

PLANNING, DESIGN AND ACCESS STATEMENT
TO SUPPORT A
FULL PLANNING APPLICATION FOR A DEVELOPMENT OF NINE FLATS
TOGETHER WITH ALTERATIONS TO VEHICULAR ACCESS, LANDSCAPING AND
ASSOCIATED WORKS FOLLOWING DEMOLITION OF EXISTING DWELLING

LAND AT FRIARS GARTH, THE PARADE, EPSOM, SURREY, KT18 5DH

April 2021

RLS/21308

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SUMMARY OF DEVELOPMENT

The application proposal involves the residential redevelopment of an existing site in residential use comprising the construction of a building to provide flats over three floors at Friars Garth, The Parade, Epsom, Surrey KT18 5DH.

The site lies within the defined town centre boundary as set out on the Development Plan Proposals Map. The existing building is not listed and does not fall within a Conservation Area although the site lies within a locally defined Area of High Archaeological Potential and there is a Grade II Listed Building to the west of the site. The site lies within Flood Zone 1 and is therefore at a low risk of flooding.

The site lies within the urban area where new residential development, is acceptable in principle and is strongly supported by both national and local planning policy. The site is in a highly sustainable town centre location which has a good range of services, facilities, employment, public transport and leisure opportunities.

The NPPF actively promotes the delivery of new homes through the redevelopment of sustainable brownfield sites such as this. It also places an emphasis on making the more effective use of land and developing at higher densities where appropriate.

The proposal would be in accordance with the Council's Housing Strategy and will help contribute to the Council's housing land provision. The Council has a severe under-supply of housing.

The proposal comprises a high-quality, traditional design solution for a site situated in a highly sustainable location. The design utilises the site to maximise its potential development, which is key for a town centre setting, whilst having full regard to the amenities of the neighbouring dwellings, the setting of the adjacent listed building and the character of the locality.

The provision of 2 and 3-bedroom flats would be appropriate to the site and its town centre location, and meet the housing need set out in the Epsom and Ewell Local Plan. This form of development would also optimise the number of dwellings that can be achieved on the site.

The proposal fully responds to the opportunities and constraints of the site, would be of a layout, scale and form appropriate to the area, and would have a satisfactory relationship to neighbouring buildings and the street scene.

The proposal has full regard to the character of the immediate locality which is varied in terms of its scale, height and style of buildings.

The proposal would clearly represent a change to the scale and form of development on the site and to the appearance of this part of The Parade. However, the proposal would form part of the evolution of development in the road and would satisfactorily integrate into its varied surroundings.

The proposal has full regard to preserving the separation and setting of the adjacent Grade II Listed Building.

The proposal would provide satisfactory vehicular access, parking and servicing arrangements. The application is supported by an independent Transport Statement which explains why the level of parking and the access and egress from the site are acceptable.

The proposal would provide a high quality residential environment for the future occupiers of the development. The size of the proposed units would meet the national Technical Space Standards and each flat will have a minimum of 5sqm of external amenity space, either in the form of a private garden space or a balcony.

Through the careful layout and design of the scheme, including fenestration, and the location of the building on the site, the proposal would safeguard the amenity and privacy of neighbouring residential occupiers.

The proposed redevelopment of the site has been the subject of pre-application discussions with the Council, and has taken into account the comments raised about the previous, larger mixed use development proposed for the site. We believe that we have now presented a scheme that takes full account of the comments of Officers and where

its design has evolved over time, to accommodate as far as is practicable the points raised.

This Statement demonstrates the proposal would be in accordance with the NPPF and the Development Plan for the area. It is contended the Council should strongly support this type of proposal in seeking to achieve its housing targets and making the most effective use of land, while preserving the amenity of the surrounding residential properties and the setting of the adjacent listed building. In our view, the proposal has significant merit.

1.0 INTRODUCTION

1.1 This Planning Support Statement is submitted on behalf of our client, Latchmere Properties Ltd, and is provided in support of a full planning application for the residential redevelopment of a site at Friars Garth, The Parade, Epsom, Surrey KT18 5DH.

1.2 The application involves a residential redevelopment of the site with a total of 9 two and three-bedroom flats over three floors. An existing detached dwelling would be demolished. The proposal would be traditional in form and design.

1.3 All relevant planning issues are to be considered as part of the assessment of the proposal.

1.4 This Statement should be read in conjunction with the submitted application forms, certificate of ownership, accompanying drawings and documents. A street scene elevation of the proposed development is also to be provided. For completeness, the drawings comprise the following:

- Location Plan at Scale 1:1250 and Block Plan at Scale 1:500 (Drawing E 100)
- Existing Site Plan at Scale 1:200 (Drawing E 101)
- Existing Elevations at Scale 1:100 (Drawing E 110)
- Proposed Site Plan at Scale 1:200 (Drawing P 300)
- Proposed Ground Floor Plan at Scale 1:100 (Drawing P 301)

- Proposed First Floor Plan at Scale 1:100 (Drawing P 302)
- Proposed Second Floor Plan at Scale 1:100 (Drawing P 303)
- Proposed Roof Plan at Scale 1:100 (Drawing P 304)
- Proposed Elevations at Scale 1:100 (Drawings P 310 to 113)
- Proposed Street Elevations at Scale 1:500 & 1:200 (Drawing P350)

1.5 A separate Design & Access Statement which provides further details of the scheme, has been prepared and accompanies the application.

1.6 The application is also accompanied by the following series of technical documents, some required as part of the Council's validation guidelines:

- Transport Statement dated April 2021 prepared by RGP Ltd
- Phase I Potential Contamination Desk Study dated July 2020 prepared by Albury S I Ltd
- Desk Based Archaeological Assessment dated July 2020 prepared by RPS Group Ltd
- Arboricultural Impact Assessment, Method Statement and Protection Plan including Tree Survey dated July 2020 (revised April 2021) prepared by ACD Environmental Ltd
- Ecological Assessment Report dated August 2020 prepared by the Ecology Co-op
- Flood Risk Assessment dated April 2021 prepared by Lanmor Consulting-Civil Engineers and Transport Planners.
- Heritage Statement.

1.7 The above technical documents should be read in conjunction with this Planning Statement

1.8 Having regard to the number of residential units proposed and current national and local policy thresholds the development is not required to provide a contribution to affordable housing provision.

1.9 We are aware such a proposal would be subject to the Council's CIL. The Charging Schedule was introduced in April 2014 and came into effect in July 2014. The appropriate Liability Forms are enclosed.

2.0 EIA STATEMENT

2.1 In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (2017 No. 571) Part 2 4(3), the development scheme has been 'self-screened' to ascertain whether the proposed development comprises a project subject to EIA Regulations 2017.

2.2 The proposal relates to the residential redevelopment of a residential site with a total of 9 flats (net increase of 8 residential units) on a site area of 0.087 ha. The scale of development proposed would fall well below the thresholds set out in the EIA Regulations 2017.

2.3 The proposal is considered not to be EIA development under either Schedule 1 or 2 of the EIA Impact Regulations 2017 (as amended) or a variation/amendment of a previous EIA development nor taken in conjunction with other development that is likely to have a significant environmental effect.

2.4 On this basis, the proposal would not represent EIA development in accordance with the Regulations 2017.

3.0 DESCRIPTION OF SITE AND LOCALITY

3.1 The application site is situated on the south side of The Parade, a no through road a short distance from the High Street of Epsom.

Location Plan



3.2 The application site comprises a large detached two-storey single dwelling, known as Friars Garth, set back from The Parade with a generous rear garden and frontage parking. The dwelling appears to date from the early 1930s with few alterations and which features rendered elevations, bay windows and a large pitched tiled roof. Although traditional in appearance it is not of any significant architectural merit. The existing site boundaries are defined by a mixture of brick walls and close-boarded fencing. There are some trees located within and beyond the site boundaries.

Friars Garth and Immediate Context



Source: Google Streetview 2020

3.3 The site fronts the Parade with the Council Offices on the opposite side of the road. The eastern and southern edges of the site border the adjacent privately gated Cressinghams development, a small close of some 13 mostly semi-detached two and a half storey dwellings. There are some flats at the end of Hereford Close. There is a large grass verge on the eastern side which is within the control of the applicant.

3.4 To the west of the site is The Old Pines, a Grade II Listed Building which dates from the early-mid 18th Century. We understand this building is in commercial use as a clinic having previously been in office use.

3.5 The wider area comprises a mix of uses, typical of the site's town centre location. The Parade comprises a mix of uses including residential, offices, a hotel and some community uses including a Church. The town centre itself is more commercial in nature. The existing housing along The Parade is a mix of 20th Century suburban house types and apartment blocks with more housing further to the south. There is a public open space a short walking distance to the east off The Parade.

3.6 The architectural character of the immediate area is varied with buildings of different scale, styles, height and form. Some buildings are three or four storeys in height and of modern construction. Buildings on the opposite side of the road are generally well screened by some mature trees and hedgerows.

4.0 PLANNING HISTORY

4.1 In the Council's Pre-application response letter dated March 2019 reference is made to two applications submitted on the site in the 1990's. Both applications related to the change of use of the property from residential to offices and although granted the decision dates are unknown. However, these permissions would not appear to have been implemented with the property still in lawful use as a single residential dwelling.

5.0 PRE-APPLICATION

- 5.1 Alternative pre-application schemes for the residential redevelopment of the site were submitted by the architects in December 2018 and following a meeting in February 2019 a formal written response was received from the Council on 22 March 2019 (references 18/01378/PRE-APP and 18/01379/PRE-APP).
- 5.2 The first scheme comprised a 9-unit apartment block in one three-storey building with surface parking to both the front and rear of the site. The building was of contemporary design.
- 5.3 The second scheme comprised 5 houses, with a terrace of three facing The Parade and a pair of detached houses towards the rear, with separate access and parking. There were two options, one with integral garaging to the proposed terraced houses and one with just surface parking (the integral garaging being used as additional bedrooms). Whilst the proposed terraced houses were of a contemporary design the detached houses were more traditional in appearance.
- 5.4 The main points raised by Officers can be summarised as follows:
- The principle of redevelopment is acceptable.
 - The site is located within the town centre which is the most accessible and sustainable location within the Borough. Within this area the site shall be 'optimised'.
 - Given its town centre location a flatted development is considered appropriate. Therefore, the Council does not consider the provision of detached houses at this site would provide 'site optimisation'.
 - There should be a strong design base with symmetrical upper floors.
 - The Council notes surrounding buildings vary in height and suggest that a three-storey development may be appropriate on the northern part of the site with a four-storey building on the southern part of the site (subject to adequate distances being retained between the proposal and surrounding properties).

- Any building should respect the adjacent listed building and should be set back from The Parade, respecting the existing building line. The width of any proposal should match that of the adjacent listed building.
- In setting out the Council's parking standards, Officers state that having regard that development should optimise the site, exceptions to car parking policy provision may be considered favourably, subject to the applicant demonstrating a departure from the standards.
- Advice is provided in respect of quality of accommodation; outdoor amenity space; affordable housing; the protection of any existing important landscape features and enhancement of biodiversity where practical.

5.5 The previous application for 18 flats over offices was withdrawn, having received advice from the Planning Officer John Robinson and Conservation Officer Lance Penman that the proposed scheme was too large, and had an adverse impact on the amenity of the houses in The Cressinghams and on the setting of the adjacent listed building by virtue of its size, separation distances and modern style. Following that withdrawal we received some informal pre-application advice from Mr Robinson and Mr Penman, that a reduced scheme, more akin to the flatted scheme presented in the pre-app submission of December 2018 would be more acceptable, and a more symmetrical and classically inspired design might sit more comfortably with The Pines next door.

5.6 Following that initial advice, we submitted for informal comments, an initial sketch of the scheme design which now comprises this application. The summary of the comments received were:-

- In principle the size, scale and massing are acceptable.
- 25% three bed units are required to comply with Policy DM22.
- Supporting evidence to show that 9 units is the optimum number.
- Reduce the scale of the portico.
- If the design is to be classical, it should be authentically detailed.
- The rear balcony should be redesigned to be more in keeping.
- There is an odd mix of modern and classical.

5.7 We have given very careful consideration to the advice and comments made by Officers to the informal pre-application scheme. The following main changes have been made to the proposal:

- The flats have been redesigned to provide 3, three bedroom flats to meet the 25% requirement for three bed units.
- The portico has been amended to reduce the decorative balustrading and its apparent scale.
- The building has been detailed to include authentic Georgian details – sash windows, mouldings and proportions. The roof however, remains a mansard as this is a traditional Georgian roof form, and is needed to provide the required number of units. Render has been chosen as the facing material as it is an authentic Georgian material and harmonises with The Pines next door.
- The glazed link between the front and rear blocks has been made more solid and traditional in appearance and a rear, side entrance canopy added.
- The rear balconies have been moved off centre and the proportions of the rear façade improved.

5.8 We consider that we have fully addressed the Officers concerns by putting forward a high-quality traditional designed scheme. The scheme is reduced from that previously proposed, but now offers the right balance between maximising the development potential of the site, and respecting the amenity of the adjacent residential dwellings in The Cressinghams and the setting of the adjacent listed building.

6.0 THE PROPOSAL, INCLUDING DESIGN AND ACCESS PRINCIPLES

6.1 The application is for a high quality development of nine 2 and 3 bedroom flats, with nine on site parking spaces. The building is designed in a traditional form, referencing the Georgian period which is characteristic of Epsom and is found in The Pines next door.

Use

6.2 The existing site is in residential use (Use Class C3 Use Classes Order 1987 (as amended)) with a single detached two-storey dwelling set within a landscaped rear garden.

6.3 The site will remain in residential use, but as a block of nine two and three bedroom flats.

Amount

6.4 The site has an area of 0.087 ha. The existing dwelling has a GIA of some 230 sqm. The proposal would increase the density of residential development on the site from 11.5 dpha to 103.4 dpha.

6.5 The proposal would have a total GIA of some 823 sqm with 3 residential units on each of the three floors.

6.6 The development provides 3, three bedroom flats and 6, two bedroom flats.

6.7 The proposal provides nine on site car parking spaces, which provides a good balance between the need to accommodate private cars, which it is almost certain that the occupants of flats such as these will have, and the fact that the location is highly sustainable within walking distances of shops and local amenities and bus and rail connections.

6.8 The amount of development proposed can be satisfactorily accommodated within the site boundaries without appearing overdeveloped or detrimental to the wider character and appearance of the area.

Layout

6.9 The submitted Site Layout Plan shows the proposal in relation to the position/footprint of existing dwelling, the road frontages and neighbouring buildings. It also indicates various separation distances to boundaries.

6.10 The siting and layout of the proposal takes fully into account the size and shape of the site and the relationship to surrounding buildings, including the Grade II Listed Building to the west of the site.

- 6.11 The proposed layout effectively comprises two blocks linked together by the vertical circulation (lift and staircase). The proposed front block would be sited in a similar position to the existing detached dwelling albeit slightly further forward. The front block would be sited broadly in line with the front elevation of the neighbouring Listed Building – The Pines, and the side elevation of 1 The Cressinghams but maintaining a set back from the road frontage of 6.15 metres. It can be seen from the Site Plan the proposal fully respects existing building lines along The Parade.
- 6.12 Towards the rear of the site the plot widens out and the rear part of the building steps across to the west, creating space for the parking of cars. The separation distances to boundaries are shown on the Site Plan.
- 6.13 The existing vehicular access would be modified, and slightly widened, in order to provide improved visibility splays and space for two cars to pass at the entrance to the site. The access would run down the east side of the proposed building to reach the parking area to the rear. At the front of the site the existing boundary treatment is a low brick wall with a close boarded fence above, which blocks off the house from the public realm. The proposed boundary treatment retains the idea of a low wall with brick piers but without the fence, so the new building can relate to the street, offering improved security and visibility.
- 6.14 The layout and orientation of the proposed residential units are considered to achieve a satisfactory outlook and amenity for future residents, including privacy and adequate levels of outlook, daylight and sunlight.
- 6.15 The residential units would have access to two areas of shared communal space, at the front and rear of the site, these will be in addition to a minimum of 5 sqm of private outdoor space in the form of balconies and gardens. This area would be enhanced with benches and planting. There is also an area of public parkland to the east of the site which is less than a 5-minute walk away. We consider the level of amenity space to be acceptable and appropriate for such a development in this location.

- 6.16 Refuse and cycle storage facilities can be satisfactorily accommodated on site, with a communal bin storage area being provided along the eastern site boundary and hidden from public view. The front boundary is stepped in and designed to provide a refuse collection point.
- 6.17 Covered cycle storage is located on the western side of the site accessed only through the central lobby to improve security.
- 6.18 The development can be achieved in a manner which protects the character and appearance of the street scene and the residential amenities of the area.

Scale

- 6.20 The proposal follows pre-application advice with a three-storey building. The existing dwelling has an overall ridge height of some 9.2 m, with the proposed being 9.25m tall.
- 6.21 The proposed building is 12.9m across the frontage which is narrower than the existing dwelling which measures 15.4m in overall width. The existing building virtually fills the width of the site, but the proposed is narrower to allow a vehicle access to pass down the eastern side and to provide sufficient spacing to the adjacent houses.
- 6.22 The proposed rear part of the building is narrower than the front, reducing to 10.9m in width.
- 6.23 Following the form of a traditional Georgian house, the facades feature two full storeys with a parapet wall and mansard roof above, reducing the perceived bulk of the second floor while allowing sufficient space to meet the required space standards.

APPEARANCE

- 6.24 The main concept behind the proposal comprises a high-quality design creating an authentic Georgian appearance in scale, form and detailing when viewed in conjunction with The Pines to the west.
- 6.25 The walls will be formed in facing brickwork, of a red/orange multi colour, pointed with a pale mortar. The sash windows will be correctly recessed behind the outer skin of brickwork to give an appropriately deep reveal. The windows will each feature a rubbed brick arch in a matching brick. The porch and portico, along with the band courses and copings will be in reconstituted stone, but detailed to authentically match the classical features of the Georgian period. The mansard roof will be clad in natural slate and dormers proportioned and detailed to suit the style of the building.

LANDSCAPING

- 6.26 Whilst the footprint of the proposed building would cover much the available site (in order to optimise its development potential) areas would be given over to communal amenity space with scope for landscaping. The frontage to the parade will feature three cherry trees and the planting of suitable shrubs and perennial plants to create private gardens for flats 1 and 2 and a communal amenity space. Along the eastern side, a planting bed provides a buffer between the windows of flat 1 and the access drive, with further planting beds provided along the eastern and southern elevations. At the rear of the site a shared amenity space is separated from the garden of unit 3 and from the parking area by native hedging.
- 6.27 The boundary will remain largely as it is at the moment, comprised of brick walls separating the site from The Cressinghams. The frontage to The Parade will be rebuilt with new low brick walls with piers in brickwork to match that of the new building.

ACCESS

- 6.28 The existing vehicular access from The Parade would be retained and widened to improve visibility splays along the road. This would allow access to the parking area for nine cars at the rear of the site. A separate gateway is provided in front of the new building to provide pedestrian access to the flats.

- 6.29 The position and design of the modified access would be to highway requirements and would be suitable to cater for the modest level of vehicle traffic that would be generated by the development.
- 6.30 While the location of the site is sufficiently close to the centre of Epsom to not require any on site parking, which would be in accordance with Surrey Highways design guidance, we consider it more appropriate and neighbourly to provide one parking space per flat, which will reduce the pressure for on street parking in the surrounding roads.
- 6.31 The development is designed to be fully compliant with approved document M of the building regulations to provide visitable dwellings. The thresholds of the doors into the building will be flush with sheltering porches, vertical circulation will be provided by a suitably sized lift and corridors and doors are of an appropriate width to allow wheelchair access to and within each of the apartments.

7.0 PLANNING POLICY AND GUIDANCE BACKGROUND

- 7.1 The site lies within the urban area of Epsom where new development is acceptable in principle subject to scale, visual impact and amenity considerations.
- 7.2 The site lies within the defined town centre boundary and designated as a built-up area as part of the Council's Development Plan Proposals Map. The existing building is not listed and does not fall within a Conservation Area, although it forms part of a locally designated Area of High Archaeological Potential. The neighbouring building to the west is also a Grade II Listed Building. The site lies within Flood Zone 1 (low probably of flooding) although specialist reports suggest the site has potential for surface water and groundwater flooding.
- 7.3 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 38(3) states that the Development Plan includes the Regional Strategy and any other Development Plan documents.

NATIONAL PLANNING POLICY

7.4 This comprises the NPPF 2019 and the NPPG 2014 (amended May 2016) together with Technical Housing Standards – Nationally Described Space Standards 2015 (amended May 2016) (where these have been formally adopted in a Local Planning Authorities up to date Development Plan).

7.5 The NPPF 2019 contains a strong presumption in favour of sustainable development and at paragraph 3 advises that the Framework should be read as a whole.

7.6 Paragraph 7 states the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 states achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental), which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). However, paragraph 9 states these are not criteria against which every decision can or should be judged. Decisions should also take local circumstances into account, to reflect the character, needs and opportunities of each area.

7.7 Paragraph 10 states the following:

'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).'

7.8 Paragraph 11 goes onto state that plans and decisions should apply a presumption in favour of sustainable development.

'For decision-taking this means:

c) approving development proposals that accord with an up to date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are the most important for determining the application are out of date, granting permission unless:

(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or

(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole.'

7.9 Paragraph 12 states the following:

'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan...permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'

7.10 The most relevant sections of the NPPF in relation to this proposal are 5 (Delivering a sufficient supply of homes); 7 (Ensuring the vitality of town centres); 8 (Promoting healthy and safe communities); 9 (Promoting sustainable transport); 11 (Making effective use of land); 12 (Achieving well-designed places); 15 (Conserving and enhancing the natural environment); and 16 (Conserving and enhancing the historic environment).

REGIONAL PLANNING POLICY

7.11 The South East Plan 2009 was the Regional Spatial Strategy (RSS) for the region. The Plan was revoked in March 2013 except for Policy NRM6 which relates to the Thames Basin Heaths SPA. However, this does not apply to the site.

LOCAL PLANNING POLICY

Development Plan

7.12 The approved Development Plan for the area comprises the adopted Core Strategy 2007 and the adopted Development Management Plan 2015 and these include the following relevant policies:

Core Strategy 2007

- CS1 – Sustainable Development
- CS3 - Biodiversity
- CS5 – Conserving and Enhancing the Quality of the Built Environment
- CS6 – Sustainability in New Development
- CS7 – Housing Provision
- CS8 – Location of Housing Development
- CS9 – Affordable Housing and Meeting Housing Needs
- CS14 – Epsom Town Centre
- CS16 – Managing Transport and Travel

Development Management Plan 2015

- DM4 – Biodiversity and New Development
- DM5 – Trees and Landscape
- DM8 – Heritage Assets
- DM9 – Townscape Character and Distinctiveness
- DM10 – Design Requirements for New Developments
- DM11 – Housing Density
- DM12 – Housing Standards
- DM13 – Building Heights
- DM17 – Contaminated Land
- DM19 – Development and Flood Risk
- DM22 – Housing Mix
- DM35 – Transport and New Development
- DM36 – Sustainable Transport for New Development
- DM37 – Parking Standards

7.13 Having regard to paragraph 213 of the NPPF, due weight has been given to the above policies. The Core Strategy dates from 2007 and its housing policies, particularly in respect of housing provision, are deemed to be out of date.

Emerging Local Plan (2017-2037)

7.14 As a result of changes to national planning policy, work is currently under way by the Council to review its Local Plan policies relating to housing. The latest Local Plan Programme was published in January 2020. The emerging Local Plan is at its early stages with only modest progress made to date, having started in August 2017. Various consultations have been carried out with date of submission to the Secretary of State being October 2021 and possible adoption December 2022.

7.15 To function alongside the emerging Local Plan, in September 2019 the Council produced a Masterplan in response to the higher objectively assessed housing need calculated using the Government's standard methodology and Housing Delivery Test. Although not a statutory requirement, the general consensus was that new development should be more intense and taller than at present around retail centres, close to transport hubs and Epsom town centre. The document recognises that Epsom town centre is the most sustainable location in the borough to accommodate new high-density housing development, that the intensification of existing urban land is the most sustainable form of development and that under-utilised land should be recycled. It also recognises that town centres are particularly appropriate locations to meet the need for affordable housing. It also states the following:

'Where sites are large enough to accommodate them, a mix of uses should be provided in central locations, including residential uses. The inclusion of flexible commercial space at ground and lower levels may provide an adaptable option that could help the wider town centre respond to evolving retail and market trends'...and '...positively contribute to the town centre's vitality and viability...'

7.16 The Council also published a document entitled 'Making the Efficient Use of Land Optimising Housing Delivery 2018' in response to the publication of the revised NPPF. This was an interim measure to boost housing delivery and give greater certainty to the local plan process.

7.17 This is an important document which outlines the material considerations that the Council should take into account when assessing planning applications, such as

higher densities and building heights, whilst responding to the Borough's visual character and appearance.

7.18 The document acknowledges that due to the high objectively assessed housing need and constrained housing supply, it cannot demonstrate a sufficient supply of available, developable and deliverable housing sites that meet that need in full and cannot demonstrate a 5-year housing land supply.

7.19 The Council's approach towards housing density and taller residential buildings is set out under Policies DM11 and DM13 respectively. These policies seek to manage the intensity of development by limiting new housing developments (in most cases) to densities of 40 dpha or fewer and building heights up to a maximum of 12m (with a maximum height of 16m in certain parts of the town centre under Plan E Policy E7). The Council considers this could restrict the 'capacity' of sites located within existing built-up areas.

7.20 Whilst the height of the current proposal falls within the current policy limitations it proposes a much higher density, partly reflective of the smaller units proposed. This is considered appropriate having regard to the site context and its highly sustainable town centre location.

7.21 The emerging Local Plan is therefore at a relatively early stage and, having regard to paragraph 48 of the NPPF, little weight can be given to this document. However, it clearly indicates there is a need for a new housing strategy in order to meet its greater future housing needs, a review of Green Belt boundaries and a review of those policies that may impede the Council's ability to meet its housing targets. Policies under consideration for review include those relating to building height, housing density, housing mix and parking standards.

Other Policy and Guidance Documents

7.22 These comprise the following:

- Biodiversity and Planning (2012)
- Epsom Town Centre Area Action Plan (2011) – Plan E
- Revised Developer Contributions (2014)
- Revised Sustainable Design (2016)

- Parking Standards for Residential Development (2015)
- County Vehicular and Parking Guidelines (2018)
- Council's Annual Monitoring Report (2018-19)
- Community Infrastructure Levy Guidance, including Charging Schedule 2014
- Infrastructure Delivery Plan (2018)
- Strategic Housing Market Assessment (SHMA) for Kingston and North-East Surrey Districts (June 2016)
- Strategic Flood Risk Assessment (2018)
- Local Plan Spatial Economic Growth Spatial Strategy (February 2020)

7.23 Therefore, we believe the above documents form the appropriate policy framework and basis of decision-making in the case of this proposal.

8.0 POLICY ASSESSMENT AND PLANNING MERITS

8.1 The main planning considerations are set out below:

- Principle of development
- Character and appearance of the area
- Housing provision, type and mix
- Affordable housing
- Layout, amenity and quality of accommodation
- Neighbouring residential amenity
- Traffic and car parking
- Trees and Landscaping
- Biodiversity and nature conservation
- Flood risk and drainage
- Sustainable design and construction
- Potential contamination and fire risk

Principle of development

8.2 The adopted Core Strategy 2007 sets out key policy principles on which sustainable development will be achieved. One of these states the following:

'...providing for the necessary new housing, employment and other development in the Borough in sustainable locations within the built-up areas and particularly through the re-use of previously developed land'

- 8.3 Policy CS1 is an overarching policy which applies to all development. It states the Council will expect the development and use of land to contribute positively to the social, economic and environmental improvements necessary to achieve sustainable development. Changes should protect and enhance the natural and built environments.
- 8.4 Policy CS8 directs new housing development to the defined built-up area of Epsom and Ewell. Within these areas emphasis is given on the use of previously developed land for housing. Subject to other policies, planning permission will be given for development within built-up areas including infilling, redevelopment and conversion.
- 8.5 In accordance with Policy CS8, the site is located within the built-up area which is considered suitable for residential development. The current site is deemed to be under-utilised and its redevelopment potential should be optimised. The site is currently occupied by an established residential dwelling. The existing site use for residential would largely be maintained and would provide a net increase of 8 residential units on the site.
- 8.6 The site is located within the defined Town Centre boundary (albeit on the southern edge) which is the most accessible and sustainable location within the Borough.
- 8.7 Policy CS14 specifically relates to Epsom Town Centre and where the Council is committed to a positive and pro-active approach to town centre development and change. The proposal would comply with this policy in that it would help the town centre to adapt to change and reinforce its role in meeting the needs of the local community and would build upon the distinctive character of the place. The redevelopment of the site would contribute to the vitality and viability of the centre.

- 8.8 Paragraph 85 of the NPPF states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. It states that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.
- 8.9 The proposal would maintain the residential use, whilst promoting a design that enhances the uniqueness and strengths of the town centre.
- 8.10 The site subject to the Town Centre Action Plan (Plan E) that was produced in 2011. Some of the key objectives are to maintain the good mix of uses and increasing the need for higher density housing with careful consideration being given to the type of residential units provided.
- 8.11 The Plan sets out the visions for certain areas of the town centre and 'other strategic opportunity' areas. The site does not fall within any of these areas. However, Policy E1 states that, in principle, town centre uses will be permitted and that although mixed used schemes are encouraged, single use schemes will be permitted where they make a positive contribution and would not harm the vitality and viability of the town centre.
- 8.12 Policy E2 relates to housing capacity in the town centre. This states that new development will deliver at least 635 new residential units within the town centre during the period 2010 to 2026. The key opportunity sites would provide a significant proportion of the units. However, as set out elsewhere in this Statement, the housing policies for the Borough are considered to be out of date with a clear identified need for far more housing.
- 8.13 Policy E7 relates to building heights, and specifically identifies the areas where there are opportunities for higher buildings. The site lies within the wider area of the town centre where a maximum height of 12 m is to be applied. However, it indicates this may not be appropriate in every location and that proposals should respect the character and context of the locality, existing building heights and the street scene.

8.14 There is a strong emphasis in the NPPF advice for supporting sustainable development, where it is located within main settlement areas. Paragraph 59 states that 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 needed. Paragraph 68 also states that small and medium sized sites can make an important contribution to meeting the housing requirement of the area, and are often built-out quickly, and supports the development of windfall sites.

8.15 The NPPF 2018 introduced a new chapter (11) on 'making effective use of land' in meeting the need for homes and other uses, whilst safeguarding and improving the environment. At paragraph 118 it gives substantial weight to the value of using brownfield land within settlements and promotes the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively. This is clearly the position in this Borough.

8.16 The proposal is considered to represent a sustainable form of development as set out in paragraphs 7-8 of the NPPF. The proposal would meet all threads of sustainable development (as demonstrated throughout this Statement), for the following reasons:

- *Economic objective* – The scheme's implementation would also provide economic benefits in the form of short-term construction jobs, as well as some expenditure in the building supply industry and at local shops and services. In the longer term, expenditure from the residents would assist in maintaining and enhancing the viability of local shops and other businesses.
- *Social objective* – The proposal would provide 9 residential units which would significantly contribute to the acute housing needs of the Borough. The development's occupants could easily integrate within the community
- *Environmental objective* – The proposal would create a high-quality built environment, and which would positively contribute to the varied townscape found within the locality. The proposal would provide a satisfactory residential

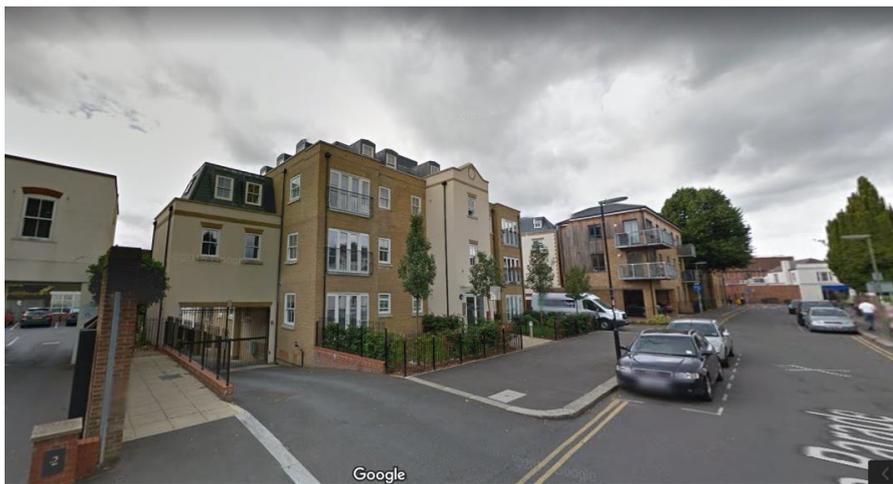
environment for future occupiers of the development, having regard to town centre constraints and the Council's policy objective of 'optimising the development potential' of such sites.

Character and appearance of the area

- 8.17 Section 12 of the NPPF deals with the requirement for good design, which it notes is a key aspect of sustainable development and is indivisible from good planning and creates better places in which to live and work.
- 8.18 Paragraph 127 sets out that planning decisions should ensure that developments are visually attractive, are sympathetic to local character and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development. The proposal would comply.
- 8.19 Paragraph 131 sets out that in determining planning applications, great weight should be given to outstanding or innovative designs, which promotes high levels of sustainability, or help raise the standard of design more generally within an area, so long as they fit in with the overall form and layout of buildings.
- 8.20 Policy CS5 sets out that high quality and inclusive design will be required for all developments. Development should create attractive, functional and safe environments, reinforce local distinctiveness and complement the attractive characteristics of the Borough and make efficient use of land and have regard to the need to develop land in a comprehensive way.
- 8.21 Policy DM9 states the Council will seek enhancement of the townscape through new development and planning permission will be granted for proposals which make a positive contribution to the Borough's visual character and appearance. The proposal would comply in that its scale, form, height and design would be compatible with the varied local character, its setting and relationship to nearby buildings and appropriate materials have been used.
- 8.22 Policy DM10 states that development proposals will be required to incorporate principles of good design. The proposal would comply with the key requirements of Policy DM10 for the following reasons.

8.23 Having regard to the town location of the site, there is no prevailing development typology, which includes buildings of varied scale, height and style. There are some buildings four-storeys in height, as shown in the following examples. The immediate area is of mixed use and character.

Examples of Development in The Parade
North-West of The Old Pines



Council Offices Opposite



South-East of Council Offices



Greenwood Court



Source: Google Street View 2020

- 8.24 The proposal takes full account of the scale, height and form of the surrounding buildings. The proposal would be no higher than the immediate surrounding buildings.
- 8.25 The proposal, whilst greater in terms of its scale, bulk and mass than the existing building, the site is under-utilised, but the proposal still respects surrounding building heights, spacing and building lines. The proposed replacement building on the site frontage would be of a similar height to the existing dwelling and would be lower than the adjacent Grade II Listed Building.

- 8.26 The locality has a tight urban grain, reflective of its town centre location. The character of the area changes further to the south-east along The Parade which becomes more residential in nature. In the vicinity of the site many buildings fill much of their plot widths with some having significant depth extending well back into their plots. The proposal, whilst seeking to optimise the development potential of the site, retains some space to the site boundaries and towards the rear of the site.
- 8.29 Policies DM11 and DM13 specifically relate to density and building heights and have been referred to earlier in this Statement. These policies are currently under review are likely to be relaxed. Also, Policy DM11 states that proposals for new housing must demonstrate how the density of development would contribute towards maintaining and enhancing the visual character and appearance of the wider townscape.
- 8.30 The proposed density is higher than that advocated under adopted policy. However, it relates to a highly sustainable town location where such proposals are to be encouraged. There is also no prevailing density but there are examples of high-density residential development in the locality with limited space around the buildings. For example, there have been two redevelopments located further the north-west completed in recent years: firstly the Old Magistrates Court was a mixed-use development including some 46 apartments and medical centre together with the incorporation of basement parking; and secondly Nos. 7/7A Aveley Road was redeveloped together with a three-storey extension to provide 14 flats with restaurant. These two developments are shown in the photographs above.
- 8.31 The proposal would accord with paragraphs 122 and 123 of the NPPF which supports development that makes the efficient use of land whilst maintaining the area's character and setting. Therefore, in visual impact terms, the proposal would accord with the above local Development Plan policies and guidance and the NPPF.

Housing provision, type and mix

- 8.32 The proposed housing strategy in the Core Strategy stems from the objectives of the old Surrey Structure Plan and the requirements of the submitted South East Plan.
- 8.33 Policy CS8 states that in applying Policy H1 of the South-East Plan, provision will be made for at least 2,715 homes within the period 2007-2022 (based on the annual average of 181 new dwellings per annum). These housing figures are clearly out-of-date and predate the introduction of the NPPF in 2012.
- 8.34 Policy DM22 states the Council will grant permission for new residential development proposals that incorporate a mix of dwelling sizes and tenures that meet identified local housing needs. The housing needs set out in the Core Strategy were based on the SHMA 2019 which indicated a shortfall in two and three-bedroom accommodation. However, it explains that exceptions to this approach would be considered where it can be demonstrated that such a mix would be inappropriate to the location or endanger the viability of the proposal.
- 8.35 However, this evidence base was published over 10 years ago and is considered out of date. A new SHMA was published in 2016 which set out revised housing requirements for the Borough and which provides part of the evidence base for the emerging Local Plan. For Epsom and Ewell this stated a housing OAN over the 20-year period 2015-2020 of some 8,352 dwellings or 418 per annum. However, with the new standard methodology set out in the NPPF, this annual requirement has increased to 579 per annum (this figure increases to 695 per annum when applying a 20% buffer). This is a significant increase over the Core Strategy housing figures.
- 8.36 As at March 2019 the Council can only demonstrate a 1.3-year housing land supply (reduced to 1.1 years if the 20% buffer is applied). There has been a significant under-supply in recent years. The Government published its Housing Delivery Tests for November 2018 and November 2019 in February 2019 and 2020 respectively. With figures of 57% and 9% respectively, the Borough has one of the lowest figures in England.

- 8.37 In terms of dwelling size, the SHMA indicates that for Epsom and Ewell, 2 and 3-bedroom units represent much of the requirement (for market housing).
- 8.38 We consider the proposal provides an ideal mix, meeting exactly the dwelling sizes identified in the SHMA as being most needed in Epsom and Ewell.
- 8.39 In their pre-application response, Officers advised that at least 25% of units should be 3 bedroom, which the current proposal provides.
- 8.40 We believe that the provision of new housing on this site, of a mix of unit sizes that exactly meets the needs identified by the SHMA and by optimising the potential of the site, should be given significant weight in the assessment of the proposal.

Affordable housing

- 8.41 Paragraph 63 of the NPPF states that affordable housing should not be sought for residential developments that are not major development sites (defined as 10 units or more) other than in designated rural areas.
- 8.42 This followed a Court of Appeal judgement and revisions made to the NPPG in May 2016, where the Government advised that affordable housing contributions should not be sought from small scale and self-build developments.
- 8.43 In the previous application ref 20/01229/FUL, a much larger, denser scheme comprising 18 residential units over office accommodation was proposed. The feedback obtained from the planning officer and conservation officer during the course of that application confirmed that the number of units generated a building of a size and mass that adversely affected both the amenity of the neighbouring residential units and the setting of the adjacent listed building.
- 8.44 The impact on the amenity of the houses in The Cressinghams, was primarily due to the separation distance from their front windows being only 17m, which with a three and four storey building, was considered too impactful. The current proposals achieves a separation distance of 21m.
- 8.45 The impact on the listed building, The Pines, to the north of the site was also largely due to the size, bulk and mass of the previous proposals. The reduced height of the proposed development seeks to address this.

- 8.46 The need to respect the adjacent buildings has resulted in a development, which is significantly smaller and less impactful, but results in only nine flats being achievable. The decision – guided by the pre-application response – to provide larger flats to directly meet the housing need, also resulted in fewer, larger units.
- 8.47 In summary, these constraints result in nine two and three bedroom flats being the optimum number of units for the development.

Layout and quality of accommodation

- 8.48 Policy DM12 refers to housing standards and states all housing developments are required to comply with external and internal space standards.
- 8.49 The Nationally Described Space Standards were introduced by the Government in 2015 (subsequently amended) which set out internal minimum space standards for bedrooms within dwellings and the overall size for different types of accommodation. The proposal would comply with the appropriate standards, with all flats being of a good size with adequate storage.
- 8.50 Paragraph 3.36 of the Development Management Policies document sets out minimum private amenity space for development flats. It states that a minimum of 5 m² of private outdoor space for 1 and 2-bedroom dwellings should be provided and an extra 1 m² should be provided for each additional occupant. Where appropriate in terms of visual character and appearance, flats at upper levels may have a private useable balcony area in addition to having access to communal open space. The proposals have sought to provide each flat with a minimum of 5 sqm of private outdoor space, in the form of balconies and private gardens, with the gardens being well in excess of the minimum requirements. Close by there is Dulshot Green which provides additional public amenity space for residents, Rosebery Park is only a short walk to the south.
- 8.52 The proposal represents a relatively high-density scheme. Paragraph 123 of the NPPF advises that, having regard to the context of making the most efficient use of land, local authorities should take a flexible approach to applying policies or guidance such as relating to sunlight and daylight, where they would otherwise inhibit making efficient use of the site.

- 8.53 The shape and layout of the flats means that there will be no intervisibility between the principle rooms in each flat, or with the houses on The Cressinghams.
- 8.54 In accordance with Policy DM10 (vii) the proposal would be adaptable and sustainably designed as set out in the submissions.
- 8.55 In accordance with Policy DM10 (viii) the proposal incorporates the principles of safe design to reduce the risk and fear of crime. For example, it provides for safe and secure cycle storage and an appropriate external lighting scheme can be provided subject to condition. There are few hidden areas with a good level of natural surveillance around the site.
- 8.56 In accordance with Policy DM10 (x) the proposal incorporates an acceptable layout and access arrangement for servicing the completed development from the adjoining highway and pedestrian networks. For example, there is convenient and level pedestrian access from The Parade and a refuse collection point located close to the public highway.
- 8.57 Guidance on the storage and collection of waste is contained in Annexe 2 of the Council's Sustainable Design SPD. It states that for flats and communal developments with more than four properties, communal wheeled bins will be provided for refuse and recycling collection, based on 500 litres per property. For example, it recommends that based on 8 properties, there should be 1 x 1100 litre refuse bin, 2 x 1100 litre mixed recycle bins, 2 x 240 litre glass bottle bins and 1 x 180 litre food waste bin. The proposed layout allows for sufficient storage space being provided on site for the development proposed, with convenient access for residents and generally level access to the collection point.
- 8.58 The proposed residential units would therefore be of an acceptable size and standard of accommodation with a good quality of light and outlook to habitable rooms., with appropriate levels of private and communal amenity space. The proposal provides an acceptable layout in accordance with the Council's policies and guidelines.

Neighbouring residential amenity

- 8.59 Policy DM10 states that development proposals should have regard to the amenities of occupants and neighbours, including in terms of privacy, outlook, sunlight/daylight, and noise and disturbance.
- 8.60 To the north of the site on the opposite side of the road are Council Offices. To the west of the site is The Old Pines a large detached building which is in commercial use as a surgery with parking to the rear. This has a flank wall facing the site. In view of the layout of the site and the spacing and relationship between buildings there would be no material impact upon the occupiers and use of these buildings.
- 8.61 There are residential properties to the east, south and south-west of the site which form part of The Cressinghams housing development. There are also the rear gardens of some properties situated towards the end of Hereford Close. These include semi-detached properties facing the site to the east, a terrace of three properties to the south-west (with detached garages on the site frontages) and a single detached property (No. 10) which is positioned with its end elevation facing the site.
- 8.62 It is acknowledged that the outlook and amenities of the occupiers of these properties would be affected by the proposal, which would involve a change in the amount, scale and form of built development on the site. There would also be new building on the rear section of the application site.
- 8.63 We consider the siting and physical separation between buildings would avoid any undue overdominance to these neighbours or adversely affect their outlook and would avoid any material overshadowing or loss of light. For example, there would be a separation of some 14 metres (obliquely) to the front elevations of those properties to the south-west at the nearest point, at least 21 metres to the front elevations of those properties to the east with their frontages being separated by the internal access road and wide grass verge. There would be a similar separation distance to rear gardens of the end properties in Hereford Close.

- 8.64 The proposal would present a side elevation with a considerable set back to those properties to the east (1-4 The Cressinghams). The side elevations are as well considered as the front, with attractive sash windows and appropriate detailing. The rear part of the building sets back significantly so the separation distance would increase to 28m opposite no4 The Cressinghams. The design of the proposed building and the separation distances are such that there will be no adverse impact on the neighbouring properties.
- 8.65 No 10 The Cressinghams to the south is positioned end on towards the southern boundary of the site, again separated by the internal access road. Planning permission was granted in July 2019 (reference 19/00586/FLH) for a single-storey rear extension to this property. There is garaging on its north side with no main habitable room windows. The main private amenity areas are located to the south and rear of this property.
- 8.66 Any potential over-looking and loss of privacy has been minimised by the layout and design of the proposed buildings. For example, the position of main habitable windows has been positioned to avoid the direct over-looking of the main habitable rooms and private gardens of neighbouring properties and the number of window opening have been minimised on the east facing elevation. The side facing living room windows to Units 5, 6, 8 and 9 would generally overlook the rear parking area of the adjacent commercial use at The Old Pines, with windows at only an oblique angle to Nos 7-9 The Cressinghams.
- 8.67 Flats 6 and 9 will have balconies on the south elevation of the proposed building – these will be located 14m away from from the front of no 7 The Cressinghams and will feature obscured glass panels on the western sides to remove any perceived possibility of overlooking towards the front elevation of no 7.
- 8.68 Therefore, in overall terms, the proposal would have a satisfactory relationship to neighbouring residential properties and would be acceptable in terms of likely impacts. The relationship between buildings is considered acceptable for a town centre location where higher density and taller development is to be encouraged. The proposal would therefore accord with the above policies and guidance.

Highway safety and parking

- 8.69 Section 9 of the NPPF seeks to promote sustainable transport. Paragraph 102 states the potential impacts of traffic on transport networks should be addressed, including environmental impacts. Paragraph 109 states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 8.70 Policy CS16 encourages development proposals to (inter alia) minimise the need for travel, be appropriate for the highways network, provide appropriate and effective car parking provision (both on and off-site) and ensure the vehicular traffic generated does not create new or exacerbate existing on-street parking problems, nor materially increase other traffic problems. Although Policy DM36 primarily targets more major developments, it states all development should prioritise the needs of cyclists and pedestrians in design and is well located to good public transport. Policy DM37 reiterates that development proposals provide an appropriate level of parking and cycle provision, taking account of accessibility of the site.
- 8.71 This application is accompanied by an independent and detailed Transport Statement. It sets out why a provision of nine on site parking spaces is appropriate for a development of this type.
- 8.72 The proposal is therefore acceptable in terms of its impact upon the highway safety and car parking and would be in accordance with the sustainable objectives of the NPPF and the above policies and guidance.

Trees and landscaping

- 8.73 Policy DM5 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; and requiring landscaping proposals in submissions for new development, which retain existing trees and other important landscape features where practicable and include the planting of new semi-mature trees and other planting.

8.74 The site contains some natural site features. In addition to the existing rear lawn area and bushes around certain boundaries there are some garden trees within and just beyond the site boundaries. However, these trees are not subject to any Tree Preservation Order nor are they within a conservation area.

8.75 This submission is accompanied by a Tree Survey and Impact Assessment and Method Statement. The main points are set out below:

- The development proposals are in accordance with the relevant standards and adequate protection can be provided to ensure retained trees are protected throughout development.
- All but one of trees proposed for removal are in the lower category C and are not of a quality that should represent a constraint to development. They have some ornamental value in terms of their garden context.
- Ground protection has been proposed to protect soft ground within the RPA of off-site tree T7 to the west of the site. It also proposes some cutting back of the canopy which overhangs the boundary.
- Suitable and sustainable replacement planting can be provided as and where appropriate, as shown on the Proposed Landscape Plan.

8.76 The site features that would be lost in order to accommodate the development and would have some impact upon the visual amenity of the local area. However, many of these trees are not considered to be of high quality nor are widely visible from public views.

8.77 We consider that in order to optimise the development potential of the site it is not practicable to retain many of these modest site features. Their loss would be offset to a degree by a proposed landscaping scheme with some new planting, in accordance with local Development Plan policy.

Biodiversity and nature conservation

8.78 Policy CS3 sets out that the biodiversity of the Borough will be conserved and enhanced through the support for measures which meet the objectives of national and local biodiversity action plans in terms of species and habitat. Development that is detrimental to the Borough's diversity 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 diversity.

8.79 Policy DM4 sets out that development affecting any site or building that supports protected species or their habitats, will only be permitted if appropriate mitigation and compensatory measures are agreed, with the overall aim to ensure there is no net loss of biodiversity.

8.80 The site is not subject to any specific nature conservation designations. The submission is accompanied by an Ecological Assessment Report. The main conclusions are as follows:

- The proposal relates to a single residential dwelling within an urban context. The garden is of moderate size with the majority comprising amenity grassland, introduced shrubs and trees, with a pond nearby.
- The building was initially assessed as having moderate potential to support bat roosts but following further emergence surveys, these confirmed the building has common pipistrelle bat roost features and some foraging at the site although overall bat activity levels were low.
- As the proposal would involve the complete demolition of the building and the destruction of the bat roosts cannot be avoided, a European Protected Species Licence (EPL) will be required in order for the development to proceed.
- Recommendations are made in respect of the potential presence of breeding birds, hedgehogs and possibly reptiles such as in the design details of the scheme, and to increase the biodiversity value of the site.

8.81 We acknowledge the proposal is likely to affect the biodiversity value of the site, but any loss can be suitably mitigated by appropriate mitigation and enhancement measures. A landscaping scheme is included as part of the proposal. The proposal should to be viewed within the context of the town centre location of the site and the significant housing and other benefits of the proposal.

Flood Risk and Drainage

- 8.82 Policy DM19 seeks to manage flood risk in accordance with the NPPF. It states that development within Flood Risk Zones 2 and 3 or on sites of 1 ha or greater in Zone 1 and sites at medium or high risk from other sources of flooding as identified by the Council's SFRA will not be supported unless certain measures are applied.
- 8.83 In their pre-application response, the Council confirmed that site was located within Flood Zone 1 and therefore is at a low risk of flooding. The application is accompanied by a detailed Flood Risk Assessment which includes the full consideration of sustainable drainage systems on the site together with an associated maintenance and management scheme. More specifically, in terms of surface water drainage, it is proposed that an attenuation tank be installed under the front part of the site to store the surface water runoff, with controlled release to the existing Thames Water sewer beneath The Parade.
- 8.84 The overall conclusion of the FRA is that the proposed development site is at a low risk of flooding from the majority of sources and that it would not result in an increased flood risk to the site or the surrounding area and therefore see no reason why this application should not be approved on the grounds of flooding.

Sustainable design and construction

- 8.85 Policy CS6 states that proposals for new development should result in sustainable environment and reduce or have a neutral impact upon pollution and climate change. The Council will expect proposals to demonstrate how sustainable construction and design can be incorporated to improve the energy efficiency of development – both new building and conversion. Suggested measures are set out in the policy, which include minimising the use of energy by using an appropriate layout, building design and orientation; and avoiding the increasing risk of, or from flooding.
- 8.86 The Council subsequently published a sustainable Design SPD in 2016. This generally requires a Sustainability Statement to be submitted with more major developments.
- 8.87 The proposal would be built to modern standards and to the up to date Building Regulations. With the use of modern materials, the proposal would be a highly

energy efficient building. Energy use would be minimised throughout the construction process. For example, the development would be compact in shape to reduce its surface area with many windows orientated south to maximise solar gain.

- 8.88 The proposal is not expected to generate any significant air quality, noise or light pollution issues, or affect water quality in the area. The pre-application process did not identify the site being within an Air Quality Management Area. The proposal would be compatible with surrounding land uses. The proposed design, with the minimum use of glazing, would limit any light pollution.
- 8.89 In terms of renewable energy there may be scope for the use of certain measures. For example, the incorporation of solar or PV panels on certain parts of the roof where practically possible.
- 8.90 If the Council minded to support the proposal, we believe some of the above policy guidance requirements could be secured through appropriately worded conditions.

Potential Contaminated Land

- 8.91 Policy DM17 states that where it is considered that land may be affected by contamination, planning permission be only be granted for development provided all works, including any investigations, can be undertaken without unacceptable risk to health or the local environment; and it is demonstrated that the developed site will be suitable for the proposed use without risk from contaminants to people, buildings, services or local environment.
- 8.92 The submission is accompanied by a Contamination Desk Study. Generally, the Study notes that the site has historically been residential in nature, with the existing dwelling becoming established in the early 1930s. There are no sensitive environmental or ecological receptors highlighted within 750 metres of the site. However, it highlights there may be some potential hazards from demolition works and any deep penetrative piling required which might extend down to a principal chalk aquifer may require further assessment. Therefore, the environmental sensitivity of the site is low.

9.0 HERITAGE

- 9.1 The site is not within or adjacent to a Conservation Area and the existing property is not a Listed Building or regarded to be an undesignated heritage asset. There are few listed buildings in the vicinity of the site. A separate Heritage Statement has been prepared which accompanies this application, so this section is a summary only.
- 9.2 The building to the west of the site, 1-3 The Old Pines, is a Grade II Listed Building. The site also forms part of an Area of Archaeological Importance which appears to cover the wider town centre area. These are heritage assets for the purposes of the NPPF.
- 9.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities when considering planning applications which affect Listed Buildings, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Paragraphs 189, 190, 192, 193, 195, 196 and 197 of the NPPF therefore apply to the proposal, together with Policy CS5 of the Core Strategy 2007 and Policy DM8 of the Development Management Plan 2015.
- 9.4 The above paragraphs of the NPPF require special regard to be made to designated heritage assets and to ensure a proportionate approach is taken to assessment of the impact of the development upon the designated heritage asset.
- 9.5 Policy CS5 states the Council will protect and seek to enhance the Borough's heritage assets, including historic buildings, and the setting of these assets will be protected and enhanced.
- 9.6 Policy DM8 states the Council will resist the loss of heritage assets and that every opportunity to conserve and enhance them should be taken by new development. Development proposals that involve or have an effect upon

heritage assets, must establish the individual significance of the asset as part of the application or consent process.

9.7 Within Areas of High Archaeological Potential, as identified on the Proposals Map, or outside of these areas on any major development site of 0.4 ha or greater, applicants are required to undertake prior assessment of the possible archaeological significance of the site and the implications of their proposal, and may be required to submit, as a minimum, a desk-based assessment to accompany any application.

9.8 1-3 The Old Pines, The Parade is a Grade II Listed Building dates from the early or mid-18th Century and was listed in 1974. It is a two-storey rendered building, much altered, with a two-bay attic storey, cornice to eaves and parapet walls under a modern tiled roof. It has subordinate side extensions.

The Old Pines – Grade II Listed Building



Source: Google Maps 2020

9.9 In view of the layout of the proposed development, including the siting of proposed building, we consider the proposal fully respects the setting of this listed building. The proposal replaces an existing building on the site frontage and although slightly closer to the side common boundary and further forward on its plot, and which would have a greater scale, bulk and mass, it would retain sufficient separation between buildings. There would be a separation of some 7 m between side elevations with a similar separation to the nearest corner of the

rear block. The proposed height of the building would be not materially higher than the existing building.

9.10 The rear part of the proposed building would not be readily visible from The Parade. Although possibly glimpsed between the proposed front block and 1-3 The Old Pines, any potential impact upon the setting of the Listed Building would be limited. The proposal would, however, screen views of the rear elevations of the Listed Building to occupiers of The Cressinghams development to the east and south.

9.11 In addition, the design of the proposed development would be of a high-quality and would respond to the locality and its historic setting. We believe that we have had taken on board the Pre-Application advice, with a contemporary design being adopted and the building line being fully respected allowing the front elevation of the Listed Building remaining highly visible from the road.

9.12 The development is located within a locally designated Area of High Archaeological Potential. The proposal relates to a previously developed site and therefore been the subject of previous ground disturbance. The site area is modest but would involve more development across the rear part of the site.

9.13 This submission is accompanied by an Archaeology Report which sets out the national and local policy background and historical assessment. Generally, it concludes the proposed development would not impact on any designated archaeological assets and although the study area would have been significantly affected by past modern development, it identifies a moderate archaeological interest at the site for Saxon, Medieval and Post Medieval growth of settlement at Epsom and its hinterland. However, it is unlikely that significant remains would preclude development of the site and further investigations can be covered by condition.

9.14 For the reasons outlined, we do not consider that either substantial or less than substantial harm would be caused to the setting or interests of these heritage assets. Therefore, paragraphs 195 and 196 of the NPPF are not engaged in this case.

10.0 CONCLUSIONS

10.1 The proposal is considered to comprise a highly sustainable form of development, as envisaged by the NPPF and when taken as a whole, would achieve economic, social and environmental benefits as set out under paragraphs 7-8 of the NPPF.

10.2 The proposal accords with the Council's Spatial Strategy for residential development in highly sustainable town centre locations. There is a significant shortfall in housing in the Borough and the proposal would make a significant contribution towards meeting these needs.

10.3 The proposal comprises a high-quality, traditional design solution for a site situated in a highly sustainable location. The design utilises the site to maximise the potential development, which is key for a town centre setting, whilst having full regard to the character of the locality.

10.4 In terms of its overall layout, scale, form and design, the proposal is visually acceptable and would satisfactorily integrate into its immediate surroundings and would contribute to the townscape quality of the area. Likewise, the proposal would not cause any material planning harm.

10.5 The proposal provides one car parking space per flat which will minimise any pressure for on street parking in surrounding roads. The submitted Transport Statement provides full justification for this approach.

10.6 The proposal would not result in substantial or less than substantial harm to designated heritage assets in accordance with the NPPF and local Development Plan.

10.7 The submission is accompanied by various technical supporting documents. These demonstrate that there are no objections to the proposed development in respect of highway safety and accessibility; ecology; potential contamination; flood risk and drainage; and tree/landscape issues. Suitably worded conditions can address any outstanding issues and to secure a high-quality development.

- 10.8 We consider the development accords with the Development Plan for the area and there are no adverse impacts that would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole in accordance with Paragraph 11 of the NPPF.
- 10.9 We consider the proposal to have significant merit and would welcome the support of the Council.