

# Public Document Pack

Legal and Democratic Services



## PLANNING COMMITTEE

Wednesday 18 November 2020 at 7.30 pm

Place: Remote Meeting

PLEASE NOTE: this will be a 'virtual meeting'.

The link to the meeting is: <https://attendee.gotowebinar.com/register/6415978412984786956>  
Webinar ID: 383-053-955

Telephone (listen-only): 0330 221 9922, Telephone Access code: 851-382-369

The members listed below are summoned to attend the Planning Committee meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Councillor Clive Woodbridge (Chair)  
Councillor Monica Coleman (Vice-Chair)  
Councillor Alex Coley  
Councillor Neil Dallen  
Councillor David Gulland  
Councillor Previn Jagutpal  
Councillor Colin Keane

Councillor Jan Mason  
Councillor Steven McCormick  
Councillor Lucie McIntyre  
Councillor Debbie Monksfield  
Councillor Peter O'Donovan  
Councillor Clive Smitheram

Yours sincerely

A handwritten signature in black ink that reads 'K. Beldar'.

Chief Executive

For further information, please contact Democratic Services, email: [democraticservices@epsom-ewell.gov.uk](mailto:democraticservices@epsom-ewell.gov.uk).

## Public information

### Information & Assistance:

#### **Please note that this meeting will be a ‘virtual meeting’**

This meeting will be held online and is open to the press and public to attend as an observer using free GoToWebinar software, or by telephone.

A link to the online address for this meeting is provided on the first page of this agenda and on the Council's website. A telephone connection number is also provided on the front page of this agenda as a way to observe the meeting, and will relay the full audio from the meeting as an alternative to online connection.

Information about the terms of reference and membership of this Committee are available on the [Council's website](#). The website also provides copies of agendas, reports and minutes.

Agendas, reports and minutes for the Committee are also available on the free Modern.Gov app for iPad, Android and Windows devices. For further information on how to access information regarding this Committee, please email us at [Democraticservices@epsom-ewell.gov.uk](mailto:Democraticservices@epsom-ewell.gov.uk).

#### **Exclusion of the Press and the Public**

There are no matters scheduled to be discussed at this meeting that would appear to disclose confidential or exempt information under the provisions Schedule 12A of the Local Government (Access to Information) Act 1985. Should any such matters arise during the course of discussion of the below items or should the Chairman agree to discuss any other such matters on the grounds of urgency, the Committee will wish to resolve to exclude the press and public by virtue of the private nature of the business to be transacted.

#### **Public speaking**

Public speaking in support or objection to planning applications is permitted at meetings of our Planning Committee. As this meeting of the Committee will be held online, **you must register in advance if you wish to speak.**

To register to speak at this Planning Committee meeting, please contact Democratic Services, email: [democraticservices@epsom-ewell.gov.uk](mailto:democraticservices@epsom-ewell.gov.uk), tel: 01372 732000 in advance of the deadline for registration, which is given below.

We will ask you to submit a written statement that can be read out at the meeting in the event of any technical issues during the meeting. The statement must be of no more than 3 minutes in length when read aloud.

If a number of people wish to speak on a particular application, public speaking will normally be allocated in order of registration. If you fail submit your written statement, then your place may be allocated to those on speakers waiting list. Further information is available by contacting Democratic Services, email: [democraticservices@epsom-ewell.gov.uk](mailto:democraticservices@epsom-ewell.gov.uk), tel: 01372 732000.

**Deadline for public speaking registration: Noon, 13 November.**

## **Guidance on Predetermination /Predisposition**

The Council often has to make controversial decisions that affect people adversely and this can place individual members in a difficult position. They are expected to represent the interests of their constituents and political party and have strong views but it is also a well established legal principle that members who make these decisions must not be biased nor must they have pre-determined the outcome of the decision. This is especially in planning and licensing committees. This Note seeks to provide guidance on what is legally permissible and when members may participate in decisions. It should be read alongside the Code of Conduct.

### **Predisposition**

Predisposition is lawful. Members may have strong views on a proposed decision, and may have expressed those views in public, and still participate in a decision. This will include political views and manifesto commitments. The key issue is that the member ensures that their predisposition does not prevent them from consideration of all the other factors that are relevant to a decision, such as committee reports, supporting documents and the views of objectors. In other words, the member retains an “open mind”.

Section 25 of the Localism Act 2011 confirms this position by providing that a decision will not be unlawful because of an allegation of bias or pre-determination “just because” a member has done anything that would indicate what view they may take in relation to a matter relevant to a decision. However, if a member has done something more than indicate a view on a decision, this may be unlawful bias or predetermination so it is important that advice is sought where this may be the case.

### **Pre-determination / Bias**

Pre-determination and bias are unlawful and can make a decision unlawful. Predetermination means having a “closed mind”. In other words, a member has made his/her mind up on a decision before considering or hearing all the relevant evidence. Bias can also arise from a member’s relationships or interests, as well as their state of mind. The Code of Conduct’s requirement to declare interests and withdraw from meetings prevents most obvious forms of bias, e.g. not deciding your own planning application. However, members may also consider that a “non-pecuniary interest” under the Code also gives rise to a risk of what is called apparent bias. The legal test is: “whether the fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the Committee was biased”. A fair minded observer takes an objective and balanced view of the situation but Members who think that they have a relationship or interest that may raise a possibility of bias, should seek advice.

This is a complex area and this note should be read as general guidance only. Members who need advice on individual decisions, should contact the Monitoring Officer.

## **AGENDA**

### **1. DECLARATIONS OF INTEREST**

Members are asked to declare the existence and nature of any Disclosable Pecuniary Interests in respect of any item of business to be considered at the meeting.

### **2. EPSOM GENERAL HOSPITAL, DORKING ROAD, EPSOM, SURREY, KT18 7EG (Pages 5 - 78)**

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, children's 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.

**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 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, children's 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.</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: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q30Q8RGY06R00>

## 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 and a care community (Use Class C2), communal facilities, associated support facilities, replacement of 24 key worker units (Use Class C3), a children's nursery (Use Class D1), car and cycle parking, landscape and planting.

- 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 2.2), 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. Appendix C of the Planning Statement sets out public confirmation of this.
- 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 warranted. The proposal contributes towards the need for specialist retirement housing in the Borough. It seeks 344 care units, equating to approximately 96 units above the minimum need of 248 units within the Borough (in accordance with the SHMA Update).
- 2.7 In line with the above, the estimate of future demand is much more conservative than that presented in the Applicant's Planning Need Assessment. It is acknowledged that people who do not currently live within the Borough may choose to move into Epsom, to live within this scheme, subject to planning permission being granted. This is not detrimental to the consideration of this application.
- 2.8 The Local Planning Authority cannot presently demonstrate five years housing land supply. This scheme would generate 334 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 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 include the wellness centre, library, craft room, therapy and treatment rooms, which encourage social interaction. Officers give positive weight to the social and community benefits arising from this scheme.

- 2.11 The proposal has been designed to respond to its immediate surroundings, including local views. This proposal is considered to represent a relatively modest increase in height in comparison to existing buildings at Epsom General Hospital (which are up to eight storeys in height). The proposal seeks taller elements towards the rear of the Site, stepping down towards boundaries with residential dwellings, in response to the surrounding heritage and townscape context, to mitigate adverse impacts on surrounding views and neighbouring amenity. The Local Planning Authority's Design and Conservation Officer has confirmed that the proposal would lead to "less than substantial harm" to the significance of designated heritage assets.
- 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, with pitched roof, 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, with pitched roof, 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 (equivalent to 10 storeys).
  - 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.
  - 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*

- 3.3 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.

- 3.4 To the west and south west of the Site are two-storey detached and semi-detached dwellings, on Woodcote Green Road: Digidens Rise and Hylands Close. Properties on the east side of Digidens Rise and Hylands Close have rear gardens extending to the Site boundary.
- 3.5 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*

- 3.6 Access into the Site is directly from Woodcote Green Road (positioned both to the east and west of Rowan House). Vehicles can then travel through the Site to exit either onto Woodcote Green Road or around the Site to exit to the north of the hospital building onto Dorking Road.
- 3.7 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. This is otherwise known as the A24, which has good access to the strategic highways network.

#### *Designations*

- 3.8 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 The proposal seeks the demolition of the Site's existing buildings and redevelopment, comprising:
- Up to 308 Living Residences for sale or rental together with integrated nursing care (Use Class C2)
  - Up to 38 Care Residences and Suites (Use Class C2)
  - Communal facilities including a restaurant, café/bar, occupational therapy/wellness centre, gym, library, craft room, therapy and treatment rooms. Whilst ancillary to the care uses, with some of these facilities available to local residents
  - Associated support facilities including staff offices, welfare and training spaces, storage, laundry, kitchen, cycle storage, plant areas and parking
  - Replacement of 24 key worker/staff accommodation apartments (Use Class C3)
  - Children's nursery (213sqm) (Use Class D1)
  - Associated servicing areas, car and cycle parking, landscaping and planting
  - Landscaping scheme incorporating publicly accessible connections through the Site, to Epsom General Hospital and the creation of new public spaces.

#### *Proposed buildings*

- 4.2 The proposal comprises two main blocks: West Block and East Block.



- 4.3 The proposal seeks contemporary taller buildings to the north of the Site, to engage with the larger scale hospital facilities. The buildings reduce in height towards the south and south east of the Site, at Woodcote Green Road, to relate to the lower scale of development along Woodcote Green Road.

*West block*

- The massing of the West block varies in storey heights from 2 to 9 storeys, with lower elements towards sensitive the more street scape and residential boundary frontages.
- A four storey frontage to residential boundary (facing west), measures 13.2m in height, 41.6m in width and 18.5m in depth
- A two storey frontage to drop-off and car park entrance (facing south), measures 8.1m in height, 40.8m in width and 22.7m in depth
- A nine storey frontage to hospital boundary (facing north), measures 32.9m in height, 59.9m in width and 18.5m in depth
- A nine storey frontage to hospital boundary and central landscape plaza (facing east), measures 32.9m in height, 78.6m in width and 18.5m in depth
- A five storey frontage to residential boundary (facing west), measures 19.5m in height, 42.9m in width and 18.5m in depth
- A five storey frontage to Woodcote Green Road boundary (facing south), measures 19.5m in height, 18.5m in width and 42.9m in depth.

*East block*

- Massing to the East Building varies in storey heights from 4 to 9 storeys, with the lower element fronting Woodcote Green Road.
- A nine storey frontage to hospital boundary (facing north), measures 32.9m in height, 48.3.9m in width and 18.5m in depth
- A nine storey frontage to hospital boundary and central landscape plaza (facing east), measures 32.9m in height, 33.4m in width and 18.5m in depth
- A four storey frontage to Woodcote Green Road boundary (facing south), measures 14.3m in height, 56.5m in width and 18.6m in depth.
- The key worker units forms part of the West block, facing the Site's west and north boundary.

*Landscaping/public spaces*

- 4.4 The proposal seeks a curvilinear based landscape design, to integrate the landscape and buildings. The proposal seeks the following character areas:
- A central plaza, which is the Site's primary open space, enclosed with the East block
  - Hospital entrance, which is a linked-route from Epsom General Hospital to the north to the Site, to the south
  - Woodcote Green Road entrance, which is the Site's main arrival entrance, up to the West block
  - Key worker communal gardens, which is to the west of West block.

*Proposed access*

- 4.5 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.

- 4.6 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.
- 4.7 Within the Site, the separate entrance and exit points create a one-way internal route under building West, with a two-way section towards the Automatic Parking System (APS) provided as a continuation of the entrance route before it turns under building West. The main area for residents and visitors to drop off/collect their cars is provided at the APS with a turning head/roundabout space provided for vehicles to turn. Departing vehicles will re-join the main access route and continue along the internal route under Building West to the exit.
- 4.8 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.
- 4.9 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. Additionally, buggy/electric scooter storage and charging areas are to be provided within the Site.

## 5 Consultation

- 5.1 In a letter, dated 13.10.2020, the applicant sets out its engagement with local residents. This is summarised below:
- 5.2 Since summer 2019, Guild Living has undertaken engagement with the local community, including:
- Numerous events
  - Five public consultations
  - Exhibition meetings
  - Media publicity
  - On-going correspondence with residents and community groups, as well as working with local charities.
- 5.3 The letter sets out that over 20,000 letters were sent to households inviting local residents and groups to the public consultation events:
- Epsom fun day, 15.09.2019
  - Epsom market, 10.10.2019
  - Epsom hospital, 12.10.2019
  - Bourne Hall, 15.10.2019
  - Stoneleigh library, 22.10.2019.
- 5.4 Local residents were informed of progress through a number of press releases, published by local media, including Surrey Live, Surrey Comet and What's On in Epsom:
- 15.10.2019: articles regarding Guild Living's consultation events
  - 22.10.2019: article regarding Guild Living's plans for Epsom
  - 12.02.2020: article regarding Guild Living's planning application submission
  - 30.12.2020: articles regarding Guild Living's landscape investment

- 5.5 Since summer 2020, Guild Living has worked closely with its contractor Morgan Sindall, to keep neighbouring residents informed of site works. Morgan Sindall prepares a community engagement plan accordingly.

*Comments from third parties*

- 5.6 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.
- 5.7 The application was advertised by means of letters of notification to 167 neighbouring properties, a site notice displayed and advertised in the Local Newspaper. 2 letters of support were received and 652 letters of objection. The objection representation comprises:
- Principle/need of Use Class C2 development
  - Contrary to planning policies
  - Design and materials
  - Height, mass, bulk and density
  - Adverse visual impact
  - Out of character
  - Impact on Conservation areas
  - Adverse impact on neighbouring amenity (overbearing, loss of privacy, loss of light)
  - Noise and disruption
  - Flood risk
  - Trees and landscaping and impact on Woodcote Millennium Green
  - Ecological/biodiversity impact
  - Affordable housing provision
  - Traffic and parking
  - Sustainability.
- 5.8 During the application's determination period, the applicant amended the scheme to respond to consultation responses from SCC Highways. The main alteration was the removal of the concierge loop from the Site layout. This means that there is greater pedestrian space between the footway on Woodcote Green Road and the proposed nursery. Other changes include:
- Removal of the loading bay at the front of the nursery
  - Modifications to the access, to include a 4 metre radii to ensure that delivery vehicle do not override the edge of the access
  - Location of shuttle bus.
- 5.9 Officers re-consulted on the amendments for 21 days. 26 letters of objection were received and 5 letters of support were received.
- 5.10 A representation was received on 01.11.2020, reiterating concerns raised previously by Woodcote (Epsom) Residents' Society and new concerns. Updated representation comprises:
- Adverse reaction to other similar schemes proposed by Guild Living
  - The proposal community facilities would disbenefit other existing facilities
  - C2 residential units make only a fraction of the contribution to local housing targets which would be made by C3 units and need for C2 units
  - Review of previously planning permission within the Borough, considered relevant
  - Up-to-date relevant policies in the Epsom development plan, which should surely mean that the 'tilted balance' is not engaged when considering this scheme.

*Statutory consultations*

- Historic England (07.09.2020): Do not wish to comment and suggest views of specialist conservation and archaeological advisers are sought, as relevant
- SCC Highways (15.09.2020): recommend obligations, conditions and informatives
- Thames Water: Sewer records don't indicate any shared drainage within the Site, but, there may be newly transferred sewers. If the site owner finds shared drainage, the sewers may need to be diverted
- Environment Agency (08.09.2020): recommend conditions
- SCC Lead Local Flood Authority (LLFA) (08.09.2020): recommend conditions
- SSC Archaeology (10.09.2020): recommend conditions
- SCC Adult Social Care (06.05.2020): The estimate of future demand is much more conservative than that presented in the application's planning needs assessment.
- SCC Fire and Rescue (23.09.2020) : no objection
- Health and Safety England: development does not intersect a pipeline or hazard zone, HSE Planning Advice does not have an interest in the development.
- EEBC Conservation and Design Officer (17.04.2020): recommend conditions
- EEBC Contaminated Land Officer (13.01.2020): recommend condition
- EEBC Environmental Health (28.04.2020): recommend conditions
- EEBC Waste Team (06.10.2020): objection
- EEBC Tree Officer (03.09.2020): objection
- EEBC Ecologist (18.05.2020): 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.

<b>Application number</b>	<b>Decision date</b>	<b>Application detail</b>	<b>Decision</b>
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:
- 9.26 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
- 9.27 There is an appropriate alternative means of providing an equivalent facility.
- 9.28 The policy goes on to encourage new facilities where they address a deficiency in provision
- 9.29 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.
- 9.30 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 has been declared surplus by the NHS, with public confirmation of this set out in a press release (appendix 3 of the planning statement). This is evidence that there is no longer a need to retain the land for hospital use.
- 9.31 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.
- 9.32 The planning statement sets out the merits of the proposed scheme, which include (inter alia):
- Provision of specialist older person's accommodation, designed with the needs of frailer older people in mind, offering varying levels of care and support on Site
  - Supporting the Local Planning Authority's housing delivery numbers
  - Provision of a children's day nursery
  - Providing local employment and economic development, generating a minimum of 40 full time employment jobs.
  - In a letter, dated 13.10.2020, the applicant clarifies the social and community benefits of the scheme, including:

- Improving wellbeing and social interaction, offering better health outcomes and reducing healthcare costs
- 46% reduction in planned GP visits
- £3,500 savings per person to the NHS and Social Services
- £2,115 savings from reducing hospital stays from 5.7 days to 1-2 days
- Reducing loneliness and isolation within the elderly community
- Integrating care facilities into the local community through the shared use of service
- Supporting the local hospitals through the provision of transitional care and step-down services
- Providing open space and improved connection between the Woodcote Millennium Green and the hospital.

9.33 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.

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

9.35 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.

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

## 10 Proposed C2 use

10.1 The proposal seeks (inter alia):

- Up to 308 Living Residences for sale or rental together with integrated nursing care (Use Class C2); and
- Up to 38 Care Residences and Suites (Use Class C2).
- What constitutes a Use Class C2 scheme is for the decision maker, but, there is substantial published guidance to direct judgement.

10.2 Three different types of care provision are offered on-site:

- Guild Living Residences for Sale and Rent
- Guild Care Residences and Suites
- Guild Care Suites.

10.3 The accommodation is proposed with the follow key features:

	<b>Guild Living Residence (GLR)</b>	<b>Guild Care Residence (GCR)</b>	<b>Guild Care Suite (GCS)</b>
Eligibility requirements	Generally over 65 (plan to live independently in an active community unless they are partners of another living in the GLR)	Generally over 70 (require a greater level of care such as personal care, nursing care, dementia care and domiciliary care)	Generally over 75 (but regulators will be flexible on this if it is demonstrated how Guild Living will meet their needs both

	<b>Guild Living Residence (GLR)</b>	<b>Guild Care Residence (GCR)</b>	<b>Guild Care Suite (GCS)</b>
			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>The resident receives this care from a home care support team. If more care is provided such as nursing, the resident would be supported</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>The resident receives this care from a home care support team. Care is arranged and planned in advance, but an emergency responder</p>	<p>The GCS model of care is provided by teams that supports both nursing and personal care 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 aspects of wellbeing</p> <p>Transportation</p> <p>Assistance in organising, arranging or facilitating tasks and appointments</p> <p>GCS also includes the following nursing care:</p> <p>Dressing, injections, medication, checking</p>

	<b>Guild Living Residence (GLR)</b>	<b>Guild Care Residence (GCR)</b>	<b>Guild Care Suite (GCS)</b>
	through a district nursing team.	would also be on hand 24 hours a day should immediate support be required. If nursing is required, this would be supported though a district nursing team.	blood sugar levels

- 10.4 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.”
- 10.5 “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.”
- 10.6 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.
- 10.7 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.
- 10.8 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.
- 10.9 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.
- 10.10 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.

- 10.11 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.
- 10.12 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.
- 10.13 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 Concerns have been received from neighbours regarding the principle of development in relation to need for this quantity of C2. This has been taken into consideration by Officers in the assessment of this application.
- 11.8 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*

- 11.9 The Site is located within the built up area of Epsom and is appropriate for housing redevelopment, being comprised of previously developed land.
- 11.10 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.
- 11.11 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.
- 11.12 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.
- 11.13 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*

- 11.14 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.
- 11.15 The below table sets out recent (within 5 years) and relevant planning permissions and pending applications:

Ref	Address	DOD	Decision	Units	Development commenced
19/01589/FUL	Former Police Station And Ambulance Station, Church Street, Epsom	The erection of 60 Extra Care apartments for older persons with associated communal facilities, parking and	Pending	60	No (pending planning consideration)

Ref	Address	DOD	Decision	Units	Development commenced
		landscaping (C2 use class) following the demolition of the existing buildings			
18/00743/FUL	Lower Mill, Kingston Road, Ewell	Demolition of existing office building and redevelopment to provide 53 no. extra-care apartments with associated facilities (within Class C2), including conversion and alteration of the Grade II Listed Mill House and Granary Buildings, with parking, access, landscaping and other associated works.	Granted 18.07.2019	53	Yes
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	07.06.2016	60	Yes



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

*The Applicant's Planning Need Assessment*

- 11.16 A Planning Need Assessment by Carterwood, dated September 2019, accompanies this application. It applies a demand methodology to catchment areas, which then calculates the potential pool of demand for private extra care units from people aged 75 years and above. It sets out that assuming all planned units have been developed and are operational, there is a need for over 1,150 private extra care units within a 5 mile market catchment area and 495 units in a 3 mile sensitivity catchment area.
- 11.17 The Planning Need Assessment sets out that a more realistic assessment of the balance of provision, where only private extra care units that are under construction are included, indicates an increased need for 1,435 units within a 5 mile market catchment area while the 3 mile market sensitivity catchment remains at the same level of need for 495 private extra care units.
- 11.18 The Planning Need Assessment considers that there is an evident need for additional private extra care accommodation within both catchment areas referred to above.
- 11.19 The Planning Need Assessment assesses need growth until 2030 using 2016-based ONS projected population figures for older people and assuming that the demand for extra care units, based upon the Housing LIN SHOP tool, will remain at the same rate in the future. The analysis estimates a rise in need to 1,336 and 563 extra care units in 2026 for a 5 mile catchment area and 3 mile sensitivity area respectively, given the demographic profile and growth rates of the area. This need increases to 1,441 and 603 units in the two catchments respectively by 2030.
- 11.20 The Planning need Assessment concludes that there is a substantial unmet need for private extra care units in the area, with more than sufficient need to support the extra care units forming part of the proposed care community at this Site.

- 11.21 During the course of the application's determination, additional information was provided by the Applicant in respect of a more extensive catchment area, of five and ten miles. The need within the larger catchment area increases dramatically as the population expands. It is noted that notwithstanding the high level of need that emerges from the wider catchment areas, there remains a significant need within the smaller three mile catchment area. The three mile catchment area highlights the fact that the level of need remains considerably greater than the amount of accommodation that is to be provided by the development. In other words, there would still remain an appreciable amount of residual need in the local area following the completion of the development.
- 11.22 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*

- 11.23 The Local Planning Authority's Planning Policy team was formally consulted on this application and considered the evidence base.
- 11.24 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 (06.05.2020)*

- 11.25 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.
- 11.26 The response sets out that further extra-care accommodation is warranted. Based on population metrics as at April 2019, future demand for extra care has been defined as 248 units by 2035. Since the Commissioning Statement has been published, an extra care setting has recently opened in the area, which reduces this gap to be filled through new development by 36 leasehold and 24 rental units.
- 11.27 The response sets out that the estimate of future demand is much more conservative than that presented in the Applicant's Planning Need Assessment. Further extra care development is warranted and it may be that the operator attracts significant interest from people living beyond the Borough,
- 11.28 In line with the above, it is clear that extra-care development is warranted, but it is unclear whether the proposed development would be fully occupied unless the operator attracts interest from people living beyond the Borough. . As such, it is acknowledged that people who do not currently live within the Borough may choose to move into Epsom, to live within this scheme, should planning permission be granted. This is not detrimental to the consideration of this application.

*EEBC housing need/calculating net homes delivered*

- 11.29 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.
- 11.30 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 334 units towards housing numbers.

*Officer assessment*

- 11.31 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.
- 11.32 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.
- 11.33 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.
- 11.34 It is recognised that extra-care accommodation within the Borough is warranted. The proposal is contributing towards the need for specialist retirement housing in the Borough. It seeks 344 care units, equating to approximately 96 units above the minimum need of 248 units within the Borough (in accordance with the SHMA Update).
- 11.35 The Local Planning Authority cannot presently demonstrate five years housing land supply. This scheme would generate 334 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.
- 11.36 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.

- 11.37 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.
- 11.38 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 include the wellness centre, library, craft room, therapy and treatment rooms, which encourage social interaction. Officers give positive weight to the social and community benefits arising from this scheme.
- 11.39 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.
- 11.40 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, design and massing of the proposal. 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 December 2019, provides information about the design of the proposal.
- 12.19 The proposal seeks:
- 306 Guild Living Residences
  - 10 Guild Care Apartments
  - 28 Guild Care Suites
  - 24 Key Worker Apartments
  - 2.16 acres of landscape public open space
- 12.20 The existing buildings on Site range in height from 5 metres to 30 metres, as illustrated under paragraph 2.9 of the accompanying DAS.

#### *Proportions and heights*

- 12.21 The massing of the West block varies in storey heights from 2 to 9 storeys, with lower elements towards the more sensitive street scape and residential boundary frontages.
- A four storey frontage to residential boundary (facing west), measures 13.2m in height, 41.6m in width and 18.5m in depth

- A two storey frontage to drop-off and car park entrance (facing south), measures 8.1m in height, 40.8m in width and 22.7m in depth
- A nine storey frontage to hospital boundary (facing north), measures 32.9m in height, 59.9m in width and 18.5m in depth
- A nine storey frontage to hospital boundary and central landscape plaza (facing east), measures 32.9m in height, 78.6m in width and 18.5m in depth
- A five storey frontage to residential boundary (facing west), measures 19.5m in height, 42.9m in width and 18.5m in depth
- A five storey frontage to Woodcote Green Road boundary (facing south), measures 19.5m in height, 18.5m in width and 42.9m in depth.

#### 12.22 *East block*

- Massing to the East Building varies in storey heights from 4 to 9 storeys, with the lower element fronting Woodcote Green Road.
- A nine storey frontage to hospital boundary (facing north), measures 32.9m in height, 48.3.9m in width and 18.5m in depth
- A nine storey frontage to hospital boundary and central landscape plaza (facing east), measures 32.9m in height, 33.4m in width and 18.5m in depth
- A four storey frontage to Woodcote Green Road boundary (facing south), measures 14.3m in height, 56.5m in width and 18.6m in depth.
- The existing hospital buildings rise to 29.83 metres in height, to the tip of the rooftop plant structures. The proposed scheme's tallest elements will be approximately 3 metres taller than the hospital buildings.

#### *Materials and articulation*

12.23 The materials palette generally comprise a mix of brick, dark grey PPC aluminium rain screen cladding, dark grey PPC aluminium solid window infill panels and PPC aluminium-framed light curtain walling.

12.24 A Fire Engineering Stage 2 Report, dated 13 December 2019, accompanies this application, which explored the key features of the development, which include non-combustible external walls and 60 minutes fire resistance to the elements of structure. Surrey Fire & Rescue Service provided a response on 23.09.2020, with no objection to the proposal.

12.25 In accordance with the above, the proportions of the taller elements are set back towards the taller hospital buildings north of the Site and are articulated to break up the combination of height and breadth using a distinctive vertical expression. The proportion of the design massing is reduced in scale when engaging with the local street context.

#### *Local Planning Authority Design and Conservation Officer comments (17.04.2020)*

12.26 The Local Planning Authority's Design and Conservation Officer does not object to the loss of the existing buildings as these have no historic interest, though the chimney does make some contribution as a marker of the Epsom General Hospital site. It has however no historic architectural interest.

12.27 The impact on the historic environment is at its greatest from the east in Chalk Lane Conservation Area, where from Woodcote Green Road it will appear clearly in the context of a number of listed buildings and their curtilage, as well as the Conservation Area. The architecture is also not in any way complementary to any buildings in the Conservation Area. Other views are considerably reduced by the reduced height of the proposal (as a result of pre-application discussions). The harm caused by the setting of the designated heritage asset would be regarded as less than substantial.

- 12.28 It is recognised that the applicant has finessed the scheme considerably during pre-application discussions. The proposal does remain substantial with large blocks ranging from 3 to 9 storeys, but, its variation across the Site decreases the impact of the proposed on the local townscape.
- 12.29 The largest block on the Site is the West building, which is an imposing building. The southern elevation is lower at 4 and 5 storeys, which is more sensitive to the parkland to the south, but there is quite a strong dislocation of the elevation scale between this and 40 Woodcote Green Road.
- 12.30 Various material finishes are proposed, mostly comprising brick and aluminium rain screen. The variation of material finishes has the advantage of providing variety of intent, without being too excessive, but, the aluminium may not be an entirely complimentary finish to the building. There is the danger that the cool finish of the aluminium may look at odds with the warm finish of the brick and the softening effect of the proposed planting. To ensure an appropriate material palette, a materials condition is proposed, subject to planning permission being granted. The Officer sets out that generally the approach of using brick is accepted and again details should be secured by condition, should planning permission be granted.
- 12.31 Further detail is required of the drop off entrance, including details of doors, glazing and soffit sections. The car park entrance is considered harsh and industrial in appearance.
- 12.32 The Officer commented on the landscape centres and the public realm court. It is considered that a great deal of this area is given to parking and access. A condition requiring samples of landscape materials should be secured, should planning permission be granted.
- 12.33 In response to the above, the applicant revised the car park entrance, in response to the concern that it was harsh and industrial in appearance. It was agreed that details should be secured by condition, should planning permission be granted.

*Planning Officer comments*

- 12.34 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.
- 12.35 The applicant underwent a thorough pre-application engagement with Officers, which considered and responded to design comments. The proposal has been informed by a Heritage Townscape Visual Impact Assessment and Sunlight and Daylight assessment, to result in a scheme that responds to the scale and appearance of Epsom General Hospital and the local environment, taking heritage, landscape and residential amenity considerations into account.
- 12.36 The scheme has been designed with tallest buildings to the rear of the Site, closest to the larger hospital blocks and lower elements positioned towards the front of the Site, to respect the street scene and residential boundary frontages. The scheme is considered to respond to the Site's surroundings, including local views.



- 12.37 The proposed buildings are framed around public realm spaces, linked to surrounding uses by active and permeable routes. The design of the scheme allows for views through the scheme between buildings from north to south, which serves to break up the form of the development and open up the Site in more localised views. This helps to integrate the scheme into its surroundings.
- 12.38 The materials palette is simple and subject to planning permission being granted, would be secured by condition. The scheme is considered appropriate and acceptable, 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 In May 2018, the Licensing Planning Policy Committee took a decision to set aside Policy DM11 (Density) and Policy DM13 (Building Heights). This was on the basis of the policy restricting opportunities for growth in the Borough.
- 13.5 Concerns have been raised by nearby residents about the visual impact of the development on its immediate surroundings and nearby Conservation Areas. This has been taken into consideration by Officers in the assessment of this application.

- 13.6 A Heritage Townscape and Visual Impact Assessment, dated January 2020, 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. The Assessment looked at which heritage assets could be affected by the proposal and how this would impact on their significance. The Assessment reveals that the significance of the majority of the heritage assets would not be affected as a result of the Site's development.
- 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 to the north, reach eight storeys in height and so this proposal is considered to represent a relatively modest increase in height to this area. The proposals have evolved in response to the surrounding heritage and townscape context, to mitigate adverse impacts on the surrounding context and views. Specifically, the tallest parts of the buildings have been located to the rear of the Site, closest to the existing hospital buildings, stepping down towards boundaries with residential dwellings.
- 13.8 The Assessment sets out that the palette of materials has been inspired by the local area, with details included within the accompanying Design and Access Statement (including the existing chimney/boiler house). The Site's geology was also explored, finding London Clay and Lambeth Group/Lambeth Sand, which provided inspiration for masonry colours. The assessment sets out that the architects have sought to integrate high-quality landscaping, green roofs and planted window boxes, to help the buildings integrate into their surroundings. As a result of mitigation through design, impact on many of the surrounding townscape and visual receptors would be none or negligible.
- 13.9 Whilst the Assessment sets out the proposal 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 are likely to experience an adverse impact at the low end of the less than substantial harm spectrum.
- 13.10 The applicant prepared a letter dated 13.10.2020, with further clarifying information regarding the visual impact of the proposal. This sets out that a number of visuals are contained with the Heritage Townscape Visual Impact assessment and Design and Access Statement. The angles of the visuals were agreed with Officers prior to the submission of the application and provide an analysis from 360 degrees around the Site. A further visual was provided, providing additional detail of the interface between the Site and the two-storey dwelling, to the west of the Site. This was uploaded to the public register.

*Local Planning Authority Design and Conservation Officer comments (17.04.2020)*

- 13.11 This is not a repeat of the comments made by the Local planning Authority's Design and Conservation Officer, which are set out in the above 'design and heritage' section of this report.
- 13.12 Of relevance, the Design and Conservation Officer sets out that the impact on the historic environment is at its greatest from the east in Chalk Lane Conservation Area, where from Woodcote Green Road it will appear clearly in the context of a number of listed buildings and their curtilage, as well as the Conservation Area. Other views are considerably reduced by the reduced height of the proposal. The harm caused by the setting of the designated heritage asset would be regarded as less than substantial.

*Planning Officer comments*

13.13 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 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.

13.14 It is acknowledged that whilst the proposal 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. The Local Planning Authority's Design and Conservation Officer has confirmed that the impact is less than substantial harm. In considering this, the public benefits of the scheme are thought to outweigh the limited adverse impact of the proposals on the surrounding historic environment.

13.15 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. The breakdown mix of the keyworker housing is below:
- 12 x Studio (50%)
  - 6 x 1Bed (25%)
  - 6 x 2bed (25%)
- 14.10 The proposal seeks 344 units (excluding the re-provision of 24 keyworker housing). The proposal should include at least 40% of dwellings as affordable, which would equate to 138 units.
- 14.11 The applicant has undertaken a Viability Assessment, which has been independently reviewed by BPS Surveyors, on behalf of the Local Planning Authority.
- 14.12 The scheme is considered to viable offer:
- 16 units of Discount Market Rent of at 80% of Open Market Value
  - 5 units of shared ownership
  - Re-provision of 24 key worker units. This would be designated for employees or a person employed by the NHS. These would be managed by NHS St Kilda Trust, with a 250 year lease over the units.
- 14.13 The above equates to 45 units (21 units plus the re-provision of key worker units). This is a 12% affordable housing offer.
- 14.14 Local planning policy directs on-site affordable housing provision. But, if units are not delivered on-Site, the applicant has provided a without prejudice offer of £3.5 million, as a payment in lieu.
- 14.15 In a letter, dated 13.10.2020, the applicant sets out its justification for the affordable housing offer. It states, the affordable housing offer has been made on the basis of a Viability Assessment, which has been reviewed by the Local Planning Authority's independent viability consultants.
- 14.16 In summary, the proposal has been subject to viability testing and Officers have taken the professional advice of BPS Surveyors. Whilst the scheme is not policy compliant, it does seek the re-provision of key worker units and provides an on-site affordable housing offer, which is a public benefit and should be considered positively.

## 15 Quality of Accommodation

### *Unit sizes and amenity space*

- 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 Paragraph 15.1 (page 191) of the Design and Access Statement confirms the overall unit sizes as follows:
- 1 bed: 50-65m<sup>2</sup>
  - 2 bed: 75-99m<sup>2</sup>
  - 3 bed: 100-110m<sup>2</sup>.
- 15.4 The 306 Guild living Residences accord with Nationally Described Space Standards (above).
- 15.5 The 38 Guild Care Residences (GCR) and Suites (GCS), which form the higher care element of the scheme, would not meet the minimum space standards. The Guild Care Residences do not include kitchen areas and while the Guild Care Suites do have a small kitchenette area, dining facilities are provided within communal spaces or residents taking meals within their units. These units are very similar to those that would be provided within a conventional care home and would generally be occupied by residents who are not capable of cooking their own meals and who may have significant movement difficulties.
- 15.6 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).
- 15.7 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 units falling below space standards, relating to the specific care offering.

*Private amenity space*

- 15.8 Paragraph 3.36 of Policy DM11 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.
- 15.9 The applicant set out that a key design principle of later living development is to encourage social engagement and interaction within the community, with access to several private internal and external amenity areas. This proposal seeks reading rooms, lounges, a wellness club, restaurant/café and landscaped terraces. Accordingly, not all units are provided with private amenity space, in order to encourage interaction.
- 15.10 Each building has a provision for private accessible landscape terraces (i.e. not accessible to the public beyond the scheme, as opposed to the central plaza area which is accessible to the public).
- 15.11 The East building terrace measures 920m<sup>2</sup> and the West building terrace measures 600m<sup>2</sup>, providing communal outdoor amenity. The ground floor masterplan comprises 1.51 acres of communal landscaping, which is also accessible to members of the public.
- 15.12 Some apartments have private amenity in the form of balconies on the upper levels (290m<sup>2</sup>) and private landscaped terraces to ground apartments along Woodcote Green Road.

- 15.13 The scheme provides a focus on communal spaces. The total amenity space amounts to approximately 27m<sup>2</sup> of space (including public and private areas) per unit offered by the scheme. The total private areas (excluding balconies) amounts to approximately 4m<sup>2</sup> per unit, within the community.
- 15.14 The total private amenity available to the residents based on the above comes to approximately 7,930m<sup>2</sup>.
- 15.15 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.

#### *Housing mix*

- 15.16 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.
- 15.17 The unit mix is geared towards 1 and 2 bedroom units, in order to reflect the size and accommodation requirements for retirees. The scheme will be predominantly occupied by single occupants and a smaller number of couples. Accordingly, it would not represent the efficient use of land to provide more 3 (or larger) bedroom units for the future occupants.
- 15.18 The proposed mix is as follows:
- Guild Living Residences
- 69 x1 bed (22.5%)
  - 217 x 2 bed (71%)
  - 20 x 3 bed (6.5%)
  - Total: 306
- 38 assisted care apartments (28 GCS & 10 GCR)
- 24 keyworker housing
- 12 Studio (50%)
  - 6 1 Bed (25%)
  - 6 2 bed (25%)
- 15.19 The proposed key worker housing is an improvement on what is currently provided on Site, within Woodcote Lodge. For clarity:
- Existing unit sizes do not comply with national space standards (as below):
    - Studios are typically 25m<sup>2</sup> (12 total)
    - 1bed units are typically 44m<sup>2</sup> (6 total)
    - 2bed units are typically 57m<sup>2</sup> (6 total)
    - Woodcote Lodge has no lifts, access to upper levels is by staircase only
  - The energy efficiency of the existing building fabric is below current part L
  - Woodcote Lodge has no evidence of integrated renewables e.g. PVs
  - Existing units have no access to communal or private outdoor amenity
  - Existing units have no dual aspect living spaces
  - Woodcote Lodge is not a sprinklered building

- Woodcote Lodge has no electric underfloor heating.

15.20 10% of apartments are M4(3) compliant for wheelchair use and 90% are M4(2) compliant for adaptability, except for the 12 keyworker studio apartments as these do not fit into either of these categories.

15.21 The proposed housing mix is considered acceptable, given the type of accommodation offered as part of this scheme.

15.22 The proposal is considered to accord with Policy DM22.

## 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 Concerns have been received from residents, regarding the proposed retail uses and its impact on existing retail uses in the Borough. This has been taken into consideration by Officers in the assessment of the application.

16.8 Community uses are proposed at ground floor level, including:

- B1 commercial;
- Childcare; and
- Communal amenity.

16.9 In line with the above, the proposal seeks a children's nursery and retail provision.

#### *Retail*

16.10 The accompanying documentation, including the Planning Statement, does not provide specific reference to the proposed retail provision at the Site.

16.11 The Site is not located within the Town Centre, but it is located adjacent to Epsom General Hospital, which has a modest retail offering (Marks & Spencer).

16.12 SCC Highways formally commented on this element of the scheme and recommends a condition, should planning permission be granted, which ensures that the proposed retail unit excludes the sale of food.

16.13 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. 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*

16.14 The Planning Statement sets out that the proposed children's nursery is an ancillary use to the scheme, bringing together older and younger members of the community, providing intergenerational spaces.

16.15 The Applicant confirms that the nursery would complement the care community, offering active ground floor uses, promoting activity throughout the day. The nursery would create employment opportunities and provide nursery spaces for the broader community, including staff at Epsom General Hospital. Officers agree with this.

16.16 The accompanying Transport Assessment sets out that the nursery would accommodate up to 40 children and that 80% of the spaces would be allocated to NHS staff. Therefore, the trip assessment was based on only 10 children resulting in new trips.

16.17 The principle of a nursery in this locality, adjacent to the hospital and residential properties, to provide childcare to NHS workers and local residents is considered to be 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.

16.18 The Local Planning Authority's Environmental Health Team has not raised concern regarding the proposed nursery. SCC Highways has confirmed that the impact of the nursery has been assessed.

16.19 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*

- 16.20 Subject to the use of conditions, should planning permission be granted, retail provision and a nurseery 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):
- 17.4 Planting and encouraging others to plant trees and shrubs to create woodland, thickets and hedgerows; and
- 17.5 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.
- 17.6 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.

*Trees*

- 17.7 There are no tree preservation orders relating to the Site or relating to trees on its boundaries.
- 17.8 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.
- 17.9 An Arboricultural Implications Assessment, which includes a Tree Protection Plan and Method Statement, dated 11 December 2019, accompanies this application.
- 17.10 There are 47 trees on Site. 29 are proposed to be removed, of which 11 are Category U trees and 16 are Category C trees. 1 Category A tree is to be removed as well as a part of a Category B tree. The Category A tree proposed to be removed is a Copper Beech (T36). Removal of this tree on the local amenity and landscape is deemed to be reduced by its relatively secluded location within the rear of the Site, limiting its visibility from a public point of view. 18 Site trees are to be retained, of which five are Category A and B trees.

- 17.11 To compensate for the loss of trees, 77 trees are proposed to be planted as part of the scheme, resulting in an uplift in the number of trees, along with an associated biodiversity enhancement. Replacement trees are proposed to be medium and large trees.
- 17.12 Tree protection measures, including ground protection and hoarding around trees will protect the retained trees during construction. Appropriate landscaping and tree management will aid in the long term protection and health of the retained trees.
- 17.13 The applicant provided further information about the proposed new trees in a letter, dated 13.10.2020. It sets out:
- All standard trees are proposed to be planted at 5/6m tall and three feature trees will be planted at 8m to ensure instant impact on Site is achieved
  - All proposed trees will be planted in soil cells to ensure the longevity of the trees
  - All proposed trees will have approximately 10/15 cubic meters of soil to ensure optimal health; and
  - Standard trees will grow approximately 12m tall. Specimen trees will grow approximately 16m tall.
- 17.14 The letter, dated 13.10.2020, sets out that a weekly maintenance schedule has been drawn, to ensure all trees and vegetation are well managed. Also, a detailed irrigation plan has been drawn, to ensure all trees are correctly irrigated to ensure trees are healthy. Subject to planning permission being granted, this would be entwined into the Landscape, Ecological and Management Plan, included within the S106 Agreement.
- 17.15 The Local Planning Authority's Tree Officer commented on this application 03.09.2020. The response sets out:
- 17.16 The fundamental objection is loss of T36, T2, and G46 and the encroachment of the buildings/hard surfacing into the root protection areas of T15, T26, T29 and T30. The impacts will cause tree damage and harm to the amenity of the treescape.
- 17.17 A further fundamental objection is on the lack of landscape space. On the side of the development facing Woodcote Green Road, the proposal erodes the frontage tree cover and then fails to provide adequate space for a sufficient landscape buffer fronting the Site. The environs of Woodcote Green is attractive (still retains semi-rural character) and there needs to be sufficient width of a landscape buffer to the Site to integrate with the special landscape character of the pond and Woodcote Millennium Green.
- 17.18 Specimen large canopy (forest size) trees would be highly desirable on this frontage to benefit community and environmental health as well as helping to mitigate climate change. The forest size trees will need adequate room for full canopy expansion, so the buffer needs to be at least 10m in width. Given space for development, the trees will help mitigate the building mass at the more macro scale. Additional soft landscape understory should be provided to help soften the development in the street scene.
- 17.19 Officers acknowledge that in its current form, the Site does not offer a functional space. Officers recognise that whilst the majority of trees identified for removal are Category U and C, the proposal does seek the partial loss of a Category B tree and the complete loss of a Category A tree. The loss of trees is considered to weigh negatively in the planning balance, whereas the provision of new tree planting, to result in 77 new trees, which is a greater number of trees on Site, is considered positively. The proposal also seeks tree protection measures, to protect trees to be retained, during construction.

- 17.20 Moreover, a Landscape Ecological Management Plan (LEMP) shall be secured within the S106 Agreement, subject to planning permission being granted. A LEMP ensures that the landscape and ecological objectives of the development and the mitigation measures required are delivered, monitored and reviewed. The implementation of a LEMP would promote the long-term maintenance and enhancement of the development's green infrastructure, so that it benefits the landscape and biodiversity value of the Site and also provides benefit to future residents.

#### *Landscaping*

- 17.21 A Design and Access Statement – Landscape and Public Realm document accompanies this application, dated 19 December 2020.
- 17.22 The Applicant has adopted a curvilinear based design, to successfully integrate the landscape and the buildings. To enable this, the landscape design takes into consideration the tree planting proposals, the vehicular, pedestrian and cycle routes through the Site and further seeks to create a landscaping link with the Woodcote Millennium Green, to the south of the Site.
- 17.23 The proposal seeks the following four character areas:
- A central plaza, which is the Site's primary open space, enclosed within the East block
  - Hospital entrance, which is a linked-route from Epsom General hospital to the north to the Site, to the south
  - Woodcote Green Road entrance, which is the Site's main arrival entrance, up to the West block
  - Key worker communal gardens, which is to the west of West block.
- 17.24 A strategy for lighting, play provision, wayfinding and furniture provision is entwined into the landscaping proposal.
- 17.25 In a letter, dated 13.10.2020, the applicant sets out 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 Trust has advised the Applicant that based on the increased use of the Woodcote Millennium Green, the additional costs would amount to approximately £1,700 per year (or £25,500 over a 15 year period). 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.
- 17.26 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.
- 17.27 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.

*Lighting Strategy*

17.28 A Lighting Strategy, dated 20 December 2019, accompanies this application. It provides a plan for external lighting, which seeks to reveal and enhance the architecture of the buildings and external landscape. Should planning permission be granted, a Condition is recommended, requiring further details of proposed lighting.

*Officer comments*

17.29 It is recognised that the Tree Officer has raised concerns regarding the proposed landscaping. In considering this, it is noted that in its current form, the Site does not offer a functional space. The Applicant has worked proactively with Officers to present a considered landscaping scheme, integrating the proposed buildings into character areas and to provide a landscape link to the Woodcote Millennium Green. With a LEMP in place, the landscape value of the Site would be maintained in the long-term.

17.30 In summary, whilst the proposal would result in 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 residents, that the proposed buildings will adversely impact neighbouring amenity enjoyed at properties surrounding the Site. This has been taken into consideration by Officers in the assessment of this application.

*Separation distances*

18.3 The Site abuts residential properties to the southwest and northwest, while residential properties to the east of the Site are located approximately 50 metres from the Site, beyond a parking area, which is to be retained. Given this separation distance, the residential amenity enjoyed at the houses to the east of the car park, along Woodcote Green Road, are not considered to be adversely impacted by the development.

18.4 Residential properties to the south of the Site are located approximately 100 metres from the Site, separated by Woodcote Millennium Green. Given the separation distance, the residential amenity enjoyed at these houses are not considered to be adversely impacted by the development.

- 18.5 40 Woodcote Green Road is to the west of the Site and is a two-storey detached property. The proposed building, forming part of the west building, is five storeys in height. The applicant sets out that this will not face habitable rooms within 40 Woodcote Green Road, so there should be no significant impact on the privacy at this neighbouring dwelling. The proposed building is angled away from the garden of this property, which serves to mitigate any impact on the privacy of the garden.
- 18.6 The proposed four storey element in the northwest corner of the Site is situated approximately:
- 27 metres from the rear elevation of the houses at 12 and 14 Digdens Rise and approximately 7 metres from the rear boundary of these properties;
  - 35 to 38 metres from 16, 18, 20 and 22 Digdens Rise and approximately 20 metres to the rear boundary of these properties.
- 18.7 The separation distance is considered adequate, to ensure that the neighbouring amenity enjoyed at these properties are not adversely impacted by the development.
- 18.8 The nine storey element of the buildings on the western side of the Site is located approximately:
- 45 metres from the rear of 14 and 16 Digdens Rise; and
  - 60 metres from the rear of 18 to 22 Digdens Rise.
  - The taller element towards the centre of the Site is located approximately 45 metres from 46 Woodcote Green Road.
- 18.9 The above separation distances are considered sufficient to ensure that the neighbouring amenity at these properties are not adversely impacted by the proposed development.
- 18.10 The proposed buildings, from four to nine storeys, are positioned approximately 47 metres from 28 Woodcote Green Road. This separation distance is considered sufficient, to ensure the neighbouring amenity at this property is not adversely impacted by the development.
- 18.11 Queries were raised regarding whether the lower elements of the scheme would overlook gardens of adjacent neighbours. The applicant provided a letter, dated 13.10.2020, which sets out that there are a number of units which will be orientated to the west of the Site, for the most part units are orientated within the Site, over internal courtyards, the podium amenity spaces, towards the Woodcote Millennium Green to the south, as well as north and east. For the most part, gardens are screened by dense vegetation. An additional visual was provided on 13.10.2020 and uploaded to the planning register, which shows the combination of large existing trees and additional planting along the boundary.

#### *Daylight and sunlight*

- 18.12 A Daylight, Sunlight and Overshadowing Report, dated January 2020, accompanies this application. It considers:
- the potential effect of the proposed development upon the daylight and sunlight amenity within existing neighbouring residential properties;
  - the provision of daylight and sunlight amenity within the proposed accommodation; and
  - the potential levels of overshadowing to existing neighbouring amenity space and proposed amenity areas within the scheme.
  - *Neighbouring buildings*

- 18.13 The results of the technical assessments indicate that the majority of windows and rooms within the neighbouring buildings that were tested would satisfy Building Research Establishment (BRE) guidelines. It is anticipated that the proposed development will result in effects beyond suggested guideline levels on a small number of isolated areas, including 46 Woodcote Green Road.
- 18.14 The BRE advises that numerical targets are not mandatory and should be applied sensitively and flexibly, with consideration given to local constraints. It is considered inevitable that some effects will go beyond the default levels suggested within guidance.

*Proposed development*

- 18.15 All but one (99%) of the proposed rooms at ground floor level tested meet the recommended ADF daylight criteria. The one isolated exception is a large communal space, where average light levels will inevitably be lower, but the daylight values recorded will be in excess of the target suggested for main living rooms. All other private habitable areas tested surplus to the recommended criteria. The upper levels would benefit from better daylight. The proposed development would therefore provide more than reasonable daylight and sunlight amenity for future occupants.

*Daylight, Sunlight and Overshadowing Report summary*

- 18.16 In summary, the Applicant's consultant set out that the proposed development is considered acceptable in terms of daylight, sunlight and overshadowing, despite a small number of isolated transgressions, which are not uncommon with increased development levels on a site of this nature.

*Construction Environmental Management Plan (Rev 04)*

- 18.17 A Construction Environmental Management Plan accompanies this application. Its purpose is to outline how the construction project would avoid, minimise or mitigate effects on the environment and surroundings areas. This document has been reviewed by the Local Planning Authority's Environmental Health team and subject to planning permission being granted, would be conditioned.
- 18.18 The document sets out that the development project is broken down into a number of distinct construction phases, which are detailed at 2.0 of the document. Officers do recognise that this is dependent on (and when) planning permission is granted.
- 18.19 Paragraph 2.1 of the document sets out dates for survey works and demolition:
- Works will commence on site in January 2020, with a full refurbishment and demolition asbestos survey of Rowan House, York House and Woodcote Lodge
  - Soft strip of Rowan House and York House will commence in March 2020
  - Woodcote Lodge will commence soft strip in June 2020, once the building becomes vacant
  - Demolition of York House and Rowan House will commence in May/June 2020, with Woodcote Lodge commencing July 2020.
  - The boiler house and chimney area would become vacant in January 2021. A full asbestos survey would be carried out with any asbestos removed. Scaffold will be erected on the chimney to commence demolition. The main demolition of the boiler house would commence in February 2021 and complete by June 2021.
- 18.20 Paragraph 2.2 of the document sets out that construction will commence in Spring 2020 and is scheduled to complete in late 2023.

- 18.21 The document sets out the considerations given to the environmental impact during the works.

*Environmental Noise Survey and Plant Noise Assessment Report (Rev 2)*

- 18.22 A Noise Survey and Plant Noise Assessment has been submitted with this application. It sets out that a noise survey was undertaken to establish the prevailing noise levels. Plant noise emission criteria have been recommended based on the result of the noise survey.
- 18.23 The report sets out that an assessment was carried out to determine 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.
- 18.24 The assessment sets out 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). It is likely that the noise impact of the proposed smoke extract fans would fall under the category of 'Observed Adverse Effect'. Incorporating attenuators to the outlets of smoke extract fans would generally reduce the fan efficiency. Therefore, no mitigation measures have been recommended.
- 18.25 The Local Planning Authority's Environmental Health Team reviewed this report. The applicant was asked to confirm whether worst affected sensitive dwelling is to be one of the ones in the new development. The Applicant responded on 16.10.2020, confirming that the worst affected noise sensitive residential window is one of those of the proposed development. The reasons for this are as below:
- this residential window is located relatively close to some of the proposed plant items where the cumulative noise impact is predicted to be a concern; and
  - the existing background noise levels measured near this residential window are much lower than other parts of the site, which result in more stringent criteria at this position.
- 18.26 The Local Planning Authority's Environmental Health Team would recommend that the plant upgrades, louvres and barriers are conditioned, subject to planning permission being granted.
- 18.27 The Local Planning Authority's Environmental Health Team sets out that the report states that the emergency standby generator and smoke extraction vents would exceed the "Observed Adverse Effect" level. The Applicant was requested to provide a statement regarding the proposed frequency and timing of testing. The Applicant responded, setting out that the generator is monthly for 30 minutes, at a time to suit. Smoke fans are either monthly or three monthly, for the same time period. Should planning permission be granted, a condition is suggested, regarding testing.

*Building fabric report*

- 18.28 A 'Residential External Building Fabric Report, dated 19 December 2019, accompanies this application. Acoustic analysis has been undertaken to assess the sound insulation requirements of the external glazing and ventilators. This enabled preparation for a sound reduction performance specification for the glazing and ventilators, along with advice on construction types typically expected.

*Summary*

18.29 The Site is surrounded by residential properties, but the scheme has been designed to limit its impact on the neighbouring amenity enjoyed at surrounding properties. In terms of daylight and sunlight, it is recognised that the scheme would result in effects beyond suggested guideline levels on a small number of isolated areas, including 46 Woodcote Green Road. Planning conditions are recommended, subject to planning permission being granted, to limit effects relating to noise.

18.30 The proposal 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 generation of additional traffic and the impact of the development on the surrounding highway. This has been taken into consideration by Officers in the assessment of this application.

19.7 A Transport Assessment, dated August 2020, accompanies this application.

*Proposed car parking provision*

19.8 A two-storey Automatic Parking System (APS) is proposed. The APS is a two-level parking area, which is connected by car lifts. It provides 150 parking spaces and is accessed via the Site access, a drop off area in front of the APS. This will allow cars to be handed to or collected from 24 hour concierge service, who will in turn park cars within the APS.

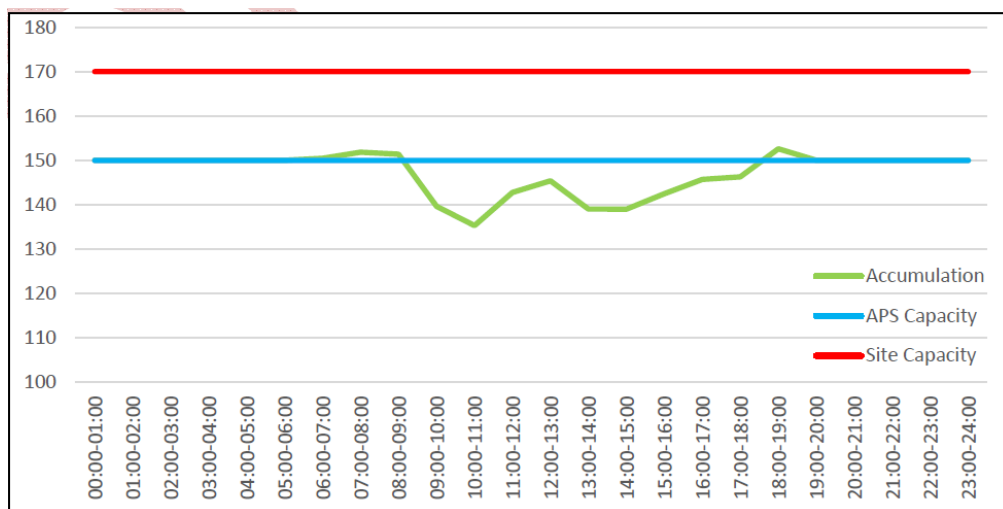


19.9 The proposed allocation is as follows:

Spaces	Use	Other
120	For use by residents	40% of the GLR will be marketed/sold as having car parking spaces
20	Visitors	
10	Staff	Up to 35 staff on Site, with a maximum of 7 overnight

19.10 Parking for a further 20 spaces is provided at grade, along the western boundary of the Site, this area will also provide the drop off/collection point for the nursery.

19.11 In a response dated 13.10.2020, the applicant sets out that it assessed the occupancy of visitors and staff to ensure sufficient parking, the method approved by SCC Highways, which predicts parking accumulation based on arrivals and departures for residents, staff and visitors. The assessment assumed that the APS would be full overnight, although in reality this is extremely unlikely. The predicted accumulation is illustrated below:



19.12 SCC Highways approved the level of parking proposed for the development and have stated that the existing parking restrictions in place in the surrounding area would avoid any issues with illegal parking in streets around the Site.

19.13 SCC Highways has not proposed to restrict residents of this scheme from applying for resident parking permits as the level of parking proposed at this development is considered sufficient. In any event, the nearest residents parking zone is Woodcote Side, which is approximately 600 metres from the Site and significantly more than the typical distance people would be prepared to walk to park a vehicle.

*Disabled spaces*

- 19.14 There is no fixed standard provided within guidance for the level of disabled parking required. Whilst it is likely that a development of this nature will accommodate a number of residents with mobility impairments. The proposed APS/concierge operation would negate the requirement for disabled bays as the owner would leave their vehicle at the main Site entrance under building West to be driven into the APS by a member of staff. It is proposed that one disabled space would be provided at surface level.

*Car club*

- 19.15 It is proposed that two car club vehicles are provided as part of the development, a space located within the APS car park and a space provided for a public 'car club' vehicle at surface level.

*Existing traffic flows*

- 19.16 Traffic surveys were undertaken at both the Woodcote Green Road entrances to Epsom General Hospital between Tuesday 21st and Thursday 23rd May 2019 (during school term time). Additionally, registration plate beat surveys were undertaken of the existing hospital park in the development Site for the Guild Living community, enabling an assessment of traffic that will be removed from Woodcote Green Road (and diverted to the Dorking Road hospital entrances) to be undertaken.

- 19.17 Additionally, in response to the requirements of SCC Highways, traffic surveys were carried out at the following junctions, on 12 and 13 November 2019, between 07:00 and 19:00:

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

*Network traffic growth*

- 19.18 As agreed with SCC Highways, the following baseline and future assessment years were considered:

- 2019 – observed baseline traffic flows; and
- 2025 – being just over five years from the late-2019 planning submission.

*Traffic generation*

- 19.19 575 daily trips are expected of the 306 Guild Living Residencies and 101 daily trips for the Assisted Living units. These figures were generated using TRICS. The specific TRICS outputs can be found in Appendix F and the trip calculations at Appendix G of the Transport Assessment.

- 19.20 It is proposed that the nursery would accommodate between 35 and 40 children and that 80% of the spaces would be allocated to NHS staff. Therefore, the trip assessment is based on only 10 of the children resulting in new trips (75% of 40). 20 daily trips are expected for the nursery.

- 19.21 There are other uses proposed on the Site, such as retail, a restaurant and a café. These are intended to be ancillary to the care community and chosen to meet the demands of staff and visitors at the adjacent hospital. Although they will be open to the public, they are not expected to be direct vehicular trip attractors, not least as they will not be visible from Woodcote Green Road and therefore will not attract any pass-by trips.
- 19.22 The results of the surveys demonstrate that a minimal number of visitors to the retail units at the hospital over the two days made a dedicated trip to do so (i.e. they had no other reason for being at the hospital).
- 19.23 As a result of the proposed development, staff from Epsom General Hospital who currently use the Woodcote Green Road entrances to access parking located within the development red line will instead have to access the hospital via Dorking Road. Therefore, there are a number of existing trips included in the observed survey numbers that need to be removed from Woodcote Green Road for the future scenarios and re-assigned to Dorking Road.
- 19.24 The results show 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. This is to be expected as the existing hospital trips to be removed will be mostly staff trips at the beginning and end of the working day, whilst the trips associated with the proposed care residences will be more evenly distributed during the day.

#### *Traffic impact*

- 19.25 To determine the impact of the proposed development on the local highway network, capacity assessments were carried out for the following junctions for the weekday AM and PM peak hours:
- The proposed Site access on Woodcote Green Road;
  - A24 Dorking Road / Woodcote Side;
  - A24 Dorking Road / Woodcote Road signalised junction; and
  - A24 South Street / A24 Ashley Avenue signalised junction.
- 19.26 The results of the junction capacity assessments show that three of the junctions assessed would operate within capacity following implementation of the development. The junction of the A24 with Woodcote Side will operate over capacity in a 2025 base scenario, but the addition of development traffic and reassignment of hospital traffic results in a marginal improvement in capacity. On the basis of the results of the capacity test assessments it is considered the local highway network would not be adversely affected following implementation of the proposed development.

#### *Cycling*

- 19.27 There are 50 secure, covered cycle spaces provided for residents, staff and visitors located throughout the Site.

#### *Servicing and refuse*

- 19.28 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. Further detail regarding waste collections is provided within the separate Waste Collection and Management Strategy.

*Travel Plan*

- 19.29 A Travel Plan, dated December 2019, accompanies this application. Its aim is to increase awareness of the availability of more environmentally-friendly alternatives to private car use and to introduce a package of physical and management measures that will facilitate travel by these sustainable modes of transport.

*SCC Highways response*

- 19.30 During the application's determination, the applicant amended the scheme to respond to consultation responses from SCC Highways. The main alteration was the removal of the concierge loop from the Site layout. This means that there is greater pedestrian space between the footway on Woodcote Green Road and the proposed nursery. Other changes included:
- Removal of the loading bay at the front of the nursery
  - Modifications to the access, to include a 4 metre radii to ensure that delivery vehicle do not override the edge of the access
  - Location of shuttle bus.
- 19.31 Officers re-consulted on the amendments for 21 days.
- 19.32 Following the scheme changes, SCC Highways provided a response on 15 September 2020. This required obligations, conditions and informatives. The response comprises an extensive 'note to planner'. This is not repeated within this Committee Report, but, the main points summarised below:

*Traffic impact*

Key junctions within the vicinity of the Site have been modelled. The audits have all been assessed by SCC Modelling Team and have passed

*Site access*

This junction will operate well within capacity and neither the highway works nor the development traffic will have an impact on the highway.

*Woodcote Side*

Woodcote Side left turn is expected to exceed capacity in 2025 without the development. However the modelling demonstrates that the development will not worsen this in the AM or PM peak hours.

Woodcote Side right turn is expected to near capacity in 2025 without the development. Again the modelling demonstrates that the development will not worsen this in the AM or PM peaks.

Dorking Road in 2025 will operate within capacity both with and without the development.

*Woodcote Road*

Dorking Road (northeast): degree of saturation increased by 0.1% in the AM peak and reduced by 4% in the PM peak. It is therefore not considered that the development will have a negative impact on this arm.

Woodcote Road: in both AM and PM peaks the development scenario improves the degree of saturation, and therefore it is not considered that the development has a negative impact.

Dorking Road (southwest): with development 2025 scenario marginally increases the degree of saturation, however remains within capacity.

#### Ashley Avenue

Ashley Avenue: degree of saturation increased by a small amount in with development scenario in both AM and PM peaks, however still well within capacity.

A24 South: degree of saturation marginally increased by the with development scenario but still within capacity.

A24 North: in the AM peak the Degree of saturation is improved by the development, and in the PM peak the Degree of saturation marginally increases but junction remains within capacity.

#### Sustainability

A number of bus stops are available within the immediate vicinity of the Site, both on Dorking Road and Woodcote Green Road. The CHA request that the developer provide upgrades to existing bus stops on both Woodcote Grove and Dorking Road.

The proposed development will provide a car club vehicle, to be made available for public use. This is to be funded by the developer.

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 proposed retail units 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, a condition is recommended that prevents the retail unit on Site from being used for A1 food retail.

The restaurant, retail and café elements will be the only uses of the site open to the public.

Other uses including the gym and the library will only be for the use of residents of the proposed development.

#### Nursery

The impact of the nursery has been assessed by SCC Highways, with TRICS data having been analysed for the proposed trip generation of the site, combined with the TRICS assessment of other uses of the site. The parking spaces along the access road are anticipated to be used for nursery drop-offs. The loading bay at the front of the nursery has been removed and as this would impede pedestrian access to the nursery for pedestrians.

Car parking

Car parking for the proposed development is to be provided in both an APS 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 on Site and the potential for the impact on the wider area that a shortfall in parking would create. Whilst SCC Highways 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, SCC Highways is aware that the parking does include an element of amenity, which would be considered by the Local 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 pending planning application for the Multi Storey Car Park (ref: 20/00249/FUL).

Conclusion

19.33 150 car parking spaces would be provided on site, for use by residents, staff and visitors, 2 car clubs would be provided, a shuttle bus and 50 cycle spaces. SCC Highways has assessed this application and does not object, subject to securing obligations within the S106 Agreement and conditions, should planning permission be granted.

The proposal is considered to comply with policies CS16, DM36 and DM37.

**20 Refuse**

- 20.1 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.
- 20.2 An Outline Servicing and Waste Management Plan, dated December 2019, accompanies this application.
- 20.3 The external collection points are on the northern and western side of the Site. The bin storage area will be near the core of each building on the ground floor of each block. The applicant intends to engage a private refuse collector, but, the larger Local Planning Authority refuse vehicle would be able to collect waste, via the route to the north of the Site.
- 20.4 The Local Planning Authority's Waste Team formally commented on this application, with concerns, summarised below:
- 20.5 The Local Planning Authority holds a statutory responsibility for collecting all waste types produced on the Site. Whilst the applicant proposes to engage a private refuse collector, the Local Planning Authority has a responsibility to consider that it might potentially make collections at some stage in the future

- 20.6 There are sufficient and suitably-sized bins proposed within the Site for refuse, mixed recycling and food waste and recycling services for the household-type waste. But, there is no separately-stated provision for bins for business waste. The Local Planning Authority collects glass recycling separately, for which it uses bins no larger than 240-litres. Therefore, the Local Planning Authority would need to see that provision is included for both household-type and business waste
- 20.7 Collections of the proposed bins depend on twice-weekly collection frequency. Should the Local Planning Authority be called upon to make collections, it could stretch resources
- 20.8 Two bin collection points are proposed (West and East buildings). Only one collection point (West) has been path-analysed for vehicle access, for a vehicle of 7.9 metres length, which is considerably shorter than vehicles used by the Local Planning Authority (length 10.76 metres). There is no path-analysis for the East collection point, nor any for an access route to the north of the site, which the developer states could be used by Local planning Authority vehicles.
- 20.9 In order to address the above concerns, the applicant provided additional tracking drawings on 05.10.2020. The Local Planning Authority's waste team stated that the analysis was conducted for one of the collection points. It should be ensured that both collection points are covered. The analysis was also completed using a non Local Planning Authority type vehicle. Crucially, Local Planning Authority vehicles have a wall-to-wall turning circle of 80cm greater than that specified on the analysis, which could raise concerns.
- 20.10 The applicant did not provide a response to the above.
- 20.11 SCC Highways provided a response on 15 September 2020. Should planning permission be granted, a condition is proposed, requiring a refuse, deliveries and servicing management plan to be submitted to and approved by the Local Planning Authority.
- 20.12 In considering the above, Officers recognise that the applicant intends to use a private refuse collector, but, the Local Planning Authority has a responsibility to consider that it might potentially make collections at some stage in the future. The Applicant has stipulated that the larger Local Planning Authority refuse vehicle would be able to collect waste, via the route to the north of the Site, but the Local Planning Authority's Waste Team holds concern that adequate tracking has not been carried out to show that a Local Planning Authority vehicle could collect waste at all proposed collection points.

## 21 Ecology

- 21.1 Chapter 15 of the NPPF relates to the conservation and enhancement of the natural environment. Paragraph 170 sets out that planning decisions should contribute to and enhance the natural and local environment by (inter alia) protecting and enhancing valued landscapes and sites of biodiversity. Development should, wherever possible, help to improve local environmental conditions, such as air and water quality
- 21.2 Paragraph 175 of the NPPF sets out that development whose primary objective is to conserve or enhance biodiversity should be supported, while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

- 21.3 Policy CS3 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.
- 21.4 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.
- 21.5 An Ecological Impact Assessment, dated 20 December 2019, accompanies this application.
- 21.6 The assessment sets out that no significant effects to the features assessed, comprising bats, buildings and scattered trees, are anticipated during construction or operation.
- 21.7 The assessment sets out that many of the trees on the western boundary of the Site are to be retained and protected and those that are proposed to be removed would be replaced, maintaining roosting, commuting and foraging habitat for bats.
- 21.8 The assessment sets out that the lighting for the proposed development has been designed to minimise impacts to bats.
- 21.9 The assessments sets out that the landscaping designs would enhance the ecological value of the Site. The ecological measures, avoidance, mitigation and enhancements provided by the proposed development would result in a longer-term increase in biodiverse habitats and opportunities for a range of local wildlife, including birds, bat, reptile, amphibians and invertebrates.
- 21.10 Further bat surveys were required and carried out. A Preliminary Roost Assessment, dated 11 May 2020, sets out that no bats were recorded in the buildings identified for demolition. There is a habitat on the Site to support foraging bats. Measures should be taken to retain, protect and enhance these habitats were possible. Measures should also be taken to protect the optimal habitats adjacent to the southern boundary of the Site.
- 21.11 The applicant confirmed on 30.09.2020 that T27 was removed by the NHS in February 2020. The tree was in an unsafe condition and was supposed to be protected before the onset of high winds in later winter this year.
- 21.12 Before the tree was removed by the NHS and in anticipation that the tree was to be removed due to its condition, Arup, the applicant's ecological consultants, had been in touch with Natural England and were going to apply for a European Protected Species Licence. When the applicant became aware that the NHS had removed the tree, Arup, upon instruction, reported the removal of the tree to Surrey police wildlife crime.
- 21.13 The licence application was not submitted as the tree had already been removed. The Local Planning Authority's ecologist has been made aware of the removal of T27.
- 21.14 The Local Planning Authority's Ecologist confirmed that the survey is satisfactory and should planning permission be granted, the recommendations of the reports conditioned. This has been worded to ensure that the biodiversity enhancements are captured, to ensure ecological gain.
- 21.15 The proposal is considered to comply with Policy CS3 and DM4.



**22 Flood Risk and drainage**

- 22.1 Chapter 14 of the NPPF relates to meeting the challenge of climate change, flooding and coastal change. Paragraph 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.
- 22.2 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.
- 22.3 The Site is within Flood Zone 1 (Low Probability of Flooding) and partly within a Critical Drainage Area.
- 22.4 A Flood Risk Assessment (FRA), dated 20 December 2019, accompanies the application. It recognises that the Site is within flood zone 1 and that there are several localised critical drainage areas around the Site.
- 22.5 It sets out that:
- The Flood Risk from tidal, fluvial, overland flow and artificial sources is low.
  - The Flood Risk from groundwater sources is classified as medium risk;
  - The proposals will not create an unacceptable increase in Flood Risk elsewhere; and
  - No major flood risks to or from the site have been identified in the FRA.
- 22.6 Mitigation measures have been identified to ensure that residual risk can be managed. It is considered that the proposed development meets the requirements of the NPPF with regards to flood risk.
- 22.7 A Foul & Surface Water Drainage Strategy, dated 4 December 2019, accompanies this application. The report sets out that it has demonstrated compliance with both the recommendations for the 'Non-Technical Standards for Sustainable Drainage' and current national standards by using attenuation as the primary method of surface water disposal.
- 22.8 A formal response from Surrey County Council Local Lead Flood Authority (LLFA) was provided on 06 March 2020. It is satisfied with the proposed drainage scheme, subject to conditions, should planning permission be granted.
- 22.9 The proposed development is considered to comply with Policy CS6.

**23 Contamination**

- 23.1 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.
- 23.2 A Ground Contamination Preliminary Risk Assessment, dated 13 December 2019, accompanies this application, reporting that the Site is considered to have a generally low potential for significant ground contamination. It sets out recommendations.
- 23.3 The Environmental Agency (EA) provided a formal response, dated 21 February 2020. It has no objections, subject to conditions, should planning permission be granted.
- 23.4 The Local Planning Authority's Contamination Land Officer commented on 13.01.2020, with no objection, recommending a ground contamination and ground gas condition should planning permission be granted.
- 23.5 The proposal is considered to comply with Policy DM17.

**24 Archaeology**

- 24.1 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.
- 24.2 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.
- 24.3 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.
- 24.4 An Archaeological Desk-Based Assessment, dated 12 December 2019, accompanies the application. It sets out that the Site is not located within an Area of High Archaeological Potential, nor a Conservation Area, as defined by Surrey County Council. The site does not contain any known archaeological assets.
- 24.5 The potential for unknown archaeology from the post-medieval and modern periods is considered to be high, with such evidence being of local significance. There is considered to be a low potential for evidence from all other periods. Any prehistoric evidence may be of regional significance. Evidence from all other periods is anticipated to be of local significance.

- 24.6 SCC Archaeology commented on the application on 07.02.2020, recommending a condition requiring 'the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI)', should planning permission be granted.
- 24.7 In response to SCC Archaeology's comments, the applicant submitted a WSI, dated 29 May 2020, in consideration of mitigating the archaeological impacts of the proposed development. SCC Archaeology confirmed the acceptability of this on 01.07.2020. The work detailed in the WSI forms an ongoing stage in the implementation of the required archaeological work. As such, it was considered necessary to attach the standard archaeological condition to any permission that may be granted so that any further mitigation that may be required is suitably secured.
- 24.8 The proposal is considered to accord with policy CS5.

## 25 Sustainability and Climate Change

- 25.1 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.
- 25.2 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.
- 25.3 An Energy and Sustainability document, dated 20 December 2019, accompanies this application. It sets out that a reduction in carbon emissions of 48% over a Part L 2013 compliant development can be achieved. This reduction in carbon dioxide emissions will be achieved through the incorporation of passive and active energy efficiency measures and renewable technologies.
- 25.4 A Sustainability BREEAM UK new construction 2018 pre-assessment report, dated 20 December 2019, accompanies this application. It sets out that the development could achieve a targeted score of BREAM 'very good'.
- 25.5 In a letter, dated 13.10.2020, the applicant provided further information in relation to how this development incorporates sustainability, which is summarised below:
- 25.6 The approach to energy results in carbon reduction of 462 kg CO<sub>2</sub> per year (48% improvement on Building Regulations).
- 25.7 Key sustainability measures include:
- High efficiency air source heat pumps for heating, cooling, and hot water
  - High-performing façade reduces energy demand and limits overheating
  - High efficiency mechanical ventilation with heat recovery
  - LED lighting throughout
  - Electric heating i.e. no gas supply to the Site minimising air quality impacts and allowing electric heating from fully renewable sources in the future

- The Applicant is looking to source direct purchase of electricity from certified renewable energy
- Very high efficiency photovoltaic panels, to provide 282kWp renewable energy to the development
- Extensive green landscaping and green roofs provided throughout the Site

25.8 The Applicant is designing all buildings to meet and exceed the Royal Institute of British Architects 2030 climate challenge and the LETI Climate Emergency Design Guides. The building is 20% below the current RIBA Benchmark and the Applicant is investigating additional design interventions to reduce this to 24%.

25.9 The Applicant had both operational and embedded carbon footprints modelled at Epsom and it is their intention for all buildings to be net zero Carbon by 2025. Officers recognise that this is an intention and not a commitment.

25.10 The proposal is considered to comply with Policy CS6.

## 26 Fire Safety

26.1 A Fire Engineering Stage 2 Report, dated 13 December 2019, accompanies this application. It considers the different occupancy types: independent living, supported living 24-hour care, shared ancillary accommodation and separate commercial units. It explores the key features of the development, including:

- Automatic detection and alarm systems throughout the development
- Commercial or residential sprinklers provided throughout all areas
- Non-combustible external walls
- 60 minutes fire resistance to the elements of structure
- Firefighting shafts provided to all residential accommodation except the key worker apartments which are on the ground - second floors only.

26.2 Surrey Fire & Rescue Service provided a response on 23.09.2020, with no objection to the proposal.

## 27 Other

### *Employment Skills Plan*

27.1 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.

27.2 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.

### *Funding arrangements*

27.3 In a letter, dated 13.10.2020, the applicant sets out information relating to the NHS funding arrangement, as below:

*"Final funding arrangements are to be agreed with the NHS, following securing a planning permission around a year prior to the occupation of the site.*

*At Epsom we will have 28 higher care beds (referenced within the application as Guild Care Suites). Registered with the Care Quality Commission, this area of our community will cater for those with a greater level of need or support, and where a higher level of dependency is required.*

*The service will be registered to provide personal and nursing care, with experienced teams trained to support those with who have cognitive decline.*

*We will always endeavour to support the wider area and local health economy in any way we can. This could be opening our support groups to local residents, enabling access for NHS physiotherapy teams to use our hydrotherapy pool or functional equipment, or to look at a hospital step down/intermediate care solution.*

*This could be facilitated through developing an understanding of where our higher care service could support discharging hospital patients where it was safe to do so. With our expertise and focus on cognitive care or our specialist reablement team, we could set aside a set number of beds to enable the hospital to use these around a set of agreed conditions, as and when required.*

*Our intention is to maintain regular dialogue with the local NHS trust so we can assist in providing step down beds if there is need within the local NHS and availability within the higher care beds within the care floor. The beds would be secured through a funding agreement (for example a fixed term rental basis) between the NHS Trust and Guild agreed at the time that the beds are required”.*

#### *Site management*

- 27.4 In a letter, dated 13.10.2020, the applicant sets out information relating to site management subject to planning permission being granted. The letter sets out that:
- Guild living would manage and operate the Site
  - Guild Living would commit to a planning condition that would secure the management of the Site and landscaping for a period of five years
  - Guild living would be in regular contact with the NHS, as a key neighbour, over the lifespan of the project.

## **28 Planning Balance and Conclusion**

- 28.1 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.
- 28.2 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.
- 28.3 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.

- 28.4 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.
- 28.5 Surrey County Council (SCC) Adult Social Care recognises that further extra-care accommodation is warranted. The proposal contributes towards the need for specialist retirement housing in the Borough. It seeks 344 care units, equating to approximately 96 units above the minimum need of 248 units within the Borough (in accordance with the SHMA Update).
- 28.6 In line with the above, the estimate of future demand is much more conservative than that presented in the Applicant's Planning Need Assessment. It is acknowledged that people who do not currently live within the Borough may choose to move into Epsom, to live within this scheme, subject to planning permission being granted. This is not detrimental to the consideration of this application.
- 28.7 The Local Planning Authority cannot presently demonstrate five years housing land supply. This scheme would generate 334 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.
- 28.8 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.
- 28.9 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 include the wellness centre, library, craft room, therapy and treatment rooms, which encourage social interaction. Officers give positive weight to the social and community benefits arising from this scheme.
- 28.10 The proposal has been designed to respond to its immediate surroundings, including local views. This proposal is considered to represent a relatively modest increase in height in comparison to existing buildings at Epsom General Hospital (which are up to eight storeys in height). The proposal seeks taller elements towards the rear of the Site, stepping down towards boundaries with residential dwellings, in response to the surrounding heritage and townscape context, to mitigate adverse impacts on surrounding views and neighbouring amenity. The Local Planning Authority's Design and Conservation Officer has confirmed that the proposal would lead to "less than substantial harm" to the significance of designated heritage assets.
- 28.11 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.

**29 Community Infrastructure levy**

29.1 The scheme would be CIL liable.

**30 Conclusion**

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

**31 Recommendation**

Part A: Grant planning permission, in accordance with the proposed conditions and subject to a Section 106 Agreement being signed by 29 January 2020, 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

- 16 units of Discount Market Rent of at 80% of Open Market Value
- 5 units of shared ownership

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

- Payment of a travel plan audit fee of £6,150

Car club

- Provision of one car club vehicle, for a minimum of two years, with all costs associated with the provision of the vehicle, including provision of parking space, being met by the developer
- Provision of 25 miles worth of free travel for residential users of the proposed development using the car club vehicle, or a comparable incentive to be agreed in writing by the Local Planning Authority
- Provision of at least one year free membership of the car club for the first occupants of each of the proposed
- Car club to be an electric 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

Employment skills planOther 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 29 January 2020, 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.

31.1 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:

18120-MPI-XX-XX-DR-A-01\_001 - SITE LOCATION PLAN & EXISTING SITE PLAN – dated 20.12.19

18120-MPI-XX-XX-DR-A-01\_003 - PROPOSED SITE PLAN – dated 20.12.19

18120-MPI-XX-XX-DR-A-10\_001 - DEMOLITION PLAN – dated 20.12.19

18120-MPI-XX-00-DR-A-20\_001 - LEVEL 00 FLOOR PLAN – dated 20.12.19

18120-MPI-XX-01-DR-A-20\_002 - LEVEL 01 FLOOR PLAN – dated 20.12.19



18120-MPI-XX-02-DR-A-20\_003 - LEVEL 02 FLOOR PLAN – dated 20.12.19  
18120-MPI-XX-03-DR-A-20\_004 - LEVEL 03 FLOOR PLAN – dated 20.12.19  
18120-MPI-XX-04-DR-A-20\_005 - LEVEL 04 FLOOR PLAN – dated 20.12.19  
18120-MPI-XX-05-DR-A-20\_006 - LEVEL 05-08 FLOOR PLAN – dated 20.12.19  
18120-MPI-XX-06-DR-A-20\_007 - LEVEL ROOF PLAN – dated 20.12.19  
18120-MPI-ZZ-00-DR-A-20\_100 - EAST BUILDING - LEVEL 00 – dated 20.12.19  
18120-MPI-ZZ-01-DR-A-20\_101 - EAST BUILDING - LEVEL 01 – dated 20.12.19  
18120-MPI-ZZ-02-DR-A-20\_102 - EAST BUILDING - LEVEL 02 – dated 20.12.19  
18120-MPI-ZZ-03-DR-A-20\_103 - EAST BUILDING - LEVEL 03 – dated 20.12.19  
18120-MPI-ZZ-04-DR-A-20\_104 - EAST BUILDING - LEVEL 04 – dated 20.12.19  
18120-MPI-ZZ-05-DR-A-20\_105 - EAST BUILDING - LEVEL 05-08 - dated 20.12.19  
18120-MPI-ZZ-06-DR-A-20\_106 - EAST BUILDING - LEVEL ROOF - dated 20.12.19  
18120-MPI-ZZ-00-DR-A-20\_107 - WEST BUILDING - LEVEL 00 – dated 20.12.19  
18120-MPI-ZZ-01-DR-A-20\_108 - WEST BUILDING - LEVEL 01 – dated 20.12.19  
18120-MPI-ZZ-02-DR-A-20\_109 - WEST BUILDING - LEVEL 02 – dated 20.12.19  
18120-MPI-ZZ-03-DR-A-20\_110 - WEST BUILDING - LEVEL 03 – dated 20.12.19  
18120-MPI-ZZ-04-DR-A-20\_111 - WEST BUILDING - LEVEL 04 – dated 20.12.19  
18120-MPI-ZZ-05-DR-A-20\_112 - WEST BUILDING - LEVEL 05-08 – DATED 20.12.19  
18120-MPI-ZZ-06-DR-A-20\_113 - WEST BUILDING - LEVEL ROOF – dated 20.12.19  
18120-MPI-XX-ZZ-DR-A-20\_200 - SITE SECTIONS – dated 20.12.19  
18120-MPI-XX-ZZ-DR-A-20\_201 - BUILDING SECTION A-A' & B-B' - dated 20.12.19  
18120-MPI-XX-ZZ-DR-A-20\_202 - BUILDING SECTION C-C' & D-D' - dated 20.12.19  
18120-MPI-XX-ZZ-DR-A-20\_203 - BUILDING SECTION E-E' - dated 20.12.19  
18120-MPI-XX-ZZ-DR-A-20\_300 - ELEVATION 1A-1A – dated 20.12.19  
18120-MPI-XX-ZZ-DR-A-20\_301 - ELEVATION 1B-1B – dated 20.12.19  
18120-MPI-XX-ZZ-DR-A-20\_302 - ELEVATION 2-2 – dated 20.12.19  
18120-MPI-XX-ZZ-DR-A-20\_303 - ELEVATION 3-3 – dated 20.12.19  
18120-MPI-XX-ZZ-DR-A-20\_304 - ELEVATION 4-4 – dated 20.12.19

18120-MPI-XX-ZZ-DR-A-20\_305 - ELEVATION 5-5 – dated 20.12.19

18120-MPI-XX-ZZ-DR-A-20\_306 - ELEVATION 6-6 – dated 20.12.19

18120-MPI-XX-ZZ-DR-A-20\_307 - ELEVATION 7-7 – dated 20.12.19

18120-MPI-XX-ZZ-DR-A-20\_308 - ELEVATION 8-8 – dated 20.12.19

18120-MPI-XX-ZZ-DR-A-20\_309 - ELEVATION 9-9 – dated 20.12.19

18120-MPI-XX-ZZ-DR-A-20\_310 - ELEVATION 10-10 – dated 20.12.19

18120-MPI-XX-ZZ-DR-A-20\_311 - ELEVATION 11-11 – dated 20.12.19

18120-MPI-XX-ZZ-DR-A-20\_312 - ELEVATION 12-12 – dated 20.12.19

18120-MPI-XX-ZZ-DR-A-20\_313 - ELEVATION 13-13 – dated 20.12.19

18120-MPI-XX-ZZ-DR-A-21\_300 - TYPICAL BAY STUDY - BAY 1 - JULIET BALCONY  
DETAIL – dated 20.12.19

18120-MPI-XX-ZZ-DR-A-21\_301 - TYPICAL BAY STUDY - BAY 2 - BOLT ON  
BALCONY DETAIL - dated 20.12.19

18120-MPI-XX-ZZ-DR-A-21\_302 - TYPICAL BAY STUDY - BAY 3 - DROP OFF DETAIL  
– dated 20.12.19

18120-MPI-XX-XX-DR-A-30\_100 - TYPICAL UNIT LAYOUTS - 1 BED M4(2) & M4(3) –  
dated 20.12.19

18120-MPI-XX-XX-DR-A-30\_101 - TYPICAL UNIT LAYOUTS - 2 BED M4(2) & M4(3) –  
dated 20.12.19

18120-MPI-XX-XX-DR-A-30\_102 - TYPICAL UNIT LAYOUTS - 3 BED M4(2) & M4(3) –  
dated 20.12.19

18120-MPI-XX-XX-DR-A-30\_103 - TYPICAL UNIT LAYOUTS AGED CARE SUITES –  
dated 20.12.19

EPS001-ASD-SZ-00-DR-L-000100-P10 - Masterplan Ground Floor - hard landscape –  
dated 06.08.20

EPS001-ASD-SZ-00-DR-L-000101\_P01 – Masterplan Ground Floor - Detail Zoom in –  
dated 07.08.20

596\_S\_00\_101\_P01 – Landscape General Arrangement Section B-B & C-C – dated  
16.12.19

596\_S\_00\_100\_P01 - Landscape General Arrangement Sections A-A – dated 16.12.19

596-P-02-100\_P03 - Roof Garden Masterplan – dated 16.12.19

596\_P\_00\_100\_P03 – Ground Floor Masterplan – dated 16.12.19

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) A site investigation scheme, based on the PRA, 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 understood that the site may be 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 ground waters. 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) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, to be conducted in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.

Reason: 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 the façade of the building, all new cladding materials including aluminium panelling and railings / balconies 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 a sample of each of the proposed brick finishes a 1m X 1m panel shall be constructed on site for inspection and approval by the local planning authority on site. 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.

- (15) Prior to commencement of above ground works / the relevant part of the development hereby permitted section drawings through all parapets, roof edges including the boundaries of roof terraces, reveals, soffits, lintel and cills at a scale of 1:20 shall be submitted to the local planning authority. No works shall commence until these specifications are approved and shall 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.

- (16) Prior to commencement of above ground works / the relevant part of the development hereby permitted section drawings through door and windows and balconies at a scale of 1:20 shall be submitted to the local planning authority. No works shall commence until these specifications are approved and shall 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, details are required to the drop off entrance, including details of doors, glazing and soffit sections. No works shall commence until these specifications are approved and shall 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 20 December 2019, 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) The development hereby approved shall be carried out in accordance with the recommendations detailed in the Preliminary Roost Assessment, dated 11.05.2020 prior to the first occupation of the development and/or in accordance with the approved timetable detailed in the assessment. The approved measures shall thereafter be maintained

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

- (21) 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.

- (22) 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 4, 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

- (23) The development shall be carried out in accordance with the Construction Environmental Management Plan, Revision 4, prepared by Morgan Sindall

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

- (24) Demolition hereby approved shall be undertaken in accordance with the Demolition Method Statement, Revision 1, prepared by Morgan Sindall

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

- (25) 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.

- (26) 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/Rev2 dated 19 December 2019. 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.

- (27) Testing of the emergency standby generator and smoke extract fans will be limited to 30 minutes once monthly and testing will only take place weekdays between the hours of 9am and 5pm

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

- (28) No development shall take place until a scheme specifying the provisions to be made for the control of noise emanating from the site, has been submitted to and approved in writing by the local planning authority. Thereafter, the use hereby approved shall not commence until the approved scheme has been fully implemented and the approved measures shall thereafter be maintained in perpetuity

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

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

- (30) The approved Travel Plan (May 2020 Planning Issue v2) shall be implemented upon first occupation of the site and for each and 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



- (31) 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

- (32) 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

- (33) 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.1/01 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

- (34) 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

- (35) 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 EPS001-ASD-SZ-00-DR-L-000101 P01 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

- (36) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for 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

- (37) 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

- (38) 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

- (39) 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.

- (40) 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

- (41) 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

- (42) 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

- (43) 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.

- (44) 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 BS:5837 Arboricultural Implications Assessment Tree Protection Plan & Method Statement, Ref GD/190110R2-R3/sh dated 11 December 2019 and Tree Protection Plan Ref GD/190110/TPP dated 11/12/2019, 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.

- (45) 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.

- (46) 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.

- (47) 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.

- (48) The units 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)

- (49) 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).

- (50) 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 our reference number in any future correspondence
- (4) 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
- (5) 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
- (6) 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

- (7) <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).
- (8) 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)
- (9) 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
- (10) 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
- (11) 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
- (12) 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
- (13) 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
- (14) 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.