

**Epsom General Hospital, Dorking Road, Epsom, Surrey, KT18 7EG**

Ward:	<b>Woodcote Ward</b>
Site:	<b>Epsom General Hospital, Dorking Road, Epsom, Surrey, KT18 7EG</b>
Application for:	<b>Demolition of the existing hospital buildings, accommodation block and associated structures and redevelopment of the site to provide a new care community for older people arranged in two buildings, comprising 267 care residences, 10 care apartments and 28 care suites providing transitional care, together with ancillary communal and support services Use Class C2, 24 key worker units Use Class C3, childrens nursery Use Class E, as well as associated back of house and service areas, car and cycle parking, altered vehicular and pedestrian access, landscaping, private amenity space and public open space.</b>
Officer:	<b>Ginny Johnson</b>

## **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: <https://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QOM65RGY0BY00>

## **2 Summary**

- 2.1 This is a major planning application and in accordance with Epsom & Ewell Borough Council's Scheme of Delegation, it is referred to Planning Committee. The proposal seeks the demolition of existing buildings, proposing a care community (Use Class C2), 24 replacement key worker units (Use Class C3), a children's nursery (Use Class E), as well as associated back of house and service areas, car and cycle parking, altered vehicular and pedestrian access, landscaping, private amenity space and public open space.

- 2.2 The Application Site ('Site') comprises healthcare and accommodation buildings and surface level car parks, which are of poor quality, lacking any coherent masterplan. In line with the accompanying Planning Statement (paragraph 2.3), Legal & General acquired the Site following a decision by the 'NHS Epsom Hospital Trust', to sell a portion of the Epsom General Hospital Site, which was surplus to their requirements.
- 2.3 People are living longer. There are now around 12 million older people (aged 65 or over) in the UK, in accordance with 'The Health Foundation'. While many live healthy lives, as we age, the likelihood of needing acute care or on-going care grows. The ageing population creates new challenges for society, as demonstrated by the increase in demand for NHS services and social care.
- 2.4 The variety of extra-care accommodation reduces pressure on local hospitals, GPs and emergency centres. Not only does extra-care accommodation provide a positive health influence on all senior residents, it also directly impacts on and improves a range of social factors, such as loneliness and isolation.
- 2.5 This Site is located within the built up area of Epsom and is appropriate for housing redevelopment, as it is comprised of previously developed land. The proposed use is compatible with existing uses, specifically the adjacent hospital. There is no existing concentration of comparable C2 provision in the immediate locality, ensuring that the scheme supports the creation of a mixed, inclusive and sustainable community.
- 2.6 Surrey County Council (SCC) Adult Social Care recognises that further extra-care accommodation is required. It is possible that the future operator will attract interest from people living beyond the Borough's borders.
- 2.7 The proposal contributes towards the need for specialist retirement housing in the Borough. It seeks 305 care units, equating to approximately 57 units above the minimum need of 248 units within the Borough (in accordance with the SHMA Update).
- 2.8 The Local Planning Authority cannot presently demonstrate five years housing land supply. This scheme would generate 292 units towards housing numbers, as a result of applying the "Housing Delivery Test Measurement Rule Book". Officers give this positive weight within the planning balance. Furthermore, this proposal would enable older people to move out of their existing homes into extra care accommodation, which would free up existing housing stock for the next generation.
- 2.9 There is existing (now vacant) key worker accommodation on the Site, located within Woodcote Lodge. This is proposed to be re-provided as part of this application and subject to planning permission being granted, tied into the S106 Agreement. This is given positive weight by Officers.
- 2.10 The proposal seeks to address the reasons for refusal, associated with planning application ref: 19/01722/FUL, dated 23 November 2020. The overall massing and scale of the proposed buildings have been reduced, by decreasing the number of units by 39, by revising the height of all buildings and increasing the setbacks from Woodcote Green Road.
- 2.11 Internally, the proposed units have been designed to cater for residents requiring care and support. The overall scheme provides a focus on communal spaces and facilities, which would be accessible to residents, but also to the public, including for example, the children's nursery. Various uses within the development encourage social interaction. Officers give positive weight to the social and community benefits arising from this scheme.

- 2.12 There is a presumption in favour of granting sustainable development unless the application of policies gives a clear reason for refusing permission (paragraph 11(d)(i) of the NPPF). Taking the relevant facts of this application into consideration, Officers recommend approval of this application, as the adverse impacts are not considered to demonstrably outweigh the benefits, when assessed against the NPPF, as a whole.

### 3 Site description

#### *Application Site ('Site')*

- 3.1 The Site comprises an area of approximately 1.5 hectares of land to the south of Epsom General Hospital. The land is currently developed with a number of healthcare and accommodation buildings and surface level car parks, which have been declared surplus to requirements by the NHS.
- 3.2 The existing buildings on the Site comprise:
- A four storey brick building, occupying the frontage to Woodcote Road (Rowan House), which measures 18.4m in height (ridge height), 69.5m in width and 54.8m in depth
  - A three storey residential block, currently providing doctors and nurses' accommodation (Woodcote Lodge), which measures 10.8m in height, 33.5m in width and 13.9m in depth. This is the existing (and vacant) key worker housing building.
  - The site of a demolished four-storey apartment block formerly used by Trust staff, as well as other office administration buildings, temporary structures and a boiler house with its associated chimney stack.
- 3.3 The building styles and functions reflect their previous healthcare use and are practical and utilitarian in appearance. Whilst some of the buildings display some limited positive materials and detailing, these do not have architectural merit. None are designated or non-designated heritage assets.
- 3.4 The Site does not comprise any listed buildings and is not located within a Conservation Area. But, the Site is visible and affects the setting of two Conservation areas: Chalk Lane Conservation Area and Woodcote Conservation Area, which fall to the south east and north east of the Site (under 0.1 miles from the Site).

#### *Surroundings*

- 3.5 To the north of the Site is Epsom General Hospital, with land and buildings remaining in operation. The hospital buildings are a mix of modern and post-war construction. The tallest building is positioned immediately to the north and is six storeys in height, with roof plant structures. To the east and occupying the Woodcote Green Road frontage, the buildings drop down to two storeys in height and are set back from the street.
- 3.6 To the west and south west of the Site are two-storey detached and semi-detached dwellings, on Woodcote Green Road: Digdens Rise and Hylands Close. Properties on the east side of Digdens Rise and Hylands Close have rear gardens extending to the Site boundary.
- 3.7 Beyond the Site to the south is Woodcote Millennium Green, providing green open space. Further to the south of this is Woodcote Estate, comprising residential dwellings.

*Access and connection*

- 3.8 Access and egress to the site is proposed via separate entrance and exit points on Woodcote Green Road, with the entrance located near the south-western corner of the site and the exit located further to the east. A one-way internal route under the west building provides access to a drop-off area to allow residents and visitors to drop off/collect their cars. Drop off/collection for the nursery is provided via the main access where parking bays are provided with vehicles departing via the separate egress.
- 3.9 The Site is considered a highly sustainable location, located approximately 1km from Epsom train station (approximately a 15 minute walk). There are two bus stops located on Woodcote Green Road, a very short walking distance from the Site.

*Designations*

- 3.10 The Site is designated:
- Within the built up area of Epsom;
  - Partly within a critical drainage area; and
  - Partly within the buffer of a medium gas main.
  - The Site is located within Flood Zone 1 (low probability of flooding).
  - There are no Tree Protection Orders relating to the Site.

**4 Proposal**

- 4.1 Planning permission was refused on 23.11.2020, under ref: 19/01722/FUL, for:

*“Demolition of the existing hospital buildings, accommodation block and associated structures and redevelopment of the site to provide a new care community for older people arranged in two buildings, comprising 302 to 308 care residences, 8 to 12 care apartments and 26 to 30 care suites providing transitional care, together with ancillary communal and support services Use Class C2, 24 key worker units Use Class C3, childrens nursery Use Class D1 as well as associated back of house and service areas, car and cycle parking, altered vehicular and pedestrian access, landscaping, private amenity space and public open space”*

- 4.2 The reasons for refusal are provided below:

1. The proposed development by reason of its height, mass, scale and design would adversely impact and harm the character and appearance of the area (including the built environment and landscape setting), failing to comply with Policy CS5 of the Core Strategy (2007), Policies DM9, DM10 and DM11 of the Development Management Policies Document (2015) and paragraphs 122 and 127 of the NPPF (2019)
2. The siting of the development leaves insufficient landscaping opportunities to the frontage of Woodcote Green Road and along the south-western boundary with neighbouring residential property to mitigate the impact of the proposed development, presenting an over-developed and hard edge to the appearance to the development, which would cause harm to the character and appearance of the area. Causing harm to the character and appearance of the area fails to comply with Policy DM5 of the

Development Management Policies Document (2015) and the NPPF (2019)

3. The proposed development by reason of its height, massing and design would adversely impact on the neighbouring amenities of the occupiers at 40 and 46 Woodcote Green Road, by means of overbearing, loss of privacy and loss of outlook, failing to comply with Policy DM10 of the Development Management Policies Document (2015)
  4. In the absence of a completed legal obligation under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure an affordable housing contribution, the applicant has failed to comply with Policy CS9 (Affordable Housing and meeting Housing Needs) of the Core Strategy (2007) and the NPPF (2019)
- 4.3 This proposal seeks the demolition of the Site's existing buildings and redevelopment, comprising:
- 267 care residences
  - 10 care apartments
  - 28 care suites
  - Replacement 24 key worker units
  - A Children's nursery
  - Back of house and service areas, car and cycle parking, altered vehicular and pedestrian access, landscaping, private amenity space and public open space.
- 4.4 This proposal seeks to address the reasons for refusal of scheme ref: 19/01722/FUL.

*Proposed buildings (height, massing and scale)*

- 4.5 The proposal comprises two main blocks: West Block and East Block.
- 4.6 Following the refusal of planning application ref: 19/01722/FUL, the Applicant has amended the height of the proposed buildings. The principle change is the reduction of the height of the two taller elements of the east and west blocks by 6 metres (equivalent to a two storey reduction). The reduction in height has been achieved by removing the uppermost level of accommodation, optimising the construction build-up and making minor changes to the ground levels. In addition to the reduction in the height of the two tallest elements of the scheme, the height of the frontage building on the western side of the Site has been reduced by 5 metres through the removal of the upper storey fronting Woodcote Green Road, as well as optimising the construction build-up and ground levels. Overall, the optimisation of the construction build-up has allowed all of the buildings on the site to be lowered by between 1.7 and 6 metres.
- 4.7 The overall massing and scale of the proposed buildings has been reduced substantially by reducing the number of units by 39, by reducing the height of all buildings and increasing the setbacks from Woodcote Green Road.

4.8 Dimensions are clarified below:

*West block (A)*

- The massing of the West block varies in storey heights from 2 to 8 storeys, with lower elements towards sensitive the more street scape and residential boundary frontages.
- A four storey frontage to residential boundary (facing west), measures 15m in height, 42m in width and 18.5m in depth
- A two storey frontage to drop-off and car park entrance (facing south), measures 8m in height, 40.8m in width and 22.7m in depth
- An eight storey frontage to hospital boundary (facing north), measures 27m in height, 60m in width and 18.5m in depth
- An eight storey frontage to hospital boundary and central landscape plaza (facing east), measures 27m in height, 78.8m in width and 18.5m in depth
- A five storey frontage to residential boundary (facing west), measures 19m in height, 15m in width and 18.5m in depth
- A four storey frontage to Woodcote Green Road boundary (facing south), measures 15m in height, 18.5m in width and 6.5m in depth.
- The key worker units forms part of the West block, facing the Site's west and north boundary.

*East block (B)*

- Massing to the East Building varies in storey heights from 4 to 9 storeys, with the lower element fronting Woodcote Green Road.
- An eight storey frontage to hospital boundary (facing north), measures 27m in height, 48m in width and 18.5m in depth
- An eight storey frontage to hospital boundary and central landscape plaza (facing east), measures 27m in height, 34m in width and 18.5m in depth
- A four storey frontage to Woodcote Green Road boundary (facing south), measures 14m in height, 56.6m in width and 18.5m in depth.

*Landscaping/public spaces*

4.9 The proposal seeks to address the reasons for refusal, associated with planning application ref: 19/01722/FUL. The proposal seeks to setback buildings fronting Woodcote Green Road. The setback of the west building has increased from 7 metres to 16 metres and the setback from the east building has been increased from between 22 and 5.5 metres to between 5 metres and 10 metres. Additionally, a step has been incorporated in the frontage to provide additional depth and articulation to the Site frontage.

*Proposed access*

4.10 Currently, the main access to the Site is located on Woodcote Green Road. This is a staff-only access to the southern parts of the Epsom General Hospital site.

- 4.11 Access and egress to the Site is provided via separate entrance and exit points on Woodcote Green Road, with the entrance located near the south western corner of the Site and the exit located to the west of the existing hospital access, which is being stopped up. The hospital access that is being retained is located further to the east of the proposed exit.
- 4.12 Drop off/collection for the nursery provided as part of the scheme will be accessed via the main access where parking bays are provided with vehicles departing via the separate egress.
- 4.13 The Site has been designed in a pedestrian friendly manner with vehicle-free access throughout and with links the existing footway and cycle-lane on Woodcote Green Road.

## 5 Consultation

### *Comments from third parties*

- 5.1 Consultation of immediate neighbours is required on most applications by legislation. The consultation process includes letters to immediate neighbours affected by a proposal. For major schemes, site notices and newspaper advertisements are also used.
- 5.2 The application was advertised by means of letters of notification to 174 neighbouring properties, a site notice displayed and advertised in the Local Newspaper. 7 letters of support were received and 457 letters of objection.

The support representation comprises:

- Housing provision (including variety of homes)
- Additional tree planting and new green areas
- Community assets
- Reduction on pressure on the NHS
- Community facilities

The objection representation comprises:

- No difference between this scheme and that previously refused (ref: 19/01722/FUL)
- Principle/need of Use Class C2 development
- Height, mass, bulk and density
- Design and materials
- Out of character
- Adverse impact on neighbouring amenity (including overbearing, loss of outlook, loss of privacy, loss of light)
- Trees and landscaping and impact on Woodcote Millennium Green
- Traffic and parking
- Noise and disturbance
- Ecological/biodiversity impact
- Sustainability
- Lack of affordable housing provision

#### *Woodcote Millennium Green Trust:*

- Request compensation payment of £25,000 included as a S106 Obligation

#### *Woodcote (Epsom) Residents' Society:*

- No difference between this scheme and that previously refused (ref: 19/01722/FUL)
- Adverse visual impact from height and massing
- Adverse impact arising from layout and density

- Inappropriate design and appearance
- Lack of affordable housing
- Impact on traffic, access and parking

*Epsom Civic Society:*

- Development considered very large, wedged into a modest site, presenting excessive height, bulk and massing
- Adverse impact on neighbouring amenity
- Concern regarding Fire Engineering Report
- Concern regarding the findings of the Heritage, Townscape and Visual Impact Assessment
- Principle/need of Use Class C2 development
- Community assets (e.g. leisure facilities) competing with town centre
- Consideration given to London Plan policies (Officers note that these are not relevant to development falling within the authoritative area of Epsom & Ewell Borough Council)

*Statutory consultations*

- Historic England (25.03.2021): no comments to make
- SCC Highways (29.03.2021): recommend S106 Obligations and onditions
- Thames Water (19.03.2021): recommend conditions and informatives
- Environment Agency (08.03.2021): recommend conditions
- SCC Lead Local Flood Authority (LLFA) (08.03.2021): recommend conditions
- SSC Archaeology (05.03.2021): recommend condition
- SCC Adult Social Care (25.03.2021) concerns raised regarding need
- Surrey Fire & Rescue (04.03.2021): recommend informatives
- Health and Safety England
- EEBC Conservation and Design Officer (08.04.2021): recommend conditions
- EEBC Contaminated Land Officer (24.03.2021): recommend conditions
- EEBC Environmental Health: recommend conditions
- EEBC Waste Team: concern raised
- EEBC Tree Officer: no comment received
- EEBC Ecologist: recommend condition



## 6 Relevant planning history

6.1 The below table sets out recent and relevant planning history pertaining to this Site. There is an extensive planning history, so, the below excludes minor full planning applications, non-material amendment applications, approval of details applications or tree applications.

Application number	Decision date	Application detail	Decision
19/01722/FUL	23.11.2020	Demolition of the existing hospital buildings, accommodation block and associated structures and redevelopment of the site to provide a new care community for older people arranged in two buildings, comprising 302 to 308 care residences, 8 to 12 care apartments and 26 to 30 care suites providing transitional care, together with ancillary communal and support services Use Class C2, 24 key worker units Use Class C3, childrens nursery Use Class D1 as well as associated back of house and service areas, car and cycle parking, altered vehicular and pedestrian access, landscaping, private amenity space and public open space	Refused
20/01322/DEM	12.10.2020	Demolition of the existing buildings and structures on site	Prior approval required and approved
20/01093/DEM	03.09.2020	Demolition of the existing buildings and structures on site	Prior approval required and approved
20/00885/DEM	22.07.2020	Prior Notification of the proposed demolition of buildings at Epsom General Hospital, including York House, Woodcote Lodge, Rowan House, Beacon Ward, the boiler house and ancillary buildings and structures, under Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)	Prior approval required and approved

Application number	Decision date	Application detail	Decision
20/00249/FUL	Pending consideration	Erection of a multi storey car park comprising ground plus 5 storeys and 527 car parking spaces, reconfiguration of surface parking to provide 104 car parking spaces and improvement to the access road from Dorking Road	Pending consideration
19/01655/SCR	EIA not required	EIA Screening Opinion pursuant to Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for demolition of the existing hospital buildings, accommodation block and associated structures and redevelopment of the site to provide a new care community for older people arranged in two buildings comprising 307 care residences and ancillary communal and support services including a restaurant, café, shop, wellness centre, gym, library, craft room, therapy and treatment rooms (Use Class C2), 40 transitional care suites (Use Class C2), 24 key worker units (Use Class C3), childrens nursery (Use Class D1) together with associated back of house and service areas, car and cycle parking, altered vehicular and pedestrian access, landscaping, private amenity space and public open space	EIA not required

## 7 Planning Policy

### National Policy Planning Framework (NPPF) 2019

Chapter 2 Achieving Sustainable Development

Chapter 4 Decision Making

Chapter 5 Delivering a Sufficient Supply of Homes

Chapter 6 Promoting a Strong and Competitive Economy

Chapter 8 Promoting Healthily and safe communities

Chapter 9 Promoting Sustainable Transport

Chapter 11 Making Effective Use of Land

Chapter 12 Achieving Well-Designed Places

Chapter 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change

Chapter 15 Conserving and Enhancing the Natural Environment

Chapter 16 Conserving and Enhancing the Historic Environment

Epsom & Ewell Core Strategy 2007

Policy CS1 – Sustainability

Policy CS3 - Biodiversity

Policy CS4 - Open Spaces

Policy CS5 - The Built Environment

Policy CS6 - Sustainability in New Developments

Policy CS7 - Housing Need

Policy CS8 - Housing Delivery

Policy CS9 - Affordable Housing

Policy CS10 – Employment provision

Policy CS12 - Infrastructure

Policy CS13 - Community facilities

Policy CS14 – Supporting Epsom Town Centre and Local Centres

Policy CS16 - Managing transport and travel

Epsom & Ewell Development Management Policies Document 2015

Policy DM4 - Biodiversity

Policy DM5 - Trees and landscape

Policy DM6 - Open space provision

Policy DM7 - Footpath, cycle and bridleway network

Policy DM8 - Heritage assets

Policy DM9 - Townscape character and local distinctiveness

Policy DM10 - Design requirements

Policy DM12 - Housing standards

Policy DM17 – Contaminated land

Policy DM19 - Development and flood risk

Policy DM21 - Housing needs

Policy DM22 – Housing mix

Policy DM24 – Employment uses outside of existing employment policy areas

Policy DM31 – safeguarding small-scale retail provision

Policy DM34 - New social infrastructure

Policy DM35 - Transport and New Development

Policy DM36 - Sustainable transport.

## **8 Planning considerations**

8.1 The main considerations material to the determination of this application are:

- Principle of Development
- Proposed C2 use
- Provision/need of accommodation for older people
- Design and heritage
- Townscape/Character of Area
- Affordable Housing
- Quality of Accommodation
- Ancillary uses
- Trees and Landscaping
- Neighbouring amenity
- Highways and Parking
- Refuse
- Ecology
- Flood risk
- Contamination
- Archaeology
- Sustainability and Climate Change
- Other
- CIL
- Planning Balance/Conclusion

## **9 Principle of Development**

*Presumption in favour of sustainable development*

- 9.1 The revised National Planning Policy Framework ('NPPF' or 'Framework') was updated on 19 February 2019 and sets out the government's planning policies for England and how these are expected to be applied. It is a material consideration. It sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. This is a very positive aim.
- 9.2 The Site is located within the built up area of Epsom and does not affect any assets of particular importance, including SSSI, AONB, European or National ecological designations or Green Belt. These would be given additional weight to by the NPPF. When considering the principle of development, the presumption in favour of sustainable development is fundamental in this case.
- 9.3 Paragraphs 7 and 8 of the NPPF sets out that there are three dimensions to sustainable development: economic, social and environmental:
- 9.4 The social role of the planning system is to support strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations and by creating a high quality built environment, with accessible local services that reflect communities' needs, supporting health, social and cultural wellbeing.
- 9.5 The economic objective is to help build a strong, responsive economy and to ensure that the right type of land is available in the right places.
- 9.6 The environmental objective is making efficient and effective use of land and to improve the environment.
- 9.7 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.
- 9.8 Paragraph 11d and footnote 7 of the NPPF sets out that development policies that are the most important for determining a planning application are regarded as being out of date where the 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.
- 9.9 Existing planning policies should not be considered out-of-date simply because they were adopted or made prior to the first publication of the NPPF (and its reissue in 2019). Due weight should be given to them according to their degree of consistency with the policies of the NPPF (paragraph 213). The NPPF is therefore an important material consideration that may override development plan policies that were adopted prior to the publication of the NPPF and which are not consistent with it.
- 9.10 Chapter 5 of the NPPF relates to the delivery of a sufficient supply of houses. Paragraph 73 required Local Planning Authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against the housing requirement set out in adopted policies, or against local housing need where strategic policies are more than five years old.

- 9.11 Paragraph 61 of the NPPF provides the overarching objective in promoting housing choices. It states that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes.
- 9.12 Paragraph 91 of the NPPF sets out that planning decisions should aim to achieve healthy, inclusive and safe places, which (inter alia) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other. Paragraph 92 of the NPPF calls for planning decisions to provide social, recreational and cultural facilities and services the community needs.
- 9.13 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. The South East Plan was revoked in 2012, with housing requirements then to be determined by local need.
- 9.14 The Epsom & Ewell 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, In the case of old housing targets within CS7, no weight should be given to it.
- 9.15 The 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 increases to 695 under the housing delivery test, published 13 February 2020. Epsom & Ewell Borough Council is presently falling significantly short of this requirement and cannot presently demonstrate five years housing land supply.
- 9.16 Paragraph 11d of the NPPF is engaged via footnote 7 in circumstances where Local Planning Authorities cannot demonstrate a 5 year 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 demonstrably outweigh the benefits when assessed against the NPPF as a whole.
- 9.17 The proposal seeks a quantity of care residences, falling under Use Class C2. It does not seek "standard housing", which would fall under Use Class C3.
- 9.18 The tilted balance of paragraph 11d cannot be disapplied due to the proposed use class of development. Epsom & Ewell Borough Council has a requirement to provide specialist housing, with Use Class C2 development counted at a reduced rate towards the Borough's housing supply.
- 9.19 The National Planning Practice Guidance outlines that authorities should count housing provided for older people against their housing requirement. For residential institutions, to establish the amount of accommodation released in the housing market, authorities should base calculations on the average number of adults living in households, using the published Census data.
- 9.20 In this case, the proposal seeks numerous public benefits, including:
- Regenerating an underutilised site derelict site and optimising the use of land
  - Provision of specialist care accommodation
  - Re-provision of key worker units
  - Affordable housing provision

- Employment opportunities through provision of nursery and ancillary uses
- Upgrades to existing bus stops on Woodcote Green road and Dorking Road.

9.21 In considering paragraph 11d of the NPPF, as the adverse impacts do not demonstrably outweigh the benefits when assessed against the NPPF, as a whole.

*Loss of hospital buildings and re-provision of key worker housing*

9.22 Paragraph 8 of the NPPF sets out the objectives for sustainable development, which includes the need to support vibrant and healthy communities.

9.23 Paragraph 91 of the NPPF calls for decisions that achieve healthy, inclusive and safe places, promoting social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other and where this would enable and support healthy lifestyles.

9.24 Policy CS12 sets out that service and community infrastructure necessary to serve a development is available and that the necessary provision should be made available where there is an existing shortage of where development would exacerbate under provision.

9.25 Policy CS13 relates to community facilities. It resists the loss of community, cultural and sports facilities (particularly for the young and elderly) unless:

- It can be clearly demonstrated that there is no longer a need for such a facility in either its current use, or in any other form of community use; or
- There is an appropriate alternative means of providing an equivalent facility.

9.26 The policy goes on to encourage new facilities where they address a deficiency in provision

9.27 Policy DM34, whilst primarily dealing with new social infrastructure, outlines that the Local Planning Authority will resist the net loss of community facilities, unless

- the proposal is supported by clear and robust evidence that demonstrates that the facility is no longer needed;
- where appropriate, it has been vacant and marketed for a community use without success for at least 18 months; or
- it can be re-provided elsewhere or in a different way.

9.28 The existing hospital use can be considered a community facility, the loss of which is subject to Policy CS13. The accompanying planning statement sets out that the land is no longer occupied or used by the hospital, save for parking purposes (under license), following being declared surplus to requirements by the NHS. At the same time, the sale of the land enables wider improvements to the existing hospital.

9.29 The planning statement sets out that the Site was identified by the NHS for sale on the basis that it contained derelict accommodation, as surplus to current and future needs of the NHS.

9.30 The planning statement sets out the merits of the proposed scheme, which include (inter alia):

- Providing specialist accommodation in Epsom and providing housing choice

- Contributing 292 units towards housing delivery within the Borough
- Contributing towards the local five-year housing land supply and housing targets within Epsom
- Providing purpose-built key worker accommodation
- Improving wellbeing and social interaction and integrating care facilities into the local community through the shared use of services
- Creating local employment opportunities.

9.31 In considering the above, Officers recognise that the Site comprises redundant buildings and that the land is deemed surplus to requirements. The proposal is considered to offer an opportunity to redevelop this Site, providing public benefits, including specialist accommodation for older people, contributing towards housing requirements and creating local employment opportunities.

9.32 Additionally, the proposal seeks to re-provide 24 key worker houses, to be controlled within the S106 Agreement, should planning permission be granted.

9.33 In this case, the loss of derelict accommodation on a Site declared surplus to requirements by the NHS is considered acceptable when considering the proposal put forward and its associated public benefits.

9.34 The proposal is considered to comply with policies CS13 and DM34.

## **10 Proposed C2 use**

10.1 The proposal seeks (inter alia):

- Up to 267 Guild Living Residences, including 1, 2 and 3 bedroom apartments for both sale and rent
- Up to 38 Guild Care Residences and Suites
- 24 key worker accommodation.

10.2 All of the accommodation types proposed within this scheme will accommodate residents with a range of needs, including low dependency (2.5 hours of care per week), medium dependency (between 2.5 and 15 hours of care per week) and high dependency (over 15 hours of care per week). The level of care would increase as the scheme matures.

10.3 Generally, the accommodation providing the lowest level of care support would be provided in the Guild Living Residences with the Care Residences providing higher care and the Care Suites providing the highest levels of care. There will be occasions where residents may elect to move into a Care Residency or Care Suite, even when their care needs are relatively low. This could be either for long term occupation or short term, while recovering from infirmity or for post-operative rehabilitation.

10.4 The Care Residences include a kitchenette, which will allow a higher level of independent living. The Care Suites do not provide food preparation spaces, but all meals in Care Suites would be provided either in communal dining.



	Guild Living Residence (GLR)	Guild Care Residence (GCR)	Guild Care Suite (GCS)
Eligibility requirements	Eligibility from 65 years old. Generally over 65 (plan to live independently in an active community unless they are partners of another living in the GLR)	Eligibility from 65 years old, but residents expected to be over 70 (require a greater level of care such as personal care, nursing care, dementia care and domiciliary care)	Eligibility from 65 years old, but residents expected to be over 75 (but regulators will be flexible on this if it is demonstrated how Guild Living will meet their needs both physically and emotionally)
Level of care needed	<p>There is a minimum care package for residents of the GLR of support of around 2.5 hours per week.</p> <p>Support for the resident may include the following:</p> <p>Personal care (support with washing, dressing, bathing food)</p> <p>Household tasks</p> <p>Advice or support with aspects of wellbeing</p> <p>Transportation</p> <p>Assistance in organising, arranging or facilitating tasks and appointments.</p>	<p>There is a minimum care package for residents of the GLR of support of around 2.5 hours per week.</p> <p>Support for the resident may include the following:</p> <p>Personal care (support with washing, dressing, bathing food)</p> <p>Household tasks</p> <p>Advice or support with aspects of wellbeing</p> <p>Transportation</p> <p>Assistance in organising, arranging or facilitating tasks and appointments</p>	<p>There is a minimum care package for residents of the GCS of support of around 2.5 hours per week.</p> <p>The GCS model of care is provided by teams that supports both nursing and personal care up to 24 hours a day.</p> <p>Support for the resident may include the following:</p> <p>Personal care (support with washing, dressing, bathing food)</p> <p>Household tasks</p> <p>Advice or support with</p>

	Guild Living Residence (GLR)	Guild Care Residence (GCR)	Guild Care Suite (GCS)
	The resident receives this care from a home care support team. If more care is provided such as nursing, the resident would be supported through a district nursing team.	The resident receives this care from a home care support team. Care is arranged and planned in advance, but an emergency responder would also be on hand 24 hours a day should immediate support be required. If nursing is required, this would be supported through a district nursing team.	aspects of wellbeing  Transportation  Assistance in organising, arranging or facilitating tasks and appointments  GCS also includes the following nursing care:  Dressing, injections, medication, checking blood sugar levels

- 10.5 Class C2 is defined by the Town and Country Planning (Use Classes) Order 1987 as “Use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses). Use as a hospital or nursing home. Use as a residential school, college or training centre.”
- 10.6 “Care” is defined by Article 2 of the Use Classes Order as: “personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs or past or present mental disorder.”
- 10.7 It is considered clear cut that the Care Suites by reason of their high dependence, facilities and type of care, demonstrably fall within Use Class C2.
- 10.8 Paragraph 10 of NPPG on Housing for Older and Disabled People indicates that there are a number of different types of specialist housing for older people, including “extra care housing or housing-with-care”, as proposed in this case.
- 10.9 Paragraph 14 of NPPG confirms that “it is for a local planning authority to consider into which use class a particular development may fall. When determining whether a development for specialist housing for older people falls within C2 (Residential Institutions) or C3 (Dwellinghouse) of the Use Classes Order, consideration could, for example, be given to the level of care and scale of communal facilities provide.

- 10.10 When assessing the level of care, it should be noted that the guidance produced by the Housing Learning and Improvement Network consider that many of the characteristics and facilities of this proposal point towards a Use Class C2 classification.
- 10.11 The Guild Care Suites, for those with greatest care needs, clearly fall within Use Class C2. They provide 24-hour care, a full range of medical services and will be directly registered as a nursing home.
- 10.12 The Guild Living Residence and Guild Care Residence and can be treated together for they offer similar packages of support to residents. While they do provide for more independent living, there are several features which bring Officers to the view that they should be classified as Use Class C2, rather than Use Class C3 accommodation. This includes the assessment of care needs, the minimum care requirement, the additional cost in paying for care, restricted occupancy and minimum age requirements and the range of communal facilities.
- 10.13 The proposed development being properly classified as C2 accommodation is contingent on the care element of the scheme. Subject to planning permission being granted, this would be secured through a S106 Agreement. This should require a minimum level of care to be provided to residents per week. The 2.5 hours would likely meet the requirements of "care" in the Use Class Order. The obligation should apply to both the rented and purchased properties.
- 10.14 In summary, all of the elements of the proposed development incorporating care are C2 (excluding the key worker accommodation), subject to securing of an appropriate S106 Agreement that would include a minimum care requirement of 2.5 hours a week for each resident. This conclusion is consistent with the broad definition of care in the Use Class Order, the application of that definition in practice as recorded in appeal decisions and by Epsom & Ewell Borough Council's own development control decisions.

## **11 Provision/Need of accommodation for older people**

- 11.1 Understanding the size and characteristics of the UK population is vital when it comes to planning and delivering services such as healthcare. The ONS sets out that in mid-2018, the population of the UK reached an estimated 66.4 million. In 50 years' time, there is projected to be an additional 8.2 million people aged 65 years and over in the UK, a population roughly the size of present-day London. As the UK's population continues to grow there has been a shift in the age structure towards later ages, meaning we have an ageing population.
- 11.2 In accordance with the 2011 census, Epsom and Ewell Borough Council's population is just over 75,000 people. In line with the Core Strategy, it has a diverse and ageing population, with a range of housing needs.
- 11.3 Chapter 5 of the NPPF encourages the delivery and supply of homes.
- 11.4 Chapter 11 of the NPPF relates to the effective use of land. Paragraph 117 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.
- 11.5 Policy CS7 sets out that Borough seeks the provision of sufficient housing.
- 11.6 Policy DM21 sets out that planning permission will be granted for specialised forms of residential accommodation, subject to the following requirements being met:

- That the application documentation includes clear and robust evidence that demonstrates that there is a need for the new accommodation;
- The delivery of the new accommodation does not result in an overprovision of that particular type of accommodation; and
- The design of the proposal is demonstrated as being sufficiently flexible to readily accommodate conversion to other appropriate uses, either residential or non-residential, in the event that the need for the permitted use declines.

11.7 This section of the Committee Report is structured as follows:

- The Site's location
- (Recent and relevant) previously permitted and pending extra-care developments
- The Applicant's Planning Need Assessment
- EEBC's evidence base
- Surrey County Council (SCC) Adult Social Care response
- EEBC Housing need/calculating net homes delivered
- Officer assessment.

*The Site's location*

- 11.8 The Site is located within the built up area of Epsom and is appropriate for housing redevelopment, being comprised of previously developed land.
- 11.9 The Site is compatible with existing uses, specifically the adjacent hospital. There is no existing concentration of comparable C2 provision in the immediate locality, ensuring that the scheme supports the creation of a mixed, inclusive and sustainable community.
- 11.10 Purpose-built retirement communities are generally located in suburban areas or the countryside. By contrast, this scheme takes over a redundant hospital site, to create a vibrant community in close proximity to the town centre, to support town centre uses.
- 11.11 The site is well-connected to public transport with Epsom railway station located within the town centre (800 metres to the north). There are bus stops immediately adjacent to the site both Dorking Road and on Woodcote Green Road.
- 11.12 In line with the above, the provision of C2 accommodation at this Site is considered acceptable and appropriate.

*(Recent and relevant) previously permitted and pending extra-care developments*

- 11.13 It is important to understand other C2 Use Schemes that have been granted planning permission within the Borough. This is to enable us to understand the number of units permitted, the location of the schemes and whether development has commenced.
- 11.14 The below table sets out recent (within 5 years) and relevant planning permissions:

Ref	Address	DOD	Decision	Units	Development commenced
18/00743/FUL	Lower Mill, Kingston Road, Ewell	Demolition of existing office building and redevelopment to provide 53 no. extra-care	Granted 18.07.2019	53	Yes

Ref	Address	DOD	Decision	Units	Development commenced
		apartments with associated facilities (within Class C2), including conversion and alteration of the Grade II Listed Mill House and Granary Buildings, with parking, access, landscaping and other associated works.			
15/00845/FUL	Salesian College Sports Ground, Old schools Lane, Ewell	Demolition of existing buildings. Erection of a part 2 /part 3 storey building to be used as a 60 unit Extra Care facility (Use Class C2) with associated communal and ancillary facilities, including car and cycle parking and landscaping. Re-laying of sports pitches including an all weather surface, the erection of a two storey pavilion and provision of associated car and cycle parking. Provision of	07.06.2016	60	Yes

Ref	Address	DOD	Decision	Units	Development commenced
		altered access onto Old Schools Lane. (Amended drawings received 11.11.2015)			

*The Applicant's Planning Need Assessment*

- 11.15 A Planning Need Assessment by Carterwood, dated January 2021, accompanies this application. It sets out that based on its assessment, there is a shortfall of 1,059 units in a 5-mile market catchment and 463 units in a 3-mile market sensitivity catchment, as at 2024, the earliest the proposed care community could be made available.
- 11.16 The Planning Need Assessment sets out that by 2031, shortfalls are expected to be 1,245 and 530 private extra care units, rising to 1,668 and 675 units by 2041 in a 5-mile market catchment and a 3-mile market sensitivity catchment respectively, on the basis that prevalence rates and existing provision remain unchanged and all currently planned (granted and pending) provision is developed.
- 11.17 The Planning Need Assessment considers that there is a significant and growing need for additional private extra care within both a 5-mile market and a more local 3-mile market sensitivity catchment, and the proposed care community seeks to address this need
- 11.18 Officers do not have the expertise to analyse markets in health and social care or the data insight into care homes, older people's housing and specialist care. Carterwood, regulated by the RICS, specialises in this field and has put forward its need assessment, to support this application. Officers cannot analyse the findings, so this report is accepted. It has been reviewed by Surrey County Council (SCC) Adult Social Care, detailed below.

*EEBC's evidence base*

- 11.19 The Local Planning Authority's Planning Policy team was formally consulted on this application and considered the evidence base.
- 11.20 The SHMA Update sets out a minimum need of 248 units, between 2020 and 2035. This is worked out using a nationally recognised methodology, which is based on population projections. Based on the population projections that were used at the time, the population of over 75s by 2035 would be 9,900. The minimum need therefore equates to 248 units.

*Surrey County Council Adult Social Care response (25.03.2021)*

- 11.21 Surrey County Council (SCC) Adult Social Care formally commented on this application. Surrey County Council produced an Accommodation with Care Commissioning Statement for Epsom & Ewell Borough Council. This includes estimates of the future demand for extra care (including assisted living) provision in the Borough, which is based on the Housing LIN's methodology of 25 units per 1,000 population, aged 75 plus.

- 11.22 The response sets out that further leasehold extra-care development in Epsom is required. It is less clear whether the proposed development would be fully occupied unless the future operator attracts interest from people living beyond the Borough's borders.
- 11.23 The response sets reviews the C2 Use Class classification. It sets out clarity is needed with regards to the terms on ownership of the leasehold units (e.g. age restriction, minimum care and support needs, etc) and how the management charges operate for leaseholders.
- 11.24 The response also sets out that the Applicant refers to the need for C2 development in broad terms, to justify the scale of the development. But, ignores the diversity of provision under this banner (e.g. care home provision, residential and nursing, supported living and other independent living models to support people with disabilities, in addition to extra care/assisted living settings). The needs basis should therefore not be on C2 development alone, but on need for a particular accommodation with a care model being presented.
- 11.25 The response sets out that given the size of the Site and singular focus on one type of provision, it may be worth exploring how future needs would be met in the local area. The Applicant should respond on this.
- 11.26 The Applicant provided an email response on 07.04.2021. This sets out that the need for the facility was assessed on the basis of a 3 mile and 5 mile catchment. The 5 mile catchment is based on the average distance that residents travel to move into such a scheme. The submitted Care Need Assessment shows that, for both the 5 mile and the 3 mile catchments, there is considerable need for the proposed extra care scheme.
- 11.27 The response sets out that the Guild Living Residences will be offered on both a Leasehold and Rental basis (mostly leasehold) while the Guild Care Residences and Guild Care Suites will be for Rental (on AST). The minimum care package, age restrictions, support and facilities are set out in the Guild Living Operator statement and would be set out within S106 Heads of Terms, to ensure that the scheme falls under Use Class C2.
- 11.28 The response sets out that the in respect of the question regarding the use class, all units fall within the description of Extra Care and fall under Use Class C2. The scheme will not include accommodation registered as a Nursing or Residential Care Home, similarly the scheme does not provide for other forms of age restricted sheltered accommodation. Further details on this matter are set out in the Planning Statement, DAS and Operator Statement.
- 11.29 The response sets out that there are three forms of accommodation, as well as a range of care, provided within the Guild Living Residences, Guild Care Suites and Guild Care Residences (in addition to the Key Worker Accommodation).

*EEBC housing need/calculating net homes delivered*

- 11.30 The standard method for calculating the Borough's assessed housing need identifies a minimum housing requirement of 579 new homes each year. In the absence of a five year housing land supply, this increases to 695 under the housing delivery test, published 13 February 2020. Epsom & Ewell Borough Council is presently falling significantly short of this requirement and cannot presently demonstrate five years housing land supply.

- 11.31 The Standard Method Calculation indicates a high demand for new housing in the new plan period. The provision of 'extra-care' at the Site falls under Use Class C2 (Residential Institution). It does not fall under Use Class C3 (Dwellinghouse). The "Housing Delivery Test Measurement Rule Book", dated July 2018, is the basis of calculating the 'net homes delivered' for communal accommodation, including Care Homes. The scheme would generate 292 units towards housing numbers. The calculation is provided below:



- The “*Net increase in bedrooms*” calculates at 524 bedrooms, as shown in the table below:

Type of C2 Use Class Accommodation	Number of Units	Size	Number of Bedrooms
Guild Living Residences	69	1-bed	69
Guild Living Residences	177	2-bed	354
Guild Living Residences	21	3-bed	63
Apartments: Guild Care Suites [GCS]	28	1-bed	28
Apartments: Guild Care Residences [GCR]	10	1-bed	10
<b>TOTAL</b>	<b>305</b>	-	<b>524</b>

- The “*average number of adults in households in England*” is 1.8, as set out in paragraph 11 of the Housing Delivery Test Measurement Rule Book and page 9 of the AMR.
- 524 divided by 1.8, equals 291.11, which is then rounded up to 292 units.
- The proposed scheme also seeks to deliver 24 apartments for key workers (C3 Use Class). While these do not technically contribute towards the “*Net Homes Delivered*”, as these would re-provide key worker accommodation previously located within Woodcote Lodge, it is worth noting that these units are currently vacant and would be reprovided through the scheme.

#### *Officer assessment*

- 11.32 People are living longer. There are now around 12 million older people (aged 65 or over) in the UK, in accordance with ‘The Health Foundation’. While many live healthy lives, as we age, the likelihood of needing acute care or on-going care grows. The ageing population creates new challenges for society, as demonstrated by the increase in demand for NHS services and social care.
- 11.33 The variety of extra-care accommodation reduces pressure on local hospitals, GPs and emergency centres. Not only does extra-care accommodation provide a positive health influence on all senior residents, it also directly impacts on and improves a range of social factors, such as loneliness and isolation.
- 11.34 The Site currently comprises healthcare and accommodation buildings and surface level car parks, which are of poor quality, lacking any coherent masterplan. The buildings have been declared surplus to requirements by the NHS, with the land no longer needed for healthcare purposes. Officers therefore identify this Site as an opportunity for redevelopment.
- 11.35 It is recognised that extra-care accommodation within the Borough is required. The proposal is contributing towards the need for specialist retirement housing in the Borough. It seeks 305 care units, equating to approximately 57 units above the minimum need of 248 units within the Borough (in accordance with the SHMA Update).
- 11.36 The Local Planning Authority cannot presently demonstrate five years housing land supply. This scheme would generate 292 units towards housing numbers, as a result of applying the “Housing Delivery Test Measurement Rule Book”. Officers give this positive weight within the planning balance. Furthermore, this proposal would enable older people to move out of their existing homes into extra care accommodation, which would free up existing housing stock for the next generation.

- 11.37 Purpose-built retirement communities are generally located in suburban areas or the countryside. By contrast, this scheme takes over an underutilised hospital site, to create a vibrant community in close proximity to the town centre, to support town centre uses. The proposed use is compatible with existing uses, specifically given the adjacent hospital. There is no existing concentration of comparable C2 provision in the immediate locality, ensuring that the scheme supports the creation of a mixed, inclusive and sustainable community.
- 11.38 There is existing (now vacant) key worker accommodation on the Site, located within Woodcote Lodge. This is proposed to be re-provided as part of this application and subject to planning permission being granted, tied into the S106 Agreement. This is given positive weight by Officers.
- 11.39 Internally, the units have been designed to cater for residents requiring care and support. The overall scheme provides a focus on communal spaces and facilities, which will be accessible to residents, but also to the public, including for example, the children's nursery. Various uses within the development encourage social interaction. Officers give positive weight to the social and community benefits arising from this scheme.
- 11.40 The proposal has been designed to respond to its immediate surroundings, including local views. The proposed buildings are framed around public realm spaces, linked to surrounding uses by active and permeable routes, which integrates the scheme into its surroundings. This scheme combines good design and landscaping, which is viewed positively, specifically when judged against the Site's existing situation.
- 11.41 There is a presumption in favour of granting sustainable development unless the application of policies gives a clear reason for refusing permission (paragraph 11(d)(i) of the NPPF). Taking the relevant facts of this application into consideration, the benefits arising from this scheme are considered to outweigh the slight overprovision of extra-care units, against the minimum evidence based need. Officers are therefore, on balance, satisfied in supporting this scheme.

## 12 Design and heritage

- 12.1 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.
- 12.2 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.

- 12.3 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.
- 12.4 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.
- 12.5 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.
- 12.6 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.
- 12.7 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.
- 12.8 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.
- 12.9 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.
- 12.10 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

- 12.11 Policy CS5 sets out that the Local Planning Authority 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.
- 12.12 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.
- 12.13 Policy DM9 sets out that planning permission will be granted for proposals that make a positive contribution to the Borough's visual character and appearance. In assessing this, the following is 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
- 12.14 The Chalk Lane Conservation Area and the Woodcote Conservation Area fall to the southeast and northeast of the Site (less than 0.1 miles from the Site).
- 12.15 Both the Chalk Lane Conservation Area Appraisal and the Woodcote Conservation Area Appraisal sets out that *"in future, in order that the special architectural and historic interest of the conservation area is protected, the Borough Council will need to be especially vigilant when considering applications for new development"*.
- 12.16 The Woodcote Conservation Area Appraisal states that *"in future, in order that the special architectural and historic interest of the conservation area is protected, the Borough Council will need to be especially vigilant when considering applications for new development"*.

#### *Representation*

- 12.17 Concerns have been received from neighbours regarding the heights, massing, design and materiality of the proposed scheme, with concern that this scheme is not that different from the previously refused scheme. This has been taken into consideration by Officers in the assessment of this application.

#### *Scheme design*

- 12.18 The accompanying Design and Access Statement (DAS), dated February 2021, provides information about the design of the proposal.

The proposal seeks:

- Up to 267 Guild Living Residences
- Up to 38 Guild Care Residences and Suites
- 24 Key Worker Accommodation.

- 12.1 The existing buildings on Site range in height from 5 metres to 30 metres.

*Updates to the proposed development*

- 12.2 In consideration of the Planning Committee's reasons for the refusal of the previous application (ref: 19/01722/FUL), a number of changes have been made to the application. This includes revising the heights of proposed buildings.
- 12.3 The height of the taller/rear elements of the East and West blocks have been reduced by 6 metres in height, achieving the equivalent to a two storey reduction in building height. This reduces the height of the building to lower than that of the adjacent main hospital building (The Wells Building).
- 12.4 The height of the frontage element of the Western building has been reduced by around 5 metres, by removing a storey off the part of the building closest to Woodcote Green Road and by reducing the building composition. The lower elements of the West building, from two to four storeys have been reduced in height, by around 1.7 metres, through compressing the makeup of the building.
- 12.5 The frontage element of the Eastern building has been reduced by 1.7 metres in height by optimising the building composition, including reduced floor to ceiling heights, creating efficiencies in slab heights and service runs and modifying the ground levels.
- 12.6 In overall terms, the proposed buildings now sit lower on the Site and the height differential between the adjacent buildings have been reduced. The taller elements of the proposed buildings are now lower than the hospital buildings and the height along Woodcote Green Road and the adjacent dwellings along Woodcote Green Road has been reduced.
- 12.7 Dimensions are clarified below:

*West block (A)*

- The massing of the West block varies in storey heights from 2 to 8 storeys, with lower elements towards sensitive the more street scape and residential boundary frontages.
- A four storey frontage to residential boundary (facing west), measures 15m in height, 42m in width and 18.5m in depth
- A two storey frontage to drop-off and car park entrance (facing south), measures 8m in height, 40.8m in width and 22.7m in depth
- An eight storey frontage to hospital boundary (facing north), measures 27m in height, 60m in width and 18.5m in depth
- An eight storey frontage to hospital boundary and central landscape plaza (facing east), measures 27m in height, 78.8m in width and 18.5m in depth
- A five storey frontage to residential boundary (facing west), measures 19m in height, 15m in width and 18.5m in depth
- A four storey frontage to Woodcote Green Road boundary (facing south), measures 15m in height, 18.5m in width and 6.5m in depth.
- The key worker units forms part of the West block, facing the Site's west and north boundary.

*East block (B)*

- Massing to the East Building varies in storey heights from 4 to 9 storeys, with the lower element fronting Woodcote Green Road.
- An eight storey frontage to hospital boundary (facing north), measures 27m in height, 48m in width and 18.5m in depth

- An eight storey frontage to hospital boundary and central landscape plaza (facing east), measures 27m in height, 34m in width and 18.5m in depth
- A four storey frontage to Woodcote Green Road boundary (facing south), measures 14m in height, 56.6m in width and 18.5m in depth.

*Materials and articulation*

- 12.8 In addition to the design changes in respect of height, massing, scale, setbacks and landscaping, the overall design and appearance of the scheme has been altered, to reduce the amount of metal cladding, with an updated materials palette, to reflect more closely on local materials and colour tones.
- 12.9 The Site geology and existing brick buildings (Rowan House & Boiler House) has inspired the selection of masonry and metal cladding colours. Studies of the Site's ground geology from borehole samples reveal the presence of London Clay to the western half of the Site and the eastern half of the Site reveals the presence of Lambeth Group/ Lambeth Sand.
- 12.10 3.0 (Design Appearance) of the accompanying DAS sets out details of the proposed articulation and material choice for the proposed buildings. It sets out that the proposal seeks brick frame expressions, to establish vertical facade rhythms, breaking up the mass and articulating elevation treatment. Proportions of brick bay expressions and the introduction of Juliet balconies as a distinct feature create a residential streetscape within the Site. Colours are referenced from the Site's unique geology, giving each block a distinct identity.
- 12.11 The DAS sets out that profile metal panels are introduced to act as a neutral material between brick bays to complete the overall facade expression. C
- 12.12 The DAS sets out that curtain wall glazing panels are introduced with subtle shifts between heights as another layer that responds to the ground level programme of accommodation, whilst providing variation, transparency and enhancing the overall facade articulation.

*Design strategy for safer places*

- 12.13 The proposal has been designed to promote public safety, taking into account wider security and defence requirements. Details of the scheme's design strategy to ensure a safe place can be found on pages 93 – 95 of the accompanying DAS. It sets out that a formal security risk assessment (SRA) was undertaken, to determine the security requirements across the development, which provided a robust, auditable methodology to identify the security risks posed to the Site or assets and subsequent treatment measures. Throughout the process, the Applicant engaged with development stakeholders, including Surrey Police Designing Out Crime Officers, who were consulted in October 2019. Aspects including access and connectivity, structure and spatial arrangements, surveillance, physical protection, ownership and activity, adaptability and operation and management has been considered.

*Crime Reduction Advisor & Design Out Crime Officer (DOCO)*

- 12.14 A response was received from the DOCO on 26.03.2021. It queries the consultation that took place between the Applicant and DOCO in October 2019. That said, there has been considerable assessment in relation to security, according to the principle of Secured by Design and crime design through environmental design concepts. This is very positive, but it would have been preferred to see that the developer was intending to apply for Secured by Design accreditation. This could be subject to a condition, if planning permission is granted.
- 12.15 Officers have considered the response from the DOCO and subject to planning permission being granted, a planning condition would be required to satisfy safe design requirements.

*Scheme Audit*

- 12.16 A scheme audit was received on 29.03.2021, by DEFINE. This examines this proposal, following the refusal of planning permission for application 19/01722/FUL, reviewing the specific reasons for refusal.
- 12.17 Whilst referenced in the DAS, the scheme audit clarifies the main changes that have taken place from the previously refused scheme (ref: 19/01722/FUL) and this proposed scheme, which are summarised below:

*HEIGHT AND MASSING CHANGES*

- Overall building heights revised by 6m on largest elements to ensure the revised proposal is below the height of the hospital building.
- Height of proposed building facing Woodcote Green Road revised and set back to protect against impact on local character, townscape and amenity.

*BUILDING SITING & LANDSCAPING*

- Additional building setbacks to Woodcote Green Road boundary, now aligned with adjacent no.40 and neighbours to eastern boundary.
- Additional and improved landscape screening/buffer and tree planting towards
- Woodcote Green Road and the western boundary
- Enhanced ecological and pedestrian connection through site with additional public realm
- Additional and improved landscape screening/buffer to sensory garden roof edge

*DESIGN AND APPEARANCE CHANGES*

- Revised building heights to align with hospital and reduce impact to neighbouring properties.
- Changes to proposed material palette to enhance response to local context and townscape

*HIGHWAYS CHANGES*

- 156 Car Parking Spaces, compliant with SCC guidelines
- 132 Stacker Parking System [SPS] operated by concierge/valet, all spaces are blue badge compliant
- EV charging provided to 40% of parking spaces.
- Car Cubs are provided for the revised scheme
- Provision of minibus to reduce reliance on car use

*Local Planning Authority Design and Conservation Officer comments*

- 12.18 The Local Planning Authority's Design and Conservation Officer initially commented on this application, on 16.03.2021, but provided updated comments on 08.04.2021. The updated response is provided below:

**Context:**

*This site consists of a number of unlisted buildings on the south end of Epsom General Hospital, between the largest 1960's 5 storey block of the hospital and Woodcote Green Road.*



*The site is not within any conservation areas and there are no listed buildings that it would have a significant impact on in the immediate area. However, distant views from within Chalk Lane Conservation Area at the junction with Woodcote Road and Chalk Lane the development may be just visible. To the south, the site faces onto the woodland in Woodcote Green.*

*There are some more distant listed buildings which may be affected by views of the taller buildings in this development in long views. However, the reduction of some elements of the development's height have significantly reduced this. The most important view would be from the junction of Chalk Lane with Woodcote Green Road, but this more distant view*

**Comments:**

*The comparative increase in height over the existing buildings in this amended application, is now significantly reduced in height on the principle blocks, from what was previously proposed. However, the majority of the building is still 8 storeys, substantially larger than any in the area including any of the larger blocks in Epsom General Hospital.*

*The building will be visible from a substantial distance away including in conservation areas and around listed buildings. However, there are no important heritage assets within close proximity of the building. The only impact will be longer distance views from conservation areas, most notably from the Chalk Lane Conservation Area where some (less than substantial) harm will be caused to views to the west. Though slightly reduced from the original application the impact will be evident. However because of the distance and the direction of view the harm will be less than substantial.*

*The general arrangement of the landscape remains largely unchanged from previous iterations, however conditions should require more specific designs and material details of all landscape furniture.*

*The use of brick as the principle external cladding material is an appropriate choice. Materials with a lighter weight appearance such as aluminium could make the building appear insubstantial and too many different materials could make it appear excessively busy, especially if there are intended to significant areas of green wall.*

*The images show deep brick faced reveals and soffits. It is important that this is put into practice in the construction and that these will be confirmed in conditions.*

*The drop-off entrance should also have more detail drawings showing the details of the doors and glazing and soffit sections.*

*The landscape centres on the public but also provides vehicle access through the site which will disrupt to some extent this Semi-public space. Another area taken for vehicle access is through the central court, which surrounds the children's play area, cutting it off from the rest of the public space and although this will not be a busy route, it will tend to segregate the play area into the smaller isolated space. Some of this area is given over to parking and access, whereas in pre-application discussions suggested the access areas to the west of the building were to be given over to amenity space including allotments, these now seem to have disappeared. Samples of all landscape materials should be provided with specifications of all outdoor furniture such as benches, light and bollards.*

**Conclusion:**

*The proposal remains a very substantial massing for the site but impact on heritage assets will only be distant and less than substantial. The impact on green space on*

*the other side of Dorking Road will be significant as a marker to its edge, but in my view not a harmful one, it overlooks no private space there, it is to the north so will not overshadow it and the 4 storeys nearest it will not overwhelm the landscape.*

*If the housing benefits are considered significant should be considered as justifying the less than substantial harm to the conservation area and the should be no design and conservation objections to the scheme being granted with conditions.*

*Applicant's response*

12.19 The Applicant's architect provided a response to the comments raised by the Local Planning Authority's Design and Conservation Officer's comments, on 08.04.2021.

12.20 The response clarifies that:

- All of the proposed building elements have been reduced in height, in comparison to the previously refused scheme (ref: 19/01722/FUL)
- The principle block has been reduced in height by 6 metres, in comparison to the previously refused scheme (ref: 19/01722/FUL)
- Building elements fronting Woodcote Green Road have also been reduced in height and setback, providing opportunities for additional landscape features
- The proposed design uses a combination of three materials: brick, metal and glass, with brick as the dominant material. There are no green walls are proposed
- The proposed central landscape plaza is closed off to vehicular traffic and only available for emergency vehicles access and small Mobile elevating work platforms (MEWPs)
- The nursery has been relocated to Building B to achieve the building setbacks to Woodcote Green Road

12.21 DEFINE also provided a response to the comments raised by the Local Planning Authority's Design and Conservation Officer's comments, on 07.04.2021. This is provided below:

*CONTEXT*

*The consultation response identifies that the proposed development "may be just visible" from the junction of Chalk Lane and Woodcote Road and that some more distant listed buildings may be affected by the taller buildings in their long views and that the reduction in height have significantly reduced this.*

*This description is inaccurate, and imprecise and hence needs to be amended by the Officer. A detailed HTVIA has been produced that examines these matters in a high degree of detail and confirms that in the majority there are no townscape or conservation harm arising, largely due to very low visibility of the revised scheme. It concludes that only low levels of less than substantial heritage harm apply to Chalk Lane Conservation Area and Westgate House. As such, the consultation response wrongly makes a statement that "there are some more distant listed buildings which may be affected", which is at odds with the technical material submitted and hence is unjustified.*

*The response states that the majority of the buildings are “still 8 storey” without mentioning the specific height reductions and how these are perceived from local vantage points. This is a fundamental oversight - height and mass only become relevant to townscape and visual in the way they are perceived. This is a further unhelpful and imprecise point. Reference should be made to the site being located within townscape character area 35E, as set out in the Council’s 2008 Environmental Character Study and in particular its stated ability to accommodate change due to its “lack of intactness”.*

*A summary should be provided as to how the scale and massing of the proposed scheme has changed and what effects arise. This subject is addressed in detail in the HTVIA and the Scheme Audit, the latter concluding the following at it page 24:*

*The townscape character areas relating to the site are defined in Epsom and Ewell Environmental Character study as discussed in section 2. Whilst there are missing elements it’s reasonable to identify key receptors as TCAs 35, 36, 37.*

*Area 35(E) is the Epsom Hospital site (including the Guild Living Site) & no 40, 42, 44 & 46 Woodcote Green Road*

*Area 36 is the area to the west including Hylands Road, Digidens Rise & Woodcote Side*

*Area 37 is the Woodcote Park Estate*

*In summary we find the revised scheme to bring a beneficial effect to Character Area 35, a neutral effect to Character Area 36, and a beneficial effect to area 37 and there-fore in respect of this specific consideration, the proposed development (by reason of its height, mass, scale and design) would positively impact the character and appearance of the area and would be in accordance with relevant planning policies.*

*The response goes on to claim that the building will be visible from a substantial distance away. This is incorrect. In the context of townscape and visual assessment, the visual envelope does not extend much farther than 500 metres from the site (HTVIA Plate 36 page 46). This cannot be considered as being a substantial distance - views below 500 metres in distance should be described as being mid-range in nature.*

*The response goes on to claim that the “impact will be evident”, but there is no reference to what type of impact is being referred to (heritage, townscape or visual), how this is assessed and is entirely unsubstantiated. Any reference to impact should be precise, and be in the context of the formal HTVIA that has been submitted. It goes on to state the “harm will be less than substantial” but again there is no reference to what harm this claims to reflect and how it is manifest.*

*The submitted HTVIA sets out its conclusions on townscape, visual and heritage harm concluding:*

*1. No harm to a range of heritage assets with only low levels of less than substantial harm to the Chalk Lane Conservation Area, Westgate House and Listed Buildings on Dorking Road.*

*2. Negligible or no impact on townscape receptors aside from minor adverse to negligible effect on the Millennium Green area and minor adverse effect on residential are to the west of the site lining Woodcote Green Road*

*3. Of the fifteen visual receptors assessed (the majority being within 500 metres, some extending to 1.5km from the site), eleven either have no impact, a negligible impact or a minor adverse/negligible impact, two have a minor adverse impact and two have a moderate adverse impact. No visual effects are significant or major in nature, with the more distant views having no impact.*

*Furthermore, the Scheme Audit identifies three further townscape receptors arising from the Council's 2008 Environmental Character Study (TCAs 35(E), 36 and 37. It finds that the proposed scheme has a beneficial effect on areas 35(E) and 37 and a neutral effect on area 36.*

*The response goes on to claim that the landscape scheme "remains largely unchanged", which is highly misleading. The change to the Woodcote Green Road frontage is highly significant and should be referred to and explained as such - this is communicated at pages 25-29 of the Scheme Audit document submitted with the application, which makes it clear how significant the design refinement is, and the improvements it delivers.*

*Finally, this section makes reference to the amenity space and play area which is de-scribed as being "cut off from the rest of the public space" with the play area segregated. The play area sits next to the childcare facility and is part of the wider plaza area, within which a very low trafficked and low speed drop off vehicular route does exist. This arrangement appears to be an optimal solution - the play area is a natural extension of the child care facility and will be perceived as being part of the public plaza but with appropriate separation and protection in place.*

## CONCLUSIONS

*The conclusions claim the proposals remain a "very substantial massing" without being clear on what is meant by this term. It is imprecise and requires further justification and explanation, especially given that the submitted HTVIA and Scheme Audit provide clear and detailed conclusions in respect of how successful the massing changes are. Reference to heritage impacts being less than substantial is made, but no meaningful analysis of the townscape and visual effects are provided. For example, no mention is made of how significant and notable the scheme changes are when perceived from key local viewpoints. The Scheme Audit at pages 16, 18 and 23 make it very clear just how much of a change will be perceived, to the degree that a number of these changes will now be beneficial in nature.*

*It is highly alarming that these key changes to the scheme are not referenced at all in this consultation response - these changes are key in addressing the reasons for refusal of the previous scheme, and hence should form the primary focus of the Officer's consultation response. The response would need to be amended to providing comprehensive analyses of these changes.*

*The conclusions go on to state that the impact of the scheme on green space “on the other side of Dorking Road will be significant as a marker to its edge” is presumably referring to viewpoint 8 (see HTVIA pages 63/64 and 117). It goes on to state “but not a harmful one”. This is a balanced conclusion, but claiming this impact is significant is poor use of language and could easily be misinterpreted - as such, the Officer’s consultation response should be amended accordingly to avoid any confusion.*

#### ANALYSIS

*Overall, it is considered that the consultation response is imprecise and does not grapple objectively with the material that has been submitted with the revised scheme to address the previous reasons for refusal. Of particular note is how the revised scheme has made substantial changes to its massing, relationship with Woodcote Green Road and much more sympathetic materials. These changes greatly assist in assimilating within the local townscape and visual context and delivering notable benefits. This information is central to the consideration of the revised scheme and should be thoroughly explained and communicated. Unfortunately it is not addressed or described in any clear detail. Instead the nature of the response and the language it uses is vague, negative and in some cases inaccurate.*

*A more detailed analysis of the reasons for refusal in respect of heritage, townscape and visual terms is required, with reference to the detailed technical material provided and a conclusion given with total clarity as to whether there is or is not a reasons for refusal in those terms. There is not a reasonable interpretation that gives ground for an objection on the basis of townscape and visual grounds.*

#### SUGGESTED PLANNING CONDITIONS

*On 1 April 2021 Nexus Planning provided the Council with the Draft Planning Conditions (Rev 1), which included the proposed changes to the proposed conditions on design matters.*

#### *Planning Officer comments*

- 12.22 The Local Planning Authority has a high level of assessed housing need, but lacks a sufficient supply of available, developable and deliverable housing sites to fully meet this need. As such, there is a requirement to optimise all sites and this Site is considered appropriate for development.
- 12.23 Following the refusal of the latest scheme, the Applicant underwent a thorough pre-application engagement process with Officers. This revised scheme has sought to address the reasons for refusal of the latest scheme, with the overall height, massing and scale of the proposed buildings being reduced (revising the height of all buildings) and increasing the setbacks from Woodcote Green Road.
- 12.24 The revised proposal comprises a considered scheme, which responds to its local context. It creates an opportunity to increase landscaping along Woodcote Green Road and also seeks the creation of a new public realm domain. Furthermore, a new planting buffer is sought along the western boundary of the Site, creating an improved buffer to neighbouring properties.

- 12.25 The Local Planning Authority's Design and Conservation Officer has identified a less than substantial harm. Subject to planning permission being granted, conditions would be secured, to ensure appropriate materiality and detailing. Officers consider that this reduced and paired-back scheme is appropriate and acceptable in design and heritage terms, complying with policies CS5, DM8 and DM9.

### **13 Townscape and Visual Impact**

- 13.1 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.
- 13.2 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.
- 13.3 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.
- 13.4 Less weight is given to Policy DM11 (Density) and Policy DM13 (Building Heights). Greater weight is given to policies that promote the efficient use of land and attribute greater weight towards the need to deliver new additional homes.
- 13.5 Concerns have been raised by nearby residents regarding the visual impact of the development on its immediate surroundings. This has been taken into consideration by Officers in the assessment of this application.
- 13.6 A Heritage Townscape and Visual Impact Assessment, dated February 2021, accompanies this application. The Assessment sets out that the Site does not contain any designated heritage assets, nor does it lie within a Conservation Area. There are 57 listed buildings/structures and the Chalk Lane Conservation Area within a 500 metre radius of the Site.

- 13.7 The Assessment sets out that the existing building on Site are considered to be of poor quality, comprising an ad hoc collection of altered buildings and car parking areas, lacking any coherent masterplan. Buildings within the wider hospital site reach +87.74 at their highest point with additional plant and antennae. The highest point of the proposed buildings including plant would be +88.575.21. At the highest point the proposals have reduced in height from 9 to 8 storeys since the previously refused planning application (ref: 19/01722/FUL), which represents a 6 metre reduction, more equivalent to 2 storeys. As a result of the mitigation through design that has been embedded in the evolution of the proposals, impact on many of the surrounding townscape and visual receptors would be none or negligible, with several of the views and townscape experiencing no readily discernible change. Other views and townscape areas, which range from low to medium sensitivity would witness minor impacts as a result of additional height and massing, and one view would experience a moderate impact.
- 13.8 The Assessment sets out that the proposals have evolved in response to the surrounding heritage and townscape context; in order to mitigate adverse impact on the surrounding context and views in the following ways:
- The tallest parts of the building have been located to the rear of the Site closest to the existing hospital buildings and stepped down significantly towards boundaries with residential areas and the Woodcote Green Road;
  - The buildings have been stepped back from the Woodcote Green Road to allow for additional landscaping and tree planting;
  - The buildings have been designed in an honest, contemporary style, as appropriate given its location adjacent to the wider hospital site, which contains several large-scale modern buildings;
  - The palette of materials has been inspired by the local area and the architects have sought to integrate high-quality landscaping, additional trees, planted window boxes and rooftop gardens.
- 13.9 Given the above, the Assessment sets out that it is considered that the proposal satisfies the requirement of NPPF paragraph 127c, which requires that developments '*are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)*'.
- 13.10 The Assessment sets out that the proposed development would have either no impact or a negligible impact on the significance of the majority of the surrounding heritage assets. The exception to this is the Chalk Lane Conservation Area and some of the nearby listed buildings which are likely to experience an adverse impact at the low end of the less than substantial harm spectrum.

*Planning Officer comments*

- 13.11 In line with paragraphs 193, 194 and 196 of the NPPF, any harm to the significance of a designated heritage asset should have clear and convincing justification. The decision maker should weigh the identified harm against the public benefits of the scheme. In this case, the public benefits are wide ranging, including:
- Regenerating an underutilised site derelict site and optimising the use of land
  - Provision of specialist care accommodation
  - Re-provision of key worker units
  - Affordable housing provision

- Employment opportunities through provision of nursery and ancillary uses
- Upgrades to existing bus stops on Woodcote Green road and Dorking Road.

13.12 It is acknowledged that the proposal has been revised, with lowered heights of proposed buildings and greater setbacks. The proposed development would have either no impact or a negligible impact on the significance of the majority of the surrounding heritage assets. The exception to this is the Chalk Lane Conservation Area and some of the nearby listed buildings, which are likely to experience an adverse impact at the low end of the less than substantial harm spectrum. In considering paragraphs 193, 194 and 196 of the NPPF, the public benefits of this scheme are considered wide ranging and outweigh the identified impact.

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

#### **14 Affordable Housing**

14.1 Chapter 5 of the NPPF relates to the delivery of a sufficient supply of homes. Paragraph 61 sets out that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including affordable housing).

14.2 Paragraph 62 of the NPPF states that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless:

14.3 a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and

14.4 b) the agreed approach contributes to the objective of creating mixed and balanced communities

14.5 Policy CS9 (Affordable Housing and meeting Housing Needs) sets out that the Local Planning Authority has a target that overall, 35% of new dwellings should be affordable. Residential development of 15 or more dwellings gross (or on sites of 0.5ha or above) should include at least 40% of dwellings as affordable.

14.6 Supporting paragraph 3.12.11 sets out that where there are specific and overriding site constraints, or where development-specific issues inhibit the provision of affordable housing, off site provision or financial contributions may be acceptable

14.7 The Revised Developer Contributions Supplementary Planning Document (2014) sets out that the Local Planning Authority will apply Policy CS9 to extra-care housing. The Government has confirmed that there is no distinction between these sorts of proposal and other open market housing.

14.8 Concerns have been raised by residents regarding the affordable housing offer. This has been taken into consideration by Officers in the assessment of this application.

14.9 The proposal seeks to re-provide 24 keyworker units, which are currently vacant. Subject to planning permission being granted, this would be secured within the S106 Agreement.

14.10 The proposal seeks 305 units (excluding the re-provision of 24 keyworker housing). The proposal should include at least 40% of dwellings as affordable.



- 14.11 The Applicant has undertaken a Viability Assessment, which has been independently reviewed by BPS Surveyors, on behalf of the Local Planning Authority.

## 15 Quality of Accommodation

### Space standards

- 15.1 Nationally Described Space Standards are not applicable to extra-care accommodation (Use Class C2). But, it is considered important that bedrooms and flats are adequately sized.
- 15.2 Nationally Described Space Standards require the following:
- Single bedroom providing one-bed space: 7.5m<sup>2</sup>, at least 2.15m wide
  - Double bedroom (or twin room) providing two-bed spaces: 11.5m<sup>2</sup>, at least 2.27m wide.
- 15.3 The proposed 38 Guild Care Residences and Suites form the higher care element of the scheme and are not required to meet minimum Nationally Described Space Standards. Instead, these apartments are to be assessed under CQC guidelines. The Guild Care Suites designs exclude private kitchens and the Guild Care Residences have a small kitchenette area. Within the care floor, dining and kitchen facilities are designed as an integral part of the communal spaces, allowing residents to take meals within their suites or a communal setting. These suites would generally be occupied by residents incapable of cooking their own meals or without assistance and who may have cognitive impairments, limited manual dexterity or are bedridden.
- 15.4 The 38 GCS (28) and GCR (10) apartments have been specifically designed around providing greater care support to resident members and range from 23-30m<sup>2</sup> (GCS) and 42-49m<sup>2</sup> (GCR).
- 15.5 As above, this proposal is unique, as it does not have to accord with Nationally Described Space Standards, but, Officers expect adequately sized units. The Applicant has put forward reasoning and justification for the size of the proposed units, which is considered acceptable and appropriate.

### Mix

- 15.6 Policy DM22 sets out that planning permission will be granted for new residential development proposals that incorporate a mix of dwelling sizes and tenures that meet identified local needs. In order to meet this objective, residential development proposals for four or more units should comprise a minimum of 25% three bedroom, or more, units. Exceptions will be considered 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.

### 267 Apartments: Guild Living Residences [GLR]

- 15.7 1, 2, 3 bedroom Assisted Living apartments for purchase with min. 2.5hrs of care and associated communal and support services.
- 69 x 1bed (25%) 50-65m<sup>2</sup>
  - 177 x 2bed (67%) 75-99m<sup>2</sup>
  - 21 x 3bed (8%) 100-110m<sup>2</sup>

28 Apartments: Guild Care Suites [GCS]

- 15.8 Transitional/Extra care apartments. A sub community that offers a greater range of care and support services.

10 Apartments: Guild Care Residences [GCR]

- 15.9 Larger GCS transitional/extra care apartments with GCS range of care and support services
- 15.10 The unit mix is geared towards the majority 2 and 1 bed units, in order to reflect the size and accommodation requirements for retirees. The scheme will be predominantly occupied by singly occupants and a smaller number of couples. Officers have considered the Applicant's reasoning for the unit mix proposed and consider it acceptable and appropriate.

24 Apartments: Key Worker Residences

- 15.11 Accommodation apartments for hospital staff.

- 12 x Studio (50%)
- 6 x 1bed (25%)
- 6 x 3bed (25%)

Private amenity space

- 15.12 Paragraph 3.36 of Policy DM12 sets out that to provide adequate private amenity space for development of flats, a minimum of 5m<sup>2</sup> of private outdoor space for 1-2 person dwellings should be provided and an extra 1m<sup>2</sup> should be provided for each additional occupant. Where appropriate in terms of visual character and appearance, flats at upper levels may have a private useable balcony area, in addition to having access to communal open space.
- 15.13 The proposed C2 later living apartments are expected to have occupancy of 1-2 persons. 49 apartments have 5m<sup>2</sup> 'bolt-on' balconies providing outdoor amenity. The remainder of the outdoor private amenity is provided within proposed landscape terraces.
- 15.14 The proposed landscape sensory garden is located above the car park to Building A and provides 600m<sup>2</sup> of private outdoor amenity for residents within the care floor. The planted balustrade is set back 1.5m from the the parapet and is 1.5m high to ensure the safety of care community residents and mitigate overlooking into neighbouring gardens 40 & 46 Woodcote Green Road.
- 15.15 A resident garden is proposed on level 04 of building B, designed with a private landscaped terrace, providing 920m<sup>2</sup> of private outdoor amenity for residents.
- 15.16 Officers recognise that some apartments have private amenity space and that the scheme offers private accessible landscape terraces and communal spaces. The Applicant has put forward a case as to why not all of the units comprise private amenity space, which is to encourage social interaction within the care community. This is considered acceptable and appropriate.

## 16 Ancillary uses

- 16.1 Chapter 7 of the NPPF relates to the vitality of town centres.
- 16.2 Paragraph 86 sets out that Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.
- 16.3 Paragraph 87 sets out that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.
- 16.4 Paragraph 89 sets out that when assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, Local Planning Authorities should require an impact assessment if the development is over a proportionate, locally set floor space threshold (if there is no locally set threshold, the default threshold is 2,500m<sup>2</sup> of gross floor space). This should include assessment of:
- a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
  - b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).
- 16.5 Policy CS13 sets out that the provision of new community facilities will be encouraged, particularly where they address a deficiency in current provision and where they meet identified needs of communities both within the Borough and beyond.
- 16.6 Policy DM34 sets out that planning permission will be granted for social infrastructure on the basis that (inter alia) it is delivered in multi-use, flexible and adaptable buildings or co-located with other social infrastructure uses which encourage dual use and increase public access.
- 16.7 The proposal seeks a children's nursery and retail provision.
- 16.8 Concerns have been received from neighbours regarding the ancillary uses proposed as part of this scheme and their impact on town centre uses. This has been taken into consideration by Officers in the assessment of this application.

### *Retail*

- 16.9 The scheme proposes 170.01m<sup>2</sup> of retail space (reference can be found on the illustrated ground floor plan, ref: EPS001-MPI-ZZ-00-DR-A-01-100 - LEVEL 00 MASTERPLAN).
- 16.10 The Site is not located within the Town Centre, but it is located adjacent to Epsom General Hospital, which has a modest retail offering.

- 16.11 Officers consider that the proposed retail provision is ancillary to the main scheme. Given the modest size of this and the condition proposed by SCC Highways, the retail provision is not considered to adversely impact the existing retail offering at the adjacent hospital or Epsom town centre. A condition is proposed, should planning permission be granted, which controls opening times for trade or business, in order to safeguard the amenities of the area and to prevent nuisance arising.

#### *Nursery*

- 16.12 The Planning Statement sets out that the proposed children's nursery measures 167 sqm in size, falling within (Use Class E). It is intended that 80% of the nursery capacity will be offered to provide childcare for workers of the adjacent NHS site.
- 16.13 The Planning Statement sets out that the children's nursery would bring together older and younger members of the community within the Guild Village, providing intergenerational spaces.
- 16.14 Officers consider that a nursery in this locality, adjacent to the hospital and residential properties, to provide childcare to NHS workers and local residents is acceptable in principle, as long as it does not adversely impact neighbouring properties in terms of noise or disturbance and highways considerations are deemed acceptable.
- 16.15 Two conditions are included, subject to planning permission being granted, which:
- Requires details of the proposed outdoor play equipment; and
  - Ensures that the nursery operates as a nursery only and no other use within the appropriate Use Class. The nursery shall have a maximum of 40 children only.

#### *Summary*

- 16.16 Subject to the use of conditions, should planning permission be granted, retail provision and a nursery are considered acceptable, complying with National policies and CS13 and DM34.

### **17 Trees and Landscaping**

- 17.1 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.
- 17.2 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.
- 17.3 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):
- i. Planting and encouraging others to plant trees and shrubs to create woodland, thickets and hedgerows; and

- ii. 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.

- 17.4 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.
- 17.5 Concerns have been raised from neighbours regarding tree loss and insufficient landscaping proposed as part of this scheme. The concerns also relate to the impact that this scheme would have on Woodcote Millennium Green.

*Trees*

- 17.6 There are no tree preservation orders relating to the Site or relating to trees on its boundaries.
- 17.7 There is very limited vegetation within the Site, but the western boundary is defined by mature trees. There are further (smaller) trees along the frontage with Woodcote Green Road and one larger tree in the northern part of the Site.
- 17.8 The accompanying planning statement sets out that of a total of 47 trees on Site, it is proposed to remove 29 of the existing site trees, of which 11 are category U trees and 16 are Category C trees. Only one Category A tree is to be removed as well as a part of a Category B tree. 18 Site trees are to be retained, of which five are Category A and B trees.
- 17.9 To compensate for the loss of the Site's trees, it is proposed to plant more than 100 additional trees on the Site, which would result in a significant uplift in the number of trees, along with an associated biodiversity enhancement. Replacement trees are proposed to be medium and large trees.
- 17.10 Tree protection measures, including ground protection and hoarding around trees would protect the retained trees during construction. Appropriate landscaping and tree management will aid in the long term protection and health of the retained trees. Further details are set out in the accompanying Arboricultural Assessment, dated January 2021.
- 17.11 The Arboricultural Report sets out that the proposed tree removals do not involve the removal of any trees that are subject to statutory protection.
- 17.12 With regard to the previously developed nature of the Site, the Arboricultural Report sets out that the retained vegetation is located a sufficient distance from the proposed development to be successfully protected and retained within the proposed development. The proposed landscaping works will serve to increase the amount of open ground around the trees and replace areas of existing non-permeable hardstanding with porous and permeable hardstanding.
- 17.13 The Arboricultural Report sets out that the proposed landscaping scheme will serve to mitigate the impact of the proposed tree removals and will improve the age and species diversity of the tree resource within the Site. The landscape design identifies planting of over 113 new trees, which will result in a significant increase in the number of trees growing within the Site.

- 17.14 The Arboricultural Report sets out that the protection of retained trees during the proposed development works can be achieved by continuing to follow the recommendations in BS5837:2012 and by use of planning conditions. All works and the construction methodology would be reviewed by an Arboricultural Clerk of Works and a detailed site-specific Arboricultural Method Statement would be prepared prior to any works commencing on Site.

#### *Landscaping*

- 17.15 A Design and Access Statement – Landscape and Public Realm document, dated 04.02.2021, accompanies this application. It sets out the changes that have been made, to address the reasons for refusal of the former application at this Site. This includes:
- A revised building layout and setback from Woodcote Green Road. This has created the opportunity to increase the landscaping along Woodcote Green Road with rows of street trees and understory planting;
  - Improvements to the north/south connectivity across the Site;
  - A new public realm domain, defined by areas for siting and relaxing; and
  - Increased planning buffer along the western boundary, with a new line of trees.
- 17.16 The proposal still seeks four character areas. A curvilinear based design is also still proposed, to integrate the landscape and buildings.
- 17.17 The proposal seeks to plant 113 mature and semi-mature trees. Specifically, at the frontage with Woodcote Green Road, the proposal a boulevard of trees and seating areas, to enliven the streetscape.
- 17.18 The accompanying planning statement sets out that the amended scheme has provided additional landscaping throughout, but in particular along the western boundary of the Site and along the street frontage, as referred to above.
- 17.19 The planning statement sets out that the updated scheme has also reduced the amount of parking along the western boundary of the Site, which has been reconfigured to allow for an increased landscaping buffer along the boundary with the adjacent properties.
- 17.20 Officers consider that this proposed scheme results in an improvement to the amount and quality of landscaping and tree planting on the Site. This updated scheme has further increased the area of proposed landscaping, due to reductions in building footprints, with an increased setback from Woodcote Green Road. This in turn provides an enhanced public realm, street planting and ecological and environmental benefits.

#### *Lighting strategy*

- 17.21 An Exterior Lighting Report, dated 03.02.2021 accompanies this application. It creates a framework and set of principle for the detailed design of exterior lighting, taking into account the local context and sensitive ecological constraints of the Site.

#### *Woodcote Millennium Green*

- 17.22 The Applicant has confirmed that it is prepared to assist in the ongoing repairs and maintenance of the Woodcote Millennium Green, in conjunction with the Woodcote Millennium Green Trust. The Applicant sets out it would be able to provide a £25,500 contribution for the ongoing maintenance of the Woodcote Millennium Green, to be secured as a S106 Agreement Obligation, should planning permission be granted.

17.23 Regulation 122 of the CIL Regulations sets out the limitations on the use of Planning Obligations. It is unlawful for a Planning Obligation to be taken into account when determining a planning application for a development, which does not meet all of the following tests:

- It is necessary to make the development acceptable in planning terms;
- It is directly related to the development; and
- It is fairly and reasonable related in scale and kind to the development.

17.24 Officers consider that the Woodcote Millennium Green Contribution is Regulation 122. Whilst not strictly meeting the first two criteria, it is fairly and reasonable related in scale and kind of the development. As such, the contribution towards the Woodcote Millennium Green is appropriate.

*Officer comments*

17.25 The Local Planning Authority's Tree Officer has not provided a formal response on this application, however he did provide comments at pre-application stage.

17.26 Officers recognise that in its current form, the Site does not offer a functional space. The scheme put forward seeks a considered landscaping scheme, integrating the proposed buildings into character areas and to provide linkages to Woodcote Millennium Green. With a LEMP in place, the landscape value of the Site would be maintained in the long-term.

17.27 Whilst the proposal would result in some tree loss, the scheme would seek a greater number of new trees, which would be managed appropriately through a LEMP. The proposed landscaping entwines the proposed buildings, character areas and the Woodcote Millennium Green, creating a sense of place. In conjunction with the public benefits of this proposal, including a contribution for the ongoing maintenance of the Woodcote Millennium Green, the proposal is considered acceptable, complying with policy DM5.

## **18 Neighbouring Amenity**

18.1 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.

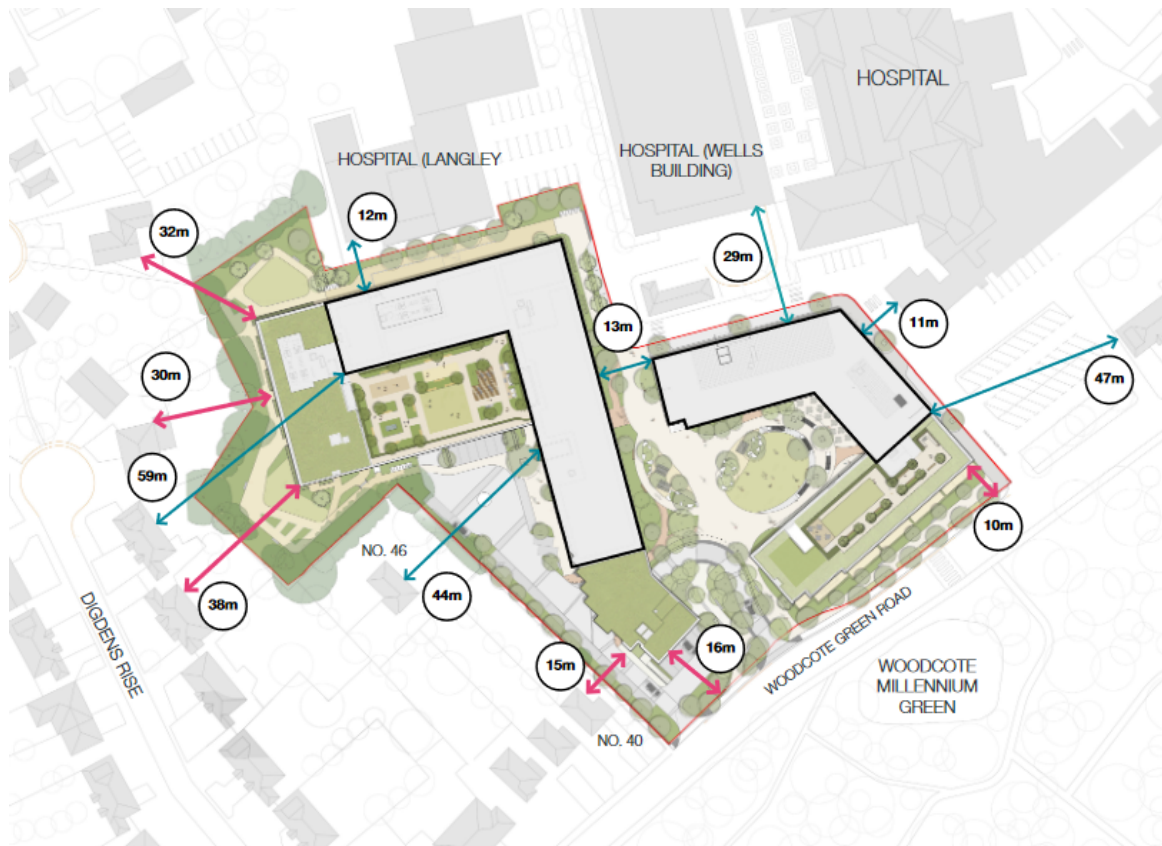
18.2 Concerns have been received from neighbours regarding the impact of this proposal on the neighbouring amenity enjoyed at adjacent properties and those located further away from the Site. Concerns relate to the proposal's overbearing nature and issues that may arise, including loss of outlook, loss of privacy and loss of light. This has been taken into consideration by Officers in the assessment of this application.

*Distances to surrounding properties*

18.3 The accompanying DAS sets out that:

- The taller elements of the proposed buildings on the western side of the Site are located some 59 metres from the rear of the houses at Digidens Rise;
- The taller element towards the centre of the Site are located some 44 metres from the house at number 46 Woodcote Green Road;
- The proposed buildings, from four to eight storeys, are positioned some 47 metres from the house at number 28 Woodcote Green Road.

18.4 The below image is taken from page 62 of the DAS, to visually show the separation distances from the proposed buildings to surrounding neighbouring properties:



18.5 The accompanying planning statement sets out that the orientation and placement of the west facing windows of the proposed apartments adjacent to numbers 40 and 46 Woodcote Green Road have been adjusted to avoid overlooking and privacy impacts. The windows to these units are either oriented towards the north and south or are high level windows to avoid direct overlooking to the west.

18.6 The accompanying planning statement sets out that an enhanced new landscape buffer is being provided along the western boundary of the Site, adjacent to the neighbouring residential properties. The landscape buffer provides significant additional planting to that which exists on the Site and forms a new continuous landscaped edge including soft planting, and 9 additional trees.



- 18.7 The accompanying planning statement sets out that the car parking spaces along this boundary have been relocated, to a less sensitive position adjacent to Woodcote Green Road, both reducing the potential effects of car movements, but also making space for the landscape buffer zone.
- 18.8 The accompanying planning statement sets out that the sensory garden at the podium level of the western building has been amended to reduce potential for overlooking, a balustrade with hedging has been set back 1.5m from the edge of the building and planting borders are incorporated onto the area.
- 18.9 Officers consider that the separation distances are considered sufficient, to ensure that neighbouring amenity at neighbouring properties are not adversely impacted by the proposed development.

*Daylight and sunlight*

- 18.10 A Daylight, Sunlight and Overshadowing report, dated January 2021, accompanies this application. Additionally, a separate letter, dated 04.02.2021 accompanies this application. Both are prepared by Avison Young.
- 18.11 The report sets out that a daylight, sunlight and overshadowing technical assessment has been undertaken. This proposal represents a material reduction in massing, in comparison to the previously refused scheme (ref: 19/01722/FUL). Therefore, the potential effects on surrounding light levels are further minimised.
- 18.12 The report sets out that external daylight and sunlight analysis of the neighbouring buildings found that the vast majority of windows and rooms tested will satisfy BRE guidelines. There will be some isolated daylight transgressions, which are below the recommendations set out in the BRE guidelines, some of which may be noticeable. However, in the majority of cases, the rooms affected are likely to be secondary/non-habitable space or relate to dual-aspect rooms with mitigating light, such that the retained levels of light are considered acceptable. The reduction in light is therefore considered to be acceptable.
- 18.13 The report sets out that internal daylight analysis of the accommodation within the proposed development shows that all but four (99%) of the proposed rooms tested meet the recommended ADF daylight criteria. The isolated exceptions represent very minor deviations only and retain a good level of daylight distribution across the key living areas. All other private habitable areas tested surpass the recommended criteria. This analysis focussed on the lowest floors only, so the upper levels would be even better daylight. For internal sunlight, the overwhelming majority (83%/84%) of windows tested would also meet the relevant APSH sunlight criteria, which also represents a high level of adherence for a development of this nature. In fact, the vast majority of windows and rooms that meet the guidance demonstrate levels that are well in excess of the suggested values.
- 18.14 The report sets out that for the overshadowing assessments ('two hours sun contour'), the analysis of the key amenity space both surrounding and within the Site indicates that the BRE guidelines would be fully satisfied. Existing and new local residents will therefore have access to amenity spaces that receive a good quantum of direct sunlight.

- 18.15 The letter sets out that the revised scheme will not materially change the technical results submitted in the Daylight, Sunlight and Overshadowing report. This applies to both the potential effect to neighbouring buildings and amenity space, as well as the potential light levels within the scheme. Any potential differences will be either negligible or represent technical changes only. They will not materially alter the compliance levels with best practice guidance nor the conclusions drawn in the Daylight, Sunlight and Overshadowing report.
- 18.16 In considering the above, Officers are of the view that the development is acceptable in terms of daylight, sunlight and overshadowing, despite a small number of isolated transgressions, which are not uncommon when increasing development levels on a Site of this nature.

*Environmental Noise Survey and Plant Noise Assessment Report*

- 18.17 An Environmental Noise Survey and Plant Noise Assessment, dated 20.01.2021, accompanies this application. It establishes the currently prevailing noise levels and assesses the plant noise emissions at the nearest and most affected noise sensitive residential window. The assessment indicates that the proposed normal plant, in conjunction with the proposed attenuation, should be capable of achieving the proposed environmental noise criteria at the nearest noise sensitive residential window.
- 18.18 The Assessment indicated that the noise emissions of the proposed smoke extract fans at the nearest and most affected residential window are approximately 27dB above the lowest measured daytime background LA90,15mins (32dBA), and 4dB lower than the measured daytime LAeq,16hour (63dBA). According to the PPG guidance, it is likely that the noise impact of the proposed smoke extract fans would fall under the category of 'Observed Adverse Effect'.

*Construction Environmental Management Plan (Revision 05)*

- 18.19 A Construction Environmental Management Plan (Revision 05) accompanies this application. This outlines how the construction project would avoid, minimise or mitigate effects on the environment and surrounding area.
- 18.20 The Local Planning Authority's Environmental Health team have formally commented on the application, with no objection, subject to conditions.

*Officer comments*

- 18.21 The Site is partly surrounded by residential properties. At present, the Site comprises an ad hoc collection of buildings, which comprise poor design with expansive areas of car parking. There is limited landscaping and in its current form, the Site is not considered to make any notable contribution to the character and form of the surrounding area.
- 18.22 The Applicant has sought to address the reasons for refusal of the previous scheme. As part of this, the heights, massing and scale of the proposed buildings have been reduced and there has been an increase in setbacks, with increased landscaping buffers, specifically along the western boundary of the Site, adjacent to neighbouring residential properties. In addition, this application has changed the orientation and placement of the west facing windows of the apartments adjacent to 40 and 46 Woodcote Green Road, to avoid issues of overlooking or loss of privacy.

- 18.23 Officers consider that this revised scheme has been designed to limit its impact on the neighbouring amenity enjoyed at surrounding properties and is considered to comply with policy DM10.

## 19 Highways and Parking

- 19.1 Chapter 9 of the NPPF relates to the promotion of sustainable transport.
- 19.2 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.
- 19.3 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 (inter alia) provide safe, convenient and attractive accesses for all, including the elderly, disabled, and others with restricted mobility. Development proposals should be appropriate for the highways network in terms of the volume and nature of traffic generated, provide appropriate and effective parking provision, both on and off-site, and vehicular servicing arrangements. Furthermore, development proposals must ensure that vehicular traffic generated does not create new, or exacerbate existing, on street parking problems, not materially increase other traffic problems.
- 19.4 Policy DM36 out that to secure sustainable transport patterns across the Borough, the Local Planning Authority will (inter alia) prioritise the access needs of pedestrians and cyclists in the design of new developments and require new development to provide on-site facilities for cyclists as appropriate, including showers, lockers and secure, convenient cycle parking, in accordance with standards.
- 19.5 Policy DM37 sets out that developments will have to demonstrate that the new scheme provides an appropriate level of off street parking to avoid an unacceptable impact on on-street parking conditions and local traffic conditions.
- 19.6 Concerns have been received from neighbours regarding the potential increase in traffic as a result of this proposal and its impact on the highway network. Furthermore, there is concern that the proposal provides insufficient car parking within the Site. This has been taken into consideration by Officers in the assessment of this application.
- 19.7 A Transport Assessment, dated January 2021, accompanies this application.

### *Access arrangements*

- 19.8 The Transport Assessment sets out that access and egress to the Site is provided via separate new entrance and exit points on Woodcote Green Road, with the entrance located near the southwestern corner of the Site and the exit located just to the west of the existing hospital access that is being stopped up. The hospital access that is being retained is located further to the East of the proposed exit.
- 19.9 The Transport Assessment sets out that within the Site the separate entrance and exit points create a one-way internal route under the West building, with a two-way section towards the Stacker Parking System (SPS) parking provided as a continuation of the entrance route. The main area for residents and visitors to drop off/collect their cars is provided at the SPS, with a turning head/roundabout space provided for vehicles to turn. Departing vehicles can also be collected from the Port Cochere under the West building.

- 19.10 The Transport Assessment sets out that drop off/collection for the nursery provided as part of the scheme will be accessed via the main access where external parking bays are provided, with vehicles departing via the separate egress.
- 19.11 The Transport Assessment sets out that the Site has been designed in a pedestrian friendly manner with vehicle-free access throughout the Site and linking to the existing footway and cycle-lane on Woodcote Green Road. It is recognised that some residents at the site will be unable to walk great distances, and therefore buggy/electric scooter storage and charging areas will be provided within the Site. These will enable residents who are not able to walk easily to still travel around the local area on footways.

*Parking provision*

- 19.12 The Transport Assessment sets out that as part of the development proposals a two-storey, 132 space SPS would be provided on Site for use by residents, staff and visitors. The SPS would be accessed via the Site access on Woodcote Green Road, with a turning head/drop off area provided in the vicinity of the main reception to allow visitors to drop off/collect their cars with a concierge service to drive the vehicle to and from the SPS.
- 19.13 The Transport Assessment sets out that Further parking for staff and visitors is provided at grade for an additional 24 vehicles, accessed via the site access on Woodcote Green Road, resulting in a total parking provision on site of 156 spaces. Drop off/collection and staff parking for the nursery will be provided with two dedicated spaces during opening hours. A space for a minibus will also be provided.

*Servicing arrangements*

- 19.14 The Transport Assessment sets out that dedicated bays for servicing and refuse collection are provided and accessed via the hospital access that will remain post-development. This will allow the potential for existing refuse collection routes to be used and will restrict access into the proposed development by larger vehicles.
- 19.15 The Transport Assessment sets out that it is intended that a private refuse collection provider will be used for domestic and clinical waste and that a smaller sized vehicle will be used for better access around the Site. However, tracking has also been provided for large collection vehicles.

*Cycle parking*

- 19.16 The Transport Assessment sets out that there are 50 secure, covered cycle spaces provided for residents, staff and visitors located throughout the Site.

*Existing traffic flows*

- 19.17 The Transport Assessment sets out that traffic surveys were undertaken at both the Woodcote Green Road entrances to Epsom General Hospital between Tuesday 21 and Thursday 23 May 2019 (during school term time). Additionally, registration plate beat surveys were undertaken, enabling an assessment of traffic that would be removed from Woodcote Green Road (and diverted to the Dorking Road hospital entrances) to be undertaken.
- 19.18 Additionally, traffic surveys were carried out at the following junctions on Tuesday 12 and Wednesday 13 November 2019 between the hours of 07:00 to 19:00. The survey was undertaken during school term time to ensure representative flows.

- A24 Dorking Road / Woodcote Side;
- A24 Dorking Road / Woodcote Road signalised junction; and
- A24 South Street / A24 Ashley Avenue signalised junction.

19.19 The results of all the traffic surveys are contained at Appendix E of the Transport Assessment.

#### *Traffic impact*

19.20 The Transport Assessment sets out that an assessment of predicted development trips in accordance with a methodology agreed with SCC Highways shows that the proposed development is predicted to result in a decrease in trips during the AM and PM peaks, whilst overall daily trips will increase.

19.21 The Transport Assessment sets out that Junction capacity assessments have demonstrated that all of the junctions assessed would operate within capacity or with a net improvement following implementation of the development.

19.22 The Transport Assessment sets out that a parking assessment indicates that the proposed parking provision would be sufficient for the development, and that in accordance with the guidance set by SCC highways, the parking provision can be assessed on its 'individual merits'.

#### *Conclusions*

19.23 The Transport Assessment concludes that the proposed development would not have a material traffic impact or have a detrimental impact on local highway safety. Therefore, it is considered that there are no highway or transport reasons that would support refusal of the planning application.

#### *Parking Management – Nursery*

19.24 A Parking Management – Nursery note was received on 07.04.2021. It provides further information regarding the management of nursery parking.

19.25 As detailed within the Transport Assessment, the following arrangements are proposed for use of the 24 surface level parking spaces on-site:

- On entrance to the Site, staff will prioritise using the spaces located on either side of the access road whilst visitors will be directed towards the main entrance/SPS;
- All residents will drive straight to the main entrance/Stacker Parking System; and
- Two spaces at the front of the site are to be allocated as for nursery use during nursery opening hours.

19.26 Two parking spaces at the front of the Site, accessed on the right of the Site access road, are to be allocated for nursery use during nursery opening hours. These spaces are intended to be used by parents/carers for drop-off and collection of children attending the nursery. 80% of the children attending the nursery would have parents working at the adjacent hospital who will be parked within the staff car park on the hospital site. Therefore, the demand for these drop-off/collection spaces will be from only 20% of the children's parents attending the nursery.

- 19.27 The allocated spaces would have clear signage stating that they are only for nursery use during opening hours and signage directing visitors to these spaces would be provided from the site access road.
- 19.28 Staff working at the nursery would be encouraged not to use private cars to access the Site, through the measures proposed as part of the development Travel Plan. This would be facilitated by staff being recruited for the local area.
- 19.29 Those staff that have no other alternative use other than the private car would be able to use the staff parking spaces located immediately adjacent to the allocated spaces for nursery drop-off and collection, or those on the other side of the site access road.

#### *SCC Highways*

- 19.30 SCC Highways provided a formal consultation response on 29.03.2021. The Highways Authority does not object to the proposal, but recommends S106 Obligations and Conditions, should planning permission be granted. There is a note to the Case Officer, which is provided below:

*The existing site comprises land sold by Epsom Hospital to Guild Living. Prior to sale this land primarily comprised now redundant hospital buildings and staff car parking. The application submitted seeks to demolish the existing buildings within the application site boundary to build a development comprising 267 care residences, 10 care apartments and 28 care suites providing transitional care, with ancillary services including Use Class C2, 24 key worker units, children's nursery and retail*

#### *Vehicular Access*

*There is an existing, although currently unused vehicular crossover on Woodcote Green Road in front of Woodcote Lodge. Between Woodcote Lodge and Rowan House there is an existing bellmouth access. Further east there is a second bellmouth access from Woodcote Green Road, however this access is to be retained by Epsom Hospital to retain vehicular access from Woodcote Green Road to Epsom Hospital, and is largely outside of the red line edging of the application site boundary.*

*The application proposes to modify the existing bellmouth access currently located between Woodcote Lodge and Rowan House, to be utilised as the exit for the proposed development, and provide an additional bellmouth access in a similar location to the existing vehicular crossover on Woodcote Green Road to be used as a vehicular entrance to the proposed development. Minor modifications are also proposed to the existing bellmouth access to be retained by Epsom Hospital, however vehicular access to Epsom Hospital from Woodcote Green Road shall be retained at all times.*

*In accordance with Manual for Streets an access onto a road subject to a 30mph speed limit should be provided with visibility splays of 2.4m 'x' distance by 43m 'y' distance. A plan has been submitted to demonstrate that visibility splays of 2.4m by 43m, as required in Manual for Streets are achievable from the proposed site exit, all within land either within the application site or within the highway extent. It is the applicant's responsibility to ensure that these visibility splays are provided, retained and maintained.*

*'No Entry' signing and 'No Entry' markings need to be provided at the site egress and 'Entry' signing, and 'Entry' or 'One Way' markings should be provided within the site ingress to ensure vehicles comply with the one way system of the application site.*

*Works to create the proposed bellmouth access will be subject to a Section 278 Agreement with the County Highway Authority, at which stage technical drawings shall be prepared and submitted for technical review.*

*The CHA request that a pair of vehicle activated signs are erected, one either side of the existing pedestrian crossing on Woodcote Green Road, to be agreed with SCC. Depending on location it is expected that this would cost in the range of £4,600 to £7,200.*

#### Traffic Impact

*Key junctions within the vicinity of the application site have been modelled. The audits have all been assessed by Surrey County Council Modelling Team at Surrey County Council, and have all passed.*

*One of the key measures used to determine the severity of impact on individual junctions is Ratio Flow Capacity (RFC) for non-signalised junctions and Degree of Saturation (DoS) for signalised junctions. Where RFC is equal to one, the junction is considered to be at capacity. Models are assumed to have a standard error of approximately + or - 15%, so an RFC of 0.85 is often sought, as this gives a high likelihood that excess queuing will be avoided at the junction. All junctions effected by development proposals must be considered against the predicted conditions at that junction in a 'without development' scenario.*

#### Site access

*This junction will operate well within capacity in both the AM and PM.*

#### Ashley Avenue

*Ashley Avenue – Degree of saturation increased by a small amount in with development scenario in both AM and PM peaks, however the junction would still operate within its practical reserve capacity limits.*

#### Woodcote Road

*Highest DoS in AM 2026 Base Scenario is 88.6% for Woodcote Road. In the 2026 forecast scenarios the highest DoS is 87.1% in the AM. This is a marginal increase. Highest DoS Dorking Road NE movement is 88.5% in AM 2026 Base Scenario and 78.9% in 2026 Base PM scenario. In the 2026 Forecast Scenario in the AM the DoS reaches 88.6% and 74.7% in the PM Scenario. Therefore, the Dorking Road (northeast) Degree of saturation increased by 0.1% in the AM peak and reduced by 4.2% in the PM peak. It is therefore not considered that the development will have a negative impact on this arm.*

#### Dorking Road and Woodcote Side

*In AM 2026 Base Scenario the Highest RFC is 1.11 on the minor left turn give way movement from Woodcote Side. The minor road right turn give way movement RFC would be 1.00. In the AM 2026 Forecast Scenario the highest RFC is 1.10 on the minor left turn give way movement from Woodcote Side. The minor road right turn give way movement RFC would be 1.00.*

*In the PM 2026 Base Scenario the highest RFC is 0.67 for the right turn major road movement into Woodcote Side. In the PM 2026 Forecast Scenario the highest RFC is 0.70 for the right turn major road movement into Woodcote Side.*

*The modelling shows that the net impact of the development in 2021 would be relatively small on the junction.*

#### Sustainability

*The application site is located approximately 800m from Epsom Town Centre, where a number of key services, leisure, retail and food uses are available.*

*A number of bus stops are available within the immediate vicinity of the application site, both on Dorking Road and Woodcote Green Road. The CHA requests that the developer provide upgrades to existing bus stops on both Woodcote Grove and Dorking Road as set out in the above conditions. Please note that the RTPI displays will require a power supply with an RCBO (circuit breaker) and it will need to be ensured that the shelters are suitable to take RTPI displays otherwise they will need to be installed externally on poles. Commuted sums will also be required for the RTPI displays. The real time passenger information display to be provided within a communal area of the development site either needs to be purchased from SCC or a suitable display needs to be purchased and a link agreed and commissioned from SCC's RTPI system.*

*The proposed development will also provide a car club vehicle, to be made available for public use. This is to be funded by the developer and one year free membership of the car club should also be provided to the first occupants of each of the proposed residential units.*

*A shuttle bus is also to be provided for residents of the proposed development, reducing the reliance of occupants on use of a private vehicle.*

#### Retail Use

*The CHA understand that the proposed retail units of the development site, are likely to be used for something similar to a gift shop, rather than a more intense use that is likely to be a direct trip attractor to the site. To ensure this is the case the CHA recommends a condition that prevents the retail unit on site from being used for Food Retail.*

#### Waste Collection

*The clearance height under the building prevents the largest vehicles from being able to pass under the building. However, Guild Living has a legal agreement in place with the hospital to provide access for servicing and refuse collection from within the hospital site. Nevertheless, the applicant has confirmed that a private waste management company will be used for refuse collections and a vehicle that is able to pass underneath the building will be specified. As a result, the only vehicles that would need to exit the site via the entrance would be the largest fire tenders (in an emergency).*

*The CHA proposes a condition that requires the operation of the site via a Deliveries & Servicing Management Plan to be agreed.*

#### Parking

*Car parking for the proposed development is to be provided in both an SPS car park and at surface level within the site. 40% of units will be marketed/sold with parking. It is noted that concern has been raised regarding parking provision onsite and the potential for the impact on the wider area that a shortfall in parking would create. Whilst the CHA has a remit that includes highway safety and capacity, it is considered that these areas are covered by the current parking restrictions in place locally that limit dangerous parking.*



*However, the CHA is aware that the parking does include an element of Amenity, this would be considered by the Planning Authority, rather than the Highway Authority. SCC does support reduced car parking provision in sustainable locations.*

*The application site is currently used for parking for hospital staff. However, the land has been purchased by Guild Living and therefore already in full control of the applicant. It has not been possible to apply a condition tying this application to the construction of the proposed Multi Storey Car Park at Epsom Hospital.*

## **Refuse**

- 19.31 In addition to safety and capability of refuse vehicles to access the site, Policy CS6 sets out that proposals for development should result in a sustainable environment. To conserve natural resources, waste should be minimised and recycling encouraged.
- 19.32 A Servicing and Waste Management Plan, dated February 2021, accompanies this application.

## **20 Ecology**

- 20.1 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
- 20.2 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.
- 20.3 Policy CS3 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.
- 20.4 Policy DM4 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.
- 20.5 A Preliminary Ecological Appraisal, dated 18 January 2021, accompanies this application. It sets out that the proposed development should avoid adverse impact to the biodiversity interest of the Site and should deliver ecological enhancements to ensure no net loss in biodiversity. Various enhancements are recommended, to ensure that the proposed development enhanced the ecology of the Site and the local area.
- 20.6 The Local Planning Authority's Ecologist formally commented on this application. The Ecological Appraisal is considered acceptable. The various mitigation and enhancements should be conditioned.
- 20.7 The proposal is considered to comply with Policy CS3 and DM4.

## 21 Flood Risk and drainage

- 21.1 Chapter 14 of the NPPF relates to meeting the challenge of climate change, flooding and coastal change. Paragraph 155 stipulates that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Paragraph 163 sets out that when determining any planning applications, Local Planning Authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.
- 21.2 Policy CS6 out that proposals for development should result in a sustainable environment and reduce, or have a neutral impact upon, pollution and climate change. The Council will expect proposals to demonstrate how sustainable construction and design can be incorporated to improve the energy efficiency of development – both new build and conversion. In order to conserve natural resources, minimise waste and encourage recycling, the Council will ensure that new development (inter alia):
- has no adverse effects on water quality, and helps reduce potential water consumption for example by the use of water conservation and recycling measures and by minimising off-site water discharge by using methods such as sustainable urban drainage; and
  - avoids increasing the risk of, or from, flooding.
- 21.3 The Site is within Flood Zone 1 (Low Probability of Flooding) and partly within a Critical Drainage Area.
- 21.4 A Flood Risk Assessment (FRA), dated 19 January 2021, accompanies this application. It sets out that:
- i. The flood risk from tidal, fluvial, overland fluvial and artificial sources is low. The flood risk from groundwater sources is classified as medium risk;
  - ii. The proposal will not create an unacceptable increase in flood risk elsewhere; and
  - iii. No major flood risks to or from the Site have been identified.
- 21.5 Mitigation measures have been identified to ensure that the residual risk can be managed.
- 21.6 A Foul & Surface Water Drainage Strategy, dated 15 January 2021, accompanies this application.
- 21.7 Surrey County Council Local Lead Flood Authority (LLFA) formally commented on this application on 08.03.2021. It confirms that it is satisfied with the proposed drainage scheme. If planning permission is granted, every effort should be made during detailed to reduce the discharge to as low as possible and to find a solution to discharge via gravity.
- 21.8 The proposed development is considered to comply with Policy CS6.

## 22 Contamination

- 22.1 Policy DM17 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.
- 22.2 A Ground Investigation Report, dated 18 January 2021, accompanies this application. It is recommended to undertake further ground investigations to ascertain any potential hydrocarbon contamination around the tanks. Any arising requirements for remediation would be defined and agreed with Epsom & Ewell Borough Council.
- 22.3 The Environmental Agency (EA) provided a formal response, dated 08 March 2021. It has no objection to the proposal, subject to planning conditions, should planning permission be granted.
- 22.4 The Local Planning Authority's Contamination Land Officer commented on 24 March 2021, setting out conditions that should be applied to any planning permission granted, in addition to those already proposed by the EA. The ground investigations already completed will contribute to the work necessary to discharge the conditions, but as considerable demolition works are yet to be carried out, some investigation will almost certainly be needed once the site is cleared to slab level.
- 22.5 The proposal is considered to comply with Policy DM17.

### **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 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 (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, Written Scheme of Investigation and Evaluation Report, dated January 2021, accompanies this application.
- 23.5 SCC Archaeology commented on this application on 05.03.2021. The response sets out that no further archaeological site investigation is required should the scheme be permitted. But the recommended further assessment and reporting of the retained samples shall be achieved in order to complete the mitigation of the impacts of the development and to make the palaeo-environmental results publicly accessible in accordance with national and local planning policy. This assessment and reporting work can be secured by an appropriately worded condition.
- 23.6 The proposal is considered to comply with Policies CS5 and DM8.

## 24 Sustainability and Climate Change

- 24.1 Chapter 2 of the NPPF relates to achieving sustainable development. Paragraph 8 of the NPPF sets out that there are three strands to achieving sustainable development, including an environmental objective. This is for development to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 24.2 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.
- 24.3 An Energy and Sustainability Document, dated 03.02.2021 accompanies this application. It sets out that an energy assessment has been carried out. The assessment showed that a reduction in carbon emissions of 44% over a Part L 2013 compliant development can be achieved.
- 24.4 The accompanying planning statement sets out that the scheme has been designed to establish a clear sustainability strategy using energy hierarchy principles of Be Lean, Be Clean, and Be Green and to adopt an approach to reduce carbon dioxide emissions and reduce environmental impact.
- 24.5 Sustainability has been a key design consideration for this development from the onset of the project and consideration of the impact of design proposals and measures on the sustainable credentials of the development has been made throughout the design development to date and will continue throughout the design and construction process.
- 24.6 The development includes a number of active and passive measures to reduce CO<sub>2</sub>. The passive measures include the specification of high performance building fabric including u-values and an air permeability that are significantly beyond the minimum requirements of the Building Regulations.
- 24.7 The non-residential areas of the development will achieve BREEAM 'Very Good', with aspirations of BREEAM 'Excellent'.
- 24.8 The development utilises Low and Zero Carbon (LZC) energy technology to reduce the total carbon emissions from the development. To this end 26% of the development's energy will come from LZC energy sources, using a combination of solar photovoltaic (PV) cells and Air Source Heat Pumps (ASHP).
- 24.9 The Applicant has confirmed in an email, dated 08.04.2021 that it is Guild Living's intention for the scheme would be net zero carbon by 2025. Officers recognise that this is an intention and not a commitment.
- 24.10 In considering the above, Officers are satisfied that the proposal complies with Policy CS6.

## 25 Fire Safety

- 25.1 A Fire Engineering Stage 2 Report, dated 05.02.2021 accompanies this application. The purpose of the report is to provide a summary of the fire strategy for planning submission. It sets out that the scheme will generally comply with the guidance of BS 9991:2015, BS 9999:2017 and HTM 05-02; however, some areas highlighted in this report may require a fire engineering solution or require to be developed further.
- 25.2 Surrey Fire & Rescue Service formally commented on this application, on 08.03.2021. There is no objection, subject to the inclusion of informatives to any planning permission granted.

## 26 Other

### *Employment Skills Plan*

- 26.1 The Local Planning Authority's Economic Development Strategy document sets out an action plan, which includes "skills development", such as supporting local skills programmes and initiatives.
- 26.2 In order to use the opportunities presented by this development to improve local employment and training, an Employment and Skills Plan is required as part of the S106 Agreement, should planning permission be granted. Whilst the negotiations are to be finalised with the applicant, matters including the employment of local people during the project's consultation and partnership working may be achieved.

## 27 Planning Balance and Conclusion

- 27.1 The Site comprises healthcare and accommodation buildings and surface level car parks, which are of poor quality, lacking any coherent masterplan and which are deemed surplus to requirements.
- 27.2 People are living longer. There are now around 12 million older people (aged 65 or over) in the UK, in accordance with 'The Health Foundation'. While many live healthy lives, as we age, the likelihood of needing acute care or on-going care grows. The ageing population creates new challenges for society, as demonstrated by the increase in demand for NHS services and social care.
- 27.3 The variety of extra-care accommodation reduces pressure on local hospitals, GPs and emergency centres. Not only does extra-care accommodation provide a positive health influence on all senior residents, it also directly impacts on and improves a range of social factors, such as loneliness and isolation.
- 27.4 This Site is located within the built up area of Epsom and is appropriate for housing redevelopment, as it is comprised of previously developed land. The proposed use is compatible with existing uses, specifically the adjacent hospital. There is no existing concentration of comparable C2 provision in the immediate locality, ensuring that the scheme supports the creation of a mixed, inclusive and sustainable community.
- 27.5 Surrey County Council (SCC) Adult Social Care recognises that further extra-care accommodation is required. It is possible that the future operator will attract interest from people living beyond the Borough's borders.

- 27.6 The Local Planning Authority cannot presently demonstrate five years housing land supply. This scheme would generate 292 units towards housing numbers, as a result of applying the "Housing Delivery Test Measurement Rule Book". Officers give this positive weight within the planning balance. Furthermore, this proposal would enable older people to move out of their existing homes into extra care accommodation, which would free up existing housing stock for the next generation.
- 27.7 There is existing (now vacant) key worker accommodation on the Site, located within Woodcote Lodge. This is proposed to be re-provided as part of this application and subject to planning permission being granted, tied into the S106 Agreement. This is given positive weight by Officers.
- 27.8 Internally, the proposed units have been designed to cater for residents requiring care and support. The overall scheme provides a focus on communal spaces and facilities, which would be accessible to residents, but also to the public, including for example, the children's nursery. Various uses within the development encourage social interaction. Officers give positive weight to the social and community benefits arising from this scheme.
- 27.9 The proposal has been designed to respond to its immediate surroundings, including local views.
- 27.10 There is a presumption in favour of granting sustainable development unless the application of policies gives a clear reason for refusing permission (paragraph 11(d)(i) of the NPPF). Taking the relevant facts of this application into consideration, Officers recommend approval of this application, as the adverse impacts are not considered to demonstrably outweigh the benefits, when assessed against the NPPF, as a whole.

## **28 Community Infrastructure levy**

- 28.1 The scheme would be CIL liable.

## **29 Conclusion**

- 29.1 Officers recommend approval of this application, as the adverse impacts do not demonstrably outweigh the benefits when assessed against the NPPF, as a whole.

## **30 Recommendation**

Part A: Grant planning permission, in accordance with the proposed conditions and subject to a Section 106 Agreement being signed by 22 June 2021 and securing the following Heads of Terms and conditions:

### Key worker accommodation

- Re-provision of 24 key worker units
- Set to an affordable rent level
- Designated for employees or a person employed by the NHS.
- Managed by NHS St Kilda Trust, with a 250 year lease over the units

### Affordable housing

### C2 Use restrictions

- 65 qualifying age
- Definition of qualifying assessment
- Definition of care

- 2.5 hours care minimum per week Restriction to occupancy of Owner/Partner

Off-site highways works

- Two Vehicle Activated Signs to be provided on Woodcote Green Road following consultation with the County Highway Authority and in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority
- All required contributions to Traffic Regulation Order changes, as appropriate

Bus infrastructure

- Following package of measures to be implemented at the Applicant's expense:
- Woodcote Green Road (westbound bus stop) – The provision of raised kerbing (to a height of 140mm over a 9.0m length) to ensure level access onto / off buses
- Dorking Road (eastbound and westbound stops to include bus stops P, Q & R) – The provision of raised kerbing (to a height of 140mm over a 9.0m length) to ensure level access onto / off buses
- Dorking Road (eastbound and westbound stops to include bus stops P, Q and R) – Real Time Passenger Information displays (RTPI) displays to be installed and commissioned within all bus shelters by Surrey County Council's RTPI Contractor.
- RTPI display linked to Surrey County Council's RTPI system to be installed within communal area of the development, and thereafter shall be kept permanently retained and maintained to the satisfaction of the Local Planning Authority

Travel Plan and monitoring fee

- The Developer shall contribute an amount of £6.150 for auditing of the Travel Plan

Car club

- Provision of a car club space and vehicle
- Contribution to Traffic Regulation Order changes, as appropriate

Landscape Ecological Management Plan

- Management of public and private spaces
- To protect notable species and habitats on Application Site and to ensure longevity and successive planting
- Management arrangements for compliance

Pedestrian and cycle routes within the Applicant Site

Employment skills plan

Other contractual matters

- S106 monitoring fee, to monitor and sign off compliance of 106 Obligations

Part B: In the event the Section 106 Agreement referred to in Part A is not completed by 22 June 2021, the Head of Planning is authorised to refuse the application for the following reason:

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

30.1 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:

EPS001-MPI-XX-ZZ-DR-A-00-001 - SITE LOCATION PLAN & EXISTING SITE PLAN – dated 05.02.21

EPS001-MPI-ZZ-ZZ-DR-A-00-002 - PROPOSED SITE PLAN – dated 05.02.21

EPS001-MPI-XX-ZZ-DR-A-00-003 - DEMOLITION PLAN – dated 05.02.21

EPS001-MPI-ZZ-00-DR-A-01-100 - LEVEL 00 FLOOR PLAN – dated 05.02.21

EPS001-MPI-ZZ-00-DR-A-01-101 - LEVEL 01 FLOOR PLAN – dated 05.02.21

EPS001-MPI-ZZ-00-DR-A-01-102 - LEVEL 02 FLOOR PLAN – dated 05.02.21

EPS001-MPI-ZZ-00-DR-A-01-103 - LEVEL 03 FLOOR PLAN – dated 05.02.21

EPS001-MPI-ZZ-00-DR-A-01-104 - LEVEL 04 FLOOR PLAN – dated 05.02.21

EPS001-MPI-ZZ-00-DR-A-01-105 - LEVEL 05-07 FLOOR PLAN – dated 05.02.21

EPS001-MPI-ZZ-00-DR-A-01-106 - LEVEL ROOF PLAN – dated 05.02.21

EPS001-MPI-XX-SX-DR-A-20-200 - SITE SECTIONS 1:500 – dated 05.02.21

EPS001-MPI-XX-SX-DR-A-20-201 - BUILDING SECTION A-A' & B-B' - dated 05.02.21

EPS001-MPI-XX-SX-DR-A-20-202 - BUILDING SECTION C-C' & D-D – dated 05.02.21

EPS001-MPI-XX-SX-DR-A-20-203 - BUILDING SECTION EE – dated 05.02.21

EPS001-MPI-XX-SX-DR-A-20-205 - SITE SECTIONS - STREET CONTEXT – dated 05.02.21

EPS001-MPI-XX-EL-DR-A-20-300 - ELEVATION 1A-1A - BUILDING A SOUTH – dated 05.02.21

EPS001-MPI-XX-EL-DR-A-20-301 - ELEVATION 1B-1B - BUILDING B COURTYARD SOUTH – dated 05.02.21

EPS001-MPI-XX-EL-DR-A-20-302 - ELEVATION 2-2 - BUILDING A PODIUM SOUTH – dated 05.02.21

EPS001-MPI-XX-EL-DR-A-20-303 - ELEVATION 3-3 - BUILDING A NORTH – dated 05.02.21

EPS001-MPI-XX-EL-DR-A-20-304 - ELEVATION 4-4 - BUILDING A WEST – dated 05.02.21

EPS001-MPI-XX-EL-DR-A-20-305 - ELEVATION 5-5 - BUILDING A EAST – dated 05.02.21



EPS001-MPI-XX-EL-DR-A-20-306 - ELEVATION 6-6 - BUILDING A SOUTH – dated 05.02.21

EPS001-MPI-XX-EL-DR-A-20-307 - ELEVATION 7-7 - BUILDING A DROP-OFF SOUTH – dated 05.02.21

EPS001-MPI-XX-EL-DR-A-20-308 - ELEVATION 8-8 - BUILDING B EAST – dated 05.02.21

EPS001-MPI-XX-EL-DR-A-20-309 - ELEVATION 9-9 - BUILDING B WEST – dated 05.02.21

EPS001-MPI-XX-EL-DR-A-20-310 - ELEVATION 10-10 - BUILDING A/B NORTH – dated 05.02.21

EPS001-MPI-XX-EL-DR-A-20-311 - ELEVATION 11-11 - BUILDING B NORTH – dated 05.02.21

EPS001-MPI-XX-EL-DR-A-20-312 - ELEVATION 12-12 - BUILDING A WEST – dated 05.02.21

EPS001-MPI-XX-EL-DR-A-20-313 - ELEVATION 13-13 - BUILDING A PODIUM EAST – dated 05.02.21

EPS001-MPI-AZ-00-DR-A-20-500 - BUILDING A - L00 – dated 05.02.21

EPS001-MPI-AZ-01-DR-A-20-501 - BUILDING A - L01 – dated 05.02.21

EPS001-MPI-AZ-02-DR-A-20-502 - BUILDING A - L02 – dated 05.02.21

EPS001-MPI-AZ-03-DR-A-20-503 - BUILDING A - L03 – dated 05.02.21

EPS001-MPI-AZ-04-DR-A-20-504 - BUILDING A - L04 – dated 05.02.21

EPS001-MPI-AZ-ZZ-DR-A-20-505 - BUILDING A - L05-07 – dated 05.02.21

EPS001-MPI-AZ-RF-DR-A-20-506 - BUILDING A - ROOF LEVEL – dated 05.02.21

EPS001-MPI-BZ-00-DR-A-20-510 - BUILDING B - L00 – dated 05.02.21

EPS001-MPI-BZ-01-DR-A-20-511 - BUILDING B - L01 – dated 05.02.21

EPS001-MPI-BZ-02-DR-A-20-512 - BUILDING B - L02 – dated 05.02.21

EPS001-MPI-BZ-03-DR-A-20-513 - BUILDING B - L03 – dated 05.02.21

EPS001-MPI-BZ-04-DR-A-20-514 - BUILDING B - L04 – dated 05.02.21

EPS001-MPI-BZ-ZZ-DR-A-20-515 - BUILDING B - L05-07 – dated 05.02.21

EPS001-MPI-BZ-RF-DR-A-20-516 - BUILDING B - ROOF LEVEL – dated 05.02.21

EPS001-MPI-XX-XX-DR-A-21-300 - TYPICAL BAY STUDY - BAY 1 - JULIET BALCONY DETAIL – dated 05.02.21

EPS001-MPI-XX-XX-DR-A-21-301 - TYPICAL BAY STUDY - BAY 2 - BOLT ON BALCONY DETAIL – dated 05.02.21

EPS001-MPI-XX-XX-DR-A-21-302 - TYPICAL BAY STUDY - BAY 3 - DROP OFF DETAIL – dated 05.02.21

EPS001-MPI-XX-XX-DR-A-30-100 - TYPICAL UNIT LAYOUTS - 1 BED – dated 05.02.21

EPS001-MPI-XX-XX-DR-A-30-101 - TYPICAL UNIT LAYOUTS - 2 BEDS – dated 05.02.21

EPS001-MPI-XX-XX-DR-A-30-102 - TYPICAL UNIT LAYOUTS - 3 BEDS – dated 05.01.21

EPS001-MPI-XX-XX-DR-A-30-103 - TYPICAL UNIT LAYOUTS - GCS & GCR – dated 05.02.21

656\_P\_00\_100 P06 - Masterplan Ground Floor – dated 02.02.21

596\_S\_00\_100 P01 - Landscape General Arrangement Sections A-A– dated 18.01.20

596\_S\_00\_101 P01 - Landscape General Arrangement Sections BB CC – dated 18.01.20

656\_P\_00\_100 P02 - Roof Masterplan – dated 02.02.21

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) Unless otherwise agreed by the Local Planning Authority, the following must be undertaken following demolition and prior to occupation of the new development, in accordance with current best practice guidance:

A site investigation and risk assessment to determine the existence, extent and concentrations of any made ground/fill, ground gas and contaminants (including asbestos and hydrocarbons) with the potential to impact sensitive receptors on and off site. 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).

- (4) Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), 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) An additional site investigation scheme, based on the GIR, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

2) The results of the site investigation and detailed risk assessment referred to in (1) 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.

3) 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 (2) 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 a Secondary Aquifer and it is reported that the site is affected by historic contamination.

- (5) 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.

- (6) 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. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters.

- (7) 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.

- (8) 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.

- (9) The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
- a) 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 discharge rates and storage volumes shall be provided using a maximum discharge rate equivalent of 52l/s.
  - b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
  - c) 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.
  - d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
  - e) 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 shall be undertaken in accordance with the programme of palaeo-environmental assessment and analysis set out in Table 9 of Archaeology South East's report (Reference 202181, dated October 2020).

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

- (12) 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, and finished external surface levels 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 visual amenities of the area and 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.

- (13) Prior to commencement of above ground works/the relevant part of the development hereby permitted, a sample of all new cladding materials including aluminium panelling shall be made available to be approved by the local planning authority on site. The work shall not be carried out otherwise than as to conform to approve 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.

- (14) Prior to commencement of above ground works/the relevant part of the development hereby permitted satisfactory samples or fully specified drawings of all landscape furniture shall be made available to be approved by the local planning authority on site. The work shall not be carried out otherwise than as to conform to approve 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

- (15) Prior to commencement of above ground works / the relevant part of the development hereby permitted, a sample of each of the proposed brick finishes a 1m X 1m shall be constructed on site for inspection and approval by the local planning authority. These shall illustrate the proposed brick in colour, texture, module, bond, pointing and mortar colour proposed for the building and shall be retained on site as a model for the work on site. The work shall not be carried out otherwise than as to conform to approve 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

- (16) Prior to commencement of above ground works/the relevant part of the development hereby permitted, section detail drawings through all parapets, roof edges (including the boundaries of roof terraces, reveals, soffits, lintel and cills at a scale of 1:2 shall be submitted to the local planning authority. No works shall commence until these

specifications are approved by the Local Planning Authority and shall be carried out in accordance with the approved specifications

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.

- (17) Prior to commencement of above ground works/the relevant part of the development hereby permitted, section detail drawings through door and windows and balconies at a scale of 1:2 shall be submitted to the local planning authority. No works shall commence until these specifications are approved and shall be carried out in accordance with the approved specifications.

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.

- (18) No development, above ground floor slab level, shall commence until a scheme of hard and soft landscaping has been submitted to the Local Planning Authority for approval, which shall include details of all existing trees on the land, and details of any to be retained, together with measures for their protection, in the course of development. The scheme shall indicate the location and species of plants and trees to be planted on the site. The approved scheme shall be implemented so that planting can be carried out during the first planting season following the final occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees of planted removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation

Reason: To ensure 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.

- (19) The development hereby approved shall be carried out in accordance with the protection, mitigation and enhancement measures detailed in the Ecological Impact Assessment, dated 18 January 2021, prior to the first occupation of the development and/or in accordance with the approved timetable detailed in the ecological assessment and plan. 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.

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

Reason: In order to safeguard the amenities of the occupiers of neighbouring properties in accordance with Policy DM10 of the Development Management Policies 2015.

- (21) Prior to the commencement of development hereby permitted, solid hoarding to the boundary shall be erected as detailed in the Construction Environmental Management Plan, Revision 5, prepared by Morgan Sindall. The development shall be carried out in accordance with the approved details and the hoarding shall be maintained in good condition

Reason: In the interests of safeguarding residential amenity in accordance with Policy DM10 of the Development Management Policies 2015

- (22) The development shall be carried out in accordance with the Construction Environmental Management Plan, Revision 5, prepared by Morgan Sindall

Reason: In the interests of safeguarding residential amenity in accordance with Policy DM10 of the Development Management Policies 2015

- (23) No burning of materials arising from site clearance and subsequent construction works on the site may be carried out at any time

Reason: In the interests of safeguarding residential amenity in accordance with Policy DM10 of the Development Management Policies 2015.

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

Reason: In order to safeguard the amenities of the occupiers of neighbouring properties in accordance with Policy DM10 of the Development Management Policies 2015.

- (25) The development hereby approved shall be undertaken in accordance with the Construction Environmental Management Plan, Revision 5, prepared by Morgan Sindall

Reason: In the interests of safeguarding residential amenity in accordance with Policy DM10 of the Development Management Policies 2015

- (26) No burning of materials arising from site clearance and subsequent construction works on the site may be carried out at any time.

Reason: In the interests of safeguarding residential amenity in accordance with Policy DM10 of the Development Management Policies 2015.

- (27) The development must be carried out in accordance with the submitted Environmental Noise Survey and Acoustic Design Statement carried out by Hann Tucker Associates document reference 26691/PNA1/Rev4 dated 20 January 2021. The recommended mitigation measures within the report to ensure that the building design complies with the requirements of BS 8233 : 2014 must be implemented in full and retained thereafter.

Reason: In the interests of safeguarding residential amenity in accordance with Policy DM10 of the Development Management Policies 2015.

- (28) The development must be carried out in accordance with the submitted Air Quality Assessment, including any proposed mitigation measures, carried out by Arup dated 13 January 2021. The submitted scheme shall be maintained thereafter.

Reason: To sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with paragraph 181 of the National Planning Policy Framework

- (29) Prior to commissioning, the testing frequency of the standby generators and smoke extraction fans shall be agreed by the LPA.

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

- (30) The development must be carried out in accordance with the submitted Air Quality Assessment, dated 13 January 2021, by ARUP, including any proposed mitigation measures. The submitted scheme shall be maintained thereafter

Reason: To sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with paragraph 181 of the National Planning Policy Framework.

- (31) The approved Travel Plan (Feb 2021) shall be implemented upon first occupation of the site and for every subsequent occupation of the development, and thereafter the Travel Plan shall be maintained and developed to the satisfaction of the Local Planning Authority.

Reason: in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019

- (32) The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for:

(a) The secure parking of bicycles within the development site,

(b) Facilities within the development site for cyclist to change into and out of cyclist equipment / shower

(c) Facilities within the development site for cyclists to store cyclist equipment, and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority

Reason: in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019

- (33) The development hereby approved shall not be occupied unless and until 20% of the proposed parking spaces are provided with a fast charge socket, and an additional 20% should be provided with the infrastructure required for electric vehicle charging (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority

Reason: in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019

- (34) No part of the development shall be first occupied unless and until the two proposed vehicular accesses to Woodcote Green Road have been constructed and provided with



visibility zones in general accordance with drawing B/GLEPSOM.1/09 Rev A and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high

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

- (35) The development hereby approved shall not be first occupied unless and until a pedestrian inter-visibility splay measuring 2m by 2m has been provided on each side of each access to Woodcote Green Road, the depth measured from the back of the footway and the widths outwards from the edges of the access. No obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays

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

- (36) No part of the development shall be first occupied unless and until the existing vehicular access to Epsom General Hospital from Woodcote Green Road has been modified in accordance with B/GLEPSOM.1/09 Rev A and thereafter shall be kept permanently retained and maintained

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

- (37) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and 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

- (38) 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) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

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

- (39) No part of the development shall be occupied unless and until the footway on Woodcote Green Road has been widened to 2m wide along the south eastern boundary of the application site in accordance with a scheme to be submitted to and approved in writing by the local planning authority, and thereafter to be permanently retained

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

- (40) The proposed retail units shall exclude food retail use. The retail units shall only be open for trade between the hours of 0700 and 2100 Mondays to Saturdays and between 0800 and 2100 hours on Sundays

Reason: in order that the development does not prejudice highway safety nor cause inconvenience to other highway users and in order to safeguard the amenities of the occupiers of neighbouring properties in accordance with Policy DM10 of the Development Management Policies 2015.

- (41) Prior to the occupation of the development a Car Park Management Plan shall be submitted for the written approval of the Local Planning Authority and then the approved Car Park Management Plan shall be implemented and for each and every subsequent occupation of the development, 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

- (42) Prior to the occupation of the development a Refuse, Deliveries and Servicing Management Plan shall be submitted for the written approval of the Local Planning Authority and then the approved Refuse, Deliveries and Servicing Management Plan shall be implemented and for each and every subsequent occupation of the development, 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

- (43) No part of the development shall be occupied until 'No Entry' signing and 'No Entry' markings have been provided at the site egress and 'Entry' signing, and 'One Way' markings have been provided within the site ingress in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, and thereafter shall be permanently retained and maintained

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

- (44) No part of the development shall be occupied unless and until two Vehicle Activated Signs have been provided on Woodcote Green Road following consultation with the

County Highway Authority and in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

- (45) Before development takes place tree protection measures shall be installed and any further information provided in accordance with the submitted arboricultural information. The applicant shall arrange a pre-commencement meeting after the installation of the tree protection between the Borough Council and the applicant's project arboriculturist to allow inspection and verification of the protection measures

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.

- (46) In this condition "retained tree" means an existing tree, which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the first occupation of the development

a) no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the details set out in the Arboricultural Report, Ref 0121- 9001 Rev 1 dated January 2021 and Tree Protection Plan Drawing No. TPP 1 dated 12/01/2021, without the written approval of the Borough Council. Any pruning shall be carried out in accordance with British Standard 3998 (tree work) and in accordance with the arboricultural method statement

b) if any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Borough Council

c) tree protection shall be maintained in-situ and not moved or removed until all construction has finished and equipment, materials, or machinery are removed from site

d) The arboricultural protection information and plans submitted as part of the application, and listed in the approved plans condition, or submitted to meet a condition of consent shall be implemented and adhered to at all times during the construction process unless otherwise agreed in writing with the Borough Council. This shall include any requirement for arboricultural supervision and site monitoring. The development thereafter shall be implemented in strict accordance with the submitted 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.

- (47) Prior to commencement of above ground works, full details of all proposed tree planting, the proposed times of planting, and arrangements for aftercare over a period of 5 years have been approved in writing by the Borough Council. All tree planting and aftercare shall be carried out in accordance with those details and at those times. If within a period of five years from the date of the planting of any tree, that tree, or any planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted in the same place, unless the Borough Council gives its written consent to any variation

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.

- (48) Prior to above ground works:

(a) details of an 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.

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 and in the interest of visual amenity, in accordance with Policies CS5 and CS16 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.

- (49) 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.

- (50) Following consultation with Surrey Policy, prior to the first occupation of the development a Security Management plan shall be submitted to and approved in writing by the Local Planning Authority. The Security Management plan, as approved, is to be implemented from the first occupation of the development and is to be maintained for the duration of the development

Reason: To provide a safe physical environment in accordance with policy CS6 of the Core Strategy (2007) and policy DM10 of the Development Management Policies 2015.

- (51) The non-residential areas of the scheme shall achieve BREEAM 'very good' (or any such national measure of sustainability for house design that replaces this). No unit shall be occupied until a Certificate has been issued, certifying that code level has been achieved

Reason: To accord with the aims of policy CS6 of the Epsom & Ewell Borough Council Core Strategy (2007)

- (52) Prior to the occupation of the nursery, 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 secure community facilities in accordance with Policy CS13 of the Core Strategy (2007).

- (53) Prior to the occupation of the nursery, details shall be submitted to and approved by the Local Planning Authority, regarding the days and times the nursery shall open. The nursery shall allow for a maximum of 40 children and shall operate as a nursery only and no other use within the appropriate Use Class.

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

Informative(s):

- (1) If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.
- (2) 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.
- (3) If there are any further queries please contact the Flood Risk Asset, Planning, and Programming team via [SUDS@surreycc.gov.uk](mailto:SUDS@surreycc.gov.uk). Please use the reference number in any future correspondence
- (4) 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.
- (5) Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway
- (6) The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service
- (7) The 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 permit and, potentially, 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
- (8) <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/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice).

- (9) The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149)
- (10) A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays
- (11) The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment
- (12) Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage
- (13) 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
- (14) 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
- (15) Two VAS must be provided at the applicant's expense in consultation with Surrey County Council. The VASs shall be located on either side of the existing pedestrian crossing on Woodcote Green Road, in locations to be agreed with Surrey County Council.