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**Prior Approval under
Town and Country Planning (General Permitted Development) (England)
Order 2015 (as amended) - Schedule 2, Part 3, Class MA**

Proposal: Change of use at second and third floor level from Ancillary Retail (Use Class E) to Dwellinghouses (Use Class C3) to create 1 x 3 bedroom, 4 person residential flat

Location: 17 High Street, Epsom, Surrey, KT19 8DD, .

Application Number: 22/00082/PDCOU

Epsom & Ewell Borough Council as the local planning authority hereby confirm that PRIOR APPROVAL is REQUIRED and PERMITTED for the above development subject to the following reason(s):

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

Reason: To comply with Condition 5 of Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

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

EPA21 20 B As Existing & Proposed (Received 20/01/2022)
Site Location Plan (Received 20/01/2022)

Reason: For the avoidance of doubt and in the interest of proper planning.

3. The development hereby approved shall not be first occupied unless and until the facilities for the secure, covered parking of two bicycles within the development site has been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In recognition of Section 9 "Promoting Sustainable Transport" of the NPPF (2019) and to accord with Policies DM36 (Sustainable Transport for New Development) of the LDF Development Management Policies Document (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. Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced.

If you need any advice regarding Building Regulations please do not hesitate to contact Epsom & Ewell Borough Council Building Control on 01372 732000 or contactus@epsom-ewell.gov.uk.

3. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work before 8am or after 6pm Monday to Friday, before 8am or after 1pm on a Saturday or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Health Department Pollution Section.

4. The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

- o carry out work to an existing party wall;**
- o build on the boundary with a neighbouring property;**
- o in some circumstances, carry out groundwork's within 6 metres of an adjoining building.**

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by

the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "The Party Walls etc. Act 1996 - Explanatory Booklet".

5. This development may be liable to a charge under the Community Infrastructure Levy (CIL). A completed Notice of Chargeable Development (Form 5) must be submitted to the local planning authority prior to the commencement of development in order to determine liability for the Levy. If the development is CIL liable, failure to comply with this will result in surcharges and, where relevant, the potential to pay in instalments. Form 5 should be sent directly to CIL@epsom-ewell.gov.uk.

6. You are advised that any changes to the front elevation, such as replacement windows, is likely to require separate planning permission.

Dated: 21 March 2022

Signed:



Head of Place Development

Your attention is drawn to the attached notes and any accompanying letter(s).

Notes for the applicant

This prior approval 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:

Prior approval

As this is a decision for prior approval and you would like to appeal against the local planning authority's decision then you must do so within 6 months of the date of this

notice.

Appeals must be made using a form which you can get from the Secretary of State online at <https://acp.planninginspectorate.gov.uk> 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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#)

**TOWN AND COUNTRY PLANNING ACT 1990
APPEAL UNDER SECTION 78**

Notification of intention to submit an appeal

Under the provisions of Recommendation 3 of the Rosewell Review into inquiry appeals, this notification is to give the Local Planning Authority and Planning Inspectorate not less than 10 working days' notice of an intention to submit a planning appeal where the appellant will request the inquiry procedure.

Complete the following:

<p>The appeal will be against <i>(insert Local Planning Authority name)</i></p> <p>for <i>(insert reason for appeal e.g. refusal, failure to decide or appealing against conditions)</i></p> <p>Appellant(s) name:</p> <p>Site Address:</p> <p>Description of development:</p> <p>Planning application number:</p> <p>Likely submission date of appeal:</p> <p>Proposed duration of inquiry in days:</p>
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Next steps:

1. Complete the above fields
2. Save this document
3. Attach to an email and send to the Local Planning Authority and also the Planning Inspectorate
inquiryappeals@planninginspectorate.gov.uk

4. Submit your appeal via the [Appeals Casework Portal](#) not less than 10 working days after sending this notification.