

Epsom General Hospital, Dorking Road
Epsom KT18 7EG

Statement of Case

Mike Kiely 1 June 2021

Site Address

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

Description of Development

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.

(the Proposed Development)

Applicant

Senior Living Urban (Epsom) Limited (the Appellant)

References

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

Planning Inspectorate (PINS):

APP/P3610/W/21/3272074

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1 INTRODUCTION

- 1.1 This Statement of Case is prepared on behalf of Epsom & Ewell Borough Council (the Council).
- 1.2 The Statement provides a summary of the evidence to be submitted for the appeal made pursuant to Section 78 of the Town and Country Planning Act (1990) and is made in accordance with the Town and Country Planning (Inquiries Procedure) (England) Rules 2000 and The Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000.
- 1.3 The Council reserves the right to amend or add to this Statement in response to comments raised by any other party.

Background

- 1.4 The application for planning permission (19/01722/FUL) was submitted to the Council on 27 January 2020 for the Proposed Development.
- 1.5 The application was reported to the Council's Planning Committee on 18 November 2020. A copy of that report¹, the update report² and associated minute³ are available from the Council's website via the links in the footnote.
- 1.6 The decision of the Committee was to refuse planning permission, against the officer recommendation for approval. The Council issued the decision on 23 November 2020.

Statement of Common Ground

- 1.7 The Council drafted a SoCG and sought to negotiate agreement on it with Nexus Planning on behalf of the Appellant. It has not been possible to achieve that within the 5-week deadline.
- 1.8 The Council have therefore included the relevant elements of its draft SoCG into this SoC to make its case clear and to assist the Inspector in preparing for the Inquiry.

¹ <https://democracy.epsom-ewell.gov.uk/documents/g1051/Public%20reports%20pack%2018th-Nov-2020%2019.30%20Planning%20Committee.pdf?T=10>

² <https://democracy.epsom-ewell.gov.uk/documents/b3527/Supplementary%20information%20Update%20report%2018th-Nov-2020%2019.30%20Planning%20Committee.pdf?T=9>

³ <https://democracy.epsom-ewell.gov.uk/documents/g1051/Printed%20minutes%2018th-Nov-2020%2019.30%20Planning%20Committee.pdf?T=1>

- 1.9 The committee report described the site, the surrounding area, the proposal, the planning history and the planning policies that are relevant to the Proposed Development. These have been used and are reproduced in this document. The only substantive changes are:
- Description of site: The current partially demolished state of the site is reflected and the relationship to the two conservation areas described more accurately.
 - Description of development: use class references have been updated where necessary.
 - Description of area: more accurate distance and walking times have been used based on Google Maps. The same approach has been used for distance and walking times in section 7. The walking times are based on an average walking speed of around 3 mph. Elderly people, where they can walk, will be slower: an average of 2.9 mph aged 60 to 69, 2.7 mph aged 70 to 79 and 2.1 mph aged 80 to 89.⁴
 - Planning History of site: planning application 21/00252/FUL has been added, which is a revision to the application the subject of this appeal. Reference is also made to the Appellant's more comprehensive planning history set out in the Planning Statement submitted with the application. The decision on the application the subject of this appeal has also been added for completeness.
- 1.10 The Council will continue to work with the Appellant to try to agree a SOCG.

List of Documents

- 1.11 A core document list will be prepared in consultation with the appellant and issued to the Inspector prior to the Inquiry, hopefully in a Statement of Common Ground.

⁴ Schimpl M, et al. (2011). Association between walking speed and age in healthy, free-living individuals using mobile accelerometry – a cross-sectional study. DOI: 10.1371/journal.pone.0023299

2 DESCRIPTION OF THE SITE

- 2.1 The site was described in paragraphs 3.1 and 3.2 of the report to the Council's Planning Committee on 18 November 2020 and is reproduced below for convenience. The current partially demolished state of the site is reflected and the relationship to the two conservation areas described more accurately.
- 2.2 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.
- 2.3 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, previously 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.
 - The site of a demolished temporary building used for medical purposes (Beacon Ward).
 - A two storey (former dwelling house) later used for a research facility (York House);
 - Various Temporary and ancillary 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 is visible from two to the northeast of the Site: Chalk Lane Conservation Area (0.1 miles from the Site) and Woodcote Conservation Area (0.4 miles from the Site). The Site affects the setting of Chalk Lane Conservation Area and some listed buildings within it.

3 DESCRIPTION OF DEVELOPMENT

- 3.1 An application for planning permission (19/01722/FUL) was submitted to the Council on 27 January 2020 for the Proposed Development. The proposal was described in paragraphs 4.1 to 4.9 of the report to the Council's Planning Committee on 18 November 2020 and is reproduced below for convenience. Use class references have been updated where necessary.
- 3.2 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, ancillary to the C2 use, 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, ancillary to the C2 use, 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) (former Use Class D1, now Use Class E)
 - 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

- 3.3 The proposal comprises two main blocks: West Block and East Block.
- 3.4 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 southeast 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 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.

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 form part of the West block, facing the Site's west and north boundary.

Landscaping/public spaces

3.5 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

- 3.6 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.
- 3.7 Proposed access and egress to the Site is provided via separate entrance and exit points on Woodcote Green Road, with the entrance located near the southwestern corner of the Site and the exit located to the west of the existing hospital access, which is to be stopped up. The hospital access that is to be retained is located further to the east of the proposed exit to the east of the Site.
- 3.8 Within the Site, the separate entrance and exit points create a one-way internal route under the West building, with a two-way section leading towards the Automatic Parking System (APS) which is provided as a continuation of the entrance route before it turns under the West building. 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 the West Building before proceeding to the Site exit.
- 3.9 Drop off/collection areas for the nursery provided as part of the Appeal scheme will be accessed via the main access where parking bays are provided with vehicles departing via the separate egress.
- 3.10 The Appeal scheme has been designed in a pedestrian friendly manner with vehicle-free access throughout and with links to 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.

4 DESCRIPTION OF THE AREA

- 4.1 The area surrounding the site was described in paragraphs 3.3 to 3.8 of the report to the Council's Planning Committee on 18 November 2020 and is reproduced below for convenience. More accurate distance and walking times have been used based on Google Maps. Elderly residents will take longer than the times quoted, depending on their mobility.
- 4.2 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.
- 4.3 To the west and southwest of the Site are two-storey detached and semi-detached dwellings, on Woodcote Green Road: Digdens Rise and Hylands Close. Properties on the east side of Digdens Rise and Hylands Close have rear gardens extending to the Site boundary.
- 4.4 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

- 4.5 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.
- 4.6 The Site is considered a sustainable location, located 0.9 miles from Epsom train station (19-minute walk). There are two bus stops located on Woodcote Green Road, a very short walking distance from the Site. Dorking Road is also within a short walking distance of the Site. Dorking Road is otherwise known as the A24, which has good access to the strategic highways network.

Designations

- 4.7 The Site is designated:
- Within the built-up area of Epsom;
 - Partly within a critical drainage area; and

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- 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.

5 PLANNING HISTORY OF THE SITE

- 5.1 The relevant planning history for the site was described in paragraph 6.1 of the report to the Council's Planning Committee on 18 November 2020 and is reproduced below for convenience. Planning application 21/00252/FUL has been added, which is a revision to the application the subject of this appeal. Reference is also made to the Appellant's more comprehensive planning history set out in the Planning Statement submitted with the application. The decision on the application the subject of this appeal has also been added for completeness
- 5.2 The below table sets out recent and relevant planning history pertaining to this Site. There is an extensive planning history, so, the below excludes minor full planning applications, non-material amendment applications, approval of details applications or tree applications.

Application number	Decision date	Application detail	Decision
21/00252/FUL	06.05.2021	Demolition of the existing hospital buildings, accommodation block and associated structures and redevelopment of the site to provide a new care community for older people arranged in two buildings, comprising 267 care residences, 10 care apartments and 28 care suites providing transitional care, together with ancillary communal and support services Use Class C2, 24 key worker units Use Class C3, children's nursery Use Class E, as well as associated back of house and service areas, car and cycle parking, altered vehicular and pedestrian access, landscaping, private amenity space and public open space.	Refused planning permission
20/01322/DEM	12.10.2020	Demolition of the existing buildings and structures on site	Prior approval required and approved

Application number	Decision date	Application detail	Decision
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
20/00249/FUL	28.05.21	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	Refused planning permission

Application number	Decision date	Application detail	Decision
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), children's 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

- 5.3 A full list of the planning history was attached as Appendix B to Nexus Planning's Planning Statement that accompanied the application. None of the applications listed in that appendix is considered relevant to the current redevelopment proposal.

Planning decision

- 5.4 The recommendation to committee on 18 November 2020 on the application the subject of this appeal was to grant planning permission subject to conditions and securing planning obligations set out in the committee report and as amended in the update report.

- 5.5 The decision of the Committee was to refuse planning permission, against the officer recommendation for approval, for the following grounds:
1. The proposed development by reason of its height, mass, scale and design would adversely impact and harm the character and appearance of the area (including the built environment and landscape setting), failing to comply with Policy CS5 of the Core Strategy (2007), Policies DM9, DM10 and DM11 of the Development Management Policies Document (2015) and paragraphs 122 and 127 of the NPPF (2019).
 2. The siting of the development leaves insufficient landscaping opportunities to the frontage of Woodcote Green Road and along the south-western boundary with neighbouring residential property to mitigate the impact of the proposed development, presenting an over-developed and hard edge to the appearance to the development, which would cause harm to the character and appearance of the area. Causing harm to the character and appearance of the area fails to comply with Policy DM5 of the Development Management Policies Document (2015) and the NPPF (2019).
 3. The proposed development by reason of its height, massing and design would adversely impact on the neighbouring amenities of the occupiers at 40 and 46 Woodcote Green Road, by means of overbearing, loss of privacy and loss of outlook, failing to comply with Policy DM10 of the Development Management Policies Document (2015).
 4. In the absence of a completed legal obligation under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure an affordable housing contribution, the applicant has failed to comply with Policy CS9 (Affordable Housing and meeting Housing Needs) of the Core Strategy (2007) and the NPPF (2019).
- 5.6 The Council issued the decision on 23 November 2020.

6 POLICY CONTEXT

6.1 The planning policies relevant to the consideration of the proposed development were listed section 7 of the report to the Council's Planning Committee on 18 November 2020. The text of the policies relevant to this appeal and cited in the decision notice are set out in Appendix A for convenience.

6.2 This section identifies the planning policy documents that are relevant to this appeal and sets out their status where appropriate.

Development Plan

6.3 The Development Plan for Epsom and Ewell comprises:

- Core Strategy 2007 (adopted July 2007)⁵
- Development Management Policies (adopted September 2015)⁶

6.4 There is an Epsom Town Centre Area Action Plan (2011), but that is not relevant as the Site is outside of that area. There are Surrey-wide DPDs relating to Waste (2008) and Minerals (2011), which are also not relevant.

6.5 A suite of SPD's⁷ has been produced by the LPA to assist developers in achieving the Council's policy aims. The following are relevant to this appeal:

- Revised Developer Contributions Supplementary Planning Document (September 2014)⁸
- Sustainable Design SPD (February 2016)⁹.

⁵ <https://www.epsom-ewell.gov.uk/sites/default/files/documents/residents/planning/planning-policy/Core%20Strategy%202007.pdf>

⁶ <https://www.epsom-ewell.gov.uk/sites/default/files/documents/residents/planning/planning-policy/Development%20Management%20Policies%20Document%20Final%20Version.pdf>

⁷ <https://www.epsom-ewell.gov.uk/residents/planning/planning-policy/supplementary-planning-documents-and-other-guidance>

⁸ <https://www.epsom-ewell.gov.uk/sites/default/files/documents/residents/planning/planning-policy/Final%20Adopted%20Version%20Developer%20Contributions%20SPD%20September%202014.pdf>

⁹ <https://www.epsom-ewell.gov.uk/sites/default/files/documents/residents/planning/planning-policy/Revised%20Sustainable%20Design%20Guide%20Final%20Version%20February%202016.pdf>

6.6 Surrey County Council's Vehicle and Cycle Parking Guidance (2018)¹⁰ is also relevant.

Emerging Local Plan

6.7 A new Epsom and Ewell Local Plan 2017-2037 is in preparation. A series of early Regulation 18 consultations have been undertaken around issues and options and the preparation of the evidence base for the plan is at an advanced stage. A Call for Sites exercise was undertaken in 2019. Further Regulation 18 consultation is the next stage.

6.8 This plan is at an early stage of preparation and no weight was placed upon it by the Council in the determination of the application the subject of this appeal.

NPPF

6.9 The Housing Delivery Test (HDT) results for EEBC are as follows:

Year	Number of homes required			Total required	Total delivered	HDT result
2018 ¹¹	2015-16	2016-17	2017-18	1177	667	57%
	381	383	413			
2019 ¹²	2016-17	2017-18	2018-19	1373	673	49%
	383	413	577			
2020 ¹³	2017-18	2018-19	2019-20	1519	512	34%
	413	577	529			

6.10 With 57%, 49% and 34% respectively for 2018, 2019 and 2020, the results triggered the following measures each year for the Council:

- Housing delivered is below the threshold of 95% and the Council have had to prepare action plans¹⁴ to identify actions to increase delivery in future years.

¹⁰ <https://www.surreycc.gov.uk/roads-and-transport/policies-plans-consultations/transport-plan/surrey-transport-plan-strategies/parking-strategy>

¹¹ Published by MHCLG on 19/02/19

¹² Published by MHCLG on 13/02/20

¹³ Published by MHCLG on 19/01/21

¹⁴ Action plans have been prepared and are available for 2018 from: https://www.epsom-ewell.gov.uk/sites/default/files/documents/residents/planning/planning-policy/EEBC_Housing_Delivery_Plan19%20%28003%29.pdf and for 2019 from: <https://www.epsom-ewell.gov.uk/sites/default/files/documents/residents/planning/planning-policy/Draft%20Housing%20Action%20Plan%202020%20Final.pdf>. 2020 is in preparation.

- Housing delivered is below the threshold of 85% and the Council is required to identify a supply of deliverable sites including an additional 20% buffer (moved forward from later in the plan period).
- 6.11 The HDT 2020 result is below the 75% threshold (footnote 7 to paragraph 11 of the NPPF) and therefore triggers the NPPF policy presumption, in addition to the above-mentioned actions.
- 6.12 The housing target in the Core Strategy of 181 dwellings per annum was taken from the RSS: the South East Plan, which was revoked in 2012. The Government's standard method for calculating the Borough's assessed housing need identifies a housing requirement of 579 new homes each year. In the absence of a five-year housing land supply, this has been increased to 695 under the HDT 20% buffer requirement.
- 6.13 The LPA is currently falling significantly below its 5-year housing supply target, with a current supply of 0.98 years
- 6.14 The Council is presently falling short of this requirement and cannot therefore demonstrate a five-year Housing Land Supply. Policy CS7 (Housing Provision) of the Core Strategy (which sets the 181 RSS based annual target) is therefore considered out of date under the terms of the NPPF. Accordingly, the provisions in paragraph 11(d) of the NPPF are engaged. Paragraph 11(d) states that "where ... the [development plan] policies which are most important for determining the application are out-of-date, [the decision-taker should grant] permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 6.15 The Site is not affected by the "policies in this Framework" referenced in (i) apart from designated heritage assets.

7 MATTERS NOT IN DISPUTE

- 7.1 If it was possible to submit a Statement of Common Ground, it was the intention of the Council that these would constitute the matters not in dispute and agreed between the parties.
- 7.2 Where reference is made to safeguarding matters through conditions or planning obligations, these are references to the relevant conditions set out in Appendix B and the Heads of Terms of s106 Planning Obligations listed under paragraph 8.17 below.

EIA Development

- 7.3 A request for a Screening Opinion (ref 19/01655/SCR) was submitted to the Council, who on 30 December 2019 confirmed that the Proposed Development did not require an Environmental Impact Assessment (EIA) under the EIA Regulations¹⁵.

Principle of redeveloping the site

- 7.4 The NHS Epsom Hospital Trust decided to sell a portion of the Epsom General Hospital Site as it was surplus to their requirements. It is accepted that the requirements in Policy CS13¹⁶ to protect the loss of community facilities are met.
- 7.5 This land comprises the Site the subject of this Appeal. The Site comprises healthcare and accommodation buildings with surface level car parks, which are of poor quality and lack any coherent masterplan. This is redundant brownfield land over which there are no planning constraints to the principle of its redevelopment such as SSSI, AONB, European or National ecological designations or Green Belt.

Principle of the proposed development

- 7.6 This Site is located within the built-up area of Epsom and is appropriate in principle for housing redevelopment, as it comprises previously developed land.
- 7.7 It is accepted that the three different types of care provision offered in the Proposed Development¹⁷ fall within Use Class C2, subject to securing an appropriate S106 agreement that would safeguard the key elements of this provision.

¹⁵ The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

¹⁶ Core Strategy 2007

¹⁷ Guild Living Residences for Sale and Rent, Guild Care Residences and Suites and Guild Care Suites

- 7.8 The proposed use is potentially compatible with existing uses in the vicinity, specifically the adjacent hospital.
- 7.9 There is no existing concentration of comparable C2 provision in the immediate locality, thereby ensuring that the scheme supports the creation of a mixed, inclusive and sustainable community.

The need for the type of development

- 7.10 People are living longer. There are now around 12 million older people (aged 65 or over) in the UK¹⁸. 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.
- 7.11 The provision of extra-care accommodation reduces pressure on local hospitals, GPs and emergency centres. Extra-care accommodation provides a positive health influence on its residents and directly impacts on and improves a range of social factors, such as loneliness and isolation.
- 7.12 The NPPF¹⁹ requires Local Planning Authorities to assess the need for and plan for the delivery of housing that meets the needs of, inter alia, older people.
- 7.13 Surrey County Council Adult Social Care recognises that further extra-care accommodation is warranted. The proposal would contribute 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 Borough²⁰.
- 7.14 It is acknowledged that people who do not currently live within the Borough may choose to move into Epsom, to live within this scheme.

¹⁸ The Health Foundation

¹⁹ Paragraph 61 of the 2019 NPPF

²⁰ September 2019 SHMA Update: <https://www.epsom-ewell.gov.uk/sites/default/files/Epsom%20and%20Ewell%20SHMA%20Update%20Final%20September%202019.pdf>

Affordable housing

- 7.15 There is existing (now vacant) key worker accommodation (use class C3) on the Site, located within Woodcote Lodge. This is proposed to be re-provided as part of this application and tied into the S106 Agreement. This is in accordance with development plan policy.
- 7.16 The LPA's policies including CS9, and the details set out in the Revised Developer Contributions Supplementary Planning Document (2014) requires that affordable housing be sought from C2 uses, subject to viability. The Appeal Scheme complies with Policy CS9 subject to the affordable housing provisions to be secured in the legal agreement.
- 7.17 The development has been subject to a Viability Assessment which has been independently verified. It concludes that the offer of £3.5 million, in lieu of on-site provision, is all that can reasonably be offered.

Housing delivery

- 7.18 The Local Planning Authority cannot demonstrate a five-year supply of deliverable housing land and the required amount of housing has not been delivered in its area. This scheme would generate 334 units²¹ towards housing need for older people. 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.

Acceptability of the accommodation

- 7.19 Internally, the proposed units have been designed to cater for residents requiring care and support. The 306 Guild living Residences accord with Nationally Described Space Standards.

²¹ Assessed using the "Housing Delivery Test Measurement Rule Book" on the basis of calculating the 'net homes delivered' for communal accommodation, including Care Homes:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/728523/HDT_Measurement_Rule_Book.pdf

- 7.20 The 38 Guild Care Residences and Suites, which form the higher care element of the scheme, would not meet the minimum space standards. The Guild Care Suites do not include kitchen areas and while the Guild Care Residences do have a small kitchenette area, dining facilities are provided within communal spaces or residents take meals within their units. These units are similar to those that would be provided within a care home and would generally be occupied by residents who are either not capable or struggle to cook their own meals. The reasons for these units not meeting Nationally Described Space Standards are accepted.
- 7.21 The dwelling sizes and tenure mix is considered acceptable given the nature of the development.
- 7.22 Internal sunlight and daylight conditions are suitable for the proposed accommodation.
- 7.23 The overall scheme provides a focus on communal spaces and facilities, which would be accessible to residents, but also to the public. Various uses within the development include the wellness centre, library, craft room, therapy and treatment rooms, which encourage social interaction. There are therefore social and community benefits arising from this scheme.
- 7.24 The location of the development within an urban area is an added benefit. It is some 0.8 miles (16-minute walk) to the south of Epsom town centre and will add additional support to town centre uses. Its proximity to Epsom Railway Station (located within the town centre some 0.9 miles (19-minute walk) from the Site) and the bus stops immediately adjacent to the site on Dorking Road and on Woodcote Green Road mean that the development could potentially function more sustainably from a transport accessibility point of view. A Travel Plan will need to be used to deliver these potential benefits. This is secured by a condition and a planning obligation.

Impact on highways

- 7.25 The proposal provides sufficient car parking to serve the development subject to its provision being safeguarded by appropriate conditions. Sufficient provision is made to meet the needs of people who have mobility impairments and other disabilities. The provision of a car club is proposed and should be secured through a planning obligation.

- 7.26 A travel plan, including a shuttle bus, is proposed to be delivered through appropriate conditions and planning obligations to ensure that the development optimises its potential to be sustainable from an accessibility perspective. Bus infrastructure enhancements are also secured through planning obligations.
- 7.27 The impact of the development on the capacity of the highway network and conditions of general safety is considered to be acceptable. The provision of new vehicular access arrangements and improvements to the public footpath on the north side of Woodcote Green Road are considered acceptable and their provision needs to be safeguarded by suitable conditions. Minor off-site highway works are also secured through a planning obligation.
- 7.28 Appropriate provision is made for cycle parking for residents, visitors and employees along with associated facilities for visitors and employees. Conditions will need to safeguard the timely provision of these facilities.

Impact of retail

- 7.29 The proposed retail provision is considered to be ancillary to the main scheme. Given its modest size it is not considered to adversely impact the existing retail offered at the adjacent hospital. Conditions can control opening times and thereby safeguard the amenities of the area and prevent any nuisance arising. A condition limiting its use to non-food retailing is also necessary to avoid the unit being a high-trip generator.

Impact of nursery

- 7.30 The nursery is an integral part of the overall scheme, bringing together older and younger members of the community. The nursery would complement the care community, offering active ground floor uses, promoting activity throughout the day. The nursery would create additional employment opportunities and provide nursery spaces for the broader community, including staff at Epsom General Hospital.
- 7.31 The provision of a nursery provides wellbeing and educational benefits through intergenerational interaction between the residents of the Appeal Scheme and children attending the nursery.
- 7.32 The traffic impacts of the nursery are considered to be acceptable, subject to suitable conditions controlling numbers and operating times.

- 7.33 Details of the outdoor play equipment and its use will also need to be conditioned to avoid adverse amenity impacts. The use as a nursery will also need to be safeguarded by condition.

Impact on heritage assets

- 7.34 The site and buildings are of no historic significance and there is no objection to their loss.
- 7.35 There are 57 listed buildings/structures and the Chalk Lane Conservation Area within a 500-metre radius of the Site. The significance of the majority of the heritage assets would not be affected as a result of the Site's development. The exception to this is the Chalk Lane Conservation Area and some of the nearby listed buildings.
- 7.36 From Woodcote Green Road in the Chalk Lane Conservation Area, the Proposed Development will appear in the context of a number of listed buildings and their curtilages, as well as from within the Conservation Area. The harm caused to the setting of these designated heritage assets would be regarded as less than substantial.
- 7.37 Appropriate provision can be made by condition to protect any archaeological interest that may exist on the Site.

Environmental Impacts

- 7.38 No protected species were recorded at the Appeal Site. The Appeal Scheme will not result in any harm to on-site ecology and landscaping and ecological mitigation will enhance biodiversity.
- 7.39 The landscaping proposals of the Appeal Scheme will provide increases in landscaped areas, tree planting and overall site ecology.
- 7.40 There would be no increased risk of flooding as a result of the Appeal Scheme and surface water drainage measures are acceptable, subject to safeguarding conditions.
- 7.41 The ground investigation confirms a general low risk of contamination, and proposes a remediation strategy which will mitigate risk to health and the environment.
- 7.42 The Appeal Scheme includes various energy saving and efficiency measures, low carbon renewable energy, and sustainability measures which will reduce CO₂ emissions.

General impacts of the development

7.43 Subject to appropriate conditions and s106 planning obligations where necessary:

- The risk of nuisance from the construction phase is appropriately safeguarded through the Construction Environmental management Plan which will be secured by planning condition.
- The development will provide local employment and economic development, generating a minimum of 40 full time employment jobs.
- The provision of a sustainable form of development, including BREEAM Very Good, is safeguarded.
- Any risk of noise nuisance from the development is addressed.
- Appropriate provision is made for refuse storage and disposal for all elements of the development.
- Biodiversity is protected and appropriately enhanced.
- There is a very low risk of flooding (Flood Zone 1).
- An appropriate SuDS approach is being adopted to drainage.
- The potential for contamination being on site from previous activity is safeguarded.
- The risk of contaminating ground water during the construction of the development is safeguarded.
- Fire safety provisions that will be required as part of the Building Regulations approval process have been considered at the planning stage so that the scheme provides no impediments to meeting Fire Safety: Approved Document B.
- An employment skills plan is safeguarded to support local skills programmes and initiatives such as the employment of local people during the project's construction and on-going operation.

8 STATEMENT OF CASE

8.1 If it was possible to submit a Statement of Common Ground, it was the intention of the Council that these would constitute the matters in dispute and not agreed between the parties:

- Impact on the area: the design of the development would adversely impact and harm the character and appearance of the area, including the built environment and landscape setting.
- Overdevelopment: the site is overdeveloped and the design does not allow sufficient landscaping opportunities along the frontage to Woodcote Green Road and the south-western boundary with neighbouring residential property to mitigate its impact on the character and appearance of the area.
- Impact on neighbouring properties: the design of the development would adversely impact on the neighbouring amenities of 40 and 46 Woodcote Green Road and avoids an overbearing effect, loss of privacy or loss of outlook.
- Section 106 Obligations: until an acceptable Planning Obligation has been entered into and the Heads of Terms set out below are secured, this remains a matter in dispute.

8.2 The Council's evidence will refer to the Development Plan and other material considerations (such as national planning policy). It will describe the matters where the Council found the Proposed Development acceptable and the matters where the Council found the Proposed Development unacceptable in terms of the Development Plan and other material considerations.

8.3 The Council's evidence will also identify the components of the surrounding area that give it a special character and why the development harms that character. The evidence will set out the up-to-date position for the consideration of design matters in the planning decision making process as set out in the NPPF, PPG and the Development Plan.

8.4 The Council will set out evidence that demonstrates that the development is contrary to:

- policy CS5 and CS9 of the Core Strategy (2007);
- policies DM5, DM8, DM9, DM10 and DM11 of the Development Management Policies Document (2015); and

- policies in the NPPF, particularly those relating to achieving well-designed places²² and conserving and enhancing the historic environment²³.

8.5 As stated earlier, there are three aspects where the Council finds the design of the Proposed Development unacceptable: impact on the area, overdevelopment and impact on neighbouring properties.

Design: impact on the area

8.6 The Council will set out evidence that demonstrates that:

- the existing buildings on site are at a scale and of a design that does not respect the character of the area;
- the proposed development comprises two very large buildings that will dominate the site by reason of their overall form, large size, positioning on the site, frontage lengths and height and they would be out of character with the prevailing densities and building typologies in the area;
- the siting of both blocks in relation to Woodcote Green Road does not respect the generally strong building line either side of the appeal site; and
- the elevational detailing and choice of material will be alien features in the area that will contrast with the dominant vernacular.

8.7 Concerns were raised from neighbours as a result of publicity and notification of the Proposed Development regarding the heights, design and massing of the proposal, the design and materials proposed and that it is out of character with the area.

Design: overdevelopment

8.8 The Council will set out evidence that demonstrates that:

- the two proposed buildings are very large in scale and they will dominate the site;
- most of the site not occupied by the two buildings is proposed to be used for access and car parking, significantly diluting any landscaping opportunities;
- the scale of landscaping does not complement the scale of the development, nor does it serve as a generous amenity provision for a use that is characterised by residents who will be forced by their lack of mobility to spend most of their time within the site;

²² Chapter 12 of the 2019 NPPF

²³ Chapter 16 of the 2019 NPPF

- loss of mature trees within the site is contrary to development plan policy and is a function of the overdeveloped nature of the proposed development;
- the loss of mature trees represents a loss of a valuable amenity and ecological asset that will take many decades to replace;
- the scale of landscaping proposed for the development is not suitably scaled to enable its impact to be appropriately mitigated.

8.9 Concerns were raised from neighbours as a result of publicity and notification of the Proposed Development regarding the density of the development.

Design: impact on neighbouring properties

8.10 The Council will set out evidence that demonstrates that:

- the development will have an overbearing effect and a loss of outlook to properties in the vicinity;
- the western building in particular will have an overbearing impact on properties to the west generally and numbers 40 and 48 Woodcote Green Road plus 14 to 28 Digdons Rise in particular;
- the eastern outlook from the properties to the west, and particularly those closest to the appeal site, will change significantly;
- existing boundary treatment will provide some mitigation, but this will be inadequate due to its sporadic nature, largely deciduous species and its height when compared to the 9-storey parts of the development;
- the impact of the eastern building is less severe due to the distance of existing properties from the site, but the proposed development will still have adverse overbearing and outlook impacts; and
- the relationship of the western building to properties to the east will result in a loss of privacy both in terms of window-to-window relationships and window-to-rear garden relationships.

8.11 Concerns were raised from neighbours as a result of publicity and notification of the Proposed Development that the proposed buildings will adversely impact neighbouring amenity enjoyed at properties surrounding the Site, particularly overbearing, loss of privacy and loss of light.

Other issues

8.12 The Council will set out in evidence:

- that, as set out in the committee report²⁴, the development would lead to less than substantial harm to the significance of designated heritage assets;
- that the decision maker, in determining whether to allow the appeal, must consider such harm afresh in line with their statutory duties under s66 for listed buildings and s72 for conservation areas²⁵; and
- the buildings and areas that are harmed by the Proposed Development and the extent of that harm to the significance of those heritage assets in order to assist the Inspector in discharging those statutory responsibilities.

8.13 Concerns were raised from neighbours as a result of publicity and notification of the Proposed Development that the proposed buildings will adversely impact on local conservation areas.

Planning Conditions

8.14 The recommendation to planning committee contained 50 conditions. Without prejudice to the Council's case in this appeal, these have been reconsidered and a set of conditions produced designed to control the development and mitigate its impact if the appeal is allowed. These are set out in Appendix B.

8.15 The conditions have been reviewed in the context of the statutory tests²⁶, the advice in NPPF²⁷ and PPG²⁸ and recent legislative and policy changes.

8.16 The Council will seek to agree these conditions with the appellant in advance of the Inquiry and set them out in a Statement of Common Ground. Any failure to agree conditions that are acceptable to the Council will be explained in the Council's evidence.

Section 106 Obligations

8.17 The recommendation to planning committee, as amended by the update report, contained the heads of terms of planning obligations considered necessary to mitigate the impact of, or otherwise control, the Proposed Development. These were:

²⁴ <https://democracy.epsom-ewell.gov.uk/documents/g1051/Public%20reports%20pack%2018th-Nov-2020%2019.30%20Planning%20Committee.pdf?T=10>

²⁵ Planning (Listed Buildings and Conservation Areas) Act 1990

²⁶ s100ZA(2) of the Town and Country Planning Act 1990

²⁷ Paragraphs 55 to 56 of the National Planning Policy Framework February 2019

²⁸ <https://www.gov.uk/guidance/use-of-planning-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

- The Council has the option to elect whether to receive payment or to seek on-site provision, comprising:
 - 16 units of Discount Market Rent of at 80% of Open Market Value; and
 - 5 units of shared ownership,or
 - An affordable housing contribution of £3.5 million.

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 work

- 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

Prior to first occupation of the site to submit a detailed design of a scheme for local bus infrastructure improvements on Woodcote Green Road and Dorking Road for approval. The local bus infrastructure improvements shall include:

- a) 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.
- b) 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.

- c) 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.
- d) RTPI display linked to Surrey County Council's RTPI system to be installed within a communal area of the development, and thereafter shall be kept permanently retained and maintained to the satisfaction of the Local Planning Authority.

Travel Plan monitoring fee

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

Car club

Prior to Commencement of Development to submit the Car Club Scheme to the County Council for approval and, to implement such approved Car Club Scheme prior to the Occupation of the first residential unit to be occupied. The Car Club Scheme shall comply with the Surrey Guidance on Car Clubs in New Developments, to include but not be limited to, the following requirements:

- a) That the Owner shall procure the establishment, operation and promotion of the Car Club and provide the name and address of the operator of the Car Club to the County Council prior to occupation of the first occupation of the development.
- b) An on-site dedicated car club bay to be located in an open and highly visible location with a fast charge electric vehicle charging point.
- c) That the Car Club Space shall not be used for any other purpose for a minimum of three years from the first occupation of the development.
- d) Provide one Car Club vehicle for use by the car club scheme.
- e) Every residential unit shall have the offer of free membership of the Car Club for one year. This offer will extend to the first occupier of any dwelling only. The offer of free membership must be accepted by the Occupier within 3 months of such offer being made and will last one year irrespective of any change in the details of the occupier. The offer will also include 25 miles of free use of the Car Club Car.

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

Woodcote Millennium Green

- A contribution of £25,500 to be made towards the ongoing repairs and maintenance of the Woodcote Millennium Green

Employment skills Plan

Access to employment opportunities post pre and post construction

Nursery

- No less than 80% of child spaces in the nursery to be allocated to NHS staff

Other contractual matters

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

8.18 The Council will seek to negotiate a section 106 agreement with the appellant prior to the Inquiry. Any failure to agree obligations that are acceptable to the Council will be explained in the Council's evidence.

Conclusions

8.19 The Council's evidence will draw together its analysis of the benefits of the Proposed Development and summarise the harm that it causes to enable a proper planning balance to be performed which, in line with section 38(6)²⁹, will be primarily informed by the development plan and weighed against any other material considerations, including the NPPF.

²⁹ Planning and Compulsory Purchase Act 2004

APPENDIX A: RELEVANT DEVELOPMENT PLAN POLICIES

Core Strategy 2007

Policy CS5 The Built Environment

The Council will protect and seek to enhance the Borough's heritage assets including historic buildings, conservation areas, archaeological remains, ancient monuments, parks and gardens of historic interest, and other areas of special character.

The settings of these assets will be protected and enhanced.

High quality and inclusive design will be required for all developments. Development should:

- create attractive, functional and safe public and private environments;
- reinforce local distinctiveness and complement the attractive characteristics of the Borough; and
- make efficient use of land and have regard to the need to develop land in a comprehensive way.

Policy CS9 Providing for Housing

The Council has a target that overall, 35% of new dwellings should be affordable. This equates to the provision of 950 new affordable homes over the period 2007 to 2022.

New housing developments should include a mix of dwelling types, sizes and tenures which help meet identified local housing needs and contribute to the development of mixed and sustainable communities.

Taking into account the viability of the development proposed and other planning objectives, the Council will negotiate to achieve the provision of affordable housing as set out below:

Residential developments of between five and fourteen dwellings gross (or on sites between 0.15ha and 0.49ha - irrespective of the number of dwellings proposed) should include at least 20% of dwellings as 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.

The Council will seek to ensure that the affordable housing remains affordable to successive as well as initial occupiers through the use of planning conditions or a planning obligation.

Advice on the detailed operation of this policy, the definition and nature of the local housing needs to be met, the tariff system to be used, and the mechanisms for delivery of the affordable housing, will be set out in the Developer Contributions SPD.

Development Management Policies 2015

Policy DM5 Trees and Landscaping

The Borough's trees, hedgerows and other landscape features will be protected and enhanced by:

- Planting and encouraging others to plant trees and shrubs to create woodland, thickets and hedgerows;
- continuing to maintain trees in streets and public open spaces and selectively removing, where absolutely necessary, and replacing and replanting trees;
- 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 trees and other planting.

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.

Every opportunity should be taken to ensure that new development does not result in a significant loss of trees, hedgerows or other landscape features unless suitable replacements are proposed. Where removal is required, sound justification will be sought, supported by appropriate evidence such as health, public amenity, street scene or restoration of an historic garden. In the case of arboriculture evidence, this will be provided by a suitably qualified individual.

Policy DM8 Heritage Assets

We will resist the loss of our Heritage Assets and every opportunity to conserve and enhance them should be taken by new development.

Development proposals that involve or have an effect upon Heritage Assets must establish the individual significance of the Asset as part of the application or consent process. As part of the assessment process the significance of the Asset will be taken into account (namely

whether it is a designated Heritage Asset* or a non- designated Heritage Asset) when determining whether the impact of any proposed development is acceptable.

Within Areas of High Archaeological Potential, as identified on the Proposals Map, or outside of these areas on any major development site of 0.4ha or greater, applicants are required to undertake prior assessment of the possible archaeological significance of the Site and the implications of their proposals, and may be required to submit, as a minimum, a desk-based assessment to accompany any application. Where desk-based assessment suggests the likelihood of archaeological remains, the Planning Authority will require the results of an archaeological evaluation in order to inform the determination of the application.

We will from time to time review our Heritage Assets included on the Local Lists, with regard to the Historic Environment Record, in consultation with Surrey County Council.

* Designated Heritage Assets comprise the following: Scheduled Ancient Monuments; Listed Buildings; Registered Parks and Gardens and Conservation Areas. Non- designated Heritage Assets identified by the Council are those buildings and structures identified as being of local importance and veteran trees.

Policy DM9 Townscape Character and Local Distinctiveness

We will use the Conservation Area Appraisals and Environmental Character Study to guide the assessment of development proposals.

We will seek enhancement of the townscape through new development, particularly those areas with poorer environmental quality and where the character has been eroded or needs improving.

Planning permission will be granted for proposals which make a positive contribution to the Borough's visual character and appearance. In assessing this we will consider all of the following:

- 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.

Policy DM10 Design Requirements for New Developments

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:

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

Development proposals should also:

- (vii) be adaptable and sustainability designed, subject to aesthetic considerations;
- (viii) incorporate the principles of safe design to reduce the risk and fear of crime, e.g. natural surveillance, appropriate levels of lighting;
- (ix) have regard to the amenities of occupants and neighbours, including in terms of privacy, outlook, sunlight/daylight, and noise and disturbance;
- (x) ensure that the development incorporates an appropriate layout and access arrangements for servicing the completed development from adjoining highway and pedestrian networks;
- (xi) where appropriate their design and layout must not prejudice the development potential for similar proposals on neighbouring plots;
- (xii) have regard to the public realm and to ways in which it can be enhanced as an integral part of the design of the development; and
- (xiii) avoid locating structures, including, e.g. telecommunications equipment and building plant where they will be visually intrusive and likely to result in an adverse effect on the character and visual amenities of the local and wider area.

Further detailed guidance relating to residential developments, including householder developments, is included in our Design Quality Supplementary Planning Document.

Policy DM11 Housing Density

We will, in principle, support proposals for new housing that make the most efficient use of development sites located within the Borough's existing urban area.

Proposals for new housing must demonstrate how the density of development would contribute towards maintaining and enhancing the visual character and appearance of the wider townscape and lead to no net loss of biodiversity.

The density of new housing developments will in most cases not exceed 40 dwellings per hectare. We will consider exceptions to this approach where:

- The development site has been identified in the Site Allocations Policies Document as being appropriate for a higher density; or
- It can be demonstrated that the site enjoys good access to services, facilities and amenities via existing public transport, walking and cycling networks; and
- The surrounding townscape has sufficient capacity to accommodate developments of higher density.

APPENDIX B: AGREED CONDITIONS

Without prejudice to the Council's case, the following conditions are considered necessary to impose on any grant of planning permission for the Proposed Development:

Compliance conditions

1. Statutory: life of permission

- 1.1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1.2. Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. Statutory: compliance with approved plans

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

- 18120-MPI-XX-XX-DR-A-01_001 – SITE LOCATION PLAN & EXISTING SITE PLAN – dated 20.12.19
- 18120-MPI-XX-XX-DR-A-01_003 – PROPOSED SITE PLAN – dated 20.12.19
- 18120-MPI-XX-XX-DR-A-10_001 – DEMOLITION PLAN – dated 20.12.19
- 18120-MPI-XX-00-DR-A-20_001 – LEVEL 00 FLOOR PLAN – 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

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

3. Control of construction phase

3.1. The development shall be carried out in accordance with the Construction Environmental Management Plan, Revision 4 and the Demolition Method Statement, Revision 1 (both prepared by Morgan Sindall) and the Environmental Noise Survey and Acoustic Design Statement (carried out by Hann Tucker Associates document reference 26691/PNA1/Rev2 dated 19 December 2019). In particular:

- a) solid hoardings shall be erected to the boundary, as detailed in the CEMP;
- b) no construction, demolition, preparation or other works shall take place except between the hours of 08.00 to 18.00 hours Mondays to Fridays; 08.00 to 13.00 hours Saturdays; with no such works on Sundays, Bank Holidays or Public Holidays; and
- c) no burning of materials arising from site clearance, demolition, construction or other works on the site may be carried out at any time.

3.2. The development shall be implemented in accordance with the approved Plans, Statement and other requirements and shall be maintained as approved for as long as the construction programme lasts."

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

4. Unexpected contamination safeguarding

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

5. Air quality safeguarding

- 5.1. The development must be carried out in accordance with the submitted Air Quality Assessment, including any proposed mitigation measures, as specified by Hydrock Consultants Limited Project No. C-12025-C Document Ref: GLW-MYD-XX-XX-Y-RP- 003-PO2 dated 31 March 2020. The submitted scheme shall be maintained for as long as the development is in use.
- 5.2. Reason: To ensure compliance with and contribute towards EU limit values or national objectives for pollutants.

6. Tree safeguarding

- 6.1. With respect to existing trees identified in the approved plans as being retained:
- a) no such tree shall be cut down, uprooted, destroyed or otherwise damaged without the written approval of the Local Planning Authority;
 - b) if any such tree is cut down, uprooted, destroyed or is otherwise damaged or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning; and
 - c) no such tree shall be pruned other than with the written approval of the Local Planning Authority. Any pruning shall be carried out in accordance with British

Standard 3998 (tree work) and in accordance with the arboricultural method statement.

- 6.2. The tree protection provisions above shall last for a period of 5 years following the first occupation of any part of the development.
- 6.3. Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality.

7. Control of plant testing

- 7.1. Testing of the emergency standby generator and smoke extract fans is limited to a once monthly test event lasting no longer than 30 minutes which shall only take place between the hours of 9am and 5pm on a weekday, excluding any bank holidays.
- 7.2. Reason: To safeguard residential amenity.

8. Control of retail use

- 8.1. The retail units shall be limited to the uses described in part E(a) (Display or retail sale of goods, other than hot food) of the Use Classes Order and for no other use (notwithstanding any provisions in the Use Classes Order or the General Permitted Development Order that allow otherwise). The units shall not be used as a food retailing shop (eg supermarket). The retail units shall only be open for trade between the hours of 0700 and 2100 Mondays to Saturdays and 0800 and 2100 hours on Sundays.
- 8.2. Reason: in order that the development does not prejudice highway safety nor cause inconvenience to other highway users and to safeguard the amenities of the occupiers of neighbouring properties.

9. Control of nursery use

- 9.1. The nursery shall be limited to a creche or day nursery use only and for no other use (notwithstanding any provisions in the Use Classes Order or the General Permitted Development Order that allow otherwise). The creche or day nursery use shall be limited to a maximum of 40 children at any one time.
- 9.2. Reason: To safeguard the amenities of the occupiers of neighbouring properties and highway safety,

Pre-commencement conditions: all works

10. Contamination: groundwater protection

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

11. SuDS details and groundwater safeguarding

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

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

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

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

12. Archaeological work

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

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

13. Construction Transport Management Plan

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

- 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) a before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused; and
- j) on-site turning for construction vehicles.

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

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

14. Tree Protection

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

- 14.2. The developer shall arrange a pre-commencement site meeting after the installation of the Scheme between the Local Planning Authority and the developer's project arboriculturist to allow inspection and verification of the protection measures.
- 14.3. Such protection measures shall be maintained in-situ and not moved or removed until all construction has finished, and all equipment, materials and machinery are removed from site. No storage of materials shall take place within the root protection zones.
- 14.4. Reason: These details are required to be agreed prior to commencement of development to protect the trees on site which are to be retained in the interests of the visual amenities of the locality

15. Site levels

- 15.1. The development shall not commence until Details of existing and proposed finished site levels, finished floor and parapet/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 be implemented in accordance with the approved Details.
- 15.2. Reason: These details are required to be agreed prior to commencement of development to safeguard the visual amenities of the area and to safeguard the amenities of the occupiers of neighbouring properties.

Pre-commencement conditions: superstructure works

16. Contamination: safeguarding future occupants

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

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

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

17. Control of noise

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

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

18. External appearance of buildings

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

- a) all new cladding materials including aluminium panelling and railings / balconies shall be made available for inspection and approval in writing by the local planning authority on site;
- b) a sample of each of the proposed brick finishes and a 1m X 1m panel shall be constructed on site for inspection and approval in writing by the local planning authority and the panel shall illustrate the proposed brick in colour, texture, module, bond, pointing and mortar colour proposed for the building and shall be retained on site as a model for the work on site;
- c) section drawings through all parapets, roof edges including the boundaries of roof terraces, reveals, soffits, lintel and cills at a scale of 1:20;
- d) section drawings through door and windows and balconies at a scale of 1:20; and
- e) details of the drop off entrance, including details of doors, glazing and soffit sections.

- 18.2. The development shall be implemented in accordance with the approved Details and samples and shall be maintained as approved for as long as the development is in use.
- 18.3. Reason: These details are required to be agreed prior to commencement of above ground works to secure a satisfactory appearance in the interests of the visual amenities and character of the locality.

19. Landscaping details

- 19.1. The construction of any building above ground level shall not commence until a Scheme of Hard and Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall include:
- a) details of all existing trees on the land, and details of those to be retained;
 - b) the location and species of plants and trees to be planted on the site;
 - c) the proposed times of planting, which should be no later than the first planting season following the completion of the development; and
 - d) the arrangements for aftercare over a period of 5 years.
- 19.2. The development shall be implemented in accordance with the approved Scheme.
- 19.3. All trees and plants shall be maintained for five years following planting and any that die, are removed or damaged or become diseased within that period shall be replaced in the same position in the next planting season with trees/plants of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.
- 19.4. Reason: These details are required to be agreed prior to commencement of above ground works to ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality.

Prior to occupation conditions

20. Contamination safeguarding: completion report

- 20.1. No part of the development shall be occupied or brought into use until a Verification Report demonstrating completion of the works set out in the approved remediation strategy required by condition 16 and the effectiveness of the remediation has been

submitted to and approved in writing by the Local Planning Authority. The Report shall include:

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

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

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

21. SuDS: completion report

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

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

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

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

22. Biodiversity safeguarding

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

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

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

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

23. Implementation of cycling facilities

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

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

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

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

24. Car parking implementation

24.1. No part of the development shall be occupied or brought into use until space has been laid out within the site in accordance with the approved plans for vehicles to be

parked and for vehicles to turn so that they may enter and leave the site in forward gear.

- 24.2. 20% of the proposed parking spaces shall be provided with a fast charge socket, and an additional 20% shall be provided with the infrastructure required for electric vehicle charging (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved by the Local Planning Authority.
- 24.3. The development shall be implemented in accordance with the approved plans and details and shall be maintained as approved for as long as the development is in use.
- 24.4. Reason: These details are required to be agreed prior to occupation in order that the development should encourage the use of more sustainable vehicles, not prejudice highway safety nor cause inconvenience to other highway users.

25. Vehicular access completion

- 25.1. No part of the development shall be occupied or brought into use until the Vehicular Access Arrangements have been completed to the satisfaction of the Local Planning Authority. The arrangements shall include:
- a) the two proposed vehicular accesses to Woodcote Green Road, including visibility zones on the vehicular accesses clear of any obstruction over 0.6m high, in general accordance with drawing B/GLEPSOM.1/01 Rev A;
 - b) a pedestrian inter-visibility splay measuring 2m by 2m on each side of each access to Woodcote Green Road, the depth measured from the back of the footway and the widths outwards from the edges of the access and the visibility splays shall be clear of any obstruction to visibility between 0.6m and 2m in height above ground level;
 - c) the existing vehicular access to Epsom General Hospital from Woodcote Green Road being modified in accordance with drawing EPS001-ASD-SZ-00-DR-L-000101 P01; and
 - d) 'No Entry' signing and 'No Entry' markings provided at the site egress and 'Entry' signing and 'One Way' markings within the site ingress in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

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

26. Footway widening

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

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

27. Car Park Management Plan

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

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

28. Refuse, Deliveries and Servicing Management Plan

28.1. No part of the development shall be occupied or brought into use until a Refuse, Deliveries and Servicing Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in

accordance with the approved Plan and its provisions shall be maintained as approved for as long as the development is in use.

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

29. External lighting

- 29.1. No part of the development shall be occupied or brought into use until details of all external lighting has been submitted to and approved in writing by the Local Planning Authority. Such details shall include the location, height, type and direction of light sources, means of controlling light spillage and intensity of illumination. The development shall be implemented in accordance with the approved lighting details and shall not be altered, other than for routine maintenance, for as long as the development is in use.
- 29.2. Reason: These details are required to be agreed prior to occupation to safeguard the amenities of the occupiers of neighbouring properties and in the interest of visual amenity.

30. Control of BREEAM performance

- 30.1. No part of the development shall be occupied or brought into use until evidence has been submitted to and approved in writing by the Local Planning Authority that the non-residential areas of the development has achieved BREEAM 'very good' (or any such national measure of sustainability for house design that replaces this). No non-residential unit shall be occupied until a Certificate has been issued certifying that the code level has been achieved for that unit. Any measures necessary to maintain the designed BREEAM performance shall be maintained as approved for as long as the development is in use.
- 30.2. Reason: These details are required to be agreed prior to occupation to ensure the sustainability credentials of the development's design are delivered.

31. Nursery: control of activity

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

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

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

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

Post-occupation conditions

32. Travel Plan implementation

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

32.2. Reason: To promote sustainable transport.