The proposed flats and houses do meet internal space standards, but, there is a shortfall in private amenity space. The Applicant prepared a map, which shows recreation spaces within walking distance of the Site.
- 14.7 In considering the shortfall of private amenity space, Officers do acknowledge that the Site is constrained by two listed buildings and a wall. The Applicant has worked proactively with Officers to prepare a scheme that is well designed and scaled, respecting the Site's historical significance and the identified character of the surrounding area. In this case, the shortfall of private amenity space is considered acceptable, given that the scheme seeks to remove unattractive buildings and hardstanding, provide much needed residential accommodation provide a considered landscaped scheme with communal outdoor amenity space. It is also noted that there is an expanse of green space in close proximity to the Site. In light of this, the shortfall of private amenity space is considered acceptable.



- 14.8 In summary, the proposal is considered to provide adequate internal space standards and provides an acceptable offer in terms of private amenity space and communal amenity space, given its constraints.

### Update

- 14.9 At Planning Committee, concerns were raised that the proposed housing mix is not policy compliant, with a lack of 3 bedroom units. There were also concerns raised regarding the private amenity space provision, specifically given Covid-19. Clarification was sought of the size of the children's play area.
- 14.10 Concerns have been raised by nearby residents regarding the proposed housing mix and lack of private amenity space. Representation is considered under the Officer's response below.

### *Applicant's response*

- 14.11 No change has been made to the mix of units proposed. There are 6 x 3 bedroom units proposed, with a further 51 x 2 bedroom, 4 person, flats. The updated planning statement sets out that some Local Planning Authorities consider that 2 bedroom, 4 person flats are classed as family units. This would mean that the scheme provides for 57 units family units on Site, approximately 58% of the total number of units.
- 14.12 The Applicant prepared plans to illustrate the proposed private amenity spaces (3.03 – 3.06 of Appendix 1). There are 11 flats within the listed buildings and 9 of these do not benefit from private amenity space. This is due to the buildings constraints, which do not allow for private amenity space without adversely impacting the heritage significance. There is amenity space located adjacent to both listed buildings, which could be used by future residents. Moreover, there is an additional 3,236sqm of amenity space provided though landscaped gardens and roof top amenity space, to facilitate the needs of residents.

### *Officer's comments*

- 14.13 Officers acknowledge that the proposal predominately provides 2 bedroom units and that there is a lack of 3 bedroom units as required by local planning policy. It is also acknowledged that the Applicant has not sought to amend the proposed mix. The Applicant has put forward a case that a 2 bedroom 4 person flat could be classed as a family unit. In this case, considering this proposal only, Officers would consider this a small family unit.
- 14.14 This scheme has been developed on a Site that is constrained by two listed buildings, a boundary wall and a Conservation Area. The scheme has been carefully designed to respond to its constraints and the character of the surrounding area, whilst delivering a meaningful supply of new homes. It also seeks on-site affordable housing provision, which weighs positively in the planning balance.
- 14.15 It is important that new housing developments provide a choice and mix of housing. As part of this, housing schemes should attract and retain younger households in the Borough and contribute to mixed, diverse communities. In this case, the Site is in a sustainable location, benefiting from good public transport links, so likely to attract varied households, including younger households, who may seek smaller family units.

- 14.16 Officers acknowledge that Covid-19 has given rise to the importance of adequate private amenity space. Flats within the proposed new buildings and the terraced houses benefit from private amenity space. It is acknowledged that the houses fall short of the required standard, as a result of the scheme responding to the relationship between the listed buildings. This is considered appropriate and acceptable in this case.
- 14.17 9 of the 11 flats within the listed buildings do not benefit from private amenity space. Given that the Site is considered surplus to requirements and that the listed buildings are too constrained for future office users, reinstating these buildings back into their former residential use is considered appropriate. These buildings would be unacceptably harmed if balconies were designed onto these. The lack of private amenity space is in this case considered acceptable, to ensure the integrity of the listed buildings.
- 14.18 The Site does offer communal private amenity space. Drawing 3.01 of Appendix 1 shows surrounding amenity space, within a 12 walking distance of the Site. Drawing 3.02 sets out that there is 3,176sqm of private amenity space provided on the Site.
- 14.19 A children's play area measuring 60sqm is sought. The Applicant has provided example of play equipment, but not specific details as part of this application. A Condition requiring details of play equipment is included, should planning permission be granted.
- 14.20 In summary, the housing mix is considered acceptable, given that the Site's seeks optimisation within its constraints. The shortfall in private amenity space is attributed to preserving the integrity of the listed buildings on Site and the wider Conservation Area setting. Officers are satisfied that the scheme seeks communal amenity space and a children's play area.

## **15 Design and Heritage**

15.1 This section of the Committee Report is split into distinct sections:

- Planning policy
- Historical background and the Site's significance
- The proposal
- Listed buildings
- Conservation Area

### *Planning policy*

- 15.2 Chapter 12 of the NPPF relates to achieving well-designed places. 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. Being clear about design expectations, and how these will be tested, is essential for achieving this.
- 15.3 Paragraph 127 sets out that planning decisions should ensure that developments (inter alia) function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development. Developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Development should be sympathetic to local character and history, including the surrounding built environmental and landscape setting, establish or maintain a strong sense of place and optimise the potential of a Site to accommodate and sustain an appropriate amount and mix of development. Furthermore, places should be created that are safe, inclusive and accessible, with a high standard of amenity for existing and future users.

- 15.4 Paragraph 128 sets out that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between Applicants, the Local Planning Authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests.
- 15.5 Paragraph 130 sets out that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.
- 15.6 Paragraph 131 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.
- 15.7 Chapter 16 of the NPPF relates to the conservation and enhancement of the historic environment. Paragraph 189 sets out that in determining applications, Local Planning Authorities should require an Applicant to describe the significance of any heritage asset affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 15.8 Paragraph 190 sets out that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal/
- 15.9 Paragraph 192 sets out that in determining applications, Local Planning Authorities should take account of:
- 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 vitality; and
  - The desirability of new development making a positive contribution to local character and distinctiveness.
- 15.10 Paragraph 193 sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 15.11 Paragraph 194 sets out that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- a) Grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
- 15.12 Paragraph 195 sets out that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, Local Planning Authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- a) the nature of the heritage asset prevents all reasonable uses of the site; and
  - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
  - d) the harm or loss is outweighed by the benefit of bringing the site back into use.
- 15.13 Paragraph 196 sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 15.14 Paragraph 200 sets out that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably
- 15.15 Policy CS5 sets out that the Council will protect and seek to enhance the Borough's heritage assets including historic buildings and conservation areas. The settings of these assets will be protected and enhanced. The policy also sets out that high quality and inclusive design will be required for all developments. Developments should (inter alia) create attractive, functional and safe environments, reinforce local distinctiveness and complement the attractive characteristics of the Borough and make efficient use of land.
- 15.16 Policy CS8 sets out that new housing development will be located within the defined built up area of Epsom and Ewell. Within these areas the emphasis will be on the re-use or conversion of existing buildings for housing. In principle, higher density development is directed to central locations, such as Epsom town centre and other local centres, close to existing services and facilities and accessible by public transport, walking and cycling. This enables relatively lower densities to be applied to other parts of the built up area to help retain their character and local distinctiveness.
- 15.17 In May 2018, the Licensing Planning Policy Committee took a decision to set aside Policy DM11 (Housing Density) and Policy DM13 (Building Heights). This was based on the policy restricting opportunities for growth in the Borough.
- 15.18 Policy DM8 sets out that the Local Planning Authority will resist the loss of Heritage Assets and every opportunity to conserve and enhance these should be taken by new development.

- 15.19 The Chalk Lane Conservation Area Map recognises Woodcote Grove as a Grade II\* listed building and a focal building. The Stable Block is identified as a Grade II listed building and the wall running around the perimeter of the Site (off Chalk Lane and Worple Road) is identified as Grade II listed. There is a historic street light at the Site and an important view, to the south-east of Chalk Lane. Furthermore, the Atkins Office Building is identified as a negative building.

*Historical background and the Site's significance*

- 15.20 A Heritage Statement accompanies this application, which assesses the significance of the listed Buildings on the Site and its historical surroundings. The Heritage Statement refers to the Grade II\* listed Woodcote Grove as "Mansion House".
- 15.21 The Mansion House was originally constructed as a single-family residence, within ample grounds. To the south, north and east of Mansion House was a large formal garden, creating long views over Epsom Downs, to the south of the Site. Later works included the addition of two small wings to the main building, as well as the Stable Block, which appears on mapping by the 1840s.
- 15.22 In the 1950s the Site was sold to Atkins. The earliest complete set of plans of Woodcote Grove date from this period, showing the intention to alter Mansion House to office use, resulting in the subdivision of much of its historic space. The purchase of the estate by Atkins also saw the creation of a large office block to the South of Mansion House, as well as to the south and north of the Stable Block. These works severely altered the formal setting of Mansion House and saw the loss of visual connection between the Mansion House and the Stable Block.
- 15.23 The Mansion House remains the principle building within the Site, set on raised ground and set back from the entrance off Chalk lane, meaning that it benefits from glimpsed views from the road only. To the north-west and south of the Site, modern ancillary office buildings mar the garden setting of the Mansion House. The largest of these office buildings is the late twentieth century 'S' shaped office building, which has a utilitarian appearance, contrasting with the ornate façade of the Mansion House. This office building diminishes an appreciation of the original grounds that surround Mansion House, as well as eroding its domestic character.
- 15.24 The Heritage Statements assesses the significance of the listed buildings and wall. The findings are summarised below, with additional comments from the Local Planning Authority's Design and Conservation Officer.
- 15.25 The setting of the Site is mixed, making only a limited contribution to the significance of Mansion House, due to the mid and late twentieth century building works within the grounds.

*LPA Design and Conservation Officer comment: Except that the gates and walls are of significance to the entrance, but will not be affected at any point near the main listed building*

- 15.26 The Site is relatively sheltered from its surroundings by the boundary wall, which encloses the western and northern boundaries. The wall is believed to have been repaired and potentially rebuilt in the twentieth century, although it retains a nineteenth century character. The wall and Mansion House possesses a group value and each inform an appreciation of the significance of the other. The overall significance of the wall is considered to be moderate.

*LPA Design and Conservation Officer comment: Agreed and not substantially harmed*

- 15.27 There are clear views of Mansion House on entering the Site through the southern gateway. Despite alterations to this over the years, the Mansion House and side wings have retained a cohesive appearance. The overall significance of the building is high, as this is the primary building on the Site, reflecting eighteenth/nineteenth century design and aesthetics.

*LPA Design and Conservation Officer comment: Agreed*

- 15.28 The Grade II listed Stable Block retains its raised central parapet and arched central opening, formally known as an open carriage way. Both the northern and southern elevations have been constructed of different brick stock resulting in a contrasting appearance. Repairs to the northern elevation are less sympathetic. The infill of the central opening in particular is detrimental to the appearance of the building.

*LPA Design and Conservation Officer comment: Agreed*

- 15.29 The conversion of the Grade II listed Stable Block into an office has resulted in alterations to the original openings and brickwork, as well as the interior. Views from the southern façade of the Stable Block would have looked directly towards the Mansion House. This relationship has been interrupted by the creation of additional office buildings between the two buildings. Therefore, while the building dates to the period when the Mansion House remained in residential use, this is no longer appreciable. This overall significance of the building is therefore moderate.

*LPA Design and Conservation Officer comment: the orientation of the building towards the Mansion House does remain of some significance, especially if the central doors facing the Mansion House are retained, as they should be, and a view between the two listed buildings is reopened as is proposed*

- 15.30 Chapter 10 of the Heritage Statement assesses the significance of interior spaces of Mansion House. The findings are summarised below, with additional comments from the Local Planning Authority's Design and Conservation Officer.

- 15.31 The basement of Mansion House has very limited fabric of interest because of its office fit out. Modern partitions have disrupted the historic circulation of the space and suspended ceilings result in the division of window openings. Volumes that appear to correspond to secondary circulation spaces, such as the circular stair and servant's passageway should be preserved.

*LPA Design and Conservation Officer comment: The interior of this level is not of great significance except for the stairs, but the outer wall may also be some of the earlier fabric, especially where doorways open to the vaults under the landscape to the east and to the tunnel from Mansion House*

- 15.32 The ground floor of Mansion House comprises the principle rooms, including the main entrance hall, library and staircase. Largely this floor has avoided unsympathetic subdivisions. The ground floor comprises some of the most significance internal spaces, with their original volume best preserved

*LPA Design and Conservation Officer comment: Agreed*

- 15.33 The first floor retains a residential quality, due to the retention of wooden panelling and glazing details. The northern wing extension and the western room within the southern wing extension appear to the most altered.

*LPA Design and Conservation Officer comment: Agreed, though many or even most of the alterations are pre-1948 and therefore of significance*

- 15.34 The second floor is the most altered within the Mansion House, with the full extent of the floor plan subdivided following the office conversion. There is very little historic fabric of interest at this floor.

*LPA Design and Conservation Officer comment: Agreed, this floor probably never had any features of great historic significance as it would have been the servants quarters.*

*The proposal*

- 15.35 This section explores the design of the scheme and notes the comments received by Historic England, the Local Planning Authority's Design and Conservation Officer and representation received from nearby residents. It should be noted that comments received by Society for the Protection of Ancient Buildings (SPAB) are directly related to the Listed Building Consent application, submitted in tandem with this application (ref: 19/00998/LBA). SPAB's comments are therefore not referenced within this Committee Report, but are contained with the Listed Building Consent's Committee Report.
- 15.36 Officers undertook a Site Visit with Historic England on 30.09.2019. Following this, Historic England formally responded to the originally submitted scheme on 10 October 2019 (referred to as 'initial' advice). Historic England had concerns regarding the application on heritage grounds and considered that the issues and safeguards outlined in its advice needed to be addressed in order for the application to meet the requirements of paragraphs 190, 193, 194 and 195 of the NPPF.
- 15.37 The Applicant sought to revise the scheme, taking into consideration the views of Historic England. A Design and Access Statement Addendum was prepared and submitted, which sets out the key changes made to the scheme. Historic England provided an updated response to the revised scheme on 18 March 2020. It sets out that overall, the revised scheme is capable of meeting the requirements of paragraph 190 of the NPPF, to avoid or minimise harm to significance.
- 15.38 The Local Planning Authority's Design and Conservation Officer formally comments on the revised scheme on 16 April 2020. The comments are referred to below.

*Mansion House*

- 15.39 Proposed external alterations to Mansion House include repair to the main façade, introduction of a glazed balustrade above the bay windows of the side wings and a lightweight frame.
- 15.40 Proposed internal alterations to Mansion House comprise:
- At basement level, the proposal seeks to remove partitions and remove thicker masonry. The proposal seeks to retain the small circular staircase and jack arches above the corridor.
  - At ground floor level, the proposal seeks to remove the modern WC adjacent to the stairs and subdivide the side wings to create two apartments.
  - At first floor level, the proposal seeks a secondary stair and partition walls, to create a division between the three separate apartments.
  - At second floor level, the proposal seeks the removal of partitions and subdivision.
- 15.41 Historic England's initial comments acknowledged that internal demolition and subdivision had been concentrated to the areas of lesser interest at Mansion House, such as the second floor, basement and the nineteenth century wings. But, the degree of change to the principal rooms through subdivision was considerable. Particular concerns were raised about the degree of subdivision to the rear boardroom on the ground floor and the ground floor wing rooms, both of which would cause harm.
- 15.42 The Applicant sought to address the comments made by Historic England and reduced the internal partitioning within the Mansion Block (see Heritage Statement Addendum). Parking spaces adjacent to Mansion House were also removed, with an area of hardstanding retained as existing.

- 15.43 Historic England's formal comments on the revised scheme (18 March 2020) set out that it is content that the revised ground floor plan for the Mansion House retains the principle rooms in their historic form, reducing the harm to the significance of the Grade II\* listed building.
- 15.44 The Local Planning Authority's Design and Conservation Officer acknowledges that Grade II\* listed Woodcote Grove is the most historically important building at the Site and has a very substantial impact on Chalk Lane and the land and buildings to the north of the Site. The alteration of the room plans of the interior of this building has some benefits and some drawbacks. The partition of the back room on the upper ground floor is perhaps the most harmful and results in a large reception room being subdivided into a single flat.
- 15.45 The Local Planning Authority's Design and Conservation Officer sets out that there are a number of minor changes to the first floor, but these do not significantly alter the room plan. The most significant change is in levels, which resolves some of the anomalies in this floor resulting from several changes made in the past. An additional change is made to this level by the introduction of a new stair well to the second floor. This unfortunately requires a subdivision in the large northeast room but enables the occupation of flats on the second floor. At present, the second floor is only accessible via the spiral stair, which is neither practical nor safe.
- 15.46 The Local Planning Authority's Design and Conservation Officer sets out that subject to planning permission being granted, a Condition is recommended, seeking a historic building survey with photographs, to more accurately survey and assess the significance and history of the building's fabric. The Historic building Survey must be submitted to the local authority and to be recorded at Bourne Hall.

#### Stable Block

- 15.47 Proposed external alterations to the Grade II listed Stable Block include opening up the passageway underneath the central arch. The proposals also include improvements to the setting of the Stable Block, re-establishing the visual link with the Mansion House, so that the historic functional relationship between the two buildings is appreciable.
- 15.48 Historic England's initial response considered the residential conversion of the Grade II listed Stable Block as suitable and raised no concerns about the principle of the works.
- 15.49 The Local Planning Authority's Design and Conservation Officer raises no objection to the conversion of this building. The most sensitive and significant features of this building will not be harmed, which includes the roof structure and the archway.
- 15.50 The Local Planning Authority's Design and Conservation Officer does wish to see the heavy timber double doors in the archway retained. The Applicant team confirmed this and subject to Planning Permission and Listed Building Consent being granted, this is secured by Condition.

#### Wall

- 15.51 Concerns have been raised by neighbouring residents regarding the pedestrian opening within the wall. In accordance with Historic England's records, this is not independently listed.
- 15.52 The wall is believed to have been repaired and potentially rebuilt in the twentieth century, although it retains a nineteenth century character. The proposals seek the retention of the wall, with the introduction of a pedestrian opening. This is to offer convenient access to this part of the Site and glimpsed views to passing pedestrians.



- 15.53 The Local Planning Authority's Design and Conservation Officer does not have an objection to the proposed pedestrian entrance. The section of the wall is not independently listed, though it is curtilage listed. An opening is considered to be acceptable and subject to listed building Consent being granted (application ref: 19/00998/LBA), a Condition is recommended, to ensure good design that respects the wall.

#### Boundary treatment

- 15.54 The Local Planning Authority's Design and Conservation Officer sets out that the proposed steel fence acting as boundary treatment is a good solution, provided that this boundary is not added to by dense planting of hedges and trees. The view across the landscape should retain the dominance of Grade II\* listed Woodcote Grove and its place in the landscape.

#### Building A

- 15.55 Concerns have been raised by neighbouring residents regarding the height, design and materiality of Building A and its proximity to the boundary wall. Concerns have been taken into consideration by Officers in this assessment.
- 15.56 The Applicant sought to design Building A to respond to its surroundings, specifically drawing on the materiality and massing of the Grade II listed Stable Block. Building A is set back approximately 3.336 metres from the boundary wall fronting Worple Road and approximately 4.967 metres from the boundary wall fronting Chalk Lane. The building comprises a prominent gable end design with a pitched roof, and is predominantly brick faced. The building incorporates pronounced chimney stacks, referencing eighteenth century building styles. Window voids and a central parapet break the massing of this building over the central entrance on the southern façade.
- 15.57 In its initial response, Historic England recommended lowering the height of Building A, as this would be visible from outside the Site and would sit rather awkwardly with the boundary wall, interrupting the sense of seclusion of the Site within the Conservation Area. The Applicant responded to this comment and reduced the height of Block A by 500mm, which was achieved by a sunken courtyard (see Heritage Addendum). The Heritage addendum sets out this reduces the building's perceived massing onto Worple Road and Chalk Lane.
- 15.58 The Local Planning Authority's Design and Conservation Officer raises no objection to the demolition of the existing print room building, as it has no architectural interest. The proposed building is two storeys in height and should have relatively little impact on the Conservation Area, which typically comprises two-storey dwelling houses. It will be separated from the listed buildings surrounding the Site by the wall. The Local Planning Authority's Design and Conservation Officer confirms that the design of Building A is acceptable.

#### Update

- 15.1 Planning Committee raised concerns about the impact of Block A on the character of the Stable Block.
- 15.2 Concerns have been raised by nearby residents concerning the impact of Block A on the character of the Stable Block and its positioning on the corner of Worple Road and Chalk Lane. Representation has been taken into consideration in the 'Officer's response' below.

## Applicant's response

- 15.3 The Stable Block is currently enclosed by the conference centre, a print building and excessive hardstanding, which harms the setting of the Stable Block. The scheme has been designed to remove the conference building and replace it with an avenue that links the Stable Block to Mansion House. Landscaped areas are proposed, which has a double function, as a buffer between Block A and the Stable Block and as outdoor amenity space.
- 15.4 Block A is taller than the existing print room, but, it is of a better design than the existing building, which has been considered acceptable by Historic England and the Local Planning Authority's Design and Conservation Officer.

## Officer's response

- 15.5 There is no objection to the demolition of the existing print room building, as it has no architectural interest. The design of Block A has evolved through pre-application discussions and during the application's determination period, to respond to comments raised by Historic England. This is a two-storey building, adequately set in from the boundary wall and the Stable Block, comprising an appropriate materials palette to respond to the listed building, Conservation Area and immediate surroundings. Its height, massing and design is considered compatible with the listed building and surrounding area.

## Buildings C and D

- 15.6 Buildings C and D comprise two rows of terraces, which have been designed to reference historic cottage rows, typical of eighteenth century estate design. The terraces open views between the Mansion House and the Grade II listed Stable Block, reinstating the historic visual relationship between these two buildings. The design of these buildings draws on traditional building materials and proportions, using a pitched roof, with chimney stacks on each dwelling. But, these buildings also comprise a contemporary character.
- 15.7 Within its initial response, Historic England welcomed the removal of the conference building, which was considered to have a negative impact on the Grade II\* listed building. But, Historic England cautioned against taking a formal, axial approach to any housing development, which might replace it. This has been pursued and Historic England note that its form is not particularly historically appropriate, though it was acknowledge that the impact of this discrete part of the scheme is an improvement on the present situation.
- 15.8 The Local Planning Authority's Design and Conservation Officer acknowledges that the terraces are small two-bedroom homes, with limited outlook and rear gardens that are little more than small yards. But, the buildings are well laid out, creating positive vistas along the axis of the Site, with views from Woodcote Grove to the Grade II listed Stable Block.
- 15.9 The Local Planning Authority's Design and Conservation Officer sets out that the outlook and private amenity space can be compensated for by shared amenity space and well laid out landscape.

## Block F

- 15.10 Concerns have been raised by nearby residents regarding the principle of Block F, as application ref: 14/01150/FUL, granted on 26.01.2015, required the removal of the existing office building and the grass bank and soft landscaping reinstated. Furthermore, concerns surround the height of Block F, its bulk, massing, design and materiality and impact on Grade II\* listed Woodcote Grove and the Conservation Area. These concerns have been taken into consideration by Officers.

- 15.11 The principle of this building has been addressed and accepted within the earlier part of this Committee Report (Principle of proposed development and Residential provision).
- 15.12 On submitting the application, building F comprised a part 4, 5 and 6-storey building.
- 15.13 In its initial response, Historic England set out that it considered that the baseline scenario was not the present office building, but empty landscaped ground, which was the benefit included in application ref: 14/01150/FUL.
- 15.14 Historic England's initial response considered that flanking the Grade II\* listed building with a taller residential block with a greater overall massing would weaken its status. In combination with the recently built office building to the rear of the Site, the Grade II\* listed building would be confronted by dominant structures in most views. Although the present office block should not be considered the baseline for comparison, it is notable that the proposed building would be two storeys higher than the current post-war building (the conservation area's most prominent detractor) and includes an eye-catching roof form. The proposed building was not considered to respond to the scale, character and design of the listed building and was considered discordant and conspicuous in key views from in front of the Grade II\* listed building and across the one remaining area of open land to the rear. It would therefore cause harm to the Grade II\* listed building.
- 15.15 Following Historic England's initial comments, the fifth floor of the proposed building was removed and the fourth floor set back on the northern elevation (adjacent to Mansion House) to reduce its massing. A recessed central section sought to reduce the scale of this building. A contrasting fenestration approach of flint at ground floor providing a plinth to the building and varying transparencies of glazing seeks to create a visual break in the front elevation. These are framed by two bookend brick pavilions, which are detailed with projecting brick courses. The recessed section has a reduced ridge height and the eastern wing sees a reduction from four storeys to three, matching the western wing. The wing has also been reduced in plan to allow space for the pedestrian access ramp from Ashley Road.
- 15.16 In its updated response, Historic England acknowledged that the scale of building F has been reduced by one storey with a set-back top storey and recessed central bays. Historic England concluded that this reduces the prominence of Building F in key views of Woodcote Grove and thus also the harm to the Grade II\* listed building.
- 15.17 The Local Planning Authority's Design and Conservation Officer sets out that the reduction of height and setting back of the top floor of this building has significantly reduced its dominance on the Site and its massing should not longer compete with the listed building. The comment also sets out that brick is an appropriate material. This heavier materials gives the building a lower centre of gravity, with the lightweight fourth floor.
- 15.18 The Local Planning Authority's Design and Conservation Officer sets out that the entrance to the Site from the northeast remains an unfortunate and confined relationship with the vehicle traffic, parked cars and pedestrians sharing a relatively narrow route. It should be noted that there are no objections from a safety perspective, from SCC Highways.

#### *Conservation Area*

- 15.19 Concerns have been raised by nearby residents regarding the proposal and its impact on the Conservation Area. Concerns set out that the proposal is a dense overdevelopment, which adversely impacts the integrity of the Conservation Area. Concerns have been taken into consideration by Officers in this assessment.

- 15.20 The Heritage Statement sets out that the proposals seek to better reveal the historic character of the Site, opening up the views between the Mansion House and the Grade II listed Stable Block, as well as replicating a small terrace cottage typology. This helps to understand the age of the Site as well as enhancing a sympathetic appearance between the Site and its surroundings.
- 15.21 The proposals will alter the existing views of the Site from along Chalk Lane. The introduction of new buildings, which are more responsive in terms of massing and material character is considered a positive contribution to the Conservation Area.
- 15.22 The listed buildings surrounding the Site derive their significance from their material character and vernacular historic style, as well as their shared group value. The contribution of the Site to the significance of the surrounding heritage assets is presently undermined by the late twentieth century additions to the site, including the office buildings to the north and south of the Grade II listed Stable Block. The replacement of these buildings with more sensitively designed buildings, responding to the location, hierarchy, materials and massing of the historic buildings within the Site are considered to enhance the wider setting of the listed buildings.

#### *Harm and public benefits*

- 15.23 Paragraph 190 of the NPPF sets out that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 15.24 Paragraph 194 of the NPPF sets out that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.
- 15.25 Historic England considers that the revised scheme is capable of meeting the requirements of Paragraph 190 of the NPPF to avoid or minimise harm to significance. Officers are required to decide if the remaining harm, which Historic England think is less than substantial, has clear and convincing justification as required by paragraph 194 of the NPPF before weighing it against the public benefits of the proposal in the manner described in paragraph 19 of the NPPF.
- 15.26 The Local Planning Authority's Design and Conservation Officer provided further comments on 29 June 2020, to those referenced above. This summarises the harm to the historic significance of the scheme:
- Block A replaces a post-war large building with no historic or special architectural interest. The proposal will result in little to no harm. This is considered to cause very much less than substantial harm
  - The proposed works mainly affect the interior parts of the Grade II listed Stable Block, which has been subject to previous alterations. The proposal is considered less than substantial harm. The external setting of the building also is attributed less than substantial harm, due to the opening of the landscape and the reduced scale of adjacent buildings.
  - Buildings C and D have little or no impact on the historic significance of the Site. These comprises a reduced height and bulk than the existing building and should detract less from Woodcote Grove. These buildings will have a better alignment, complimenting the Grade II Listed Stable Block. These two buildings are on balance considered beneficial and not harmful to any significance of the building.

- Woodcote Grove should be caused no substantial harm by this proposal, provided that the existing main central doors are retained. Subject to planning permission and listed Building Consent being granted, a Condition secure this.
- Block F is a larger, but better designed building than existing. Its impact on the Site should result in very much less than substantial harm.

15.27 Together, the Local Planning Authority's Design and Conservation Officer concludes that the harm to the heritage significance of the whole Site is regarded as less than substantial.

15.28 In considering the above, the harm to the significance of the heritage assets at this Site is considered less than substantial. It is necessary to consider the public benefits of the proposal. In this case, the public benefits comprise the provision of new housing and affordable housing, bringing buildings into viable use that are otherwise considered surplus to requirements and a contribution to improve the pedestrian facilities and junction improvements at Worple Road and Chalk Lane. The scheme benefits are considered to outweigh the harm caused.

#### *Summary*

15.29 The harm to the significance of the heritage assets at this Site is considered less than substantial. The proposal has been subject to a thorough design process, to present a scheme that is considered acceptable from a design and heritage perspective. It proposes various public benefits, which are considered to outweigh harm. As such, there are no robust grounds to refuse this application on this aspect.

15.30 The proposal is considered to comply with policies CS5, DM8 and DM9.

#### **Update**

15.31 Planning Committee raised concerns that the development is considered too dense and questioned whether there would be an improvement to the setting of Mansion House as a result of the proposal and queried what weight could be attributed to Historic England's consultation responses. Furthermore, clarification was sought of the scheme's public benefits.

15.32 Concerns from nearby residents have been raised in relation to the density of the development, with reference that this Site should have a density of 40 dwellings per ha. This has been considered under Officer's response below.

#### *Applicant's response*

15.33 The Applicant does not propose to lessen the number of units proposed in order to reduce the density of the scheme. But, within the updated planning statement, it is highlighted that the scheme saw a reduction in units from 115 to 98, following the initial response from Historic England. The Applicant refers to the NPPF, which seeks the efficient use of land and site optimisation.

15.34 The updated planning statement sets out that a key benefit of the scheme is opening up the Site to residents and visitors, allowing Mansion House to be enjoyed by the wider community, as opposed to the current situation. Furthermore, the removal of the conference centre and creation of a walkway between Mansion House and the Stable Block opens reinstates views. The proposed pedestrian access gate at the north-western corner of the Site would also serve to break up the dominant wall, allowing for passing views of the Stable Block.

*Officer's response*

- 15.35 The Local Planning Authority's severe housing land supply deficit and the requirements of the NPPF mean that all sites should be considered for optimisation. In May 2018, the Licensing Planning Policy Committee took a decision to set aside Policy DM11 (Housing Density) and Policy DM13 (Building Heights) as these policies were restricting opportunities for growth in the Borough.
- 15.36 Significant weight should be given to the consultation responses from Historic England. It considers that the scheme is capable of meeting the requirements of Paragraph 190 of the NPPF, to avoid or minimise harm to significance. Officers acknowledge that the Site currently comprises buildings and hardstanding that make a limited contribution to the significance of the two listed buildings or the wider Conservation Area. The proposal seeks to remove unsightly buildings from the Site and replace these with sensitively designed buildings, which respond to the location, massing and materials of the historic buildings and the Conservation Area setting. The Local Planning Authority's Design and Conservation Officer concludes that the harm to the heritage significance of the whole Site is regarded as less than substantial.
- 15.37 In considering comments from Historic England and the Local Planning Authority's Design and Conservation Officer, it is imperative to consider the scheme benefits. The proposal seeks the conversion of listed buildings, which are considered surplus to requirements and which would fail to attract office occupiers due to their constraints. It seeks the provision of new residential dwellings, on-site affordable housing and a payment in-lieu. There is also a contribution to improve pedestrian facilities and junction improvements at Worple Road and Chalk Lane. These benefits are considered wide ranging and outweigh the scheme's disadvantages.
- 15.38 In summary, the proposal seeks to remove buildings from the Site that do not currently enhance the integrity of the listed buildings or the Conservation Area. The Application has worked proactively to respond to comments from Historic England and the Local Planning Authority's Design and Conservation Officer, to present a well-considered scheme, which optimises the Site, delivers a meaningful supply of new homes, whilst respecting the historic context.

**Townscape and Visual Impact**

- 15.39 Chapter 12 of the NPPF relates to the achievement of well-deigned 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.
- 15.40 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.

- 15.41 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.
- 15.42 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.
- 15.43 A Townspace, Landscape and Visual Impact Appraisal (dated July 2019) and an Addendum (dated 24 December 2019) accompanies this application. The Appraisal was submitted with the scheme, seeking 115 apartments/dwellings. The Appraisal was submitted with the revised and current scheme, comprising 98 apartments/dwellings.

*Townspace/Landscape effects:*

- 15.44 The Townspace, Landscape and Visual Impact Appraisal (July 2019) sets out:
- that the woodland, adjacent to the Site, would experience a negligible effect as a result of the development
  - the proposal present an opportunity to reverse some characteristics associated with the existing office block, noted as the most dominant detractor within the Conservation Area
  - the proposal has been designed to respect the Site and its surroundings.
- 15.45 The Townspace, Landscape and Visual Impact Appraisal (dated July 2019) does acknowledge that the proposed development could cause some adverse townscape/landscape character effects, including:
- Tree clearance to facilitate the proposed secondary secondary vehicular access to the Site would alter the experience of Chalk Lane to be more open or less enclosed than the prevailing townscape character. This slightly increases the exposure of receptors within the public realm to the built-form, features and activity within the Site
  - A new gateway is proposed within the wall on Chalk Lane, approximately 14m south of where the wall turns the corner into Worple Road. This may be regarded as an interruption to the otherwise unifying feature that is a definitive component of the road's scenic qualities
  - The protrusion of the proposed Block A over the boundary wall at the corner of Chalk Lane and Worple Road would increase the extent (i.e. the height) to which solid mass is experienced and increasing the degree to which the street is perceived as being enclosed. This experience would be comparable to that of Chalk Lane, which is enclosed by dense tree cover rather than built-form
  - The proposed development may increase pedestrian and vehicular flow through the Conservation Area and domestic activity associated with the proposed development may cause a low-level of disturbance, with an adverse effect on the perceived peacefulness of the roads and Conservation Area.

- 15.46 The Townspace, Landscape and Visual Impact Appraisal (dated July 2019) sets out that the above adverse effects are considered to be relatively small-scale changes within the context of the roads surrounding the Site and the Conservation Area as a whole.

*Visual effects:*

- 15.47 The Townspace, Landscape and Visual Impact Appraisal (dated July 2019) sets out that the proposed development could cause some adverse effects on the visual amenity experienced around the junction of Chalk Lane and Worple Road, including:
- The protrusion of proposed Block A over the wall would re-apportion the current balance of hard elements in relation to the sky within the visual composition. It would make the built-form more dominant and alter the visual context of the wall. Furthermore, it may also curtail views to the weathervane, which is situated on the roof of the Grade II listed Stable Block. Aside from historic/cultural associations with the weathervane, it may be regarded as an orientation reference/landmark, on account of it penetrating the skyline
  - The proposed pedestrian gateway on Chalk Lane would interrupt the baseline visual amenity afforded by the wall as an inherently singular form of uninterrupted brickwork for almost its entire length along Chalk Lane.
- 15.48 The Townspace, Landscape and Visual Impact Appraisal (dated July 2019) sets out that it should be noted that Block A was designed to take architectural cues from the built-environment within which it would be situated and accordingly its material choice and form would not appear inappropriate or out of context. Similarly, the design of the proposed gateway through the high brick wall would not be without precedent, as a similar existing gateway is located a short distance north of the Site, along Worple Road, providing access into number 39.
- 15.49 As above, the Townspace, Landscape and Visual Impact Appraisal (dated July 2019) sets out the potentially adverse implications of the proposal. But, it also recognizes that the proposal facilitates the removal of the existing office building and redevelops the Site with a scheme that respects and draws upon the positive components of the existing townscape.
- 15.50 The Addendum (dated 24 December 2019) sets out the changes to the scheme from that originally submitted, to this current proposal.
- 15.51 The Addendum sets out that the reduction in scale and massing of Block F has a positive effect, in relation to Townspace, Landscape and Visual receptors. In all instances, the implications of this design change is minimal in the context of the experience of the townscape, landscape and visual amenity from the public realm, when considering the vegetative barrier at the Site's edge. In respect of the townscape effects, the benefit of the reduced presence of the built-form would be countered by the possible increase in adverse effects of pedestrian and cycle movements through the Site and within the Conservation Area, facilitated by widened paths. This does however allow for better connectivity, which is considered positively by Officers.
- 15.52 Officers recognize that there are some adverse landscape and visual effects of this proposal and that representation received by nearby residents raise concern that this is an overly dense development that adversely impacts the Site itself and the surroundings.



15.53 The Site currently comprises poorly designed buildings, considered surplus to requirements and hardstanding. This proposal presents an opportunity to redevelop the Site for residential development. The Site is constrained by two listed buildings, a wall and a Conservation Area and the Applicant has worked proactively with Officers to present a scheme that is designed and scaled to respect the Site's historic significance, but also according to the identified character of the surrounding area. As detailed within the Design and Heritage section of this Committee Report, the harm to the significance of the heritage assets at this Site is considered less than substantial. In this case, the various benefits of the scheme are considered to outweigh the adverse landscape and visual effects.

15.54 The proposal is considered to comply with policies DM9 and DM10.

## 16 Neighbouring Amenity

16.1 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.

16.2 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.

16.3 Concerns have been received from nearby residents regarding the impact of the proposed development on neighbouring amenity, enjoyed at properties along Worple Road and Chalk Lane. Concerns have been taken into consideration by Officers in this assessment.

16.4 The site is located within a typically residential area, with properties lining Chalk Lane and Worple Road. There are no residential properties that would be impacted by the development to the north or east of the site.

16.5 A wall currently runs along the south-western and north-western boundary of the Site, which provides the Site with a degree of visual enclosure. The wall ranges in height from 62.23 AOD (3.07 metres from pavement edge) where the Site boundary meets the corner of Chalk Lane and Worple Road to 62.35 AOD (2.74 metres from pavement edge) where the entrance gates on Chalk Lane are located. It has an average height of 3 metres. The wall is proposed to be retained, as part of the proposal, but with a new pedestrian entrance punched into this (between Building A and the Grade II listed building).

16.6 The proposal seeks to maintain separation distances from the wall and surrounding residential properties located at Chalk Lane and Worple Road. The below table sets out approximate distances from the proposed buildings from the wall and closest residential properties:

<b>Buildings</b>	<b>General height (metres)</b>	<b>Distance from wall boundary (metres)</b>	<b>Distance from nearest residential properties (metres)</b>
Building A	8.275	3.336 metres to the north-west (Worple Road) 4.967 metres to the south-west (Chalk Lane)	9.328 metres to the south-west (properties located on Worple Road) 16.307 metres to the south-west (properties located on Chalk Lane)
Buildings C and D	8.2	7.639 metres to the south (Chalk Lane)	15.538 metres to the south (Chalk Lane)
Block F	15.4	10.684 metres to the south (Chalk Lane)	16.044 metres to the south (Chalk Lane)

- 16.1 A daylight and sunlight report, dated 6 August 2019, accompanies this application. Each of the surrounding residential properties with windows serving habitable rooms overlooking the Site were included within the assessment. The Vertical Sky Component (VSC) and No-Sky Contour (NSC) assessments show that the neighbouring properties will experience little to no change as a result of the proposals, demonstrating compliance with BRE guidelines for daylighting. In respect of sunlight, all relevant neighbouring windows were fully compliant with BRE guidelines for Annual Probable Sunlight Hours, with the scheme in place.
- 16.2 In addition to the daylight and sunlight assessments, sunlight amenity levels at neighbouring property gardens was assessed. The results show that all gardens would remain adequately sunlit throughout the year, with the scheme in place. It is considered to meet BRE targets for sunlight amenity.
- 16.3 Overall, the assessment sets out that the impacts caused to neighbouring properties is minor and the scheme fully accords with BRE targets.
- 16.4 A letter, dated 8 January 2020, accompanies this application, which considers the daylight and sunlight implications of the revised scheme. The amendments to the scheme, comprising a reduction in height of Building A and Block F and a reduction in footprint of Block F are considered to improve the position in relation to daylight and sunlight levels to neighbours.
- 16.5 Paragraph 6.57 of the Planning Statement, sets out that in considering potential amenity impacts to neighbouring properties, construction noise has been considered. It is anticipated that, subject to a grant of permission, a Construction Management Plan, would be required which would set out strict hours of construction to minimise any potential harm to neighbouring properties.

- 16.6 In considering the above, Officers note that the Site comprises built form at present, with buildings that arguably fail to enhance the significance of the two listed buildings on the Site or the wider Conservation Area. The proposal presents a logical layout of buildings, incorporating hard and soft landscaping, respecting and enhancing the two listed buildings. The architectural character of the development is considered to respond to the Site's surroundings, but with a more contemporary and sustainable context. The proposed buildings are set in from the wall and adequately sited from neighbouring dwellings lining Chalk Lane and Worple Road. This ensures that the neighbouring amenity enjoyed at these properties is not adversely affected by the proposed development.
- 16.7 In summary, the proposal is not considered to adversely harm neighbouring amenity enjoyed at neighbouring properties. It is considered to comply with Policy DM10 of the Development Management Policies Document (2015).

## **17 Air Quality**

- 17.1 Paragraph 170 of the NPPF sets out that planning decisions should prevent new development from contributing to, or being put at unacceptable risk from, or being adversely affected by (inter alia) unacceptable levels of air pollution.
- 17.2 Paragraph 181 of the NPPF sets out that opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management and green infrastructure provision and management.
- 17.3 An Air Quality Assessment, dated 12 February 2020 accompanies this application. This considers the air quality impacts from the construction phase and once the proposed development is fully operational.
- 17.4 For the construction phase, the most important consideration is dust. Without appropriate mitigation, dust could cause temporary soiling of surfaces, particularly windows, cars and laundry. The mitigation measures provided would ensure that the risk of adverse dust effects is reduced to a level categorised as 'not significant'.
- 17.5 For the operational phase, arrivals at and departures from the proposed development may change the number, type and speed of vehicles using the local road network. Changes in road vehicle emissions are the most important considered during this phase of development. Atmospheric dispersion modeling has been undertaken for the first year in which the development is expected to be fully operational, in 2021. The operational impact of the proposed development on existing receptors is predicted to be 'negligible' taking into account the changes in pollutant concentrations and absolute levels. The operational air quality effects are considered to be 'not significant' overall.
- 17.6 The Local Planning Authority's Environmental Health Officer reviewed the Air Quality Assessment. The report is considered sound. It uses established guidance and methodology, coming to a standardized outcome. This type of application is not considered to have significant ongoing air quality impacts. Subject to planning permission being granted, a Condition is recommended, to secure the mitigation methods detailed in the report.
- 17.7 The proposal is considered to comply with Policy DM10.

## **18 Highways and Parking**

- 18.1 Chapter 9 of the NPPF relates to the promotion of sustainable transport Paragraph 108 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 and that safe and suitable access to the site can be achieved for all users.

- 18.2 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.
- 18.3 Paragraph 108 of the NPPF sets out that in assessing applications for development, it should be ensured that:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
  - b) safe and suitable access to the site can be achieved for all users; and
  - c) 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.
- 18.4 Policy CS16 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 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.
- 18.5 Policy DM36 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.
- 18.6 Representation received sets out that the roads surrounding the Site are frequently congested and difficult to navigate. Concerns have been raised by nearby residents regarding the increase in traffic along Chalk Lane in particular, the impact of increased traffic on school traffic, the proposed access to the Site from Chalk Lane, the lack of car parking proposed at the Site and potential overspill onto surrounding roads. Concerns have been taken into consideration by Officers within the assessment.
- 18.7 The Parking Standards for Residential Development Supplementary Planning Document (SPD) (2015) sets out minimum parking standards for residential development in the Borough. These are summarised in the below table:

1 & 2 bedroom flats	1 space per unit
3+ bedroom flats	1.5 spaces per unit
1 & 2 bedroom houses	1 space per unit
3 bedroom houses	2 spaces per unit
4+ bedroom houses	3 space per unit

- 18.8 A Transport Assessment, prepared by i-Transport accompanies this application, dated 16 August 2019. It was prepared based on the originally submitted scheme, seeking 115 apartments/dwellings. The scheme was revised throughout the application's determination period and a Technical Note, also prepared by i-Transport, dated 5 February 2020, sought to respond to the revised scheme, comprising 98 apartments/dwellings, and comments raised by SCC Highways. The below assessment refers to both the Transport Assessment and the Technical Note.
- 18.9 The Transport Assessment sets out that the Site is located approximately 1km to the south of Epsom town centre. The Site is well connected to a safe pedestrian and cycle network, providing easy and convenient access to a range of destinations, including Epsom town centre. There are bus stops located on Ashley Road, Birches Close and Woodcote Green Road, providing frequent services to locations including Tadworth, Crawley, Gatwick and Morden. Epsom train station has frequent services to London, Guildford and Dorking.

#### *Access*

- 18.10 The Transport Assessment sets out that the main vehicular access to the Site is from Ashley Road, via the existing access to the Atkins offices. Both employees of Atkins and residents of this scheme (subject to planning permission being granted) would jointly use this access. The access would allow vehicles to park along the access road or into the proposed basement car park, beneath Block F.
- 18.11 The Transport Assessment sets out that pedestrian and cycle access will be provided onto Ashley Road. Pedestrians and cyclists will also be able to use the gate next to the existing vehicular entrance at Chalk Lane. Furthermore, a further pedestrian access point will be provided onto Chalk Lane, through the existing wall. This provides the opportunity to access Woodcote Green Road and bus stops.
- 18.12 The Transport Assessment sets out that an additional point of emergency access is sought from Chalk Lane. The Technical Note sets out that this is required, so that a fire tender can gain access to all buildings (excluding Block F). At present, a fire tender would not be able to access these buildings via the access onto Ashley Road, due to the level difference, or by using the gated access from Chalk Lane, due to the width between the gates. A fire tender would use the emergency access only and no other vehicular access would be permitted. It is not considered that the emergency access would result in any measurable increase in traffic movements, along Chalk Lane. Subject to planning permission being granted, emergency access is incorporated within a Condition requiring a Delivery and Servicing Management Plan.
- 18.13 The Transport Assessment sets out that pedestrian and cycle access will be provided onto Ashley Road. As part of the Atkins development, a new shared footway/cycleway is provided to the south west of Woodcote Grove, which continues to the access to the Atkins offices. From this point, cyclists will be able to cycle along the access road, to gain access to the Site. It is proposed to provide a footway on the south western side of the carriageway. This footway provides a pedestrian route to the proposed entrance to Building F and a pedestrian ramp.
- 18.14 The Transport Assessment sets out that pedestrians and cyclists will be able to use the gate next to the existing vehicular entrance onto Chalk Lane. A further point of pedestrian access will be provided onto Chalk Lane through the existing wall in the south western corner of the site. This will provide the opportunity to access the Woodcote Green Road and the bus stops located to the west.

#### *Car parking and cycle parking*

- 18.15 The proposal sought 85 car parking spaces (a ratio of 0.87 spaces per dwelling). The applicant amended the car parking provision following Planning Committee on 23 July 2020. The scheme proposes 90 car parking spaces, including 9 disabled spaces.

- 18.16 The application proposes the following mix:
- 1 bedroom flats = 27
  - 2 bedroom flats = 51
  - 3 bedroom flats = 6
  - 1 bedroom houses = 0
  - 2 bedroom houses = 14
  - 3 bedroom houses = 0
  - 4 bedroom houses = 0
- 18.17 In line with the Parking Standards for Residential Development SPD (2015), the proposal requires a minimum of 101 car parking spaces. The car parking provision proposed therefore falls short of the local planning policy requirement.
- 18.18 SCC Highways has confirmed that the Applicant undertook an on-street car parking survey analysis of the surrounding highway network, to identify whether any car parking overspill could be accommodated. This detailed that if overspill did happen, it could be accommodated within marked parking bays, the closest of which are located on Chalk Lane and Worple Road (noting the parking restrictions in place) with space capacity, without causing a highway safety impact. SCC Highways confirmed that it is generally recognised that residents park overnight, rather than during the day, so would fall outside the hours of restriction on Worple Road.
- 18.19 The Technical Note sets out that 196 cycle spaces are proposed on the Site, in excess of Surrey County Council's standards. The Applicant has confirmed that this is to promote sustainable modes of transport. Following Planning Committee on 23 July 2020, the applicant has reduced the cycle spaces to 122.
- 18.20 The Technical Note sets out that seven spaces are proposed to be accessed from Chalk Lane. Approximately two vehicles will use Chalk Lane in the morning and evening peak hour, to gain access to the Site. This equates to one vehicle every 30 minutes during the peak hours. It is not considered necessary for two vehicles to be able to pass when using this access, as the probability of vehicles meeting is low.
- 18.21 The Transport Assessment sets out that there are extensive parking restrictions within the vicinity of the Site. Along Woodcote Road and Woodcote Green Road there are double and single yellow lines, on Chalk Lane there are a combination of double yellow lines, single yellow lines and residents only parking restrictions and on Worple Road there is a combination of double yellow lines and single yellow lines. This would act as a deterrent for individuals purchasing apartments without an allocated parking space, if they had a car.
- 18.22 The Transport Statement sets out that a car club would be provided as part of the proposal, enabling residents who only need occasional access to a car to purchase an apartment without a car parking space.
- 18.23 The car parking provision proposed falls short of the local planning policy requirement, as detailed above. This is considered to weigh negatively in the planning balance for this scheme. However, the car parking is predominately provided at basement level, which lessens the need for car parking at surface level, which could detract from the historic significance of the Site. Car parking overspill can be accommodated, without causing a highway safety impact and a car club would be available for use by residents. In considering this, the shortfall of the car parking provision is considered acceptable.

*Traffic Impact*

- 18.24 The Transport Assessment sets out that the proposed development is anticipated to generate approximately 30 two-way movements in the morning and evening peak. This equates to one additional vehicle movement every two minutes. For clarity, morning peak hour is 0800 – 0900 and evening peak hour is, 1700 – 1800).
- 18.25 The Transport assessment sets out that only 10% of the parking proposed on the Site is accessed from Chalk Lane. Chalk Lane will therefore only be used by approximately four vehicles in the morning and evening peak hour to gain access to the Site. This equates to one vehicle every 15 minutes during the peak hours. This level of additional traffic will not have a material impact on the operation of Chalk Lane.

*Capacity Assessment*

- 18.26 The Transport Assessment sets out that operational assessments Ashley Road/Woodcote Grove (Site access) and Worple Road/Ashley Road mini roundabout, were undertaken.
- 18.27 The simple priority junction at Ashley Road/Worple Grove would operate within capacity in the future, without material queuing or delay. With traffic growth up to 2022, the queue length on Ashley Road south is anticipated to increase to 15 vehicles in the morning peak. In the evening peak the queue length on Worple Road is anticipated to increase to seven vehicles. Queue length increases on all other arms of the junction during both the morning and evening are limited to two vehicles.
- 18.28 The Transport Assessment sets out that with the addition of traffic from the development, the queue length on Ashley Road south increases by one vehicle in the morning peak. Queue lengths on all other arms of the roundabout in the morning peak remain unchanged. In the evening peak the additional traffic from the development is anticipated to increase queues on Worple Road by one vehicle. Queue lengths on all other arms of the roundabout in the evening peak remain unchanged. The development will not therefore have a material impact on the operation of the Ashley Road/Worple Road mini roundabout.

*Traffic surveys*

- 18.29 The Technical Note sets out that when the traffic surveys were undertaken, the new Atkins office building was not occupied. Atkins staff were however still based on site in the old buildings, captured in the surveys. The Transport Assessment that supported the planning application for Atkins established that whilst additional members of staff are anticipated to the present on site, when the new building is occupied, no further car parking was proposed. The relocation to the new building will not generate additional traffic.

*Travel plan*

- 18.30 A travel plan, dated 16 August 2019, also prepared by i-Transport, accompanies this application. It was produced in conjunction with the Transport Assessment and the Technical Note refers to this. Its purpose is to identify opportunities for the effective promotion and delivery of sustainable transport initiatives in connection with the development, to reduce the demand for travel, by less sustainable modes.
- 18.31 The travel plan sets out that new residents would be provided with travel information during the purchase of a property, including a leaflet about the sustainability credentials of the development. The developer would appoint a travel plan co-ordinator, to manage the day-to-day delivery of the measures in the travel plan. A car club would also be provided as part of the proposal.

- 18.32 The travel plan would be monitored for a period of five years, following the occupation of the development, to ensure that it is effective in encouraging residents to use sustainable modes of travel.

*Jockey Club*

- 18.33 On behalf of the Jockey Club, Rapleys submitted two letters of representation (8 October 2019 and 12 March 2020). The letters seek to ensure that a potential impact of the proposed development on the operation of the racehorse training yards, particularly highway safety for racehorses, is fully considered and addressed in the determination of the application.
- 18.34 The representation, dated 8 October 2019, sets out that the Jockey Club has no objection to the principle of the proposed development, but it does object to specific aspects of the proposal, on the grounds that they have a potential impact on highway safety for racehorses and riders accessing to the gallops.
- 18.35 The representation, dated 8 October 2019, sets out that the Durdans Stables, located on the western side of Chalk Lane, to the south of the Site, is a racing stable yard. Horses will access the gallops at Epsom Downs Training Grounds from Chalk Lane, via Langley Vale Road. The Durdans Stables is currently vacant, but, the representation sets out that it is essential that its horse access is protected, to ensure its occupation in the future, as a racing stable yard.
- 18.36 The representation, dated 8 October 2019, sets out that the operation of the Durdans Stables relies on Chalk Lane being safe for racehorses and any increase in highway safety risks is a significant concern to The Jockey Club.
- 18.37 The representation, dated 12 March 2020, sets out that the scheme amendment and Technical Note have not fully addressed The Jockey Club's concerns. As such, The Jockey Club maintain their objection to the specific aspects of the proposal. The scheme amendment reduces the number of units on the Site, but is unrelated to the issues raised by the Jockey Club in the previous representation, in terms of the access/emergency access onto Chalk Lane.
- 18.38 The representation, dated 12 March 2020, sets out that proposed number of parking spaces to be accessed from Chalk Lane has been reduced from 11 to seven. Additionally, the Applicant sought to address concerns by measures including updating the travel plan, vehicle tracking and provision of contributions to improve the existing arrangement for pedestrians at Worple Road. Cottee Transport Planning, appointed by The Jockey Club, reviewed the Technical Note and considers that this does not fully address the Jockey Club's objections.
- 18.39 The representation, dated 12 March 2020, sets out that Applicant has not considered that Chalk Lane is a restricted and narrow road, used by local racehorse establishments. , Any increase in the use of this route, even for emergency vehicle use, would give rise to increased safety risks to racehorses, particularly with the speed limit of 30mph with no street lighting. Therefore, the proposed amendment to reduce the number of parking spaces to be accessed from Chalk Lane and other measures proposed do not sufficiently address the highway safety concerns for racehorses and riders.
- 18.40 The Applicant responded on 12 February 2020, setting out that seven car parking spaces would be accessed from Chalk Lane, ensuring that there will not be a significant increase in traffic movements along Chalk Lane. SCC Highways was aware of the Jockey Club's representation and raised no objection to the proposal. Furthermore, Surrey Fire and Rescue Services raised no objection to the proposal.



*Surrey Fire and Rescue Services*

- 18.41 Surrey Fire and Rescue Services formally commented on this application on 14 March 2020. The response sets out that the application has been examined by a Fire Safety Inspecting Officer and it appears to demonstrate compliance with the Fire Safety Order, in respect of means of warning and escape in case of fire. It provides information that should be carried out prior to the start of works, should planning permission be granted. These are contained within Informatives, should planning permission be granted.

*Contributions*

- 18.42 The proposal seeks to provide a contribution to improve the pedestrian facilities at the Worple Road junction.
- 18.43 A junction improvement is sought for the junction at Worple Road and Chalk Lane.
- 18.44 There is no specific bus stop improvements detailed within the application documentation, but, it is understood that the Applicant is willing to secure this. This would be subject to a scheme to be agreed with Surrey Passenger Transport Services and a financial contribution secured within a S106, should planning permission be granted.

*SCC Responses*

- 18.45 SCC Highways requested further information from the transport consultant on 08 October 2019, including the traffic survey data that was used to inform the junction modelling and peak hours, the junction model files and the validation report/process that supports the junction models and outlines how these have been verified. Data was provided to SCC Highways on 10 October 2019 by i-Transport. SCC Highways issued a holding response on 11 October 2019, advising that the junction models produced had been submitted and passed to the Surrey Traffic Modelling Assessment team.
- 18.46 SCC Highways provided a formal response on 11 November 2019 and again on 2 April 2020. Further information was requested by the Applicant. At the time of the traffic surveys in May 2019, the Atkins Headquarters was not operational and therefore, SCC Highways requested that the Applicant submitted evidence to demonstrate that the level of usage of the Atkins Headquarters, and corresponding base highway network flows could be justified as representative. Furthermore, visibility and swept path analysis was requested of the main Site access, from Ashley Road, to demonstrate that this could provide simultaneous two-way movements and the required visibility splays.
- 18.47 SCC Highways provided a final response on 18 May 2020, with no objection to the application. The response proposed Obligations for a S106 Agreement and Conditions, should planning permission be granted. Within this response, there is a 'note to planner'. The notes are summarised below:
- SCC Highways was presented with additional evidence as requested that addresses previous concerns raised. This enabled SCC Highways to compare the traffic data with that collected in relation to the Atkins Headquarters development consideration. SCC Highways confirm that the traffic surveys undertaken in May 2019 are representative.
  - The traffic survey data is considered reliable and appropriate to form the baseline on which the junction modelling assessment has been carried out. The junction modelling highlights that the local mini-roundabout junction of Worple Road and Ashley Road is operating at capacity.
  - The Applicant presented a more detailed assessment of the Ashley Road junction, in terms of visibility considerations. The Applicant provided sufficient information in order for SCC Highways to secure a Condition, should planning permission be granted, to ensure improved visibility splay.

- SCC Highways responded on a number of comments in connection to re-opening the access on Chalk Lane for residential parking and day to day servicing, as well as creating an emergency access. SCC Highways does have reservations around the intensified use of the Chalk Lane access via Worple Road and Chalk Lane, as these are narrow roads with physical restrictions. But, the Applicant sought to respond on these concerns and reduced the number of overall defined car parking spaces available via the Chalk Lane access (from 11 to 7) and reduced the number of units from 115 to 98. This reduces the overall impact along Chalk Lane to a level that would be considered within the daily variations expected on the highway network. Additionally, a Delivery and Servicing Plan was prepared by the Applicant, outlining refuse collection, which is considered acceptable by SCC Highways. This plan also responds to the future management of the Chalk Lane access, ensuring that this is safe and should not impact on the operation of Chalk Lane. Subject to planning permission being granted, the Delivery and Servicing Plan is conditioned.
- In terms of emergency access, SCC Highways recommend that the relevant statutory operators for both emergency and refuse collection are also undertaken. SCC Highways also recommend that the Environmental Services are consulted to ensure that the approach to refuse and waste collection is acceptable and deliverable. It should be noted that Officers consulted SCC Fire and Rescue, the Local Planning Authority's refuse team and the Local Planning Authority's Environmental Health Team.
- Although SCC Highways has some small reservations about the approach to re-open the Chalk Lane access, the development is proposing to provide a number of positive measures to further reduce the impacts of the development. These include car parking levels at a ratio is 0.86:1, which is the impacts of the development. These include car parking levels at a ratio is 0.86:1 which is supported by SCC Highways. The proposals seeks approximately 120 cycle spaces, which ensures that sustainable travel is being promoted as a real alternative to car use.
- The Applicant has agreed to fund a number of transport improvements as part of the mitigation strategy. This includes a car club, a highway junction improvement scheme at Worple Road and Chalk Lane.

#### *Assessment conclusions*

- 18.48 The Site is within a sustainable location. It benefits from good public transport links and is connected to a pedestrian and cycle network.
- 18.49 The proposal has been amended following Planning Committee on 23 July 2020, seeking to provide 90 car parking spaces, falling below the local policy requirement of 101 car parking spaces for this scheme.
- 18.50 SCC Highways has confirmed that the Applicant undertook an on-street car parking survey analysis of the surrounding highway network, to identify whether any car parking overspill could be accommodated. This detailed that if overspill did happen, it could be accommodated within marked parking bays, with space capacity, without causing a highway safety impact. Furthermore, given the sustainable location of the Site, the scheme benefits, including the provision of a car club, it has sought to limit reliance on the private car and promote sustainable transport modes, complying with the objectives of paragraph 108 of the NPPF.
- 18.51 SCC Highways has assessed the application and raises no objection, subject to Obligations and Conditions being secured, should planning permission be granted. With these in place, there is no robust reason to refuse the application on highways grounds. It is considered acceptable and complies with policies CS16 and DM36.

**Update**

18.52 Planning Committee raised concerns that the development is not policy compliant in terms of car parking provision and that the car club would not be located within the Site. The distances of the Site to nearby public transport nodes was also queried.

*Applicant's response*

18.53 The Applicant has made amendments to the scheme, to address concerns raised, while ensuring that the development still encourages residents to choose more sustainable transport options. The amendments comprise:

- Amended car parking layout to provide 5 additional car park spaces, 4 of which are in the basement and 1 to the side of Mansion House. As a result, the number of car parking spaces on the Site has risen to 90
- Providing 122 cycle spaces. This exceed SCC Highways cycle parking requirements by 15%
- Retained the required number of disabled bays and electric charging points
- Moved the car club space into the Site
- Submitted a car parking management plan.

18.54 A Technical Note, dated 30 July 2020, has been prepared to address the impact of the development on Chalk Lane. This sets out that the current buildings have a floor area of 2,520sqm, which requires a minimum of 25 car parking spaces. If the office use is retained, employees have unrestricted access to the Site via the Chalk Lane access. This equates to approximately 20 car movements along Chalk Lane in the morning and evening peak, or alternatively on vehicle every 3 minutes.

18.55 The updated transport note sets out the 8 car parking spaces are proposed to be accessed from Chalk Lane, as part of the proposal. These would be allocated to specific dwellings and informal car parking, controlled by a car park management plan. Approximately 2 vehicles in the morning and evening peak hours are expected, which is a significant reduction in comparison to the existing office use on Site.

18.56 A separate Technical Note, also dated 30 July 2020, accompanies this application. It sets out that a Car Park Management Plan is anticipated to be secured by Condition, subject to planning permission being granted. This would be a 'live' document that is kept under review. The Technical Note sets out that 90 car parking spaces, including 9 disabled spaces, are proposed. These are proposed to be allocated as follows:

7 x 3-bed dwellings	1 car park space allocated
64 x 2-bed dwellings	1 car park space allocated
13 x 1-bed dwelling	1 car park space allocated
14 x 1-bed dwelling	Car free (no car park space)
Visitors	5 spaces
Car club	1 space on Site

- 18.57 The Technical Note sets out that residents purchasing an apartment would be forbidden from applying for an on-site parking permit, to prevent pressure on existing residents parking zones.
- 18.58 The Technical Note sets out that accessible units are proposed within Block F, which would be allocated to flats within this building. An additional disabled car parking space is sought by Mansion House, to be allocated to any unit within Block A – Block E, based on need.
- 18.59 The Technical Note sets out that the Applicant proposes for a management company to be set up to manage the Site and to penalise any unauthorised car parking, which access the Site via the Chalk Lane entrance.
- 18.60 The Technical Note sets out that the eight affordable dwellings proposed are 2-bed or 3-bed and will each benefit from an allocated car parking space.
- 18.61 The Technical Note sets out that the provision of electric charging points would be secured by Condition, should planning permission be granted. A total of 20 spaces would be provided with a charging socket.

*Car parking allocation*

- 18.62 The Technical Note sets out the allocation of the 8 surface car parking spaces, accessed from Chalk Lane, as follows:
- 7 dwellings within Block A would have a car parking space, accessed from Chalk Lane (80-90 metre walking distance, 1-minute walk);
  - 1 dwelling within Block A would have an allocated car parking space within the basement (150 metre walking distance, 2 minute walk); and
  - The remaining car parking space accessed from Chalk Lane is a disabled space and would be available for any resident within Blocks A – E, based on need.
- 18.63 The Technical Note sets out the allocation of the 13 surface car parking spaces accessed from Ashley Road, as follows:
- 7 flats within Block F will have a parking space along the access road (115 metre distance, 2-minute walk)
  - 5 visitor parking spaces and 1 space reserved for a car club, to be located along the access road.
- 18.64 The Technical Note sets out the allocation of the basement parking, access from Ashley Road:
- 47 of the flats within Block F would have a parking space in the basement
  - 10 of the flats within Block F would be 'car free'
- 18.65 The Technical Note sets out the remaining allocation of car parking, including:
- 14 terrace dwellings benefiting from 1 allocated parking space in the basement (55-117 metre walking distance, 2-minute walk)
  - 7 flats within Mansion House benefiting from 1 allocated parking space in the basement (86 metre walking distance, 1-minute walk).
- 18.66 The Technical Note sets out that a car club would be provided and secured within a S106 Agreement.

*Car Park Management*

18.67 The Technical Note sets out management measures. This includes making purchases aware of the car-free apartments, allocated parking spaces and visitor parking spaces, by the sales team. A management company would be responsible for the ongoing management and maintenance of communal areas and would monitor the use of visitor car parking spaces and in areas where car parking is not permitted.

*Officer's response*

- 18.68 The Site is within a sustainable location. It benefits from good public transport links and is connected to a pedestrian and cycle network. It was initially designed to limit reliance on the private car and promote sustainable transport modes, to comply with the objectives of the NPPF. If overspill did happen, it has been demonstrated that it could be accommodated without causing a highway safety impact.
- 18.69 The applicant has sought to increase the number of car parking space on Site and reduce the number of cycle spaces. Whilst not in strict conformity with the objectives of the NPPF, it is considered that SCC Highways does not have an objection to the provision, subject to Obligations and Conditions being secured.
- 18.70 SCC Highways provided an updated response, dated 02.09.2020. There is no objection, subject to Conditions and Informatives, should planning permission be granted. There is an extensive 'note to planner', much of what mirrors the previous consultation response. In its updated response, SCC Highways sets out that the overall level of on-site car parking has increased. The Site is considered a sustainable location and capable of supporting a reduced level of car parking, as accepted previously. Increasing the level of reliance of private car use over other sustainable modes of transport is at odds with the primary overarching aims and objectives of the NPPF, which promotes sustainable transport.
- 18.71 In its updated response, SCC Highways has amended proposed Obligations and Conditions, subject to planning permission being granted. Of importance, SCC Highways requires two car clubs: one on-site and one off-site. SCC Highways informed Officers that car clubs are viable when placed off-site only. The Applicant has sought on-site provision and so the compromise reached is for one car club on-site and one off-site.

**19 Refuse and Recycling**

- 19.1 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.
- 19.2 A Transport Assessment, prepared by i-Transport accompanies this application, dated 16 August 2019. It was prepared based on the originally submitted scheme, seeking 115 apartments/dwellings. The scheme was revised throughout the application's determination period and a Technical Note, also prepared by i-Transport, dated 5 February 2020, sought to respond to the revised scheme, comprising 98 apartments/dwellings, and comments raised by SCC Highways. The below assessment refers to both the Transport Assessment and the Technical Note.
- 19.3 The Transport Assessment sets out service and refuse collection arrangements. It sets out that the majority of bins on Site would be located within a bin store, located next to the turning head, which is accessed from Ashley Road. A refuse collection vehicle would turn within the turning head and collect bins from this store.

- 19.4 There are four other bin stores located at the Site. A management company would bring these bins to the entrance onto Chalk Lane, to be collected on the day refuse and recycling is due. The management company would then be required to return the bins to the bin store. The number of refuse vehicle movements on Chalk Lane will not increase as the refuse collection vehicle already travels along Chalk Lane, to collect existing bins.
- 19.5 There is space within the Site for supermarket and parcel delivery vehicles.
- 19.6 The Technical Note clarifies that waste collection vehicles would be required to drive onto the ramp, providing access to the basement car park of Block A and then reverse into the turning head. The Note confirms that there should be no issue with undertaking this manoeuvre in terms of the gradient of the ramp. Bins would be emptied on a level surface.
- 19.7 The Local Planning Authority's Waste team was formally consulted on this application. Concerns were raised regarding the bin movement, required by the management company and health and safety issues.
- 19.8 In its updated response, dated 02.09.2020, the Waste team confirm that the arrangements for waste and recycling collections have not changed. There remains concern about the future robustness of any arrangements for a management compact to move bins to and from collections points.
- 19.9 A Condition is proposed as an appropriate mechanism requiring the Applicant to submit details of the management company for approval by the Local Planning Authority. The Applicant also confirmed that the Local Planning Authority would not have health and safety liability, this would lie with the management company, to ensure it has appropriate insurance. The proposal is considered to comply with Policy CS6.

## **20 Trees and Landscaping**

- 20.1 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.
- 20.2 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.
- 20.3 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.
- 20.4 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.

- 20.5 Concerns have been raised by nearby residents regarding the proposed removal of trees, and the impact this has on the Conservation Area and views from Chalk Lane. Concerns have been taken into consideration by Officers in this assessment.

#### *Trees*

- 20.6 An Arboricultural Implications report, dated August 2019, accompanies this application.
- 20.7 105 individual trees, seven groups of trees, three hedges and one area of woodland within or immediately adjacent to the Site. The trees are of generally low to moderate quality, with the greatest density of specimens located adjacent to the western boundary. The dominant species are common line, with a mix of ages (mature, semi-mature and young).
- 20.8 The Chalk Lane Conservation Area Character Appraisals requires the retention of mature or semi-mature trees, which make a positive contribution to the character of the Conservation Area. The Arboricultural Implications report assessed the individual and groups of trees within or adjacent to the Site, which attributes would meet these criteria.

#### *Trees to be removed*

- 20.9 To accommodate the proposed development, 38 individual trees are proposed to be removed because they are situated within the footprints of proposed structures or surfaces or because they are too close to these to enable them to be retained.
- 20.10 The following are identified for removal:
- Category B: 6 (tree numbers: 16, 19, 22, 39, 62 and 98).
  - Category C: 29
  - Category U: 3 (these should be felled for arboricultural management reasons, irrespective of the proposed development)
  - Three groups of trees (G2 – G3 and G9) and two hedges (H1 and H2) are to be fully removed. One group (G1) comprises of individual numbers: 9-45 and 51-103, along the western boundary, which will be partially removed.
- 20.11 There are no Category A trees proposed to be removed.
- 20.12 20 of the 24 trees that constitute the main arboricultural features and made the greatest contribution to the character and appearance of the local landscape will be retained. These are located adjacent to Chalk Lane (tree numbers: 9-13, 21, 27, 29, 32, 36, 43-44, 46, 63, 77, 79-81 and 102-103)
- 20.13 Four of the individuals within this arboricultural feature are proposed to be removed, to facilitate the development (tree numbers: 14, 16, 39 and 62). Tree number 14 is a Category 'C' hornbeam. The remaining three are category 'B'.

#### *Trees to be planted*

- 20.14 Drawing 2068-TF-00-00-DR-L-1001 sets out that 46 trees are proposed to be planted, as part of this development.

#### *Trees to be pruned*

- 20.15 Thirteen trees to be retained are to be pruned to facilitate implementation of the proposals (tree numbers: 9-11, 12-13, 64, 77, 80, 81, 83, 84 and 109). The extent of pruning is minor.

- 20.16 An Addendum to the Arboricultural Implications Report, dated January 2020 was prepared, to take into consideration the revised scheme. It confirms that there is one reduction in the number of trees needed to be pruned, tree number 77. Therefore, there are twelve trees proposed to be pruned.

*Root protection area (RPA) incursions*

- 20.17 Twenty-four individuals demonstrate an incursion into their RPA.
- 20.18 An Addendum to the Arboricultural Implications Report, dated January 2020 was prepared, to take into consideration the revised scheme. It confirms that four trees will be subject to minor increases within their RPAs. It should be noted that these are not considered in addition to the twenty-four trees.

*Arboricultural Implications report conclusions*

- 20.19 The proposed removal of individuals and groups of trees represent a partial alteration to the main arboricultural feature of the Site, adjacent to Chalk Lane. It will have an initial notable short to moderate term adverse impact on the arboricultural character and appearance of the local landscape and the Conservation Area.
- 20.20 The proposed pruning is minor in extent and will not detract from the health or appearance of the trees. It also complies with current British Standards.
- 20.21 The incursions into the RPA of trees to be retained are minor and subject to implementation of the measures outlined on the Tree Protection Plan. No significant or long-term damage to their root systems or rooting environments will occur.
- 20.22 The arboricultural impact of the scheme is of a medium magnitude. An Addendum to the Arboricultural Implications Report, dated January 2020, was prepared, to take into consideration the revised scheme. It concludes that the revised layout remains of medium magnitude.
- 20.23 The Local Planning Authority's Tree Officer formally commented on this application on 12 December 2019. The response sets out that all of the trees on the Site are protected by a Tree Protection Order (L1/W3). The tree protection measures are considered acceptable for the trees that are to be retained. However, there is concern regarding the proposed removal of T16, which is a London Plane. This is a mature specimen of some significance in the street scene, which is clearly visible over the wall at Chalk Lane. This is a Category 'B' tree, which means that it is of moderate quality, with the Arboricultural report setting out that it is a significance component of the group of trees along the boundary.
- 20.24 The Arboricultural Implications report details the possibility of mitigating the loss of T16 (London Plane) with replacement planting, which in the long term will replace its loss. The Local Planning Authority's Tree Officer accepts that mitigation planting might replace this tree in time, but, this is a significant tree in the street scene, which is legally protected. This tree is established and has reached maturity. There is a possibility that a replacement tree will not establish itself to match that of the London Plane and there is a risk that a newly planted tree causes direct damage to the wall as its roots establish. This could result in the removal of the replacement tree(s) and make it less desirable for another tree to be planted, other than a small ornamental.
- 20.25 An Addendum to the Arboricultural Implications Report, dated January 2020 sought to respond to the comments of the Local Planning Authority's Tree Officer, specifically in relation to the removal of T16 (London Plane). It sets out that while T16 is readily visible from the wall at Chalk Lane, there are no long distance views of this tree. The tree is also considered to be out of keeping with other trees on this boundary, which are predominantly common lime pollards.



- 20.26 The Addendum to the Arboricultural Implications Report sets out that the replacement planting of five "Tilia cordata" (Rancho) as detailed on the planting plan (2068-TF-00-00-DR-L-3001) would restore the dominant boundary treatment of lime trees along Chalk Lane. Protection and post management of these trees could ensure that they could reach maturity can be secured through a Condition, should planning permission be granted. If approval for the removal of T16 was granted, the Local Planning Authority could place a TPO on any replacement plantings to protect these in the future as they move towards maturity.
- 20.27 The Addendum to the Arboricultural Implications Report sets out there is risk that replacement planting could damage the wall through root establishment. To try and prevent this, installation of rooting barriers adjacent to the wall at the time of planting would significantly reduce the likelihood of substantial root formation adjacent to the wall foundations, and thus direct damage to the wall. Furthermore, if roots were to damage the wall, it could reasonable be prune and cut as lime trees have a good tolerance of root pruning and disturbance.
- 20.28 The Local Planning Authority's Tree Officer formally responded to the Addendum to the Arboricultural Implications Report on 31 March 2020. The objection concerns two main areas:
- Potential damage from construction of Block A to Lime trees 9, 10 and 11 and Birch tree 8
  - Collective loss of sylvan contribution to the Chalk Lane Conservation Area from the removal of trees 14 – 19, in particular the loss of 14, 16 and 19. There is inadequate mitigation planting and this is likely to have an adverse impact on residential amenity.
- 20.29 A Rebuttal report to the objections raised by the Local Planning Authority's Tree Officer was prepared, dated April 2020. This responds to the objections raised above.
- 20.30 The Rebuttal report sets out that the impacts on Birch Tree 8 and Lime Trees 9 – 11 have been reduced further and there is no reason as to why any significant or adverse damage would occur to the long-term retention of these individual trees, subject to a detailed and phased arboricultural method statement and tree protection plans. These are subject to a Condition, should planning permission be granted.
- 20.31 The Rebuttal report agrees that the removal of trees 14, 16 and 19 would at least in the short term, denude a section of Chalk Lane and have an adverse impact on the character of approximately 115 metres of the road. However, the remaining 1.17km would remain unaltered in its leafy perception.
- 20.32 The rebuttal report sets out that the coordination of a detailed management plan, as well as the provision of an extended rooting environment for proposed replacement trees would allow these to reach maturity and contribute to the leafy character of Chalk Lane.
- 20.33 The Local Planning Authority's Tree Officer informally responses to the rebuttal report on 12 May 2020, maintaining an objection. Further comments were provided on 30 June 2020. It is the Local Planning Authority's Tree Officer's view that there a number of statements within the rebuttal that are not considered plausible. This includes justifying why significant excavation occurring within a RPA is acceptable, when a more harmonious objection would be for no excavation and leaving the discovering of significant roots to chance.

20.34 The Local Planning Authority's Tree Officer does not consider that it is possible to safeguard the lime trees by Condition as the excavation will be beyond their tolerance, whereby the Applicant's tree consultants consider that the scheme would be deliverable without detrimental tree loss and damage. Should planning permission be granted and Conditions imposed, the Local Planning Authority's Tree Officer suggests a financial retainer is held, equivalent to the CAVAT value of the threatened trees, so should they be irreparably damaged, the value is paid into the LPA's Green Infrastructure funds, to compensate the local community. This would be secured within the S106 Agreement.

#### *Landscaping*

- 20.35 A landscape proposals plan (2068-TF-00-00-DR-L-1001) and planting plan (2068-TF-00-00-DR-L-3001) is submitted with this application. The following summarises the proposed hard and soft landscaping:
- A formal courtyard, lawn and planting is proposed between Block A and the Grade II listed Stable Block
  - A paved courtyard is proposed to the front of the Grade II listed Stable Block
  - A paved courtyard and planting is proposed between Block A and Block D. The terraces are proposed to benefit from rear gardens
  - Woodcote Grove is surrounded by lawn, with the restored lawn to the south-east, in front of Block F
  - A play area is proposed in front of Block F, which is clearly visible
  - The woodland to the rear of Block F is retained, with new hedging and planting proposed
- 20.36 The areas within the Site are communal and open to all residents, with the exception of the private gardens to the rear of Block A and the terraces (buildings C and D).

#### *Summary*

- 20.37 To accommodate the proposed development, 38 individual trees are proposed to be removed, of which 6 are Category B. Furthermore, three groups of trees and two hedges are proposed to be removed.
- 20.38 The proposal has sought to retain 20 of the 24 trees that constitute the main arboricultural features of the Site and which make the greatest contribution to the character and appearance of the local landscape. It also seeks to plant 46 new trees, which is greater than the number proposed to be removed.
- 20.39 The proposed removal of individual and groups of trees will alter the main arboricultural features of the Site and will have an initial notable short to moderate term adverse impact on the arboricultural character and appearance of the Site and surrounding area. The Local Planning Authority's Tree Officer has particular concern regarding the loss of Tree 16, which is a London Plane. This is a significant, established tree, which is prominent within the street scene. There is risk that a replacement tree would not establish itself to match that of the London Plane and that a newly planted tree would cause direct damage to the wall as a result of root establishment.
- 20.40 The Applicant's tree consultants have worked proactively with Officers, to mitigate the loss of trees and to resolve any potential issues to existing tree roots and potential harm to the wall as a result of new tree planting. Specifically, to mitigate the loss of Tree 16, five "Tilia cordata" are proposed, to restore the dominant boundary treatment of lime trees along Chalk Lane. To prevent risk to the wall through root establishment, rooting barriers are proposed to be installed. The replacement planting could be subject to a TPO, for long-term protection as they move towards maturity.

- 20.41 Officers acknowledge that in its current form, the Site does not offer a functional space. This proposal presents an opportunity to redevelop the Site to provide much needed housing, bring the Grade II\* Woodcote Grove back into its former use and open up the relationship between this building and the Stable Block. The proposed landscaping is considered to be of a scale and design that compliments the Site and in turn, creates a sense of place.
- 20.42 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 Policy DM5.

#### Update

- 20.43 Planning Committee raised concerns relating to the development's potential impact on existing trees and the management and maintenance of re-planted trees and landscaping.

#### *Applicant's response*

- 20.44 The updated planning statement sets out that whilst trees are proposed to be removed, there is an increase in the number of trees on Site as a result of the development. The Applicant has agreed to enter into a 'Landscape and Ecological Management Plan' (LEMP), to overcome any concern regarding tree loss now, or in the future. The benefits of the scheme are considered to outweigh the harm caused by tree loss.

#### *Officer's response*

- 20.45 To accommodate the proposed development, 38 individual trees are proposed to be removed, of which 6 are Category B. Furthermore, three groups of trees and two hedges are proposed to be removed.
- 20.46 The proposal has sought to retain 20 of the 24 trees that constitute the main arboricultural features of the Site and which make the greatest contribution to the character and appearance of the local landscape. It also seeks to plant 46 new trees, which is greater than the number proposed to be removed.
- 20.47 It is acknowledged that the removal of individual and groups of trees will alter the main arboricultural features of the Site and will have an initial notable short to moderate term adverse impact on the arboricultural character and appearance of the Site and surrounding area. Appropriate mitigation in the means of additional tree planting and management of tree works are proposed. The Applicant has also agreed to enter into a Landscape Ecological Management Plan (LEMP), to be secured within the S106 Agreement. A LEMP ensures that the landscape and ecological objectives of the development and the mitigation measures required are delivered, monitored and reviewed. The implementation of a LEMP would promote the long-term maintenance and enhancement of the development's green infrastructure, so that it benefits the landscape and biodiversity value of the Site and also provides benefit to future residents.
- 20.48 Officers acknowledge that in its current form, the Site does not offer a functional space. The loss of trees is considered to weigh negatively in the planning balance, whereas the provision of new tree planting, to result in a greater number of trees on Site, is considered positively. The proposed landscaping is considered to compliment the Site, creating a sense of place and with a LEMP in place, the landscape and ecological value of the Site would be maintained in the long-term.

## 21 Ecology

- 21.1 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.
- 21.2 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.
- 21.3 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.
- 21.4 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.
- 21.5 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.
- 21.6 Concerns have been raised by nearby residents regarding the ecological impacts of the proposed development. Concerns have been taken into consideration by Officers in this assessment.
- 21.7 An Ecological Impact Assessment, dated 30 July 2019, accompanies this application. Its primary findings include:
- There are no statutory or non-statutory designations apply to the Site and the Site does not contain any Habitats of Principle Importance
  - The plant rooms and Woodcote Grove were assessed as having low potential to support roosting bats
  - A Horse Chestnut Tree was assessed as having low potential to support bat roosts used by single or low numbers of common and widespread bats
  - The plant rooms and the Coach House (otherwise referred to as the Stable Block) were confirmed as supporting breeding birds

- The climbing plants on the Atkins Office building and introduced shrubs and planted mature trees throughout the Site, had high potential to support breeding birds
  - Three, partially-used badger outlier setts were recorded within deciduous woodland to the south of the Site
  - It would be necessary to carry out surveys to confirm the presence or likely absence of roosting bats within the plant rooms prior to demolition
  - It will be necessary to implement mitigation measures in order to avoid the requirement for further bat surveys of Woodcote Grove, in addition to avoiding unlawful impacts to roosting bats and breeding birds in other areas of the Site.
- 21.8 The Ecological Impact Assessment, dated 30 July 2019, sets out recommendations for further surveys, if required, and mitigation measures also.
- 21.9 The Local Planning Authority's Ecologist formally commented on this application. There is no objection, subject to the recommendations in the report being conditioned, should planning permission be granted.
- 21.10 In its updated response on 07.09.2020, the Local Planning Authority's Ecologist reiterates that there is no objection, but that there are a number of recommendations relating to bats and birds that are caveated, so a request was made for the applicant to update this section of the report.
- 21.11 The proposal is considered to comply with Policy CS3 of the Core Strategy (2007) and DM4 of the Development Management Policies Document (2015)

## **22 Flood Risk and Drainage**

- 22.1 Chapter 14 of the NPPF relates to meeting the challenge of climate change, flooding and coastal change. 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
- 22.2 Paragraph 165 of the NPPF sets out major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:
- a) take account of advice from the Lead Local Flood Authority;
  - b) have appropriate proposed minimum operational standards;
  - c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
  - d) where possible, provide multifunctional benefits.
- 22.3 Policy CS6 sets out that proposals for development should result in a sustainable environment and reduce, or have a neutral impact upon, pollution and climate change. In order to conserve natural resources, minimise waste and encourage recycling, the Council will ensure that new development (inter alia) avoids increasing the risk of, or from, flooding.

- 22.4 Policy DM19 sets out that development on site of 1ha or greater in Flood Risk Zone 1 and sites at medium or high risk from other sources of flooding will not be supported unless (inter alia) it can be demonstrated through a site Flood Risk Assessment that the proposal would, where practical, reduce risk to and from the development or at least be risk neutral. Where risks are identified through a Flood Risk Assessment, flood resilient and resistant design and appropriate mitigation and adaptation can be implemented so that the level of risk is reduced to acceptable levels.
- 22.5 Policy DM19 expects development to reduce the volume and rate of surface water run-off through the incorporation of appropriately designed Sustainable Drainage Systems (SUDS) at a level appropriate to the scale and type of development.
- 22.6 The Site is located in Flood Zone 1 (low probability of flooding).
- 22.7 A Flood Risk Assessment & Surface Water Drainage Strategy, dated 12 July 2019, accompanies this application. An updated Flood Risk Assessment & Surface Water Drainage Strategy was prepared, dated 9 January 2020.
- 22.8 The site is located in a Flood Zone 1, however it is reported to have extents of surface water flood risk. No new buildings are proposed at the Site that would obstruct the predicted course. In addition, the underlying geological conditions at the Site are conducive to good infiltration and the proposed surface water management measures would contribute to reducing the total volume of overland flow generated, suggesting the predicted surface water flooding is conservative. To mitigate the reported flood risk, ground floor levels of the new buildings are recommended to be raised a minimum of 300mm above the external ground level. The site is located on land with potential of groundwater emergence, however no further mitigation measures are recommended.
- 22.9 Surface water runoff up to a 1 in 100 year rainfall event plus 40% climate change allowance generated by the proposed development is proposed to be managed by geocellular storage and permeable paving, significantly contributing to a positive reduction in flood risk.
- 22.10 Overall, it has been demonstrated that the development would be safe, without increasing flood risk elsewhere and that a positive reduction in flood risk would be achieved through the proposed inclusion of geocellular storage crates and permeable paving.
- 22.11 SCC Local Lead Flood Authority (LLFA) formally commented on this application. The LLFA is satisfied that the proposed drainage scheme meets the requirements set out in the submitted documentation and is content with the proposed development, subject to suitably worded conditions being attached to any Planning Permission granted.
- 22.12 The application is considered to comply with Policies CS6 and DM19.

### **Update**

- 22.13 Representation has been received regarding potential flood risk of Block A. This has been considered below.
- 22.14 In its response dated 27.08.2020, SCC LLFA referred to the levels associated with proposed Block A. Concern was raised about the potential increase in surface water flood risk, which could result from the level change. The Applicant was therefore asked to provide an assessment of this risk.

- 22.15 The Applicant's drainage consultant responded on 28.08.2020, proposing a conservative approach, recommending that the threshold level of the new access point is raised by 150mm, to help prevent water ingress into the Site. Should there be associated accessibility issues, the main access is located approximately 100 metres further south-east along Chalk Lane.
- 22.16 SCC LLFA considered the Applicant's response and updated its consultation response (dated 01.09.2020) to amend Condition 1d, requiring details of how any surface water flooding risk to Block A from the adjacent highway is mitigated.

### 23 Archaeology

- 23.1 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.
- 23.2 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.
- 23.3 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.
- 23.4 An Archaeological Desk-Based Assessment, dated 8 July 2019, accompanies this application. It sets out that to the North of the Site there is evidence of landscaping having removed archaeological potential and to the East of the Site is an Area of High Archaeological Potential of Stance Street Roman Road. Due to the low archaeological potential that the Site is considered to hold, there is no further archaeological input proposed.
- 23.5 SCC Archaeology (20.02.2020) formally commented on this application. SCC Archaeology consider that the Site has a high archaeological potential for Heritage Assets of archaeological significance of post-medieval date relating to Woodcote Grove, its ancillary buildings and gardens. If present, these would be destroyed by the groundworks associated with the proposed development. As such, further work in the form of an archaeological trial trench evaluation is required to determine whether Heritage Assets of archaeological significance remain within a potentially undisturbed area of the development Site.
- 23.6 SCC Archaeology sets out that as it appears unlikely that archaeological Heritage Assets of National Significance requiring preservation *in situ* would be present, securing the archaeological work as a condition of any planning permission is appropriate and should be attached to any planning permission that may be granted.
- 23.7 The application is considered to comply with policies CS5 and DM8.

### 24 Contamination

- 24.1 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.

- 24.2 A Phase 1 Environmental Site Assessment, dated July 2019, accompanies this application. It recommends a ground investigation to address the areas of suspected contamination identified in the desk study.
- 24.3 The Local Planning Authority's Contamination Land Officer formally commented on this application on 23 March 2020. The Local Planning Authority's Contamination Officer agrees with the recommendations of the desk study. There are other suspect areas that have not been referenced within the desk study, which the Contamination Officer believes should be investigated, including the Grade II listed Stable Block and a low voltage switch house.
- 24.4 A Condition is recommended, subject to planning permission being granted. The application is considered to comply with Policies DM10 and DM17.

## **25 Sustainability**

- 25.1 Chapter 2 of the NPPF relates to achieving sustainable development. Chapter 7 of the NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 25.2 Chapter 8 of the NPPF sets out that there are three overarching objectives of sustainable development, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): economic, social and environmental.
- 25.3 Policy CS6 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.
- 25.4 Concerns have been raised by nearby residents regarding the sustainability of the scheme.
- 25.5 A Sustainability Statement, dated 9 August 2019, accompanies this application. This demonstrates that principles of good sustainable design have been incorporated in the proposed development and that good sustainable practices would be followed during the construction phase.
- 25.6 The proposed scheme has sought to integrate sustainability into the design of the proposal and it is considered to comply with Policy CS6.

## **26 Community Infrastructure Levy**

- 26.1 The scheme would be CIL liable.



**27 Conclusion**

- 27.1 The application was presented to Planning Committee on 23 July 2020 with an Officer's recommendation for approval. Planning Committee deferred the application on the basis that it required further information on a range of matters. The Applicant prepared additional information, which was subject to formal consultation.
- 27.2 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.
- 27.3 The principle of development at this Site has been addressed. The Site currently offers vacant office accommodation, which fails to enhance the historic nature of the Site, the Conservation Area, or the Site's spatial context.
- 27.4 The proposal seeks to provide much needed housing, bring Woodcote Grove back into its former use as residential accommodation and open up the link between this building and the Grade II listed Stable Block, through sensitive landscaping.
- 27.5 The less than substantial harm to the designated heritage assets is considered to be outweighed by the public benefits of the scheme. Other harm and impacts attributed to issues such as parking deficit and loss of trees are considered to be outweighed by the significant benefits of the development when assessed against the Framework as a whole. The proposal is considered by Officers to be an acceptable form of sustainable development
- 27.6 The alterations to the listed buildings on the Site have been dealt with by a separate listed Building Consent application, which has been submitted in tandem with this application.
- 27.7 It is recommended that the scheme is approved subject to a S106 Agreement and Conditions.

**28 Recommendation****Part A**

- 28.1 Subject to a legal agreement being completed and signed by 23.12.2020 to secure the following Heads of Terms:
- Provision of eight affordable units, at the tenure mix of seven shared ownership and one social rented unit
  - Secure £15,950, as a payment in lieu of on-site affordable housing
  - A S106 monitoring fee in respect of monitoring implementation of the obligations in the S106 agreement of £2000 to be paid upon to the Council upon commencement of the development
  - Implementation of a review mechanism for the submission of a revised Viability Statement
  - Should trees become irreparably damaged, a financial retainer is held, equivalent to the CAVAT value of the threatened trees, to be determined by the Local Planning Authority (LPA), with the value to be paid into the LPA's green infrastructure funds, to compensate the local community
  - Applicant to prepare and enter into a Landscape Ecological Management Plan
  - A financial monitoring fee to be paid within three months of the site being 50 percent occupied of £4,600 towards future auditing of the site travel plan
  - The provision of a fully funded scheme by the developer to improve the local bus infrastructure on Ashley Road either side of the site access and at the bus stops on Woodcote Green Road closest to the site, to consider real time passenger information,

- shelter provision and seating, in accordance with scheme details and timings to be submitted to and approved in writing with the Local Planning Authority
- Prior to commencement of development to submit the Car Club Scheme to the County Council for approval and, to implement such approved prior to the Occupation of the first Dwelling to be occupied. The Car Club Scheme shall provide for two Car Club bays, one on-street and one on-site
  - The Car Club Scheme shall comply with the Surrey Guidance on car clubs in new developments, to include but not be limited to, the following requirements:
    - a) That the Owner shall procure the establishment, operation and promotion of the Car Club and provide the name and address of the operator of the Car Club to the County Council prior to occupation of the first dwelling to be occupied;
    - b) On-street Car club bay to be provided with a fast charge electric vehicle charging point;
    - c) On-site car club bay to be located in an open and highly visible location;
    - d) To fully fund the provision of the Traffic Regulation Order (TRO) to secure one on-street parking space on the public highway; and
    - e) Every Dwelling shall have the offer of free membership of the Car Club for one year. This offer will extend to the first occupier of any Dwelling only. The offer of free membership must be accepted by the Occupier within 3 months of such offer being made and will last one year irrespective of any change in the details of the occupier. The offer will also include 25 miles of free use of the Car Club Car
  - On-street car parking monitoring:
    - a) Monitoring of the on-street car parking levels, taking place along Worple Road and Chalk Lane, at times to be agreed, to ensure no overspill car parking is taking place by residents
    - b) Payment of the financial monitoring fee of £3,000 to be paid before completion of the last dwelling to be built towards auditing and reviewing the car parking monitoring reports and reviewing the restrictions on Worple Road and Chalk Lane for a period of up to 5 years post full occupation of the proposed development
    - c) Within a period of five years following full occupation of the Development, if required by Surrey County Council following the above audit and review process, the Ownert shall fully fund the cost of advertising and implementing a Traffic Regulation Order (TRO) for a revised traffic management scheme on Worple Road and Chalk Lane, in the vicinity of the site.
  - The applicant is to enter into a full S278 agreement with Surrey County Council to facilitate the proposed changes to the highway at the junction of Worple Road and Chalk Lane and the provision of one car club bay on-street.

The Committee authorise the Head of Planning to grant planning permission subject to the Conditions detailed below.

## Part B

- 28.2 In the event that the section 106 Agreement referred to in Part A is not completed by 23.12.2020 the Head of Planning be authorised to extend the deadline to complete the agreement or refuse the application for the following reason:
- d) In the absence of a completed legal obligation under section 106 of the Town and Country Planning Act 1990 (as amended).

Condition(s):

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

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

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

LOC – Site Location Plan – Rev B – dated 19.05.2019  
 BLOC – Proposed Block Plan – Rev A – dated 31.07.2019  
 001 - Existing Site Plan – dated 26.07.2019  
 002 - Existing Coach House – Rev B – dated 30.07.2019  
 003 - Existing Conference Centre – Rev A – dated 26.07.2019  
 004 - Existing Woodcote Grove – Plans – Rev A – dated 26.07.2019  
 005 - Existing Woodcote Grove – Elevations – Rev A – dated 26.07.2019  
 006 - Existing Atkins Office Building – Ground Floor Plan – Rev A – dated 26.07.2019  
 007 - Existing Atkins Office Building – Typical Floor Plan – Rev A – dated 26.07.2019  
 008 - Existing Atkins Office Building – Elevations - Rev A – dated 26.07.2019  
 009 - Existing Atkins Office Building - Elevations - Rev A – dated 26.07.19  
 010 - Existing Reprographics Centre – Floor Plans and Elevations - Rev A – dated 26.07.2019  
 011 – Proposed Site Plan – Rev R – dated 28.07.2020  
 020 – Block A - Floor Plans – Rev D – dated 18.12.2019  
 021 – Block A – Elevations – Rev D - dated 27.03.2020  
 022 – Block B - Floor Plans & Elevations – Rev B – dated 30.07.2019  
 023 – Block C and D – Ground Floor Plan – Rev B – dated 31.07.2019  
 024 – Block C and D – First Floor Plan – Rev B – dated 31.07.2019  
 025 – Block C – Elevations – Rev B - dated 31.07.2019  
 026 - Block D – Elevations – Rev B - dated 31.07.2019  
 027 - Block E - Floor Plans – Rev C – dated 30.10.2019  
 028 - Block E – Elevations – Rev B – dated 31.07.2019  
 029 - Block F - Lower Ground Floor Plan – Rev F – dated 30.07.2020  
 030 - Block F - Upper Ground Floor Plan – Rev G – dated 05.02.2020  
 031 – Block F - First & Second Floor Plan – Rev H – dated 05.02.2020  
 032 - Block F - Third Floor Plan – Rev G – dated 27.01.2020  
 033 - Block F - Fourth Floor Plan – Rev E – dated 17.12.2019  
 035 – Block F - Elevations Sheet 1 – Rev G - dated 27.01.2020  
 036 – Block F – Elevations – Rev G – dated 27.01.2020  
 037 - Block F - Detailed Bay Sections– Rev A – dated 27.01.2020  
 038 - Block F - Detailed Bay Sections - Rev A – dated 27.01.2020  
 039 - Block F - Detailed Bay Sections– Rev A – dated 27.01.2020  
 040 - Site Sections AA-FF – Rev E – dated 27.01.2020  
 041 - Site Sections– Rev E - dated 27.01.2020  
 042 - Block E - Site Boundary Treatment – dated 05.02.2020  
 050 - Bin Stores - Plans and Elevations – dated 31.07.2019  
 J4/01030 – Fence Standard Install Details – dated 04.01.2017

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

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

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

- (4) Prior to the commencement of development, a sample panel of brickwork measuring 1m X 1m must be prepared for inspection and approved by the local planning authority on the Application Site as example for the brick to be used. These shall be used as model for colour, texture, module, bond, pointing and mortar colour and retained on the Application Site during construction. The development shall be carried out in accordance with the approved samples.

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.

- (5) Prior to the commencement of development, section drawings [parapets /reveals/lintel/cills/balconies, etc.] at a scale of 1:5 shall be submitted to the local planning authority. No works shall commence until these specifications are approved. The development shall be carried out in accordance with the approved specifications.

Reason: To safeguard the special architectural and historic interest of the Site and in the interest of the character and appearance of the Conservation Area, in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM8, DM9 and DM10 of the Development Management Policies 2015.

- (6) The timber double doors in the archway of the Grade II listed Stable Block shall be retained and maintained.

Reason: To safeguard the special architectural and historic interest of the listed buildings and in the interest of the character and appearance of the conservation area in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM8, DM9 and DM10 of the Development Management Policies 2015

- (7) Following demolition and prior to occupation of the development , a site investigation and risk assessment to determine the existence, extent and concentrations of any made ground/fill, ground gas and contaminants (including asbestos) 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. 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. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site and verification report shall incorporate the approved additional measures.

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

- (8) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, to be conducted

in accordance with a written scheme of investigation, which has been submitted to and approved, in writing, by the Local Planning Authority

Reason: 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).

- (9) The construction of the drainage system/prior to above ground floor superstructure shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the local planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDs, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels
  - b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. Associated storage volumes shall be provided using an infiltration based strategy
  - c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
  - d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected. Including details of how any surface water flooding risk to Block A from the adjacent highway is mitigated
  - e) Details of drainage management responsibilities and maintenance regimes for the drainage system
  - f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational

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

- (10) Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. 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 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) The development hereby approved shall be carried out in accordance with the protection, mitigation and enhancement measures detailed in the Ecological Impact assessment, dated 30 July 2019 prior to the first occupation of the development or in accordance with the approved timetable detailed in the assessment. The approved measures shall thereafter be 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.

- (12) The development hereby approved shall be carried out in accordance with the mitigation measures detailed within the Air Quality Assessment, dated 12.02.2019.

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

- (13) *Other than demolition and enabling works*, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: For the protection of Controlled Waters. The site is located over Principal & Secondary Aquifers and within SPZ1 and it is understood that the site may be affected by historic contamination.

- (14) 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 contamination to be identified during development groundworks. The Environment Agency should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters.

- (15) Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

Reason: Should remediation be deemed necessary, the Applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.

- (16) 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 Controlled Waters. The development shall be carried out in accordance with the approval details.

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

- (17) 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 or 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.

- (18) The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved

Reason: To ensure that the proposed development does not pose a risk to water quality by ensuring foul sewage connection to the Thames Water sewer.

- (19) No part of the development shall be first occupied unless and until the vehicular access to Ashley Road has been cleared of all vegetation at the back edge of the highway (along the fence line) to improve visibility zones in accordance with the approved plan and thereafter the visibility zones shall be kept permanently clear of any vegetation and obstruction over 1.05m high

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. Required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019. To accord with NPPF 2019: Section 9 Promoting Sustainable Transport, and Epsom and Ewell Core Strategy 2007 and Epsom and Ewell Development Management Policies 2015.

- (20) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for the loading and unloading of service 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 areas shall be retained and maintained for their designated purposes

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. Required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019. To accord with NPPF 2019: Section 9 Promoting Sustainable Transport, and Epsom and Ewell Core Strategy 2007 and Epsom and Ewell Development Management Policies 2015.

- (21) The development hereby approved shall not be occupied unless and until at least 20 of the available parking spaces are provided with a fast charge socket and a further 20 of available spaces to be provided with a power supply to provide additional fast charge sockets (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. Required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019. To accord with NPPF 2019: Section 9 Promoting Sustainable Transport, and Epsom and Ewell Core Strategy 2007 and Epsom and Ewell Development Management Policies 2015.

- (22) No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) programme of works (including measures for traffic management)
  - (e) provision of boundary hoarding behind any visibility zones
  - (f) HGV deliveries and hours of operation
  - (g) vehicle routing
  - (h) measures to prevent the deposit of materials on the highway
  - (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
  - (j) no HGV movements to or from the site shall take place between the hours of 8.30 and 9.15 am and 3.15 and 4.00 pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Ashley Road, Worple Road and ) 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.
  - j) No construction vehicle access shall be permitted via Worple Road and Chalk Lane at any time

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. Required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019. To accord with NPPF 2019: Section 9 Promoting Sustainable Transport, and Epsom and Ewell Core Strategy 2007 and Epsom and Ewell Development Management Policies 2015.

- (23) The development hereby approved shall not be first commenced unless and until a Delivery and Servicing Plan containing a scheme specifying arrangements for deliveries to and removals from the site, to include details of:
- e) The types of vehicles to be used and hours of their operation
  - f) The design of delivery areas within the development site
  - g) The dimensions and layout of lorry parking areas and turning spaces
  - h) Chalk Lane access management approach (including emergency access)

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. Required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019. To accord with NPPF 2019: Section 9 Promoting Sustainable Transport, and Epsom and Ewell Core Strategy 2007 and Epsom and Ewell Development Management Policies 2015.



- (24) The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with the approved plans to be submitted to and approved in writing by the Local Planning Authority for:
- The secure, level and covered parking of 122 bicycles within the development site,
  - Facilities within the development site for cyclists to store cyclist equipment,
  - Providing safe routes for pedestrians / cyclists to travel between Ashley Road and Chalk Lane through the development site

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. Required in recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework 2019. To accord with NPPF 2019: Section 9 Promoting Sustainable Transport, and Epsom and Ewell Core Strategy 2007 and Epsom and Ewell Development Management Policies 2015.

- (25) Three months prior to the occupation of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council’s “Travel Plans Good Practice Guide”, and in general accordance with the 'Heads of Travel Plan' document as submitted, with specifics to be included on:
- information to be provided to residents and visitors regarding the availability of and whereabouts of local public transport and car clubs, and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority
  - The submitted Travel Plan to include details of the car club operator, the types of vehicle to be provided, the parking bay location and how the car club will be marketed to residents, including any agreed membership discounts or offers

And then the approved Travel Plan shall be implemented prior to occupation of any dwelling and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. Required in recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework 2019. To accord with NPPF 2019: Section 9 Promoting Sustainable Transport, and Epsom and Ewell Core Strategy 2007 and Epsom and Ewell Development Management Policies 2015.

- (26) The development hereby approved shall not be first occupied unless and until a scheme for specifying arrangements for the monitoring of the parking levels on-street connected to the development proposals, to include details of:
1. Monitoring of the on-street parking levels, taking place along Worple Road and Chalk Lane, at times to be agreed, to ensure no overspill car parking is taking place
  2. Payment of financial monitoring fee towards reviewing the parking monitoring reports and reviewing the restrictions on Worple Road and Chalk Lane for period of up to 5 years post full occupation of the proposed development
  3. Within a period of five years following occupation of the development, if required by Surrey County Council following the above review process, the Applicant shall fully fund the cost of advertising and implementing a Traffic Regulation Order (TRO) for a revised traffic management scheme on Worple Road and Chalk Lane, in the vicinity of the site

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. Required in recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework 2019. To accord with NPPF 2019: Section 9 Promoting Sustainable Transport, and Epsom and Ewell Core Strategy 2007 and Epsom and Ewell Development Management Policies 2015.

- (27) The following environmental mitigation measures shall be employed during the demolition and construction phases:
- A name and contact number of a suitably accountable person shall be made available on the site boundary.
  - A log book shall be maintained of all dust and air quality complaints, and of exceptional instances that cause dust and/or air emissions. Records shall be maintained detailing the measures employed to reduce emissions in a timely manner. These records shall be made available to an officer of the local authority on request.
  - Regular checks shall be made of dust soiling of surfaces such as street furniture, cars and window sills within 100 metres of the site boundary. The frequency of these checks shall be increased during activities with a high potential to produce dust are being carried out and during prolonged dry or windy conditions.
  - The site layout shall be planned so that machinery and dust causing activities are located away from receptors as far as possible and screened if necessary.
  - An adequate supply of water shall be made available on the site for the use in dust suppression systems using non potable water where possible.
  - No burning of waste materials shall be permitted at any time

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

- (28) No development shall take place until details of existing and proposed finished site levels, finished floor and ridge levels of the buildings to be erected have been submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details

Reason: In order to safeguard the amenities of the occupiers of neighbouring properties in accordance with Policy CS5 of the Core Strategy (2007) and Policy DM10 of the Development Management Policies 2015

- (29) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting or amending those Orders with or without modification), planning permission shall be required in respect of development falling within Schedule 2, Part 1, Classes A, B, C, D, E, F, G, H of that Order

Reason: To ensure that development within the permitted Classes in question is not carried out in such a way as to prejudice the appearance of the proposed development or the amenities of future occupants of the development or the occupiers of adjoining property in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM10 and DM12 of the Development Management Policies 2015

- (30) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting or amending that Order with or without modification), no gates, fences, walls or other means of enclosure, other than those shown on the approved plans, shall be erected or placed on the Site

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

- (31) No development shall take place on site until:

(a) details of external lighting scheme has been submitted to and approved in writing by the local planning authority. Such details shall include location, height, type and direction of light sources, means of controlling light spillage and intensity of illumination.

(b) the external lighting scheme has been installed, maintained and operated in accordance with the approved details

Any lighting, which is so installed, shall thereafter be maintained and operated in accordance with the approved details and shall not be altered other than for routine maintenance.

Reason: In order to safeguard the amenities of the occupiers of neighbouring properties in accordance with Policies CS5 and CS16 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

- (32) Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a Tree Protection Plan(s) (TPP) and a detailed arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS:

- a) Location and installation of services/ utilities/ drainage in particular adjacent to 'Block A' and the root protection areas (RPAs), as defined in BS 5837: 2012, of trees nos. 9, 10 & 11;
- b) Methods of demolition within the RPAs of the retained trees nos. 9 – 13, 56, 83 – 84, 86 and 108;
- c) Details of construction for foundations or other structures which require excavation or that may impact on the RPAs of retained trees, specifically, individuals nos. 8 – 9, 48 – 49, 63, 83 – 84 & 152;
- d) A full specification for the construction of any roads, parking areas, new hard surfacing and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification;
- e) A specification for protective fencing and trunk wrapping to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing;
- f) A specification for scaffolding and ground protection within RPAs of construction exclusion zones, where total protection cannot be achieved due to access and construction requirements;
- g) Details of site access, temporary contractor parking, on site welfare facilities and services, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires;
- h) Methodology and detailed assessment of root pruning within RPAs;
- i) Arboricultural supervision and inspection by a suitably qualified arboricultural consultant;
- j) Reporting to the LPA of inspection and supervision;
- k) Methods to improve the rooting environment for retained and proposed trees;
- l) Details of all proposed access facilitation pruning.

The development thereafter shall be implemented in strict accordance with the approved details.

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.

- (33) Before any development or construction work begins, a pre-commencement meeting shall be held on site and attended by the developers appointed arboricultural consultant, the site manager/foreman and a representative from the Local Planning Authority to discuss details of the working procedures and agree either the precise position of the approved tree protection measures to be installed or that all tree protection measures

have been installed in accordance with the approved tree protection plan. To include a reasonable supervision and monitoring programme with the LPA for the duration of development. The development shall thereafter be carried out in accordance with the approved details or any variation as may subsequently be agreed in writing by the LPA

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.

- (34) The Arboricultural Method Statement and Plan required for compliance in support of the application shall be adhered to in full, subject to the arranged tree protection monitoring and site supervision requirements, detailed in the pre-start meeting report shall be undertaken by a suitably qualified tree specialist, and supervision reports forwarded to the LPA

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.

- (35) The completed schedule of site supervision and monitoring of the arboricultural protection measures shall be submitted for approval in writing by the Local Planning Authority within 28 days from completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by a suitably qualified and pre-appointed tree specialist.

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.

- (36) No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the local planning authority.

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.

- (37) No development shall take place until details for the storage of waste on the premises, including the design and position of storage facilities for bins and recycling and details of a management company have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to first occupation of the development and thereafter maintained for the duration of the development.

Reason: In the interests of residential and visual amenity, and to encourage waste minimisation and recycling of domestic refuse, in the interests of sustainable development in accordance with Policies CS5 and CS6 of the Core Strategy (2007) and Policy DM10 and DM12 of the Development Management Policies 2015.

- (38) No development shall take place until full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5

years, have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and thereafter retained.

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

- (39) Prior to first occupation of any part of the development hereby permitted, details of the children's play area, including the number, type and design of play equipment, surfacing and enclosures are submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the approved details and thereafter retained.

Reason: To safeguard the special architecture and historic interest of the listed buildings and in the interests of the character and appearance of the conservation area in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM8, DM9 and DM10 of the Development Management Policies 2015. To secure community facilities in accordance with Policy CS13 of the Core Strategy (2007).

- (40) Prior to the commencement of development, a Car Park Management Plan shall be submitted to the Local Planning Authority for approval in writing. The plan should describe how parking will be distributed and managed on the site and the location of electric vehicle charging points. This shall be a live document that would be reviewed.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. Required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019. To accord with NPPF 2019: Section 9 Promoting Sustainable Transport, and Epsom and Ewell Core Strategy 2007 and Epsom and Ewell 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. Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced.
3. The Applicant's attention is drawn to the series of publications produced by the Department for Communities and Local Government (CLG), which provides information for the responsible person about the Fire Safety Order. These publications are available from Government Services and Information website at: <https://www.gov.uk/workplace-fire-safety-your-responsibilities/fire-safety-advice-documents>. Responsibility for ensuring that a building is provided with appropriate fire safety arrangements rests with the responsible person, once the building is occupied. The

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

4. Fire safety information in accordance with Regulation 38 of the Building Regulations 2010 should be provided to the responsible person at the completion of the project or when the building or extension is first occupied. This information should take the form of a fire safety manual and form part of the information package that contributes to the fire risk assessment that will need to be carried out under the Regulatory Reform (Fire Safety) Order 2005.
5. Passive fire protection measures, particularly fire stopping, fire barriers and fire resisting compartmentation, restricts the spread of smoke and fire through a building through hidden areas such as voids. Surrey Fire and Rescue Service (SFRS) recommend that careful attention is given to this detail during construction. Certification of this work can be beneficial to confirm the suitability of the structure to meet its performance requirement lay out in this design application.
6. Surrey Fire and Rescue Service (SFRS) would strongly recommend that consideration is given to the installation of AWSS (ie; Sprinklers, Water Mist etc) as part of a total fire protection package to: protect life, protect property, heritage, the environment and our climate, help promote and sustain business continuity and permit design freedoms and encourage innovative, inclusive and sustainable architecture. The use of AWSS can add significant benefit to the structural protection of buildings in the event of a fire. Other benefits include supporting business recovery and continuity if a fire happens. SFRS are fully committed to promoting Fire Protection Systems for both business and domestic premises.
7. 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 its website.
8. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.
9. Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water, there no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required: <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>
10. Thames Water would recommend that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses
11. There may be public sewers crossing or close to the development. If the Applicant discovers a sewer, it's important to minimise the risk of damage. The Applicant is advised to read Thames Water's guide: <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>
12. If the Applicant proposes to use mains water for construction purposes, it's important to Thames Water know before this is used, to avoid potential fines for improper usage. More information and how to apply can be found online at: [thameswater.co.uk/buildingwater](https://thameswater.co.uk/buildingwater)
13. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

14. Design standards for the layout and construction of access roads and junctions, including the provision of visibility zones, shall be in accordance with the requirements of the County Highway Authority
15. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council
16. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service
17. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The Applicant is advised that, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The Applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingasorrydvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingasorrydvice)
18. When access is required to be 'completed' before any other operations, the Highway Authority may agree that surface course material and in some cases edge restraint may be deferred until construction of the development is complete, provided all reasonable care is taken to protect public safety
19. The developer is advised that the standard fee of £4,600 will be charged for input to, and future monitoring of the Residential Travel Plan
20. Any unilateral undertaking shall be in accordance with Surrey County Council's standard format
21. A TRO would be required should the CHA consider that over-spill parking is taking place from the proposed development, with such parking resulting in danger and inconvenience to highway users
22. The developer is advised that as part of the detailed design of the highway works required by the above condition, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment
23. The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant utility companies and the developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users
24. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types

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