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Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015

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

Location: Lower Mill, Kingston Road, Ewell, Surrey, KT17 2AH.

Application Number: 18/00743/FUL

Epsom & Ewell Borough Council as the local planning authority has **GRANTED PLANNING PERMISSION** for the above development subject to the following conditions:

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

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

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

- APL001 Rev B - Site Location Plan - dated July 2018
- APL006 Rev I - Proposed Basement Plan - dated July 2018
- APL 012 Rev E - Proposed Elevation A - dated July 2018
- APL 013 Rev E - Proposed Elevation B - dated July 2018
- APL 014 Rev D - Proposed Elevations C, D, E, F, G, H - dated July 2018
- APL008 Rev H - Proposed First Floor Plan - dated July 2018

APL007 Rev I - Proposed Ground Floor Plan - dated January 2019
APL005 Rev G - Proposed Landscape Plan - dated July 2018
APL 019 Rev C - Existing and Proposed Elevations - dated July 2018
APL018 Rev C - Existing and Proposed Floor Plans - dated July 2018
APL021 Rev C - Existing and Proposed Internal Elevations 1 - dated July 2018
APL022 Rev C - Existing and Proposed Internal Elevations 2 - dated July 2018
APL001 Rev F - Proposed Roof Plan - dated July 2018
APL009 Rev J - Proposed Second Floor Plan - dated July 2018
APL017 Rev C - Proposed Section - dated July 2018
APL004 Rev G - Proposed Site plan - dated July 2018
APL016 Rev C - Proposed Site Section 1-3 - dated July 2018
APL 010 Rev H - Proposed Third Floor Plan - dated July 2018
APL015 Rev B - Proposed Elevations J, K, L, M, N, O, P, Q - dated July 2018
APL020 Rev B - Sections and Photographic Record - dated July 2018
APL023 Rev B - Existing and Proposed Plans, Elevations and Photos Outhouse -
dated July 2018
APL003 Rev B - Existing Plans and Elevations - dated July 2018
APL024 Rev B - Existing and Proposed Elevations, Details Outhouse - dated July
2018
APL028 Rev A - Existing and Proposed Gate and Bin Store - dated July 2018
1055-KC-XX-YTREE-TPP01RevD - Tree Protection Plan - dated July 2018
1055-KC-XX-YTREE-TCP01RevA - Tree Constraints Plan - dated May 2018

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

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

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

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

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

designed and submitted to the Local Planning Authority for approval. The site shall be remediated in accordance with the approved measures and a verification report shall be submitted to and approved by the Local Planning Authority.

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

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

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

6 The proposed development shall be carried out in accordance with the recommendations of the Bat Assessment Survey of Buildings and Trees and Bat Activity Survey, dated August 2018, the Preliminary Ecological Appraisal, dated August 2018 and the Ecological Mitigation and Management Plan, dated 1 November 2018. In addition, integrated bat boxes and swift bricks shall be installed on the proposed buildings, to enhance the biodiversity interest of the site. The boxes and bricks shall be installed prior to the occupation of the development hereby approved and thereafter maintained.

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

7 No development, other than demolition, shall commence until a scheme of hard and soft landscaping has been submitted to the Local Planning Authority for approval, which shall include indications of all existing trees on the land, and details of any to be retained, together with measures for their protection, in the course of development. The scheme shall indicate the location and species of plants and trees to be planted on the site. A minimum of 29 trees shall be replanted and planting shall be included between the Southern elevation of the buildings and the Northern bank of the Hogsmill River. The approved scheme shall be implemented so that planting can be carried out during the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees of planted removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the tree(s) receive the appropriate treatment and that the

tree work is of a satisfactory standard to protect amenity in accordance with Policies CS1 and CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.

8 No development shall take place until an Arboricultural Method Statement (detailing all aspects of construction and staging of works) and a Tree Protection Plan in accordance with British Standard 5837:2012 (or later revision) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed details and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the Tree Protection Plan. Within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit, without the prior written consent of the local planning authority. The fencing shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

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

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

- a) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change), storm events, during all stages of the development (Pre, Post and during), associated discharge rates and storages volumes shall be provided using a Greenfield discharge rate of 2.5l/s (as per the SuDs pro-forma or otherwise as agreed by the LPA)
- b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.)
- c) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational
- d) Details of drainage management responsibilities and maintenance regimes for the drainage system
- e) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected

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

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

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

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

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

12 Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to the Controlled Waters. The development shall be carried out in accordance with the approved details.

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

13 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

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

Controlled Waters.

14 No development shall take place until a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by, the local planning authority. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:

- Details of maintenance regimes
- Details of any new habitat created on site and/or buffers around water bodies
- Details of management responsibilities

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

15 Prior to the occupation of the development a Travel Plan Statement shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework. And then the approved Travel Plan Statement shall be implemented prior to occupation and, thereafter maintain and develop the Travel Plan Statement to the satisfaction of the Local Planning Authority, to include:

- (a) Details of the secure, covered and step-free provision of parking for bicycles within the development at ground floor, for staff, residents and visitors,
- (b) Details of access and availability to electric vehicle charge points within the site,
- (c) Contact details of the Travel Plan Statement coordinator, and
- (d) Information pack to be appended to submitted Travel Plan Statement, to include information being provided to residents / staff / visitors regarding the availability of and whereabouts of local public transport / walking / cycling / car sharing clubs / car clubs

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

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

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

17 (a) The development hereby approved shall not be first occupied unless and until

space has been laid out within the site in accordance with the approved plans to be submitted to and approved in writing by the Local Planning Authority for vehicles to be parked and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / loading and unloading / turning] area(s) shall be retained and maintained for their designated purpose.

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

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

18 No development shall commence until a Construction Transport Management Plan has been submitted to and approved by the Local Planning Authority, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation (see restricted vehicle movement hours

below);

- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused

(j) HGV movements to or from the site shall not take place between the hours of 8.00 to 9.15 am and 4.45 to 6.00 pm only nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Meadow Walk and Kingston Road during these times,

(k) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority.

Only the approved details shall be implemented during the construction of the development.

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

19 The development hereby approved shall not be first occupied unless and until management arrangements are in place to facilitate deliveries and waste collection within the site, details to include:

- (a) The types of vehicles to be used and hours of their operation;
- (b) The design of loading/delivery areas within the development site;
- (c) The dimensions and layout of loading area(s) and turning space(s) and how these will be kept clear of non-service related vehicles,
- (d) Management of loading bay and turning area to ensure service vehicles can enter

and exit the site in forward gear;

(e) Details of management of service vehicle access and loading area within the site when an emergency response vehicle is on-site and;

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

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

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

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

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

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

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

(e) Details on how the height restriction will be managed to ensure oversized vehicles do not access the vehicle ramp on entry to the basement car park, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be implemented.

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

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

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

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

Reason: To protect the occupants of nearby residential properties from noise

disturbance in accordance with Policy DM10 of the Development Management Policies 2015.

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

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

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

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

Informatives

1 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

2 If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.

3 If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

Dated: 18 July 2019

Signed:



Head of Planning

Notes for the applicant

This proposal may be liable for the Community Infrastructure Levy (CIL). This is payable to the Borough Council, as the local collecting authority, before development on application 18/00743/FUL is started.

If CIL is liable we will shortly contact all relevant interested parties and serve them with a Liability Notice. This will identify the parties, the scale of liability, how it was calculated, when it will be due for payment and the opportunities to claim relief. Should you wish to claim relief from CIL you must make an application to us before any work starts on site. There is no automatic exemption from the CIL and it is not possible to make a retrospective claim once work has started.

The party liable to pay CIL must assume liability before any work starts; they must also provide us with a valid [Commencement Notice](#). If this is not provided we will impose surcharges and require immediate payment.

Please contact us on 01372 732000 if you have questions about CIL, before work commences.

This permission relates only to planning legislation. It is your responsibility to seek authorisation required under other legislation. Please contact Customer Services on 01372 732000 for further advice.

In particular, Building Regulations approval may be required for this work. Applicants are advised to contact the Building Control Service at the Town Hall, Epsom, (telephone 01372 732000) to ascertain whether it is necessary for permission to be given under the building regulations.

Attention is drawn to Section 20 of the Surrey Act 1985 which requires that when a building is erected or extended, proper provision shall be made for the fire brigade to have means of access to the buildings and any neighbouring building.

Appeals to the Secretary of State

If you are aggrieved by the decision of the local planning authority to refuse permission for the proposed development, or to grant it subject to conditions, then you may appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990 within the following timescales:

Householder applications

If you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice

Full applications

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice

Enforcement applications (land already the subject of an enforcement notice)

A planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

Enforcement applications (land which has an enforcement notice served)

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice whichever period expires earlier.

Appeals must be made using a form which you can get from the Secretary of State online at <https://www.gov.uk/planning-inspectorate> or by writing to Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (tel: 0303 444 5000).

The Secretary of State can allow a longer period for the giving of a notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order, and to any directions given under a development order.

Purchase Notices

If either the local planning authority or the Secretary of State refuse permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the Council. This notice will require the Council to purchase the owner's interest in the land in accordance with the

provision of the Town and Country Planning Act 1990.