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Head of Place Development



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

**Proposal:** Formation of new vehicular crossover involving drop kerb.

**Location:** 5 St Normans Way, Ewell, Epsom, Surrey, KT17 1QW.

**Application Number:** 22/00050/FUL

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

1 The development hereby permitted shall be commenced within 3 years from the date of this decision.

Reason: In order to comply with Section 91 of the Town and Country Planning Act, 1990. (As amended)

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

OS - Site Location Plan  
Proposed Site Plan with drainage sketch.

Reason: For the avoidance of doubt and in the interests of proper planning as required by Policy CS5 of the Core Strategy 2007.

3 No vehicle shall access 5 St Normans Way unless and until the proposed vehicular access hereby approved has been constructed and provided with a permeable bound surface material for the parking area and a means within the private land of preventing private water from entering the highway in accordance with the approved plans.

Reason: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users. The above conditions are required to support the sustainable development objectives of the National Planning Policy Framework 2021. The above conditions are required in order to meet the objectives of the NPPF (2021) and to satisfy policies DM 35, DM 36 and DM 37 of the Epsom and Ewell Borough Council Development Management Policies.

4 Any new hardstanding surface area must be constructed with porous or permeable, or shall direct surface water to a porous or permeable surface within the site.

Reason: To reduce surface water run-off from the site in line with Policy CS6 of the Core Strategy (July 2007) and Policy DM10 of the Development Management Policies 2015.

### **Informatives**

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

2 The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs).

3 The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders (Highways Act 1980 Sections 131, 148, 149).

4 Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

Dated: 16 March 2022

Signed:



Head of Place Development

### **Notes for the applicant**

**This proposal may be liable for the Community Infrastructure Levy (CIL). This is payable to the Borough Council, as the local collecting authority, before development on application 22/00050/FUL is started.**

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

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

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

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

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

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

### **Appeals to the Secretary of State**

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

following timescales:

#### Householder applications

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

#### Full applications

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

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

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

#### Enforcement applications (land which has an enforcement notice served)

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

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

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

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

#### **Purchase Notices**

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

In these circumstances the owner may serve a purchase notice on the Council. This notice

will require the Council to purchase the owner's interest in the land in accordance with the provision of the Town and Country Planning Act 1990.