



To: Planning & Regulatory Committee

Date: 26 June 2024

By: Planning Development Manager

District(s) Epsom & Ewell

Electoral Division(s):

Ewell Court, Auriol and Cuddington

Mr Kington

Case Officer:

Dawn Horton-Baker

Purpose: For Decision

Grid Ref: 521577 165038

Title: Surrey County Council Proposal EP23/00633/CMA

Summary Report

Land at the former Auriol Junior School playing field and land at 2nd Cuddington (Rowe Hall), off Salisbury Road, Worcester Park, KT4 7DD.

Outline application for the erection of a part 1 and part 3 storey building for Extra Care Accommodation, comprising self-contained apartments, staff and communal facilities, and associated car parking (Class C2); the reprovision of a revised Scouts Hut curtilage including a new amenity area (Class F2); and a new access from Salisbury Road. Appearance and landscaping reserved (amended plans).

The application comprises land at the former Auriol Junior School playing field and land at 2nd Cuddington Scouts (Rowe Hall). The application site measures approximately 1.54 hectares and is located south of Salisbury Road in Worcester Park, an urban area in the Borough of Epsom and Ewell. The Cuddington Community School is situated on the eastern side of the application site, separated by a public footpath (No.2) which runs alongside the north-eastern site boundary, linking Salisbury Road and Cuda's Close.

The site is in a predominantly residential area comprising a mix of two and three storey houses. The application site is lined by trees along the eastern, southern and western boundaries and the largest trees on the site follow the public footpath that covers the whole length of the site eastern boundary.

This is an outline application seeking self-contained extra care accommodation with associated facilities (indicatively 93 units). The application has been submitted by Surrey County Council under Regulation 3 of the Town and Country Planning General Regulations (1992). At this outline stage the planning considerations relate only to the principle of the development, including the layout, scale and means of access. The detailed design

(appearance) and site landscaping are reserved matters which would be submitted at a later stage.

As originally submitted in 2023, the application sought a U-shaped building of between one and four storeys in height. Amendments were sought to address issues in relation to the height of the building, having regard to its relationship with neighbouring development. An amended scheme was subsequently submitted in March 2024, and re-consultation carried out.

A total of 149 properties were consulted on the original application. 16 representations were received raising objections on grounds summarised in the report. 6 supplementary comments were received (from those who originally commented) in relation to the amended plans received in March 2024, together with an additional 5 representations.

Epsom and Ewell Borough Council has raised objections to the proposal on several grounds which are fully set out in the report.

Other statutory and technical consultees have provided advice on a range of issues, and this has either been reflected in additional information submitted during the application or in proposed conditions.

Officers are satisfied that development of the scale and nature shown on the amended plans could be satisfactorily accommodated on the site, subject to details which would be submitted at the reserved matters stage or required by condition.

The recommendation is pursuant to Regulation 3 of The Town and Country Planning General Regulations 1992, outline planning application ref: EP23/00663/CMA be granted subject to conditions.

Application details

Applicant

SCC Property

Date application valid

15 May 2023

Period for Determination

4th July 2024 (extension of time agreed with the applicant)

Amending Plans/Documents

Documents

Planning Statement May 2023 v1.1

Protected species Survey Report Rev 2.0 dated 13 September 2023 Redacted
Invertebrate Survey dated September 2023 Redacted
Design and Access Statement Addendum Rev P01 dated 19 March 2024 Part 1 of 2
Design and Access Statement Addendum Rev P01 dated 19 March 2024 Part 2 of 2
Letter on BNG Assessment dated 17 January 2024 Redacted
BNG Metric V1.2 dated 17 January 2024 Redacted
Extra Care Housing Statement Rev 4 dated March 2024
Addendum Planning Statement dated March 2024 Redacted
Revised Application Form dated 19 March 2024 Redacted
Sustainable Drainage Systems (SuDS) Rev 3.0 dated 22 January 2024 Redacted
Transport Assessment dated June 2024
Email from agent dated 10 June 2024 on sightline
20/03/24 Tree Survey And Impact Assessment Rev A dated 20 February 2024
Flood Risk Assessment Rev 3.0 dated 19 January 2024 Redacted
Amended Scheme Document List dated 20 March 2024
Assessment of Open Space Policy Compliance dated September 2023
Email From Agent dated 6 June 2024 on Ecology
Aerial map of the Northey Estate mitigation site
Baseline UK Habitat Plan dated December 2023
Uplift UK Habitat Plan dated December 2023
Biodiversity Metric 4.0 calculation dated 22 December 2023
Email From Agent Dated 12 June 2024 on BNG Mitigation
Email From Agent Dated 10 June 2024 On Vehicle Tracking Redacted

Plans

PR-291-ATK-XX-ZZ-DR-A-02300 Rev P02 Existing Site Sections dated 19 March 2024
PR-291-ATK-XX-ZZ-DR-A-02301 Rev P02 Proposed Site Sections dated 19 March 2024
PR-291-ATK-XX-ZZ-DR-A-01300 Rev P04 General Arrangements - Proposed Sections dated 19 March 2024
PR-291-ATK-XX-RF-DR-A-90193 Rev P01 Proposed Roof Site Plan - Thames Water Pumping Station Exclusion Zone dated 16 February 2024

PR-291-ATK-XX-00-DR-A-90112 Rev P04 Proposed Plans - Ground Floor dated 22 January 2024

PR-291-ATK-XX-01-DR-A-90113 Rev P03 Proposed Plans - First Floor dated 22 November 2023

PR-291-ATK-XX-02-DR-A-90114 Rev P02 Proposed Plans - Second Floor dated 28 November 2023

PR-291-ATK-XX-ZZ-DR-A-90200 Rev P04 General Arrangements - Elevations (1 of 2) dated 24 November 2023

PR-291-ATK-XX-ZZ-DR-A-01201 Rev P05 General Arrangements - Elevations (2 of 2) dated 19 March 2024

PR-291-ATK-XX-XX-DR-A-02700 3D View Rev P02 - Massing Views dated 19 March 2024

2006-KC-XX-YTREE-TPP01 Rev A Tree Protection Plan dated 19 February 2024

PR-291-ATK-XX-XX-DR-C-70001 Rev P03 Proposed Surface Water and Foul Water Drainage Layout dated 22 January 2024

PR-291-ATK-XX-XX-DR-L-00003 Rev P01 Landscape Proving Plan dated 19 January 2024

PR-291-ATK-XX-XX-DR-L-00001 Rev P05 Landscape Masterplan dated 19 January 2024

PR-291-ATK-XX-00-DR-T-00010 Rev P02 Visibility Splay dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00001 Rev P02 Vehicle Tracking - Car dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00002 Rev P02 Vehicle Tracking - Ambulance dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00003 Rev P02 Vehicle Tracking - 7.5T Box Van dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00004 Rev P02 Vehicle Tracking - Fire Pumping Appliance dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00005 Rev P02 Vehicle Tracking - Refuse Vehicle dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00006 Rev P01 Vehicle Tracking - Coach dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00007 Rev P01 Vehicle Tracking - Minibus dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00012 Rev P01 Vehicle Tracking - Ambulance 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00013 Rev P01 Vehicle Tracking - 7.5T Box Van 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00014 Rev P01 Vehicle Tracking - Fire Pumping Appliance 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00015 Rev P01 Vehicle Tracking - Refuse Vehicle 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00016 Rev P01 Vehicle Tracking - Coach 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00017 Rev P01 Vehicle Tracking - Minibus 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00011 Rev P01 Vehicle Tracking - Car 02 dated 10 June 2024

Summary of Planning Issues

This section identifies and summarises the main planning issues in the report. The full text should be considered before the meeting.

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this is discussed
Principle of Development, Sustainable Location and Need	Yes	53-74
Loss of Playing Field Land/open space	Yes, subject to conditions	75-91
Layout, Design and Character	Yes, subject to conditions	92-110
Residential Amenity	Yes, subject to conditions	111-125
Highways, Access and Parking	Yes, subject to conditions	126-132
Trees and Landscaping	Yes, subject to conditions	133-142
Ecological Implications	Yes, subject to conditions	143-154
Flood Risk and Drainage	Yes, subject to pre-commencement planning conditions	155-160
Impact on Heritage Assets - Archaeology	Yes, subject to conditions	161-168
Sustainable Construction	Yes	169-179

Illustrative material

Site Plan

Plan 1

Aerial Photographs

Aerial 1

Background

Site Description

1. The application comprises land at the former Auriol Junior School playing field and land at 2nd Cuddington Scouts (Rowe Hall). The application site measures approximately 1.54 hectares and is located south of Salisbury Road in Worcester Park, an urban area in the Borough of Epsom and Ewell.
2. The Cuddington Community School is situated on the eastern side of the application site, separated by a public footpath (No.2) which runs alongside the north-eastern site boundary, linking Salisbury Road and Cuda's Close. Along the western site boundary is the residential development of Barn Elms Close and community allotments. To the south of the application site are the residential roads of Thorndon Gardens and Cudas Close.
3. The application site is situated approximately 1.3 kilometres (km's) south of Worcester Park train station and approximately 2.3 kms north of the town of Ewell. The town centre of Epsom is located approximately 4.4km's south of the site. The A240 Kingston Road is situated approximately 800 meters south of the application site and the A3 Kingston By-Pass located approximately 2.10km's to the west.
4. The application site comprising the element of the former school field is identified as a sports and leisure facility within the Epsom and Ewell Local Plan. The site is not covered by any landscape designation at the national or local level nor situated in a conservation area. The site is situated approximately 0.8km's to the boundary of the Royal Borough of Kingston Upon Thames Air Quality Management Area.
5. The extra care housing development itself is proposed on land of the former school playing field and the playing field is separated from the Salisbury Road by Rowe Hall which acts as a local scouting centre. The site is surrounded by residential properties that are set out around broad avenues and straight streets and is a densely urban area.
6. The application site is lined by trees along the eastern, southern and western boundaries and the largest trees on the site follow the public footpath that covers the whole length of the site eastern boundary. Smaller boundary trees and overgrown bushes separate the playing field from the allotments on the western boundary. The southern boundary of the site is defined by the rear gardens of residential properties along Thorndon Gardens and Cuda's Close. The land beyond the northeast corner of the site is occupied by several contemporary three-story town houses that are arranged around the private drive, Barn Elms Close.
7. There is currently no site access other than a pedestrian gate in the northern boundary which leads into the Scout Hall. A right of access exists across the scout land.

Planning History

8. Below is a list of applications on this site submitted to and approved by the Borough Council. There is no planning history for the former school playing field. There is limited planning history for Rowe Hall scout hut.
 9. **12/00983/FUL** Demolition of two existing storage buildings and replacement with two new storage buildings, new access, and parking area. Approved 8 February 2013
 10. **10/00631/FUL** Two storey rear/flank extension to Scout Hall. Approved 2 August 2010
 11. **10/00178/FUL** Temporary developer's sales cabin. Approved 2 August 2010
 12. **04/01464/FUL** Proposed new boundary fence. Approved 18 April 2005
 13. **04/01464/FUL** Proposed new boundary fence Approved 18 April 2005
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The proposal

14. This is an **Outline Application**, seeking permission for means of access, layout and scale. Appearance and Landscaping are Reserved Matters which will be submitted for approval should outline planning permission be granted.
15. There are two elements to the proposal:
 - Outline planning permission is being sought for the erection of a part 1 and part 3 storey building for extra care accommodation, comprising self-contained apartments, staff and communal facilities, and associated parking on the former school playing fields on the rear (southern) section.
 - The proposal would also involve the re-provision of a revised Scout Hut curtilage. The existing scout hall and its parking area would involve minor rearrangement and the current amenity area used by the scouts (east of Rowe Hall) would be relocated to the rear (south) of the scout hall enabling the former eastern corner of the scout site to provide an amenity space for residents of the proposed extra care housing scheme.
16. The proposed building would contain approximately 93 extra care residential units, providing 87 one and 6 two-bedroom apartments, along with communal and staff areas, and on-site parking. Extra care housing is specialist housing designed for older people comprising self-contained apartments, in a setting where care and support can be provided *as required*. The apartments would be for the affordable rental sector, managed by a registered social housing provider, on behalf of Surrey County Council. All rents will be affordable for the tenants and will be set at a level which can be funded by Housing Benefit.

17. Extra Care housing is a key focus for Surrey County Council in delivering suitable specialist accommodation for older people as part of the *Accommodation with Care and Support (AwCS) Strategy*.
18. The new accommodation building is proposed on the former school playing field. The building would comprise three interlinked blocks taking access from Salisbury Road. Both the eastern block, facing toward the Cuddington School playing field, and the western block, facing toward the allotments, would be three storeys in height. These two blocks would be linked by a single storey central block at the Salisbury Road (northern) end. The building would form an extended “U” form centred around a central amenity space.
19. When originally proposed the eastern block of the building was four storeys in height but through officer negotiations this has been reduced to three storeys.
20. Access would be taken from a new centrally formed access point from Salisbury Road providing access to both the scout hall and extra care housing development. This would lead past the existing scout hall to a car parking area for 46 vehicles comprising 7 staff spaces, 34 resident spaces, 4 disabled spaces, a car club space and a drop off area all located at the northern end of the site in front of the proposed accommodation building. The existing Rowe Hall access would be blocked up following the creation of the centrally formed access.
21. All trees to the periphery of the site would be retained and the central part of the site where the development is proposed will result in no tree loss. However, to facilitate the new access a single hornbeam and tree group comprising field maple and young oaks on the Salisbury Road frontage would be removed.
22. Whilst landscaping is a reserved matter to be submitted and approved as a *reserved matter* indicative landscaping plans have been received partly to demonstrate compliance with Biodiversity Net Gain requirements. The Landscape Proving Plan was prepared specifically to determine the extent of habitat loss across the site and to maximise habitat creation and enhancement within the development site. This plan shows that the areas around the building and hard surfaced pathways would be planted with amenity grass, hedges, and trees.
23. The remainder of the Biodiversity Gain required will be provided at a nearby site owned by Surrey County Council known as the Northey Estate. There, some 0.4794 Ha of existing *other neutral grassland* in poor condition would be enhanced to good condition, and 0.45 Ha of non-cereal crop would be seeded to create other neutral grassland in moderate condition.

Consultations and publicity

District Council

Epsom & Ewell Borough Council

24 On the original proposal which contained a four-storey element the Borough Council **raised objection** on the following grounds:

- 1) **Character of the area.** *The height, width, depth and overall bulk is excessive resulting in a development that is out of character with surrounding residential development and a loss of openness through and across the site, contrary to Section 12 of the National Planning Policy Framework 2021, and in terms of policies relevant to this borough, Policy CS5 of the Epsom and Ewell Core Strategy 2007 and Policy DM9 and DM10 of the Epsom and Ewell Development Management Policies Document 2015.*
- 2) **Neighbour amenity.** *By virtue of its excessive scale, form and footprint, overall density of development and proximity to the boundary, the proposal will result in undue overlooking, noise disturbance and dominance to neighbouring properties, contrary to Paragraph 185 of the National Planning Policy Framework 2021, and in terms of policies relevant to this borough, Policy CS6 of the Core Strategy 2007 and Policy DM10 of the Epsom and Ewell Development Management Policies Document 2015.*

Informatives

There are also reservations that whilst the site is within the built-up area, the considerations of sustainability require further thought.

It is noted that buses are limited in number and regularity (one an hour) and the two nearest railway stations (Stoneleigh and Worcester Park) are not in a reasonable walking distance of the development for the intended occupiers of the assisted living accommodation or staff.

This will therefore require sufficient parking space on site and some form of additional travel facility provide for residents and staff.

The walking times in the document are over ambitious for older residents or those with a carer pushing a wheelchair or any person with health difficulties.

Bus stops in the area have clearly not been looked at. The nearest 418/406 bus stop to the proposed development is accessed via a sloped grassy bank on the A240 (toward Epsom). The Cuddington local bus is one per hour and does not run on Sundays. The last bus comes through Cuddington at 6pm.

Facilities such as libraries, shops or churches are not within what would be considered easy walking distance for the infirm without safe crossing points.

25. A further supplementary report was received from the Borough Council on the original proposal which maintained the objections but which expanded on the grounds for objection as follows:

- 1) **Classification of Use Class.** *Given the fully self-contained nature of the units (including living room and kitchen) and over compliance with the minimum space standards, EEBC contends that the proposed use would be use class C3. (Officer Comment: This is addressed in the officer report at paragraphs 63-65)*

2) **Justification for Scheme.** *The Statement of Needs, dated January 2023, is lacking in any significant detail or analysis of need. A minimum figure of 67 units through to 2035 is indicated but the proposal provides for 93 units, which is an immediate oversupply above the minimum figure of 39%. There is no understanding of the relationship with schemes coming forward by private developers. The resulting scale and density of the development is therefore questionable. (Officer comment: The applicant submitted an expanded statement of need following these comments and this is summarised in the officer report at paragraphs 61 and 62).*

3) **Character of the area.** *The development lies within a residential area of mainly two storey houses and bungalows, plus a few more recent developments of three storeys. The site has sufficient capacity to avoid any fourth storey for siting plant and equipment (or other purposes) and that capacity should be used so to do. Any agreement to a four-storey building will set a precedent for future developments and begin to change an essential characteristic of this urban environment. The height, width, depth and overall bulk is excessive resulting in a development that is out of character with surrounding residential development and a loss of openness through and across the site, contrary to Section 12 of the National Planning Policy Framework 2021, and in terms of policies relevant to this borough, Policy CS5 of the 8 Epsom and Ewell Core Strategy 2007 and Policy DM9 and DM10 of the Epsom and Ewell Development Management Policies Document 2015. (Officer comment: Following negotiations with the applicant officers secured a reduction in the height of the proposed building to a maximum of three storeys overall).*

4) **Neighbour amenity.** *By virtue of its excessive scale, form and footprint, overall density of development and proximity to the boundary, the proposal will result in undue overlooking, noise disturbance and dominance to neighbouring properties, contrary to Paragraph 185 of the National Planning Policy Framework 2021, and in terms of policies relevant to this borough, Policy CS6 of the Core Strategy 2007 and Policy DM10 of the Epsom and Ewell Development Management Policies Document 2015. (Officer comment: This issue is addressed in full in paragraphs 111-125 below where it is demonstrated that the proposal will not harm neighbouring amenity subject to planning conditions).*

5) **Loss of Open Space.** *In the absence of adequate justification of need, the loss of and disruption to the 11 hectare and 500m long corridor of open space from Auriol Playing Fields to Cuddington School is significant and unjustified, harming the wider openness of the area, contrary to Policy CS4 of the Core Strategy 2007 and Policy DM6 of the Epsom and Ewell Development Management Policies Document 2015. (Officers comment: this issue is addressed in full in paragraphs 75-91 below where it is demonstrated that the proposal can be considered favourably against these policies).*

6) **Site Sustainability.** *There are reservations that whilst the site is within the built up area, the considerations of sustainability require further thought. It is noted that buses are limited in number and regularity (one an hour) and the two nearest railway stations (Stoneleigh and Worcester Park) are not in a reasonable walking distance of the development for the intended occupiers of the assisted living accommodation or staff. This will therefore require sufficient parking space on site and some form of additional travel facility provide for residents and staff. The walking times in the document are over ambitious for older residents or those with a carer pushing a wheelchair or any person with health difficulties. Bus stops in the area have clearly not been looked at. The nearest 418/406 bus stop to the proposed development is accessed via a sloped grassy bank on the A240 (toward Epsom). The Cuddington local bus is one per hour and does not run on Sundays. The last bus comes through Cuddington at 6pm. Facilities such as libraries, shops or churches are not within what would be considered easy walking distance for the infirm without safe crossing points. (Officer comment: This issue is considered in full in paragraphs 67-73 below where it is concluded that the proposed development site is close to a range of amenities accessible by foot and on public transport).*

26. No further response has been received from the Borough Council on the amended plans reducing the height of the building nor the additional information submitted by the applicant demonstrating need.

Consultees (Statutory and Non-Statutory)

27. Archaeological Officer
- An Archaeological Desk Based Assessment and the results of a Scheme of Archaeological Evaluation have been submitted in support of this application. The Archaeological Evaluation was undertaken in line with a Scheme of Investigation that was submitted to and approved by this office. This office monitored the Scheme of Archaeological Evaluation and previously approved the supporting document as suitable. The report "28/03/23 Archaeological Trial Trench Evaluation Feb 23 Redacted" details significant archaeological remains that survive at the site, covering all periods, with more density to the south of the plot than the north. The quality and significance of the archaeology

identified means that a scheme of Archaeological monitoring and recording will need to be undertaken to facilitate development works at this site. Further, any facilitating works that have potential to impact the ground surface, such as geotechnical works, in advance of a decision on this application should be subject to archaeological monitoring and control. It should be noted that the scale of archaeological works required to facilitate development at this site will require a reasonably significant level of resource. Recommends a condition requiring a programme of archaeological work.

28. County Highways Authority

No objection subject to conditions.

29. County Ecologist

Following further information provided no objections subject to conditions.

30. Landscape

No objection. In principle, the courtyard arrangement, combined with the set back of buildings from the southern site boundary allowing for a more naturalistic landscaped area, is the right approach. No comment on the appropriateness of the scale of development but the retention of the important mature trees along the eastern boundary, together with any new planting proposed, would provide a softening effect which would help integrate the new development within views. A comprehensive and detailed soft landscaping, maintenance and management scheme needs to be prepared for reserved matters stage.

31. SuDS & Consenting Team

No objection subject to conditions

32. Rights of Way

No views received.

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| 33. | RPS Planning & Dev Ltd - Air Quality | Recommends a condition relating to dust impacts during construction work with recommendations for mitigation and controls that are consistent with the level of risk. Suggests a simple qualitative assessment comparing the traffic generated by the development with the relevant thresholds should be undertaken. |
| 34. | RPS Planning & Dev Ltd – Lighting | Preliminary Ecological Appraisal recognises the potential for disturbance due to external lighting. The Protected Species Survey identifies a requirement to minimise the impact of lighting to the northeast and southern boundaries of the site and specifies the type of LED lighting installation which should be considered. Recommends conditions to require these. |
| 35. | RPS Planning & Dev Ltd – Noise | No objections subject to conditions. |
| 36. | Sutton and East Surrey Water | No views received. |
| 37. | Thames Water | No objection subject to informatives. |
| 38. | Cuddington Community Primary School | No views received. |
| 39. | Auriol Junior School | No views received. |
| 40. | Cuddington Residents' Association | No views received. |
| 41. | Stoneleigh and Auriol Residents Association | No views received |
| 42. | 2nd Cuddington Scout Group | SCC have been keen to ensure that the provision of youth activity is impacted as little as possible and the planned development allows for the exchange of the whole grassed area and existing access road for a similarly sized activity area adjacent to the building. We do not envisage any adverse impact on the provision of youth activities as a result of the development, but rather anticipate |

the planned use will improve opportunities for inter-action with senior citizens, and associated community activities for the young people. We would wish to add that SCC officers have been extremely helpful and co-operative in identifying a 'best fit' option for the Group consistent with the planned works. The use of the field for much needed extra care housing is very sensible. The plans are sympathetic to the area and the proposed landscaping would be a vast improvement on what is currently the proverbial 'blot on the landscape'. As a Scout Group we are pleased to see the planned development of the site and we support the application.

- 43. Southern Gas Network No views received.
- 44. UK Power Networks No comment
- 45. Sport England No objection subject to a condition requiring the submission of a playing field mitigation scheme.
- 46. Natural England No views received.
- 47. Stoneleigh and Auriol Neighbourhood Forum Supports the objective of Surrey County Council to develop Extra Care Housing, but does not support this specific outline planning application on this site for the following reasons: The proposal exceeds DM Policy DM11, at more than 70 HA vs the 40HA set out in this policy. Biodiversity loss (Officer comment: this has now been addressed by the applicant).
- 48. Environment Agency No comment

Summary of publicity undertaken and key issues raised by public

- 49. The application was publicised by the posting of a site notice and an advert was placed in the local newspaper. A total of 149 owner/occupiers of neighbouring properties were directly notified by letter both on the original

plans and the amended scheme submitted. 16 representations were received raising objections on the original scheme. 6 supplementary comments were received (from those who originally commented) in relation to the amended plans received in March 2024, together with an additional 5 representations. Some of the objections refer to the unacceptability of the four-storey element but this has since been negotiated out of the scheme. The grounds of objection can be summarised as follows:

- Scale and height of building out of character with the surrounding area
- The proposal will give rise to an increase in traffic
- The removal of trees on the road frontage will adversely impact the visual amenity of the area
- Four storey development is out of character (Officer note: the scheme is now three storey maximum)
- Trees on the site should be retained and protected
- Proposal will increase flood risk
- Loss of light and privacy of neighbouring dwellings
- Concern about potential noise from plant
- Proposal will put strain on local GPs
- Concern that excavation of basement might cause subsidence (this element has now been removed from the scheme)
- Refuse containers should not be near the boundaries
- Insufficient parking is provided on site
- Concerned proposed landscaping will grow too tall and cause loss of light
- Proposal will destruct wildlife on site
- Surface water drains are already inadequate in the area

Planning considerations

Introduction

50. The guidance on the determination of planning applications contained in the Preamble/Agenda frontsheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
51. In this case the statutory development plan for consideration of the application consists of the Waste Local Plan 2019-2033, Epsom and Ewell Core Strategy 2007 (EECS 2007), Epsom and Ewell Development Management Policies Document 2015 (EEDMPD 2015), and the Epsom and Ewell Draft Local Plan 2022-2040. The Draft Local Plan, when adopted, will replace the EECS 2007 and the EEDMPD 2015 but following the close of the consultation on the Draft Local Plan, on the 22 March 2023, an Extraordinary Council Meeting was held where a Motion was debated and the Council agreed that the Local Plan process be paused. In view of this the policies in that Local Plan have not been given weight in the determination of this application.

52. In considering this application the acceptability of the proposed development has been assessed against relevant development plan policies and material considerations. The main planning issues are considered in the following sections.

PRINCIPLE OF DEVELOPMENT, SUSTAINABLE LOCATION AND NEED

Epsom and Ewell Core Strategy (EECS 2007)

Policy CS8 – Location of New Residential Development

53. Paragraph 60 of the National Planning Policy Framework (2023) states:

‘To support the government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay’.

54. Paragraphs 61 and 62 set out how housing need should be determined, and the NPPF goes on to state in Paragraph 63:

‘Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing; families with children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes.’

55. The National Planning Guidance *Housing for Older and Disabled People 2019 (NPPG 2019)* states in its introduction *“The need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing. [...] Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and also reduce costs to the social care and health systems.”*

56. EECS 2007 Policy CS8 directs new residential development to existing built up areas close to existing services and facilities and accessible by public transport, walking and cycling. The commentary on that policy also confirms that the provision of affordable housing (for people who are unable to resolve their housing requirements in the local private sector housing market because of the relationship between housing costs and incomes) is a key priority for the Borough.

57. Surrey County Council’s (SCC) Cabinet approved an Accommodation with Care and Support (AwCS) Strategy on 16 July 2019. Underlying this Strategy is the significant strain being experienced by the care and support system, and the challenges being faced due to Surrey’s ageing population and the

lack of specialist accommodation which enables older people to remain and be cared for in their communities as their needs increase.

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- 58 'Extra Care' is a term applied to housing for older people, often (but not exclusively) in the social rented sector, provided in self-contained units with access to care, support, domestic, social, community and other services. SCC has identified that of the various types of specialist housing, extra care accommodation has the greatest shortfall between demand and provision, particularly in terms of affordable rented provision.
59. As part of its AwCS Strategy, SCC seeks to achieve a minimum of 25 extra care units per 1000 of Surrey's population of over 75s by 2030. This site has been identified along with a number of others in Surrey as being suitable for extra care housing. If approved, the delivery of around 51 extra care units as proposed would meet an identified need in Runnymede and deliver against the target set in the Strategy.
60. The County Council has produced "planning guidance for accommodation with care for older people" (April 2024). The guidance refers to housing (C2) within care settings and states that the following elements should be provide:-
- support for older people with care and other needs;
 - support for independent living ensuring residents remain active;
 - support for residents to avoid admission into care homes as their needs increase;
 - provision of facilities for residents such as craft rooms, communal lounge and dining room;
 - provision of office space for secure record keeping;
 - alarm system to call for support in cases of emergencies;
 - best practice design standards, layout and accessibility in the overall design;
 - 24/7 on-site support to residents and emergency care response;
61. In support of this application and following comments made by the Borough Council that the need for the development of this site had not been substantiated the applicants submitted a further site-specific statement in this regard which makes the following points:
- Through its AwCS Strategy, SCC sets out to achieve a minimum of 25 extra care units per 1,000 of Surrey's 75+ population by the end of the decade. This target is based on HousingLIN's methodology, which states: "...demand for extra care is likely to be required at 25 units per 1,000 population aged 75 plus [...]. The desired tenure mix will vary according to local and market factors."

- SCC prepared a Commissioning Statement in 2019 for each district/borough, which set out its expectations in terms of extra care, residential and nursing care services, for a market response. The table below, from the Commissioning Statement in 2019, details the 75+ projected population and total demand for Extra Care Housing within Epsom & Ewell by 2025 and by 2035. It indicated a demand for 67 extra care rental units by 2035.

2025		2035	
75+ population projection	Rental unit demand	75+ population projection	Rental unit demand
8,400	57	9,900	67

- However, the Commissioning Statement also notes that the AwCS Strategy is highly ambitious, shifting away from residential and nursing homes as default models of care beyond mainstream housing. As a result, the rental unit demand figure in the above table should be regarded as a *minimum* target to be achieved, and it is evidently conservative when compared to the longer term need calculations of the HEDNA.
- As part of the Housing, Homes & Accommodation Strategy for Surrey the demand data across Surrey was updated to a 2023 baseline, incorporating data from the 2021 census. In light of market dynamics and a revised calculation of need based on affordable and market models of extra care housing, a new measure has been produced which indicates an increase in the demand figures for affordable units to 82 units for 2025 and 93 units for 2035 (an increase of more than 25% over the 2019 predictions).

2025		2035	
75+ population projection	Affordable demand (units)	75+ population projection	Affordable demand (units)
8,246	82	9,332	93

- The rental demand figures should be recognised as being for affordable rent and not market rent, in recognition of the fact that new, market rent, extra care housing is focused on a similar target group to that of leasehold operators. There are currently no market-led planning applications, and no proposals are forthcoming (with the exception of this outline planning application) for affordable Extra Care accommodation in Epsom and Ewell Borough.
- SCC is aware, based on planning applications received across Surrey in the past 10 years, that while private providers may propose new extra care developments, their tenure is generally leasehold or private rental, leaving a significant demand gap to be filled by SCC and partner organisations in the delivery of affordable extra care units.

- The table below lists existing extra care provision in Epsom & Ewell Borough, including proposed developments which have planning approval:

Name	Status	Developer / Provider	Location	Tenure	Units
Guild Living Epsom	Approved 2021	Guild Living	Epsom KT18 7EG	Leasehold	267
Lower Mill Apartments	Opened 2022	Birchgrove	Epsom KT17 2DQ	Market rent	53
Nonsuch Abbeyfield	Opened 2020	Abbeyfield Southern Oaks	Ewell KT17 1FL	Leasehold & social rent	40 leasehold 20 social rent

- It is clear that the need for affordable rental extra care accommodation is not being fully satisfied by existing settings and those in the development pipeline.
- The total supply of affordable extra care housing, taking into account Nonsuch Abbeyfield and the proposals in this outline planning application, will amount to c.110 units in Epsom & Ewell Borough. Planners should recognise that SCC's calculations are conservative and should be viewed as minimum targets to be achieved, as the HEDNA indicates a requirement for 162 affordable units
- The operation of current and proposed affordable extra care housing settings will respond to the needs of older people of limited means living across Epsom and Ewell, maximising the opportunities for local older people to live as independently as possible for years and decades to come.
- The site of the former Auriol Junior School playing field (Cuddington ECH Site) was selected specifically for the delivery of extra care housing and the design concept indicates that the site could deliver 90+ self-contained apartments. While all accommodation will be at minimum M4(2) accessible and adaptable, at least one unit will be designed as a M4 (3) wheelchair user dwelling.
- As a general principle, SCC prioritises previously developed and surplus land for redevelopment. Several of the sites that have been identified for Extra Care Housing elsewhere in Surrey have previously accommodated care homes which have become surplus to requirements and/or can no longer meet CQC standards for residential care, and have consequently been closed. However, no former care home site previously owned/operated by or on behalf of SCC exists in the borough of Epsom and Ewell.
- The former Auriol School playing field became surplus to requirements over 15 years ago, as evidenced by a deed of transfer dated 01 December 2006 when part of the site was sold to the trustees of 2nd Cuddington (Rowe Hall). The scout group previously rented the land parcel before the land transfer took place.

62. Officers are satisfied that there exists a need for this type of specialist housing in this area, and this has been demonstrated by the applicant. The

accommodation is residential in nature and is therefore appropriate in a residential area. The site lies in the urban area close to existing amenities. The open space designation of this particular site is discussed in the next section and subject to this the principle of the development is considered to be acceptable.

63. Epsom and Ewell Borough Council has commented in its consultation response '*Given the fully self-contained nature of the units (including living room and kitchen) and over compliance with the minimum space standards, EEBC contends that the proposed use would be use class C3*'. Officers agree that there are elements of **extra care housing** which may suggest they are a C3 use, in that residents in extra care housing settings have security of tenure and housing rights afforded by their occupancy agreements and cannot be required to move, unless in breach of the occupancy agreement. In addition, residents' accommodation in extra care housing settings are comprised of self-contained units, and while housing services and care services on-site will be expected to be co-ordinated effectively, in regulatory terms the housing is a separate entity from the care (with the latter subject to regulation by the Care Quality Commission).
64. However these developments also provide a significant element of care albeit delivered in a slightly different way than that which has typically been the case in traditional care home settings, in that:
- The developments are *focussed on* supporting older people with care and support needs.
 - They have restrictions on occupancy to control access.
 - They anticipate and cater for a range of need levels on site, which could include support to people living with dementia.
 - They will enable residents to remain in their accommodation as the type and level of care can be changed as the resident develops additional and/or more complex needs.
 - The care and support provided will enable residents to stay as independent for as long as possible and remain active in old age.
 - They would include additional 'communal' facilities such as an activity room (for indoor physical recreation, crafts, a therapy Room/hair salon, a residents lounge, dining room and commercial kitchen
 - Residents will be encouraged to participate in shared activities to promote their health and wellbeing.
 - Communal spaces for residents will be generally located on the ground floor to maximise accessibility and would be maintained and funded through the rent and/or service charges paid for by the residents.
 - Each resident will have a bespoke care package suitable to meet their individual needs, delivered by care workers.
 - They will includes a staff office for secure record keeping and a separate staff rest room/lounge with changing/shower room and staff laundry facilities, which will allow care workers to deliver personal care to residents effectively.

- The most up-to-date, app-based and, where appropriate, wearable telecare solutions will be installed to support residents. In addition to alerting staff on site the system will have remote monitoring capability
- The accommodation will be designed to HousingLIN standards and HAPPI principles, the apartments exceeding NDSS space standards such that all accommodation, internal and external is designed to achieve Building Regulations Part M4(2) accessible and adaptable, with at least one ground floor apartment and dedicated parking bay designed to Building Regulations Part M4(3) to be immediately capable of accommodating a wheelchair user.
- They will be staffed by a CQC-regulated care provider on a 24/7 basis, commissioned by Surrey County Council to respond to any care emergencies on-site while meeting residents' planned needs for care and support. This will be secured through residents paying towards this support through service charges, or (in the case of a settings run by Housing Associations) enabled through a care service commissioned by Surrey County Council.

65. Having regard to the above officers are satisfied that the proposal falls within Class C2 as there is a clear focus on care and support and this is a key driver for the proposals in this programme.

Proposed changes to the curtilage of the Scout Hut on the site frontage with Salisbury Road

66. The proposal would involve the provision of a revised Scout Hut curtilage, with the existing amenity area used by the scouts to the east being relocated to the rear of the scout hall. This, together with the provision of a new central access to serve both uses, enables the front corner of the site to be landscaped to provide amenity space for residents of the proposed extra care housing scheme. This change raises no planning issues, but will serve to enhance the frontage of the site and the Scout Group are supportive of the proposals.

Sustainable location

67. Epsom and Ewell Borough Council has raised objections to the proposal on grounds that the site is not well-located having regard to local amenities.
68. Officers note that the public footpath which is located to the east of the site, allows for connections between Salisbury Road and Cudas Close/ Thorndon Gardens. This path allows for connections to Stoneleigh train station and The Broadway Stoneleigh/The Glade which is only 15 minutes' walk (based on 4.5km/h speed) from the site and provides many additional amenities such as cafes, restaurants, pubs, bakery, chemist, library, a museum amongst many other amenities. Both these areas provide the site with a series of local amenities such as cafes, bars, restaurants, churches, pharmacies, retail stores, post offices, GP surgeries, as well as rail stations.

69. Auriol Park recreation ground which has a café, tennis courts, football field and kids playground is located just 200m west from the site along Salisbury Road. A further 600m west from Auriol Park is A240 Kingston Road, which provides amenities that include a large supermarket (Aldi), pharmacies, restaurants, salons, post office, community centres, GP surgeries, dry cleaners, car dealership and repairs, fitness gyms and coffee stores.
70. The pedestrian footways in the vicinity of the site are level and well-maintained and all streets to the development are well lit and have continuous footways on both sides of the carriageway with appropriate crossing points. These are also suitable for mobility scooter use. There is a raised table in front of the site along Salisbury Road which allows the safe crossing of Salisbury Road.
71. The bus services in the vicinity of the site serve a range of destinations which include Epsom, Ewell, Stoneleigh, Worcester Park, Tolworth, Surbiton and Kingston. There are a number of bus stops located within 10 minutes walking distance from the site as shown in the diagram below. The closest bus stops to the site are located on Thorndon Gardens and Newbury Gardens, which are located directly south of the site approximately five minutes walking time (approximately 320m) and served by the bus route E16. Cuddington Avenue, which is east of the site along Salisbury Road, approximately five minutes walking time (approximately 320m), provides bus stops which are also served by bus route E16. Travelling further east along Salisbury Road, approximately five minutes walking time (approximately 480m) is another bus stop served by the E16, 668 and 868. The 668 and 868 are a school bus services which operate only on schooldays in the mornings and afternoons. Further bus stops are located along at Kingston Road (Ruxley Lane north bound and Worcester Park Road) which are served by the 406 and 418 at a frequency of six buses per hour combined during peak hours. These bus routes provide useful connections to and from Epsom and Kingston, with the 406 terminating at Epsom hospital. These bus stops are approximately ten minutes walking time from the site. Both bus routes 406 and 418 are operated on behalf of London Buses.
72. The diagram below – taken from the applicants Transport Assessment - shows the location of amenities in the local area.



73. The applicants consider that the site is ideally located for residents, staff, and visitors to access local amenities and facilities on foot or by mobility scooter and officers share this view.

CONCLUSION OF PRINCIPLE OF DEVELOPMENT, SUSTAINABLE LOCATION AND NEED

74. As the site lies within a predominantly residential area, subject to compliance with other policies in the development plan (such as relating to open space) there is no objection in land use terms to this site being developed to provide extra care accommodation. In addition the applicants have clearly demonstrated a need for such accommodation within the Borough of Epsom and Ewell, together with the suitability of this site to provide for that need.

LOSS OF PLAYING FIELD LAND/OPEN SPACE

Epsom and Ewell Core Strategy 2007 (EECS 2007)

Policy CS4 Open Space and Green Infrastructure

Epsom and Ewell Development Management Policies Document 2015 (EEDMPD 2015)

Policy DM6 Open Space Provision

75. The application site is identified in the Epsom & Ewell Local Plan as *sports and leisure facilities* however it is not identified under the “parks and open spaces” designation. The rear part (that not occupied by the Scouts) is the former playing field of Auriol Junior School. Whilst the application site was identified by Epsom & Ewell as *sports and leisure facilities*, it has not been used for recreational purposes for at least 20 years and is now overgrown. There are no changing facilities associated with the site. There is no public access to the site; there is a pedestrian gated access via the Cuddington Scout site but that is not publicly accessible. The gated access from the public

footpath on the eastern boundary is not clearly identified. There is no access to the site for maintenance vehicles and the site has no dedicated parking.

- 76 Epsom and Ewell Borough Council has raised objection to the proposal on grounds of the loss of the open space and comments *'In the absence of adequate justification of need, the loss of and disruption to the 11 hectare and 500m long corridor of open space from Auriol Playing Fields to Cuddington School is significant and unjustified, harming the wider openness of the area, contrary to Policy CS4 of the Core Strategy 2007 and Policy DM6 of the Epsom and Ewell Development Management Policies Document 2015'*.
- 77 The EECS 2007 Key Diagram identifies two areas of **Strategic Open Space** - Nonsuch Park and the Hogsmill River and the emphasis of EECS 2007 CS4 is on the protection of these open areas. The application site does not lie within these areas. EECS 2007 CS4 goes on to state that *the provision of the amount and type of open space within the Borough will have regard to the standards identified in the most recent Audit of Open Space, Sport and Recreational Facilities and Assessment of Local Needs. The required quantity and range of open spaces will be rigorously maintained, and focus will be given to the creation and maintenance of an accessible network of green spaces within the built-up area of the Borough. The Council will endeavour to address any shortfalls in provision of defined open space types and will seek opportunities to enhance the quality of existing open spaces where necessary and improve access to them.*
- 78 EEDMPD 2015 Policy DM6 sets out three alternative scenarios detailing the circumstances (extract below) in which the whole or partial loss of open space, outdoor recreational facilities or allotments will be permitted. A proposal need only comply with one of the three criteria.

Policy DM6 Open Space Provision

Development proposals should not result in the whole or partial loss of open space, outdoor recreation facilities or allotments unless:

- Accompanied by assessment that clearly demonstrates that the provision is surplus; or
- The proposal delivers replacement provision of equal or better quality within the locality; or
- The proposal is for new sports and or recreation provision, the needs for which clearly outweigh the loss.

We will ensure all new provision for sports and play meets qualitative standards and optimises accessibility to all users.

- 79 The applicants have submitted a package of information with this proposal which seeks to demonstrate that it can be considered favourably against the development plan policy in this regard, the main points of which are summarised below.

- Recent assessments carried out by the Borough Council indicate that the site is surplus to requirements and therefore the first criteria of the above policy is met.
 - The Epsom & Ewell Borough Council Sports Facilities Assessment of September 2020 does not list the application site as an existing sports facility, and the August 2021 Epsom & Ewell Playing Pitch Strategy does not identify the site as an existing or proposed playing pitch.
 - Paragraph 5.5 of the playing pitch strategy confirms that the geographical distribution of existing football pitches in Epsom and Ewell has been assessed by identifying catchments to illustrate local level accessibility. This is based on the results of the clubs' survey, which identifies 15-minutes travel time as the typical maximum for grass pitches. A 15-minute drive time equates to approximately 7.5 miles in an urban area, or approximately 1 mile walking. No map is appended to the document, however it is evident that the application site is exceptionally well placed in relation to existing playing pitches within that catchment area.
 - The playing pitch strategy does identify land at Auriol Park, which lies approximately 50 metres to the west of the application site, as an extensive recreational facility which contains one adult, one youth and two mini grass football pitches available for community use. Auriol Park also contains several other sporting facilities in addition to grass playing fields, this includes a multi-use games area, tennis courts and bowling club.
 - It should be noted that the Local Plan Policy Map shown above identifies Auriol Park/King Georges' Fields as "Dancer Dick Woods". It does not identify Auriol Park and/or King Georges' Fields as either Open Space, Recreation Grounds or Sport and Leisure facilities although it could be designated in one or more of these categories.
 - Wandgas Sports Club is 330m to the north of the application site and is identified as having a good quality Artificial pitch.
 - The Harrier Centre has 2 grass pitches and lies 1.5km to the southwest;
 - Blenheim High School has 5 grass pitches and is located 1.86km from the site.
 - There are numerous other grass pitches and artificial pitches within the 15-minute catchment area.
80. In respect of the second criteria of EEDMPD 2015 Policy DM6, and having regard to the considerations in EECS 2007 CS4, set out in paragraph 77 above in advance of the submission of the application, the applicant held pre-application meetings with Sport England specifically to discuss the policy implications of the loss of the *former* playing field.
81. Sport England acknowledged that this proposal did not give rise to the actual loss of playing field land as the site had not been used for this purpose for over 20 years. Agreement was reached with Sport England that a financial contribution toward upgrading local facilities would represent an acceptable enhancement of sporting facilities in the vicinity to mitigate the loss of the

potential of the land to be used for sports purposes that would arise from this proposal.

82. The applicant then held discussions with governing bodies for association football, rugby football, hockey and cricket during which local sports grounds and clubs were identified where enhancements to their existing facilities would benefit existing and future users. The applicants worked up a package of financial contributions that would cover a range of sporting activities in the local area. Notably the sites at Blenheim School and the Harrier Centre were identified as requiring upgrades to its facilities with Blenheim High School being singled out in the Epsom & Ewell Playing Pitch Strategy as a location where upgrading would give rise to the greatest impact on deficiencies.
83. Sport England has been consulted on this application and has clarified that it is not commenting as a statutory consultee in this case as the proposal does not give rise to the loss of playing field land as the site has not been used for this purpose for over 20 years. Notwithstanding the non-statutory nature of the consultation, Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 99) and against its own playing fields policy, which states: *'Sport England's will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of: all or any part of a playing field, or land which has been used as a playing field and remains undeveloped, or land allocated for use as a playing field unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'*
84. Sport England have advised that the proposal *will* result in the loss of playing field land at the site and there is no proposal to replace it on a like for like basis in accordance with their E4 exception. It confirms the positive engagement it had with the applicant and agent at pre-application stage to consider mitigation for the loss of playing field and confirms that the proposed approach set out in the planning statement has been developed in partnership with Sport England, and in principle they are supportive of it.
85. Sport England however expresses concern at the monetary figure quoted in the planning statement (£110,000) in that it is not based on any robust or site specific information or feasibility work, it has simply been drawn from Sport England's design and cost guidance which is generic and now somewhat out of date. Sport England would therefore not support an approach which simply identifies an off-site contribution of £110,000 suggested by the applicant to mitigate the impact on playing field/pitches at the former school site. Rather, it has advised that the final financial contribution should be based around the specific costs of the improvement project(s) subject to further feasibility work to adequately offset the loss of playing field.

86. Sport England is supportive of the use of a condition as offered by the applicant in the planning statement, amended as follows:

No development shall commence until a playing field mitigation scheme has been submitted to and approved in writing by the local planning authority (after consultation with Sport England). The scheme must set out full details of the mitigation, e.g. playing field improvement works, in the Worcester Park area and the financial costs of the mitigation as well as an implementation programme for the works. The approved scheme shall be implemented and complied with in full within 12 months of development commencing on the site.

87. The above wording will mean that the mitigation scheme will not be unduly restricted to playing field improvement works as it may also be more appropriate to invest in other improvement works and/or new provision e.g. ancillary facilities.
88. The applicant has agreed to the planning condition being attached to any planning permission and officers consider it is reasonable and appropriate.
89. Finally turning to Epsom and Ewell Borough Council's comment '*In the absence of **adequate justification of need**, the loss of and disruption to the 11 hectare and 500m long corridor of open space from Auriol Playing Fields to Cuddington School is significant and unjustified*' as stated in the previous section the applicant has submitted extensive additional information which demonstrates a need for the accommodation proposed in this area. Officers consider that given that a local need has been demonstrated this should be considered in 'the planning balance.'

CONCLUSION OF LOSS OF PLAYING FIELD LAND/OPEN LAND

90. The proposals would result in the loss of land formerly used as a playing field, but which is currently unused and overgrown and has not been used for this purpose for over 20 years. There is no prospect that the site will be brought back into recreational use. Officers consider that the development of this site as proposed would not only meet a demonstrable need for specialist housing provision, but it would provide the opportunity for enhancements to existing local recreational facilities, the benefit of which would far outweigh the loss of land previously used as a playing field and realistically never likely to be used in that way in the future.
91. Officers consider that given the financial contributions which will be required by planning condition, considered together with the lack of evidence that the loss of the site will give rise to any shortfall of recreational provision in the local area, the proposal can be considered favourably against development plan policy in this regard.

LAYOUT, DESIGN AND CHARACTER

Epsom and Ewell Core Strategy 2007 (EECS 2007)

Policy CS5 – The Built Environment

Policy CS6 – Sustainability in New Developments

Epsom and Ewell Development Management Policies Document 2015 (EEDMPD 2015)

Policy DM9 – Townscape Character and Local Distinctiveness

Policy DM10 – Design Requirements

92. Paragraphs 131-141 of the National Planning Policy Framework (2023) seek to promote the creation of well-designed places. Paragraph 135 states that:

‘Planning policies and decisions should ensure that developments:

(a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

(b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

(c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

(d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

(e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

(f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.’

93. Further detailed guidance is set out in the National Design Guide (2019). This sets out the Government’s priorities for design in the form of ten characteristics, stating that the underlying purpose for design quality and the quality of new development at all scales is to create well-designed and well-built places that benefit people at all stages of life (including the elderly) and communities.

94. EECS 2007 Policy CS5 requires high quality and inclusive design for all developments. Requiring, inter alia, attractive, functional and safe public and private environments; the reinforcement of local distinctiveness and the efficient use of land have regard to the need to develop land in a comprehensive way.
95. Policies DM9 and DM10 of the EEDMPD 2015 seek to ensure that new development makes a positive contribution to the Boroughs visual character and appearance. The most essential elements identified are that developments contribute to the character and local distinctiveness of a street or area which should be respected, maintained, and enhanced, including but not limited to the following:
- Prevailing development typology, including house types and sizes.
 - Prevailing density of the surrounding area
 - Scale, layout, height, form (including roof forms), massing.
 - Plot width and format which includes spaces between buildings.
 - Building line; and
 - Typical details and key features such as roof forms, window format, building materials and design detailing of elevations, existence of grass verges etc.
96. This proposal is in outline, with layout, scale and access for consideration at this stage, and appearance and landscaping as 'reserved matters' for future consideration. 'Layout' is defined in the National Planning Practice Guidance (NPPG) as 'the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development'. 'Scale' is defined as the 'height, width and length of each building proposed within the development in relation to its surroundings'.
97. As such, whilst the layout and overall scale of the development can be considered, the building's external appearance including - for example, the position of window openings and balconies, materials and other detailing - is not for consideration at this stage, albeit conditions can be imposed in this regard imposing restrictions should they be considered reasonable and necessary. Similarly, details of hard and soft landscaping would be reserved for future consideration, though the spaces they would occupy form part of the 'layout' and can be assessed accordingly.
98. 'Access', defined as 'the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network', **is** for consideration at this stage and would include the access routes (vehicular and pedestrian) and car parking area.

100. It should be noted that whilst illustrative details have been submitted with the application, to show how the development might look on completion, these are also not for consideration at this stage and are subject to change. The assessment of the application has been carried on this basis.
101. Clearly the development in this case seeks to meet a need for modern, purpose-built affordable housing provisions for the elderly and to achieve this it is critical that the layout supports the functional use of the building. Officers consider that the proposal accords with the requirements of EECS 2007 Policy CS5 in that it would have an inclusive design with attractive, functional and safe public and private environments and make an efficient use of unused land having regard to the need to develop land in a comprehensive way.
102. Officers consider that the proposal would respect, maintain, and enhance the local area as required by Policies DM9 and DM10 of the EEDMPD 2015, albeit it is acknowledged that the form and nature of the development would not be the same as the prevailing residential surrounding area which is characterised by relatively modest two and three storey dwellings within individual curtilages. However the site is large enough to comfortably accommodate a building of the size proposed without appearing cramped and the layout has been designed to take account of the site characteristics and its immediate surroundings.
103. The proposed residential development would be set well back from the site frontage on Salisbury Road so there be very little visual impact arising from that vantage point, only the impact of a relocated access and removal of two trees to facilitate this. The setting back of the building as proposed would also mean that it would not be directly opposite the residential dwellings in Barn Elms Close and although the presence of the building would be felt by these properties it is their front elevations and parking areas which would be directly adjacent to the site, so their private residential amenity space would remain unaffected.
104. Immediately to the west and east of the site are areas of 'protected' open land – in the form of allotments and school playing field land and this is advantageous as it would create an 'open' setting for the proposed development which would help to minimise its impact. Clearly the building would be visible, and prominent from the west and east but staggering of the form and introducing differing roof elements as indicated on the submitted plans would serve to add interest and break up these elevations. Similarly the fact that there exists considerable mature tree screening along two of its boundaries (which is to be retained) would soften the impact of development further.
105. The most sensitive boundary is that to the south where dwellings, some bungalows, lie close to the southern boundary of the site. The proposed building would be set well back from the boundary with these dwellings and

the existing trees would be retained which, as stated above, would serve to soften its impact. Whilst the presence of the building would be felt by the occupiers of these dwellings, a reasonable degree of spacing between buildings will be achieved. Along this southern boundary the elevation would also be broken up with a large central gap and views through to the inner courtyard, which would also minimise the impact from dwellings to the south.

106. The above relationships are shown in the extract of the site plan below.



107. The size of the site enables a building to be designed around a central landscaped courtyard such that it would achieve a sense of 'safe' place for its inhabitants. This would benefit the future occupants.
108. The comments of the Borough Council and objectors in respect of scale and character have been considered and addressed in that the four storey elements of the proposal as originally proposed have been removed from the scheme following negotiation with the applicant. There are other three storey developments in the vicinity of the site, notably Barn Elms Close.

CONCLUSION ON LAYOUT, DESIGN AND CHARACTER

109. Officers consider that the proposal would be a well-designed and well-built development which would be fit for purpose, providing an appropriate balance between making efficient use of land and safeguarding the character of the area. The proposal is therefore considered to accord with the NPPF.
110. Whilst the application proposes a form of development not identical to the prevailing form of development in the surrounding area, it is for a residential

use which is acceptable in principle. The large size and characteristics of the site combine to ensure that the form of development required for this specialist residential provision can be accommodated comfortably. Overall officers consider that the proposal would make a positive contribution to the visual character and appearance of the area and would not cause any demonstrable harm in this regard. In addition there exists a demonstrated need for the accommodation that would be provided, and substantial weight should therefore be given to the use of the site for extra care provisions. The proposal is therefore considered to accord with development plan policies in this regard.

RESIDENTIAL AMENITY

Epsom and Ewell Core Strategy 2007 (EECS 2007)

Policy CS6 – Sustainability in New Developments

Epsom and Ewell Development Management Policies Document 2015 (EEDMPD 2015)

Policy DM10 – Design Requirements

111. Paragraph 191 of the NPPF states that:

‘planning policies and decision should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impact that could arise from the development. In doing so they should:

(a) Mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and quality of life.

(b) Identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and

(c) Limit the impact on light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

112. Policy CS6 of the EESC 2007, sets out that the Council will ensure that new development, inter alia, minimises the emission of pollutants, including noise, water and light pollution, into the wider environment. Further, Policy DM10 of the EEDMPD 2015, requires development proposals to have regard to the amenities of occupants and neighbours, including in terms of privacy, outlook, sunlight/daylight, and noise and disturbance. The EEDMPD 2015 at paragraph 3.20 goes on to set out that homes are particularly vulnerable to overlooking from new residences in and adjacent to rear gardens. To minimise this problem, new development proposals on infill and backland sites will be designed so that their height does not exceed that of the adjacent development. Equally, as a general principle, it is encouraged that new

developments provide a distance of at least 21 metres of separation between opposing properties.

LOSS OF LIGHT/OVERLOOKING/LOSS OF OUTLOOK

- 9
113. The applicants have submitted a detailed document entitled *Daylight and Sunlight Report* which considers the impact of the development on the light received by the neighbouring properties at 155, 157, 159 & 161 Thorndon Gardens, 5, 6, 7 & 8 Barn Elms Close, Cuddington Community Primary School and Rowe Hall, both in respect of key windows and their gardens. This concludes that the proposed development will have a low impact on the light receivable by its neighbouring properties and sufficiently safeguards the daylight and sunlight amenity of the neighbouring properties.
 114. Officers have also assessed the relationship between the proposed development and neighbouring properties and a distance of at least 16m would be retained between the building and the site boundary such that the minimum distance of 21m between the elevations of opposing properties cited in the development plan policy would be well exceeded (over 40m maintained). This distance together with the existing tree screening would ensure a satisfactory relationship such that the proposal would not give rise to any unacceptable overlooking, loss of outlook or loss of light to neighbouring dwellings.
 115. Officers did however consider that the originally proposed projecting external balconies on the rear (southern) elevations of the eastern side of the proposed building would be inappropriate and would have the potential to have a detrimental effect on the residential amenity of the adjacent dwellings in Thorndon Gardens. The applicants therefore amended the indicative drawings to indicate indented balconies only on this elevation - officers consider that it is reasonable and necessary to attach a condition in this regard.

IMPACT FROM NOISE

116. A residential use of the nature proposed is compatible with the existing use and would not give rise to any unacceptable noise impacts. The construction phase of the development would have implications for noise disturbance, but this can be mitigated with conditions restricting hours of construction and would only sustain for a short period of time.
117. The proposed development includes the provision of external plant though at this outline stage the full details of this are not available, though an indicative mechanical services strategy is submitted as well as a list of mitigation measures for potential use in reducing plant noise emission levels at the nearest sensitive receptors. This requires plant noise to be assessed in

accordance with BS 4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial noise', where, during normal working hours (07:00 to 19:00 hours), the difference between the rating level and the background level should be no greater than +5 dB, depending upon the context. At all other times a different noise limit may be applicable, depending on the context.

118. The County's noise consultant has advised that it is proposed that proposed plant is designed to achieve a rating level which does not exceed the background sound level, indicative of a low impact in terms of BS 4142:2014+A1:2019, which is slightly more onerous than SCC's standard approach but may be appropriate in this context where plant will operate 24 hours. Should permission be granted, they recommend that a planning condition is attached to the permission to reduce the risk of adverse noise impacts. Officers agree with this.

IMPACT FROM POLLUTION (FROM TRAFFIC AND CONSTRUCTION DUST)

119. **Traffic:** The applicant has submitted an air quality assessment that correctly identifies that the application site is not in an Air Quality Management Area (AQMA). The nearest AQMAs are:
- Ewell AQMA – approximately 2.5 km to the south of the site, designated due to high levels of NO₂;
 - Kingston upon Thames AQMA - approximately 0.8 km to the northwest of the site, designated due to high levels of NO₂ and PM₁₀; and
 - Sutton AQMA - approximately 0.7 km to the east of the site, designated due to high levels of NO₂ and PM₁₀.
120. The County's Air Quality Consultant has confirmed that the information provided by the applicant is correct. Since concentrations of pollutants at the site are below the threshold and the proposed development will not give rise to significant increases in traffic officers do not consider that there will be any impact arising in this regard such that there is any requirement for the applicant to consider this further.
121. **Dust:** The County's Air Quality Consultant has suggested a condition for dust mitigation during construction and officers consider it is reasonable and appropriate to apply this.
122. **Lighting:** The County's Lighting Consultant advises that having regard to the Preliminary Ecological Appraisal and BNG Assessment and the Protected Species Survey submitted by the applicant there is the potential for disturbance to ecological interests due to external lighting – this is considered under Ecology section of the report below.

123. In respect of impacts to residential dwellings the County's Lighting Consultant has commented that there is currently insufficient information in terms of lighting design to determine the impact of the lighting proposed for this development. Officers consider it is reasonable and necessary to extend the requirements of this condition such that the lighting scheme for the site also has regard to the residential dwellings adjacent. The Lighting Consultant therefore recommends that a condition is attached to any permission requiring:

- A complete lighting scheme which has been developed in consultation with a suitably experienced ecologist complete with associated lux plots.
- A definite lighting design and calculations demonstrating that the scheme is in compliance with CIE 150 - Guide on the Limitation of the Effects of Obtrusive Light.
- Confirmation of the type of fittings to be mounted on the building façade, if any (with recommendations that the fittings do not have any element of up-lighting).
- Details of lighting controls for the lighting installation and timings.

124. Officers agree that a condition in this regard is reasonable and necessary.

CONCLUSION OF IMPACT ON RESIDENTIAL AMENITY

125. Subject to conditions as set out in the above paragraphs officers are satisfied that the proposed development would not have an unacceptable impact on residential amenity and therefore accords with development plan policy in this regard.

HIGHWAYS, ACCESS AND PARKING

Epsom and Ewell Core Strategy 2007 (EECS 2007)

Policy CS16 – Managing Transport and Travel

Epsom and Ewell Development Management Policies Document 2015 (EEDMPD 2015)

Policy DM35 – Transport and New Development

Policy DM36 – Sustainable Transport for New Development

Policy DM27 – Parking Standards

126. Paragraph 114 of the National Planning Policy Framework (2023) states:

'In assessing sites that may be allocated for development in plans, or specific applications for development, it should ensure that:

(b) safe and suitable access to the site can be achieved for all users;

(c) the design of streets, parking areas, other transport elements and content of associated standards reflects current national guidance,

including the National Design Guide and the National Model Design Code; and

(d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.'

127. Paragraph 115 further states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

128 Paragraph 116 (a) states that:

'Within this context, applications for development should:-

- (a) give priority first to pedestrians and cycle movements, both within the scheme and with neighbouring areas; and second so far as possible facilitate access to high quality public transport with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- (b) address the needs of people with disabilities and reduce mobility in relation to all modes of transport;
- (c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter and respond to local character and design standards;
- (d) allows for the efficient delivery of goods, and access by service and emergency vehicles in safe, assessable and convenient locations;
- (e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.'

129. Policy CS16 of the EECs (2007) encourages development proposals which foster an improved and integrated transport network and facilitate a shift of emphasis to non-car modes as a means of access to services and facilities. In this respect, development proposals are required to be consistent with the Surrey Local Transport Plan including, providing access for all, providing appropriate and effective parking provision on and off site and ensuring the vehicular traffic generated does not create new, or exacerbate existing on street parking problems. Policy DM35 of the EEDMPD (2015) requires proposals to be supported by a Transport Statement. Policies DM36 and DM37, respectively require the needs of cyclists and pedestrians to be prioritised and for proposals to meet the parking standards set out in Annexe 2 of the Plan. Exceptions to this approach are a robust demonstration that the level of on-site parking associated with the proposal would have no harmful impact on the surrounding area in terms of street scene of the availability of on-street parking.

130. The application is supported by a Transport Statement which can be summarised as follows:

- A new vehicular access to the site is proposed from Salisbury Road which would replace the existing access located to the northeast access of the site which currently provides vehicular connection from Salisbury Road to the Scouts and Rowe Hall. Where the existing Salisbury Road is crossed by the new access, a continuous pavement “pedestrian priority” crossing would be installed in accordance with Surrey County Council’s Healthy Streets Guidance. This new access would need to be shared with both the Scouts and Rowe Hall and the proposed development which would then be opened to connect to the local roads from being a landlocked site.
- The proposal is for a total of 48 parking spaces to be provided. The total number of staff on site at one time would be likely not to exceed 7 and a total of seven parking spaces would be provided to accommodate staff, three bookable spaces for visitors, one drop-off bay and 38 parking spaces for residents which would include four disabled bays and one car club bay. The disabled bays and drop-off layby would be located close to the site entrance and could be used by visitors picking-up/ dropping-off residents. The car club bay would be decided later by SCC and would be placed within easy access to Salisbury Road to allow members of the public access to the car club. All parking spaces would have electric vehicle charging points and 20% of the electric charging points would be fast charging.
- The SCC Vehicular, Cycle and Electric Vehicle Guidance states the site should provide cycle parking based on an ‘Individual Assessment’. For residents and staff, a store with 22 bicycle stands (space for 44 bicycles) would be located in the northeastern part of the development close to the entrance. There would also be 10 Sheffield cycle stands (space for 20 bicycles) provided close to the entrance of the development for visitors. The specific occupier and residents, at this point is unknown. The provision has been benchmarked against, the number of stands provided by a similar approved site. Once the site is occupied, should the demand exceed the provision proposed then locations for additional cycle parking provision on-site could be explored.
- A total one mobility scooter per five dwellings would be provided (max. 10 mobility scooter spaces) as suggested by Housing LIN guidance. The mobility scooter store would be located on the ground floor level in the north-eastern front of the site within the cycle store and 12 mobility scooter spaces would be provided which exceed the maximum 10 mobility scooter spaces suggested by the guidance.
- The proposals are estimated to generate limited trips within typical network peaks (08:00-09:00 and 17:00- 18:00), with a maximum of 10 to 11 two-way trips in a peak hour. The Trip Generation also indicates that throughout the day from 07:00 to 19:00 the trip generation would average thirteen to fourteen two-way trips per hour. Typically, the peak hour for this type of development is outside the network peak hours, with 22 to 23 total two-way trips from 10:00 to 11:00 and from 14:00 to 15:00. It is evident from the above assessment that the proposed development would be likely to generate low levels of peak period traffic that will have minimal impacts on the local highway network.

- 131 The County Highways Authority has assessed the proposal and has no objections subject to conditions relating to the following:
- Construction of proposed access prior to commencement of other development
 - Laying out of parking and turning areas.
 - Construction Transport Management Plan
 - The provision of cycle parking and charging
 - The provision of Electric Vehicle charging
132. Officers consider the conditions proposed are reasonable and necessary and subject to these the proposal accords with Development Plan Policy in this regard.

TREES AND LANDSCAPING

Epsom and Ewell Development Management Policies Document 2015 (EEDMPD 2015)

Policy DM4 – Biodiversity

Policy DM5 – Trees and Landscaping

Policy DM9 – Townscape Character and Local Distinctiveness.

- 133 Section 12 (Achieving well-designed and beautiful places) of the NPPF seeks to promote well-designed places and highlights the importance of appropriate and effective landscaping as part of this wider objective.
134. Paragraph 136 of the NPPF states that: *‘Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decision should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained where possible’.*
135. Policy DM5 of the EEDMPD (2015) sets out that the Borough’s trees, hedgerows and other landscape features will be protected and enhanced by, inter alia, planting and encouraging others to plant trees and shrubs to create woodland, thickets and hedgerows, continuing to maintain trees in streets and open spaces and requiring landscape proposals in submissions for new development. In addition, Policy DM5 requires every opportunity to 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 DM9 of the EEDMPD (2015) sets out that planning permission will be granted for proposals which make a positive contribution to the Borough’s visual character and appearance.

136. Landscaping is a *reserved matter* that will be submitted for further approval, but an indicative Landscape Masterplan has been submitted with the application. The applicant has also submitted a full Tree Survey and Impact Assessment, together with a Tree Protection Plan and Tree Constraints Plan in support of the application. This identifies the existing trees on the site none of which are protected by a Tree Preservation Order. It confirms that as the proposed extra-care building is located within the southern part of the site where there are no trees, as a result the building can be achieved without any tree loss. In addition the proposed parking court lies north of the proposed building and can also be achieved without tree loss.
137. The Impact Assessment notes that a new access to the site has been carefully positioned to avoid the continued use of the existing access that lies close to a collection of larger oaks (numbers 2, 5 and 28) that lie on the eastern boundary of the site. That existing access is to be broken up and removed to be replaced with a 'biodiversity area'. This enhances the growing environment of the trees and will enable them to flourish in future years. By moving the access to enhance the environment for the large oaks it is necessary to remove tree group 1, a collection of field maple and young oaks. In addition a single hornbeam (number 33) is proposed for removal from the verge adjoining Salisbury Road. The report concludes that the loss of stems from tree group 1, including those stems that need to be removed to accommodate the segregated pathway linking to Salisbury Road, does not materially detract from the tree cover at the site. The loss of tree 33 does remove one tree from the tree-lined road but it does not materially detract from the character of the road that will remain as is. Replacement trees can be planted within the verge, in close proximity, to ensure that tree-lined nature of the road is conserved.
138. The development proposals bring forward the opportunity to plant a selection of trees throughout the development. The Landscape Masterplan indicates extensive new tree planting around the building, including the central courtyard garden, amidst the parking and along the northern boundary. Trees are proposed along the driveway linking to Salisbury Road. The result is a net gain of tree cover at the site, supplementing the verdant nature of the surrounding area.
139. The County's Landscape Advisor has advised that he has no objection to the proposal. He comments that in principle, the courtyard arrangement, combined with the set back of buildings from the southern site boundary allowing for a more naturalistic landscaped area, is the right approach. No comment on the appropriateness of the scale of development but the retention of the important mature trees along the eastern boundary, together with any new planting proposed, would provide a softening effect which would help integrate the new development within views. He comments that a

comprehensive and detailed soft landscaping, maintenance and management scheme needs to be prepared for reserved matters stage which can be secured by planning condition.

- 140 To ensure the retained trees are safeguarded a tree protection plan has been prepared to show the location of protective measures. These measures need to be implemented in advance of construction and maintained until such time as soft landscape proposals require their removal. The Landscape Advisor comments that in some instances specialist construction techniques or approaches are indicated on the protection plan and in order to ensure the protective and specialist measures are understood, implemented and maintained it is recommended that a scheme of monitoring and supervision shall be put in place to typically include a pre-commencement meeting; a site visit by an arboriculturist at no more than one-month intervals and a report to be prepared after each site visit and presented to the Council within 7 days of the visit. Officers agree that including a requirement for these measures to be submitted in an arboricultural method statement would be reasonable and necessary.

CONCLUSION ON TREES AND LANDSCAPING

- 141 The proposed development results in the loss of very few trees with the majority retained and afforded room. In places where hard surfaces coincide with root protection areas specialist measures can be deployed to minimise harm to trees. Services and utility installation can be sited remote from trees but if they do need to be located within root protection areas specialist measures can be deployed for their installation to minimise harm to retained trees.
- 142 Extensive new and replacement tree planting is provided as part of these development proposals. This net gain of tree cover can provide a diverse portfolio of trees to ensure sustainability of green infrastructure in the future. The application proposals recognise the important contribution trees make to the character and quality of built environments, and the role they play to help mitigate and adapt to climate change. The proposals seek to retain existing trees and integrate new trees in accordance with the requirement of local and national planning policy. Subject to suitable conditions the proposal is considered acceptable in this regard.

ECOLOGICAL IMPLICATIONS

Epsom and Ewell Core Strategy 2007 (EECS 2007)

Policy CS3 – Biodiversity and Designated Nature Conservation Areas

Epsom and Ewell Development Management Policies Document 2015 (EEDMPD 2015)

Policy DM4 – Biodiversity

- 143 Paragraphs 180(d) of the NPPF seeks to ensure that planning policies and decisions contribute to and enhance the local and natural environment. In particular, they should seek to minimise impacts on and provide net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures.
- 144 Paragraph 186(d) of the NPPF states that development whose primary objective is to conserve or enhance the biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity.
- 145 Policy CS3 of the EECS (2007) sets out that sites that are designated for their nature conservation attributes will be afforded protection appropriate to their designation. Elsewhere, development that is detrimental to the Borough's biodiversity will be minimised, and where it does take place, adequate mitigating measures should be provided. Wherever possible, new development should contribute positively towards the Borough's biodiversity.
- 146 This is echoed in Policy DM4 of the EEDMPD 2015, which states that development affecting existing or proposed nature conservation sites and habitats of international, national or local importance will only be permitted if: (i) the development would enhance the nature conservation potential; (ii) there is no alternative location of the development and there would be no harm to the nature conservation potential of the site; or (iii) there are imperative reasons for overriding public interest for the development. Development affecting any site or building that supports species protected by law will only be permitted if appropriate mitigation and compensatory measures are agreed. Moreover, whether or not there are any species or habitats that enjoy statutory protection, every opportunity should be taken to secure net benefit to the Borough's biodiversity. To this end, an assessment of the existing nature conservation assets on a development site should be undertaken at the application stage and suitable biodiversity enhancements proposed.
- 147 Epsom and Ewell Borough Council has also adopted a document entitled, Biodiversity and Planning in Epsom and Ewell for development management purposes. The guide assists in the need process of identifying when and where biodiversity in Epsom and Ewell will need to be protected by the planning system, as well as assisting in identifying opportunities to deliver biodiversity enhancements.
- 148 The applicant has submitted the following documents in support of the Ecological Implications:
- Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (SWT Ecology Services, July 2023)

- Protected Species Survey Report (SWT Ecology Services, September 2023)
- Invertebrate Survey Report (Scotty Dodd, September 2023)
- 2 no BNG Assessment Letters (SWT Ecology Services, April 2023 and January 2024)
- Landscape Masterplan PR-291-ATK-XX-XX-DR-L-00001 P4
- A completed BNG Metric version 3.1 dated January 2024
- An aerial map of the Northey Estate mitigation site
- A Baseline UK Habitat Plan dated December 2023
- An Uplift UK Habitat Plan dated December 2023
- A Biodiversity Metric 4.0 calculation dated 22 December 2023
- An amplifying e-mail dated 06 June 2024.

IMPACT ON PROTECTED SPECIES

149 The County Ecologist has advised that she is satisfied with the assessment of protected species impacts drawn by the applicants ecologists. The mitigation and compensation measures proposed are appropriate and proportional. Conditions to secure a Construction Environmental Management Plan (CEMP), a Landscape and Environmental Management Plan LEMP and lighting details are requested, with the following stipulations included:

- The **CEMP** will include the method for minimising harm to reptiles as outlined in section 6.3 of the Protected Species Survey Report (SWT Ecology Services, September 2023), and include the measures to protect nesting birds and badger/mammals included in the Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (SWT Ecology Services, July 2023),
- The **LEMP** will include a plan illustrating the locations of the wildlife enhancement boxes and reptile hibernacula as described in Table 15 and section 6.3.5 of the Protected Species Survey Report (SWT Ecology Services, September 2023). Please note I would accept less than the stated number of hibernacula given the limited available space on the site, they are set as enhancement features (not mitigation/compensation) and no reptiles were recorded during the survey.
- A lighting design should be submitted in accordance with details provided in sections 6.2.2, 6.2.3 and 6.2.4 of the Protected Species Survey Report (SWT Ecology Services, September 2023). The design should make reference to the updated guidance note issued by the Institute of Lighting Professionals and the Bat Conservation Trust in August 2023. A full lighting strategy is not required due to the size and scope of the development; however the plan should detail the specification and location of luminaires proposed for use.

150. Officers are satisfied that these conditions are reasonable and necessary and recommend they are applied to any permission granted.

BIODIVERSITY NET GAIN

151. The applicants BNG assessments indicate that the development of the site as proposed, considered with the indicative landscaping provided would result in a loss of 42.61 habitat units on the site. Policy DM4 of the EEDMPD 2015 requires a *net benefit* to be achieved but this would be unable to be provided on the site. Therefore, off-site provisions have been proposed and land forming part of Northey Estate, off Cuddington Way, Cheam SM2 7HR has been identified as a suitable area of off-site land which could be used to offset the loss of habitats from the application site. The site is within the ownership of Surrey County Council.
152. The applicants ecological advisors undertook a baseline assessment of the Northey Estate in 2023, and identified 0.4794 ha of other neutral grassland in poor condition that can be enhanced to good condition, and 0.45 ha of non-cereal crop that can be seeded to create other neutral grassland in moderate condition. With these measures in place, the project would achieve a biodiversity net gain, meeting trading rules,
153. It has been agreed that the size and nature of habitats present are suitable to incorporate the uplift needed to satisfy BNG for the application site. Although the majority of the BNG provision would be provided off site, the application site would incorporate significant additional landscaping as well as the retention of the existing trees.
154. The County Ecologist has reviewed the submitted documentation and supporting information and is satisfied that the applicants have demonstrated that land at the Northey Estate has the potential to provide the required opportunities for biodiversity net gain. The County Ecologist has raised no objection to the proposal, subject to the inclusion of planning conditions. The off-site provisions put forward by the application to mitigate the loss of on-site habitats are acceptable. Officers therefore conclude that, subject to appropriate planning conditions, the proposal complies with development plan policy in this regard.

FLOOD RISK AND DRAINAGE

Epsom and Ewell Core Strategy 2007 (EECS 2007)

Policy CS6 – Sustainability in New Developments

Epsom and Ewell Development Management Policies Document 2015 (EEDMPD 2015)

Policy DM19 – Development and Flood Risk

- 155 Paragraphs 165 of the NPPF sets out the role in which the planning system is expected to play in minimising the risk of flooding and mitigating flood risk. Paragraph 173 further states that development should be directed away from areas at high risk, and in determining planning applications local authorities should ensure that flood risk is not increased elsewhere and where appropriate a site-specific flood risk assessment (FRA) should be provided.
- 156 Paragraph 175 of the NPPF states that major development should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The system should include:-
- (a) take account of advice from the lead local flood authority;
 - (b) have appropriate proposed minimum operational standards;
 - (c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
 - (d) where possible, provide multifunctional benefits.
157. Policy CS6 of the EECS (2007) states that proposals for development should result in a sustainable environment and reduce or have a neutral impact upon, pollution and climate change. In this regard new development should avoid an increase in the risk of, or from flooding.
158. The application site extends to 1.54 hectares and though the majority of it lies within Flood Zone 1 and is at low risk of flooding, the northwest corner has a medium risk of surface water flooding. Policy DM19 of the EEDMPD (2015) sets out that development within Flood Risk Zones 2 & 3 or on sites of 1ha or greater in Zone 1 and sites at medium or high risk from other sources of flooding as identified by the Borough Council's Strategic Flood Risk Assessment, will not be supported unless, in fluvial flood risk areas, the sequential and exception tests have been applied and passed. For all sources of risk, it can be demonstrated through a site Flood Risk Assessment (FRA) that the proposal would, where practicable, reduce risk both to and from the development or at least be risk neutral; and where risks are identified through the FRA, flood resilient and resistant design and appropriate mitigation and adaptation can be implemented. In addition, it is expected that development reduce the volume and rate of surface water run-off through the incorporation of appropriately designed sustainable drainage systems at a level appropriate to the scale and type of development.
159. The applicant submitted both a Sustainable Drainage System and Flood Risk Assessment with the application, which was considered insufficient by the SUDS team and amended documents were requested and submitted providing the required additional information. The SUDS team have now confirmed that the additional information has satisfied their requirements and have demonstrated that an acceptable drainage scheme can be provided. A planning condition is requested, to secure further details and implementation

of the agreed final scheme and officers agree that this is reasonable and necessary.

160 Subject to a condition the proposal accords with planning policy in this regard.

IMPACT ON HERITAGE ASSETS –ARCHAEOLOGY

Epsom and Ewell Core Strategy 2007 (EECS 2007)

Policy CS5 – Heritage

Epsom and Ewell Development Management Policies Document 2015 (EEDMPD 2015)

Policy DM8 – Heritage Assets

- 161 Paragraph 200 of the NPPF (2023) sets out that in determining applications, Local Planning Authorities (LPAs) should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 162 Paragraph 201 of the NPPF (2023) goes on to set out that LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 163 Paragraph 203 of the NPPF (2023) sets out that in determining applications, LPAs should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities and; the desirability of new development making a positive contribution to local character and distinctiveness.
- 164 Paragraph 205 of the NPPF (2023) explains that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 165 Paragraph 208 of the NPPF (2023) sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposals including, where appropriate, securing its optimum viable use.

- 166 The only heritage consideration in this case is the archaeological potential of the site. As the site is greater than 0.4 hectares an Archaeological Assessment was submitted in accordance with Policy DM8 of the EEDMPD (2015) which assessed the possible archaeological significance of the site and the implications of their proposals. In addition the results of a trial trench evaluation which was undertaken have been submitted.
- 167 The County Archaeologist has advised that the Trial Trench Evaluation details that significant archaeological remains survive at the site, covering all periods, with more density to the south of the plot than the north. The quality and significance of the archaeology identified means that a scheme of Archaeological monitoring and recording will need to be undertaken to facilitate development works at this site. Further, any facilitating works that have potential to impact the ground surface, such as geotechnical works, in advance of a decision on this application should be subject to archaeological monitoring and control. He has further advised that the scale of archaeological works required to facilitate development at this site is likely to require a reasonably significant level of resource. This advice is in line with Paragraph 211 of the NPPF which requires “*developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible*”.
- 168 A condition is requested to cover this requirement and officers agree that it is reasonable and necessary and subject to this the proposal meets the requirements of the development plan in this regard.

SUSTAINABLE CONSTRUCTION

Epsom and Ewell Core Strategy 2007 (EECS 2007)

Policy CS6 – Sustainability in New Developments

Surrey County Council Waste Local Plan 2019-2033

Policy 4 – Sustainable Construction and Waste Management in New Development

- 169 Paragraph 8 of the NPPF seeks to achieve sustainable development and states that the planning system has three overarching objectives, namely economic, social and environmental. These objectives are interdependent.
- 170 Paragraphs 157 of the NPPF sets out the role the planning system is expected to play in supporting the transition to a low carbon future in a changing climate. Paragraph 162 of the NPPF further states that local authorities should expect new development to:
- (a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to type of development involved and its design, that this is not feasible or viable; and

(b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

- 171 Policy CS6 of the EECS (2007) requires new development to minimise the energy requirements of construction, for example by using sustainable construction technologies and encouraging the recycling of materials. Policy 4 of the Surrey Waste Local Plan (2019- 2033) sets out that planning permission for any development will be granted where it has been demonstrated that the waste generated during construction, demolition and excavation is limited to the minimum quantity necessary and opportunities for re-use and for the recycling of waste on site is maximised.
- 172 The applicant has submitted a Sustainable Design and Construction Statement which states that the Project has high sustainability aspirations, with key features of the design responding to the overall Project sustainability agenda summarised below:
173. **Low carbon energy and building design:** Passive and active building design strategies have been used to enable energy efficiency and carbon reduction through minimising heat loss and use of smart low carbon energy systems following LETI guidance where possible. Resource efficiency has been addressed through measures such as reducing water consumption through efficient fittings. These design measures contribute to the national, regional and local planning requirements for low carbon homes with smart energy systems and lower running costs. This includes meeting the SCC Climate Change Strategy objectives on energy efficiency for housing.
- 174 **Circular economy considerations:** Embodied carbon and waste reduction strategies will be explored and implemented by use of MMC. During construction, the contractor will follow waste reduction strategies as highlighted during the recommended designing out waste workshop and captured in their resource management plan (RMP) as they start on site. The design approach will support circular economy principles to reduce overall waste generation during construction, operation, and deconstruction of the project, identified as a key focus in SCC's Climate Change Strategy. Compliance with the waste hierarchy will be embedded at the design stage for building use, through provision of an accessible waste storage area with containers for different waste streams in a convenient location.
- 175 **Improved health and wellbeing:** The Project design is aligned with the Borough of Epsom & Ewell Borough strategy, where elderly residents with extra needs can better access support to communities and a high quality of life can be delivered in a sustainable way. The building design has been developed to improve the health and wellbeing of residents, focusing on aspects such as indoor air quality and sufficient daylight for all living spaces. Additionally, consideration has been given to the provision of high-quality outdoor space, both on private balconies and through generous garden areas,

with excellent views onto and access to nature. This outdoor space and communal lounges within each apartment block will further promote activity, social cohesion and provide opportunities for wider community engagement.

- 176 **Enhancing biodiversity:** The Project landscaping design objectives have included measures to maintain and enhance biodiversity and the overall ecology on the site, linking to the surrounding environment and aiming to create optimal multi-function, multi-benefit green infrastructure, aligning to Epsom & Ewell Borough Council policies on biodiversity, landscape and trees. The planting palette for the site includes a range of species with ecological value and measures to create habitats, such as the inclusion of bat and bird boxes and insect houses.
- 177 **Consideration of flood risk:** The Project incorporates Sustainable Drainage System techniques, in line with Epsom & Ewell Borough Council's Flood Risk Assessment, to mimic nature and manage surface water drainage based on Project site conditions. Such consideration aligns with the SCC Environmental Policy to build in climate change resilience.
- 178 **Sustainable transport:** In alignment with the national planning emphasis on decarbonising transport, the Project will ensure all parking spaces have access to an electric charging point. Additionally, the design will allow for cycle provision to promote zero carbon mobility and the site is located close to local bus routes and local amenities, encouraging active travel and reduced car use. These points support both Surrey and Epsom & Ewell Council aims for integrated, accessible and affordable transport options for local residents.
- 179 Officers consider that the applicant has demonstrated a commitment to development plan policy requirements and the proposal is acceptable in this regard. A condition is recommended to

Human Rights Implications

- 180 The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.
- 181 The Officer's view is that whilst there are impacts arising from the development these can be mitigated acceptably by planning conditions and do not engage any of the articles of the Convention and has no Human Rights implications
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Conclusion

- 182 This is an outline application, seeking approval for the layout, scale and means of access (with appearance and landscaping reserved for future consideration). The site lies within the urban area and it is considered that a building of this size, scale and massing could be accommodated on the site

without significant harm to the character of the area or neighbouring amenities.

- 183 Whilst the proposal would give rise to the loss of potential open playing field land the proposal is not considered to be contrary to development plan policy in this regard as the proposal would not have a significant impact in the local area which is well provided with facilities and the proposal would mitigate the loss with contributions towards improving existing recreation and leisure facilities.
184. The proposal would provide specialist housing for the aging population in the local area, for which there is a demonstrated need and to which great weight should be given in the planning balance.
185. Whilst it is recognised that the scale and design of the building, as shown on the indicative plans, represents a different form and character to the existing development in the area, the site characteristics enable the development proposed to be accommodated without any undue harm. The proposal is seeking to create a modern and highly sustainable development which supports the health and wellbeing of residents within the local community. In addition the development would encompass the use of renewable energy during the construction and operational phases. The indicative plans, submitted with the application, are for illustrative purposes only and the final plans and details of the materials to be used in its construction are to be submitted at 'Reserved Matters' stage.
186. The site has archaeological potential and a condition will require monitoring during construction to ensure any finds of archaeological interest are logged and appropriately dealt with. A sustainable drainage scheme has been demonstrated as being acceptable on the site subject to a condition requiring the submission of the detailed design. The majority of the existing trees are being retained and will be protected during the construction phase.
187. Biodiversity will be maintained with a net gain achieved by measures both on and off site. Drawings and supporting information have been submitted to demonstrate that the proposal would accord with the development plan policies in relation to landscaping and biodiversity. A full submission as part of the 'Reserved Matters' application will be considered at a later stage.
- 188 The highways aspects of the proposal are considered acceptable subject to planning conditions.

Recommendation

That, pursuant to Regulation 3 of the Town and Country Planning Regulations 1992, outline planning application ref: EP23/00633/CMA be approved, subject to planning conditions.

Conditions:

IMPORTANT - CONDITION NO(S) 5, 11, 16, 19, 20 AND 22 MUST BE DISCHARGED PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT.

1. The means of access, siting, layout and scale of the development hereby approved is as shown on the following approved plans/drawings:
 - PR-291-ATK-XX-ZZ-DR-A-90100 Rev P03 Existing Location Plan dated 24 April 2023
 - PR-291-ATK-XX-ZZ-DR-A-90102 Rev P03 Existing Site Plan dated 24 April 2023
 - PR-291-ATK-XX-ZZ-DR-A-02300 Rev P02 Existing Site Sections dated 19 March 2024
 - PR-291-ATK-XX-ZZ-DR-A-02301 Rev P02 Proposed Site Sections dated 19 March 2024
 - PR-291-ATK-XX-ZZ-DR-A-01300 Rev P04 General Arrangements - Proposed Sections dated 19 March 2024
 - PR-291-ATK-XX-RF-DR-A-90103 Rev P02 Proposed Roof Site Plan dated 22 January 2024
 - PR-291-ATK-XX-RF-DR-A-90193 Rev P01 Proposed Roof Site Plan - Thames Water Pumping Station Exclusion Zone dated 16 February 2024
 - PR-291-ATK-XX-00-DR-A-90112 Rev P04 Proposed Plans - Ground Floor dated 22 January 2024
 - PR-291-ATK-XX-01-DR-A-90113 Rev P03 Proposed Plans - First Floor dated 22 November 2023
 - PR-291-ATK-XX-02-DR-A-90114 Rev P02 Proposed Plans - Second Floor dated 28 November 2023
 - PR-291-ATK-XX-03-DR-A-90116 Rev P02 – Proposed Plans – Roof dated 28 November 2023
 - PR-291-ATK-XX-ZZ-DR-A-90200 Rev P04 General Arrangements - Elevations (1 of 2) dated 24 November 2023
 - PR-291-ATK-XX-ZZ-DR-A-01201 Rev P05 General Arrangements - Elevations (2 of 2) dated 19 March 2024

PR-291-ATK-XX-XX-DR-A-02700 3D View Rev P02 - Massing Views dated 19 March 2024

2006-KC-XX-YTREE-TPP01 Rev A Tree Protection Plan dated 19 February 2024

PR-291-ATK-XX-XX-DR-C-70001 Rev P03 Proposed Surface Water and Foul Water Drainage Layout dated 22 January 2024

PR-291-ATK-XX-XX-DR-L-00003 Rev P01 Landscape Proving Plan dated 19 January 2024

PR-291-ATK-XX-XX-DR-L-00001 Rev P05 Landscape Masterplan dated 19 January 2024

PR-291-ATK-XX-00-DR-T-00010 Rev P02 Visibility Splay dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00001 Rev P02 Vehicle Tracking - Car dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00002 Rev P01 Vehicle Tracking - Ambulance dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00003 Rev P01 Vehicle Tracking - 7.5T Box Van dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00004 Rev P01 Vehicle Tracking - Fire Pumping Appliance dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00005 Rev P01 Vehicle Tracking - Refuse Vehicle dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00006 Rev P01 Vehicle Tracking - Coach dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00007 Rev P01 Vehicle Tracking - Minibus dated 27 November 2023

PR-291-ATK-XX-00-DR-T-00012 Rev P02 Vehicle Tracking - Ambulance 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00013 Rev P02 Vehicle Tracking - 7.5T Box Van 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00014 Rev P02 Vehicle Tracking - Fire Pumping Appliance 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00015 Rev P02 Vehicle Tracking - Refuse Vehicle 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00016 Rev P01 Vehicle Tracking - Coach 02 dated 7 June 2024

PR-291-ATK-XX-00-DR-T-00017 Rev P01 Vehicle Tracking - Minibus 02 dated 7 June 2024

2. Approval of the details of the design and external appearance of the building, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the County Planning Authority in writing before any development is commenced and carried out as approved. Plans and particulars of the reserved matters referred to above, shall be submitted in writing to the County Planning Authority before the expiration of three years from the date of this permission.
3. No vehicle shall access the proposed development from Salisbury Road unless and until the proposed access junction hereby approved has been constructed and provided with visibility zones and a continuous pedestrian footway in accordance with the approved plans and final technical approval of the details under Section 278 of the Highways Act. Thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6 metres high.
4. The development hereby approved shall not be first occupied unless and until space has been laid out within the site for vehicles to be parked and to turn so that they may enter and leave the site in forward gear in accordance with the approved plans. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.
5. Prior to the commencement of the development hereby permitted a Construction Transport Management Plan shall be submitted to and approved in writing by the County 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
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (j) no HGV movements to or from the site shall take place between the hours of 8.00 and 9.30 am and 3.00 and 4.00 pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Salisbury Road during these times.
- (k) on-site turning for construction vehicles

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

6. The development hereby permitted shall not be first occupied unless and until facilities for the secure, covered parking of bicycles and the provision of a charging point with timer for e-bikes nearby have been provided within the development site in accordance with details to be submitted to and approved in writing by the County Planning Authority. The approved facilities shall thereafter be provided, retained and maintained for use by the users of the site.
7. The development hereby permitted shall not be occupied unless and until at least 20% of all available parking spaces are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) and a further 20% are provided with cabling for the future provision of charging points, in accordance with a scheme to be submitted to and approved in writing by the County Planning Authority. The approved facilities shall be implemented, retained and maintained for the users of the site.
8. Prior to the installation of the drainage to serve the development hereby permitted details of the design of a surface water drainage scheme shall be submitted to and approved in writing by the County Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS.

The required drainage details shall include:

- a) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+40% allowance for climate change) storm events during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate equivalent to the pre-development Greenfield run-off including multifunctional sustainable drainage systems.
- b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
- c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
- d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

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

9. The development hereby permitted shall not be occupied unless and until a verification report, carried out by a qualified drainage engineer, has been submitted to and approved in writing by the County Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.
10. The height and scale of the proposed building shall not exceed that shown on indicative drawing numbers PR-291-ATK-XX-ZZ-DR-A-90200 Rev P04 General Arrangements - Elevations (1 of 2) dated 24 November 2023 and PR-291-ATK-

XX-ZZ-DR-A-01201 Rev P05 General Arrangements - Elevations (2 of 2) dated 19 March 2024, hereby approved.

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11. Prior to the commencement of the development hereby permitted, a Dust Management Plan for the construction phase of the development shall be submitted to and approved in writing by the County Planning Authority. The development shall be implemented in accordance with the approved details.
 12. No construction activities shall take place on the site except between the hours of 8am and 6pm Mondays to Fridays and 8am to 1pm Saturdays.
 13. Noise levels from demolition and construction works during standard construction hours specified in Condition 12 shall not exceed 70 dB(A) LAeq,1h at 1 m from the façade of any noise sensitive receptor (residential or noise sensitive building) within the vicinity of the site. Noise generating works shall not take place outside of the hours permitted in Condition 12 without prior consent from the County Planning Authority.
 14. There shall be no external lighting installed on site, including any temporary lighting required during the construction works, in connection with the development hereby permitted unless and until details of the proposed lighting have been submitted to and approved in writing by the County Planning Authority.

The lighting details to be submitted shall include:-

- (a) confirmation of the type of fittings to be mounted on the building facade
- (b) details of the lighting controls
- (c) a complete lighting scheme with associated lux plots
- (d) consideration of the lighting impacts on the ecological interests on the site in accordance with details provided in sections 6.2.2, 6.2.3 and 6.2.4 of the Protected Species Survey Report (SWT Ecology Services, September 2023). The design should make reference to the updated guidance note issued by the Institute of Lighting Professionals and the Bat Conservation Trust in August 2023.

Only the external lighting which has been approved in accordance with this condition shall be installed on site.

15. No trees on the site shall be removed other than those identified for removal on the Tree Protection Plan 2006-KC-XX-YTREE-TPP01 Rev A dated 19 February 2024 submitted with the application.

16. Prior to the commencement of the development hereby permitted, a detailed Arboricultural Method Statement shall be submitted to and approved in writing by the County Planning Authority. This shall include details of:
 - (a) The construction of any buildings, paths, retaining walls or other structures close to retained trees;
 - (b) The location and construction of services in respect of retained trees
 - (c) The monitoring and supervision measures to be put in place to ensure compliance with the approved details to include a pre-commencement meeting by a Surrey County Council Arboriculturist

The development shall be carried out strictly in accordance with the approved scheme.

17. Prior to commencement of development hereby permitted the tree protection measures as shown on the Tree Protection Plan 2006-KC-XX-YTREE-TPP01 Rev A dated 19 February 2024 shall be implemented and retained in full until the development has been completed.

18. The Rating Level, $L_{Ar,Tr}$, of the noise emitted from all plant, equipment and machinery (including any kitchen extract etc), associated with the application site shall not exceed the existing representative LA_{90} background sound level at any time by more than +5 dB(A) at the nearest noise sensitive receptors (residential or noise sensitive building). The assessment shall be conducted in accordance with the current version of British Standard (BS) 4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'.

The existing representative LA_{90} background sound level shall be determined by measurement that shall be sufficient to characterise the environment. The

representative level should be justified following guidance contained within the current version of BS 4142:2014:A1+2019 and agreed with the County Planning Authority in the event of complaints arising in respect of noise.

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19. Prior to the commencement of the development hereby permitted a Written Scheme of Investigation to include a detailed programme of archaeological work shall be submitted to and approved in writing by the County Planning Authority. The development shall be carried out strictly in accordance with the approved details.

 20. Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the County Planning Authority. This Plan shall be prepared in accordance with the recommendations set out in section 6.3 of the Protected Species Survey Report (SWT Ecology Services, September 2023 and include the measures to protect nesting birds and badger/mammals included in the Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (SWT Ecology Services, July 2023).

The approved CEMP shall be strictly adhered to throughout the construction period.

21. Within 6 months of the date of the approval of the landscaping 'Reserved Matter' application, a landscape and ecological management plan (LEMP) shall be submitted to and approved in writing by the County Planning Authority. The LEMP shall include:-

On site provisions:

- (a) Details of the management and maintenance of the proposed on site landscape planting (including existing trees)
- (b) The location of the wildlife enhancement boxes and reptile hibernacula as described in Table 15 and section 6.3.5 of the Protected Species Survey Report (SWT Ecology Services, September 2023)

Off-site provisions at Northey Estate:

- (a) A plan showing the location of the off site biodiversity provision at Northey Estate.
- (b) Detailed planting schedules for the habitat to be created.
- (c) Details of the management and maintenance of the proposed habitat

For both sites:

- (a) Updated biodiversity net gain score based on the final landscaping and planting scheme in accordance with the BNG metric V4.0 and Habitat Classification System methodology
- (b) Detailed 30 year habitat creation and monitoring plan to ensure the delivery of biodiversity net gain both on and off site
- (c) Details of the body or organisation responsible for implementation of the management and maintenance

The approved details shall be implemented prior to the first occupation of any part of the development hereby permitted and permanently maintained thereafter.

- 22. Prior to the commencement of the development hereby permitted a playing field mitigation scheme shall be submitted to and approved in writing by the County Planning Authority. This scheme shall set out full details of the proposed mitigation works which will comprise enhancements to existing recreation and leisure facilities in the Worcester Park area, together with a programme for the implementation and completion of the works. The approved scheme shall be implemented in full in accordance with the approved details within 12 months of development commencing on the site.
- 23. There shall be no projecting external balconies on the rear (south eastern) elevation of the building hereby permitted.
- 24. Prior to the commencement of the development hereby permitted a Resource Management Plan (RMP)/details of measures to demonstrate the following shall be submitted to and approved in writing by the County Planning Authority :

- (a) That waste generated during the construction of development is limited to the minimum quantity necessary.
- (b) Opportunities for re-use and for the recycling of construction residues and waste on site are maximised.
- (c) On-site facilities to manage the waste arising during the operation of the development of an appropriate type and scale have been considered as part of the development.
- (d) Integrated storage to facilitate reuse and recycling of waste is incorporated in the development.

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

25. The extra care accommodation hereby permitted shall remain within Use Class C2 Residential Institutions in accordance with The Town and Country Planning (Use Classes) Order 1987, or any subsequent Order amending or replacing this Order, and shall remain as affordable housing for rent in accordance with the definition within the National Planning Policy Framework 2023 Annex 2: Glossary, or any subsequent Government guidance.

Reasons:

1. To comply with Section 91 (1)(a) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
2. To comply with Article 5 of the Town and Country Planning (General Development Procedure) (England) Order 2015 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.
3. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Epsom and Ewell Core Strategy 2007 Policy CS16 and Epsom and Ewell Development Management Policies Document 2015 Policies DM35, DM36 and Policy DM27.

4. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Epsom and Ewell Core Strategy 2007 Policy CS16 and Epsom and Ewell Development Management Policies Document 2015 Policies DM35, DM36 and Policy DM27
5. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Epsom and Ewell Core Strategy 2007 Policy CS16 and Epsom and Ewell Development Management Policies Document 2015 Policies DM35, DM36 and Policy DM27
6. In accordance with Epsom and Ewell Core Strategy 2007 Policy CS16 and Epsom and Ewell Development Management Policies Document 2015 Policies DM35, DM36 and Policy DM27 and in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2023 and the Surrey Local Transport Plan 4.
7. In accordance with Epsom and Ewell Core Strategy 2007 Policy CS16 and Epsom and Ewell Development Management Policies Document 2015 Policies DM35, DM36 and Policy DM27 and in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2023 and the Surrey Local Transport Plan 4.
8. To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site in accordance with National Planning Policy Framework 2023 paragraphs 167, 169 and 174; Epsom and Ewell Core Strategy 2007 Policy CS6 and Epsom and Ewell Development Management Policies Document 2015 Policy DM19
9. To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site in accordance with National Planning Policy Framework 2023 paragraphs 167, 169 and 174; Epsom and Ewell Core Strategy 2007 Policy CS6 and Epsom and Ewell Development Management Policies Document 2015 Policy DM19

10. To ensure that the scale of the development complies with the outline planning permission and respects the character and appearance of the area within which it is located, in accordance with Epsom and Ewell Core Strategy 2007 Policies CS5 and CS6 and Epsom and Ewell Development Management Policies Document 2015 Policies DM9 and DM10
11. In the interests of the residential amenity of neighbouring dwellings, in accordance with Epsom and Ewell Core Strategy 2007 Policy CS6 and Epsom and Ewell Development Management Policies Document 2015 Policy DM10. This condition is required prior to the commencement of the development as the potential impact from dust arises during the construction phase of the development.
12. In the interests of the residential amenity of neighbouring dwellings, in accordance with Epsom and Ewell Core Strategy 2007 Policy CS6 and Epsom and Ewell Development Management Policies Document 2015 Policy DM10
13. In the interests of the residential amenity of neighbouring dwellings, in accordance with Epsom and Ewell Core Strategy 2007 Policy CS6 and Epsom and Ewell Development Management Policies Document 2015 Policy DM10
14. In the interests of the residential amenities of neighbouring dwellings and the ecological interest of the site, in accordance with Epsom and Ewell Core Strategy 2007 Policies CS3 and CS6 and Epsom and Ewell Development Management Policies Document 2015 Policies DM4 and DM10
15. To ensure the retention of existing trees on the site in the interests of the visual amenities of the area in accordance with Epsom and Ewell Development Management Policies Document 2015 Policies DM4, DM5 and DM9
16. To ensure the retention of existing trees on the site in the interests of the visual amenities of the area in accordance with Epsom and Ewell Development Management Policies Document 2015 Policies DM4, DM5 and DM9. The condition is required prior to commencement as the construction works can cause damage to trees and tree roots.

17. To ensure the retention of existing trees on the site in the interests of the visual amenities of the area in accordance with Epsom and Ewell Development Management Policies Document 2015 Policies DM4, DM5 and DM9
18. In the interests of the residential amenity of neighbouring dwellings, in accordance with Epsom and Ewell Core Strategy 2007 Policy CS6 and Epsom and Ewell Development Management Policies Document 2015 Policy DM10
19. The site lies in an area of archaeological potential and the submitted Archaeological Trial Trench Evaluation details significant archaeological remains that survive at the site. A programme of archaeological monitoring and recording is required to mitigate the impact of development. This is in accordance with Epsom and Ewell Core Strategy 2007 Policy CS5 and Epsom and Ewell Development Management Policies Document 2015 Policy DM8. Compliance with this condition is required pre-commencement as significant archaeological remains could be damaged or destroyed by development works, and may be negatively impacted by facilitating works and machinery or vehicle movements on the existing surface.
20. To protect habitats and biodiversity in accordance with Epsom and Ewell Core Strategy 2007 Policy CS3 and Epsom and Ewell Development Management Policies Document 2015 Policy DM4. This condition is required pre-commencement as the construction phase can cause adverse impacts on ecology and biodiversity
21. To enhance and protect habitats and biodiversity and in accordance with Epsom and Ewell Core Strategy 2007 Policy CS3 and Epsom and Ewell Development Management Policies Document 2015 Policy DM4.
22. To mitigate the impact of the loss of potential playing field land to accord with Epsom and Ewell Core Strategy 2007 Policy CS4 and Epsom and Ewell Development Management Policies Document 2015 Policy DM6. The details are required pre-commencement to ensure that the required mitigation measures have been agreed and are in place to enable implementation in a timely manner alongside the development permitted.

23. In the interests of the residential amenity of neighbouring dwellings, in accordance with Epsom and Ewell Core Strategy 2007 Policy CS6 and Epsom and Ewell Development Management Policies Document 2015 Policy DM10
24. To ensure the minimisation of waste and maximisation of recycling in accordance with Policy S4 of the Surrey County Council Waste Local Plan 2019-2033 and Epsom and Ewell Core Strategy 2007 Policy CS6
25. In accordance with the proposal submitted and to ensure that the proposed development remains solely for the use intended and meets the definition of affordable housing in order to contribute to Epsom and Ewell's and wider Surrey's affordable housing need in accordance with National Planning Policy Framework 2023 paragraphs 66 and 124 and Epsom and Ewell Core Strategy Policy CS8

Informatives:

1. All works involving excavation of soil, including foundations and the laying of services, within the root protection area of retained trees on the site will be supervised by the appointed arboricultural consultant and will be dug by hand and in accordance with [the approved Arboricultural Method Statement and] the National Joint Utility Group Vol 4, 2007 Guidelines for the planning, installation and maintenance of utility apparatus in proximity to trees.
2. In determining this application the County Planning Authority has worked positively and proactively with the applicant by: entering into pre-application discussions; scoping of the application; assessing the proposals against relevant Development Plan policies and the National Planning Policy Framework including its associated planning practice guidance, providing feedback to the applicant where appropriate. Further, the County Planning Authority has: identified all material considerations; forwarded consultation responses to the applicant; considered representations from interested parties; liaised with consultees and the applicant to resolve identified issues and determined the application within the timeframe agreed with the applicant. Issues of concern have been raised with the applicant including impacts of and on highways/ecology/visual impact/ and addressed through negotiation and acceptable amendments to the proposals. The applicant has also been given advance sight of the draft planning conditions. This approach has been in

accordance with the requirements of paragraph 38 of the National Planning Policy Framework 2023.

3. The applicant is advised that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or is being built. Planning consent for a development does not provide a defence against prosecution under this Act. Trees and scrub are likely to contain nesting birds between 1 March and 31 August inclusive. Trees and scrub are present on the application site and are assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity during this period and shown it is absolutely certain that nesting birds are not present.
4. The archaeology excavations are expected to comply with BS 5387:2012. Where trenches are to be excavated within areas close to trees, then RPA's are to be highlighted for each tree or group of trees with spray or tape to prevent incursions.
5. This approval relates only to the provisions of the Town and Country Planning Act 1990 and must not be taken to imply or be construed as an approval under the Building Regulations 2000 or for the purposes of any other statutory provision whatsoever.
6. Attention is drawn to the requirements of Sections 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings (British Standards Institution Code of Practice BS 8300:2009) or any prescribed document replacing that code.
7. There are public sewers crossing or close to the development Thames water requests that checks are made to ensure that the development doesn't limit repair or maintenance activities, or inhibit the services they provide in any other way. The applicant is advised to read their guide to working near or diverting their pipes <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>.
8. The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read their guide 'working near our assets' to ensure your workings are in line with the necessary processes

you need to follow if you're considering working above or near our pipes or other structures <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>.

Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

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9. This site is affected by wayleaves and easements within the boundary of or close to the application site. Thames Water will seek assurances that these will not be affected by the proposed development. The applicant should undertake appropriate searches to confirm this. To discuss the proposed development in more detail, the applicant should contact Developer Services <https://www.thameswater.co.uk/developers>
10. The proposed development is located within 20m of a Thames Water Sewage Pumping Station and this is contrary to best practice set out in Codes for Adoption <https://www.thameswater.co.uk/developers/larger-scale-developments/sewers-and-wastewater/adopting-a-sewer> Future occupiers of the development should be made aware that they could periodically experience adverse amenity impacts from the pumping station in the form of odour; light; vibration and/or noise
11. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
12. If the applicant is planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](https://www.thameswater.co.uk/buildingwater).
13. 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 their website. 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.

Sub ground structures should be designed so they do not have an adverse effect on groundwater. If there are any further queries please contact the Flood Risk, Planning, and Consenting Team via SUDS@surreycc.gov.uk. Please use our reference number in any future correspondence

14. It is the responsibility of the developer to provide e-bike charging points with socket timers to prevent them constantly drawing a current over night or for longer than required. Signage should be considered regarding damaged or shock impacted batteries, indicating that these should not be used/charged. The design of communal bike areas should consider fire spread and there should be detection in areas where charging takes place. With regard to an e-bike socket in residential use, the residence should have detection, and an official e-bike charger should be used. Guidance on detection can be found in BS 5839-6 for fire detection and fire alarm systems in both new and existing residential premises and BS 5839-1 the code of practice for designing, installing, commissioning, and maintaining fire detection and alarm systems in non-domestic buildings
15. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2023. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and CPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.
16. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see:
<http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice>
17. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water

course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works (including Stats

connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see:

<http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/traffic-management-permit-s>.

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
[Planning Practice Guidance](#); traveller sites; planning for schools development; sustainable drainage systems; parking and
<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2015-03-02/HCWS324/>.

Contact Dawn Horton-Baker

Tel. no. 020 8541 9435

Background papers

The deposited application documents and plans, including those amending or clarifying the proposal, and responses to consultations and representations received, as referred to in the report and included in the application file.

For this application, the deposited application documents and plans, are available to view on our [online register](#). The representations received are publicly available to view on the district/borough planning register.

The Epsom & Ewell Borough Council planning register entry for this application can be found under application reference EP23/00633/CMA.

The following were also referred to in the preparation of this report:

Government Guidance

[National Planning Policy Framework](#)

[Planning Practice Guidance](#)

The Development Plan

[Surrey Waste Local Plan 2020](#)

Epsom and Ewell Core Strategy 2007

