

Epsom and Ewell Borough Council Development Control Town Hall, The Parade Epsom KT18 5BY



Epson Chase, 1 Hook Road, Epsom, Surrey, KT19 8TY Full Planning Application Planning Portal Reference: 13000918

On behalf of our client, 'BMR Edgware Ltd" ("the Applicant"), I write to submit, online via the Planning Portal (reference PP- 13000918); an application for 'prior approval' for the change of use of the ground of 1 Hook Road from commercial into 11 no. residential units. This application is submitted under Class MA of the Town and Country Planning (General Permitted Development Order) 2015 (as amended).

The application comprises the following documents:

- · Covering Letter (This Document);
- Application Form;
- · CIL Form; and
- Internal Daylight Assessment, prepared by T16 Design.

The following drawings also support this application:

- Location Plan (Drawing no. BUN SB EX AL 010 Rev. P1);
- Existing Site Plan (Drawing no. BUN_SB_EX_AL_050 Rev. P1);
- Existing Ground Floor Plan (Drawing no. BUN SB EX AL 090 Rev. P2);
- Existing Elevations 1 & 2 (Drawing no. BUN SB EX AL 300 Rev.P2);
- Existing Elevation 3 & 4 (Drawing no. BUN_SB_EX_AL_310 Rev. P2);
- Existing Section A-A (Drawing no. BUN_SB_EX_AL_200 Rev. P1);
- Proposed Site Plan (Drawing no. BUN SB PR AL 050 Rev. P5);
- Proposed Ground Floor Plan (Drawing no. BUN_SB_PR_AL_090 Rev P8);
- Proposed Elevations 1 & 2 (Drawing no. BUN_SB_PR_AL_300 Rev. P5);
- Proposed Elevations 3 & 4 (Drawing no. BUN_SB_PR_AL_310 Rev. P5); and
- Proposed Sections A-A (Drawing no. BUN SB PR AL 200 Rev. P3).

The planning application fee of (including service charge), has been paid via the Planning Portal.

The Site

The site is located within Epsom & Ewell Borough Council. The entrance to the site is situated along the eastern boundary of the site along Woodstock Court. The site comprises an L-shaped, detached office building known as Bunzl Catering Supplies Head Office. The front boundary of the site is bordered by the pavement and main road along Hook Road which follows the site along the eastern boundary. The rear of the site also comprises hardstanding through the use of the existing car park. The west of the site comprises a car parking associated with Fennies Preschool and Nursery.



The existing building is three-storeys including a lower floor level used for vehicular parking.

The building's façade comprises yellow brick with large grey panelled windows along all elevations. The building has a grey cladded pitched roof.

Vehicular access to the site is via Woodstock Court to the east of the site which provides access to the rear car parking. The primary pedestrian access is via a staircase along Woodstock Close. There is also a ramped access for wheelchair users along Hook Road connecting to the primary pedestrian access point.

Epsom Train Station is located 0.3 miles from the site and Ewell West Train Station is within 1.3 miles of the sites with services into Central London, Horsham, Dorking and Guildford. The site is also within walking distance to the following bus stops: Waterloo Road, Chase Road, Epsom Train Station and High Street which have connections to Epsom, Kingston, Horton. West Ewell, Banstead, Hook and Stamford Green.

The local context of the site comprises a mix of uses amongst residential, commercial, education and multistorey parking. Immediately north of the site comprises a few residential dwellings, and a car and motor retail store with associated car parking. To the east of the site is a flatted development and St John Ambulance First Aid Training. To north of the site comprises predominantly residential properties along Adelphi Road. Fennies Nursery and Pre School is located immediately to the east of the site.

Epson & Ewell's Local Plan Policies Map states that the site is within a Built Up Area and within a Town Centre Boundary. The site is not with a Conservation Area but is immediately adjacent to the Adelphi Road Conservation Area. The site itself is not within the curtilage of a statutory or locally listed building but is adjacent to a Grade II Listed Buildings at 10 and 12 Hook Road. Hook Road School to the east of the site is also Grade II Listed.

The site is within Flood Zone 1 which reflects a low risk of flooding. The site lies within a medium risk area in terms of surface water flooding. A Sustainable Drainage Statement has been submitted to support this application.

The Proposed Development

The proposed development comprises the change of use of existing commercial floorspace on the ground floor (Use Class E) into 11no. residential units.

The proposed unit mix comprises of 11no. 1 bedroom 1 person flats and 3 no. 2 bedroom 3 person flats distributed across the ground, first and second floors of the building. A full accommodation schedule can be found below.

Unit Number	Туре	GIA (sqm)
Ground Floor		
Unit 1	1b 1p	47
Unit 2	1b 1p	47
Unit 3	1b 2p	52
Unit 4	1b 2p	69
Unit 5	1b 1p	61
Unit 6	1b 2p	63
Unit 7	1b 1p	40
Unit 8	1b 1p	47
Unit 9	1b 2p	59
Unit 10	1b 2p	53
Unit 11	1b 2p	57



11no. cycle parking spaces are proposed in the basement which will be for the users of the proposed dwellings. The proposal will also maintain the remaining car spaces, providing 20 spaces.

Refuse storage will also be located on the ground floor of the site. The proposed provision will be for the following:

6 x180ltr Food Waste 10 x 1,100ltr Mixed Recycling Bins 12 x 240ltr Glass/Bottle Recycle 5 x 1,100ltr Refuse Bins

Site History

According to the Council's online records, the following planning history has been identified as relevant to the application site.

LPA Reference	Description	Decision / Date
24/00230/FUL	Roof extension to provide 11 residential units (3 x 1-bed, 4 x 2-bed and 4 x 3-bed) and associated works	Pending consideration
24/00130/FUL	Alterations to 1 Hook Road including façade alterations and addition of roof lights and dormer windows	Granted 17.04.2024
23/01473/PDEAB	Prior Approval Schedule 2, Part 20, Class AA: New dwellings houses in commercial or mixed use to create a two storey roof extension to accommodate 17 new dwellings.	Prior Approval Not Given
23/01440/PDCOU	Prior Approval Schedule 2, Part 3, Class MA: Change of Use from Commercial, Business and Service (E) to Residential (C3) to create 24 dwelling(s).	Granted 30.01.2024
96/00559/FUL	Installation of rear condenser units and erection of metal louvre enclosure thereto, incorporating the loss of 2 parking spaces, and erection of side extension to rear balcony with replacement balustrade	Granted 22.11.1996
90/00704/FUL	Erection of 2 storey offices and 2 storey St John's Ambulance HQ with link road & car park.	Granted 07.11.1991
90/00346/FUL	Erection of 2/3 storey offices and 2 storey St Johns Ambulance HQ with link road to Adelphi Road & car parking areas.	Refused 19.07.1990
90/00347/OU	Erection of 17 No. two & three storey dwellings with car parking area & estate street access.	Refused 19.07.1990



Class MA Permitted Development Rights

"Class MA" rights came into being on 1st August 2021 and allow for development consisting of the change of use of a building and any land within its curtilage from a use falling within Class E (Commercial, business and service) of Schedule 2 of the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 of that Order. The new right is introduced following changes to the Use Class Order which created a new Class E which include a number of uses that previously fell under Class A1, Class A3, Class B1 and part of Class D1 and Class D2.

Class MA states:

Permitted Development

MA. Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order.

Development not permitted

MA.1.—(1)Development is not permitted by Class MA—

- (a) unless the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval;
- (b) unless the use of the building fell within one or more of the classes specified in subparagraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;
- (c) if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres;
- (d) if land covered by, or within the curtilage of, the building
 - i) is or forms part of a site of special scientific interest;
 - ii) is or forms part of a listed building or land within its curtilage;
 - iii) is or forms part of a scheduled monument or land within its curtilage;
 - iv) is or forms part of a safety hazard area; or
 - v) is or forms part of a military explosives storage area;
- (e) if the building is within-
 - an area of outstanding natural beauty;
 - ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 198155;
 - iii) the Broads;
 - iv) a National Park; or
 - v) a World Heritage Site:
- (f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or
- (g) before 1 August 2022, if
 - i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and
 - ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.
- (2) The classes mentioned in sub-paragraph (1)(b) are the following classes of the Use Classes Order—
 - (a) the following classes of the Schedule as it had effect before 1st September 2020
 - i) Class A1 (shops);
 - ii) Class A2 (financial and professional services);
 - iii) Class A3 (food and drink);



- iv) Class B1 (business);
- v) Class D1(a) (non-residential institutions medical or health services);
- vi) Class D1(b) (non-residential institutions crèche, day nursery or day centre);
- vii) Class D2(e) (assembly and leisure indoor and outdoor sports), other than use as an indoor swimming pool or skating rink;
- (b) on or after 1st September 2020, Class E (commercial, business and service) of Schedule 2.

Conditions

MA.2.—(1) Development under Class MA is permitted subject to the following conditions.

- (2) Before beginning development under Class MA, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to
 - a) transport impacts of the development, particularly to ensure safe site access;
 - b) contamination risks in relation to the building;
 - c) flooding risks in relation to the building;
 - d) impacts of noise from commercial premises on the intended occupiers of the development;
 - e) where
 - i) the building is located in a conservation area, and
 - ii) the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area;
 - f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;
 - g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses; and
 - h) where the development involves the loss of services provided by
 - i) a registered nursery, or
 - ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006, the impact on the local provision of the type of services lost.
 - i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.
- (3) An application for prior approval for development under Class MA may not be made before 1 August 2021.
- (4) The provisions of paragraph W (prior approval) of this Part apply in relation to an application under this paragraph as if in the introductory words in sub-paragraph (5), for "and highways impacts of the development" there were substituted "impacts of the development, particularly to ensure safe site access".
- (5) Development must be completed within a period of 3 years starting with the prior approval date.
- (6) Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.

Schedule 2 does not grant permission for, or authorise any development of, any new dwellinghouse -

- a) where the gross internal floor area is less than 37sqm in size; or
- b) that does not comply with the nationally described space standards.

The nationally described space standards require a 1 storey one bedroom (1 person) dwelling to be at least 39sqm in size (37sqm if there is a shower room instead of a bathroom). The nationally described space standards require a 1 storey one bedroom (2 person) dwelling to be 50sqm in size.

Paragraph MA.1 of Class MA

Paragraph MA.1 details instances where development under Class MA development is <u>not</u> permitted. Compliance with this criteria is set out in the table below.



Class MA.1 Criteria			Assessment	
a)	more of the use classe (2) for continuous per	e building fell within one or s specified in sub-paragraph riod of at least 2 years prior ication for prior approval	The existing use is an office, which falls under Use Class E. The site has been used as an office in excess of 2 years).	
b)	i. is or forms par interest; ii. is or forms pa within its curti iii. is or forms pa or land within iv. is or forms pa	rt of a scheduled monument	The site is not on land covered by, nor does it fall within the curtilage of any of the identified assets.	
<i>c</i>)	ii. An area specii for the purpos	tstanding natural beauty; fied by the Secretary of State ses of section 41 (3) of the ountryside Act 1981; rk; or	The building is not located within any of the identified designations.	
d)) If the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and tenant has been obtained		The site is not occupied under an agricultural tenancy.	
e)	description fa Part as that C before 1 st Aug ii. The developn permitted un- before 1 st Au operation of a	ed development is of a alling within Class O of this class had effect immediately ust 2021; and ment would not have been der Class O immediately gust 2021 by virtue of the a direction under article 4(1) which has not since been accordance with the	Not applicable.	

Paragraph MA.2 states that: where any development under Class MA is proposed, development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for prior approval of the authority as to—

- (a)transport impacts of the development, particularly to ensure safe site access;
- (b)contamination risks in relation to the building;
- (c)flooding risks in relation to the building;
- (d)impacts of noise from commercial premises on the intended occupiers of the development;
- (e)where-
 - (i)the building is located in a conservation area, and



(ii)the development involves a change of use of the whole or part of the ground floor,

the impact of that change of use on the character or sustainability of the conservation area;

(f)the provision of adequate natural light in all habitable rooms of the dwellinghouses;

(g)the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses; and

(h)where the development involves the loss of services provided by—

(i)a registered nursery, or

(ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006(4), the impact on the local provision of the type of services lost.

(i)where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.

Development under Class MA is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date.

Procedure For Applications For Prior Approval Under Part 3

The following is provided in accordance with requirements of Paragraph W (2):

a) Written description of the proposed development

Change of use of the ground, first and second from commercial into 11 no. residential units.

b) A plan indicating the site and showing the proposed development

Enclosed with this application are a site location plan, existing and proposed internal layout plans of the proposed accommodation, as well as existing and proposed sections.

ba) A statement specifying the net increase in dwellinghouses proposed by the development

The proposals result in a net increase of 11no. dwellinghouse

bc) A floor plan indicating the total floor space in square metres of each dwellinghouse, the dimensions and proposed use of each room, the position and dimension of windows, doors and walls, and the elevations of the dwellinghouse

Enclosed with this application are existing and proposed floorplans showing the dimensions of each dwelling, the dimensions and use of each room and the position and dimensions of all windows, doors and walls. Existing and proposed elevations and sections are also submitted as part of the application.

c) The developer's contact address

The developer's planning agent, Savills, address is: 33 Margaret Street, London, W1G 0JD.

d) The developer's email address

All correspondence should be with the Developer's planning agent, Savills.

e) Where sub-paragraph (6) requires the Environment Agency to be consulted, a site-specific flood risk assessment



The site is within Flood Zone 1, suggesting a low overall probability of flooding from fluvial / coastal sources. A Flood risk assessment is therefore not required.

Assessment

Certain parts of Paragraph MA.2 are not considered below as they are not relevant to the application site. These are part (g) as the site is located in an area with existing residential use. The proposal involves the loss of existing office floor space and not a nursery or health centre, meaning part (h) does not need to be assessed.

Part (i) stipulates that where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building should be assessed. The fire safety condition, as stated in Article 9A of the Town and Country Planning (Development Management Procedure) (England) Order 2015, applies when a development contains two or more dwellings <u>and</u> is over the 18m height or 7 storeys in height threshold.

The site is below 18m in height and is below 7 storeys in height, therefore does not exceed the threshold for a first safety to be assessed.

The remaining conditions are considered below in turn.

Transport Impacts

The site is within walking distance of Epsom and Epwell Train Station with regular services into neighbouring towns, Guildford, Horsham and Dorking and also Central London. Various bus stop are located within 10 minute walking distance of the site including: Waterloo Road, Epson (Surrey) Train Station, Epsom Railway Station, Chase Road and Clock Tower with services into Horton, Kingston, Worcester Park, West Ewell, Stamford Green, Woodmansterne and Langley Vale, Banstead, North Cheam, West Croydon and Walton on the Hill.

The proposed development will allocate 20no. car parking spaces on-site for the proposed residential dwellings. This equates to a parking ratio of 1.8 car parking spaces per dwelling. This figure meets the requirement as set out within the Epsom and Ewell Parking Standards for Residential Development SPD which prescribes a figure of 1.75 spaces per unit. It should also be recognised that the site also has access to multiple modes of sustainable transport options in the area and Hook Road Multi-Storey Car Parking is located a 1 minute walk from the site.

The vehicular access arrangements for the car park will remain as per the existing arrangements and will continue to be accessed via Woodstock Court.

11no. cycle spaces will be provided to the proposed dwellings which will be stored securely in the centre of the building.

The above demonstrates that there will be no adverse 'transport impacts of the development, particularly to ensure safe site access' as required under Paragraph MA.2(a) of Class MA.

Contamination Risks

The current use of the site in office use does not pose a risk of contaminating the site. There are no land use designations which apply to the site which identify that the site may be subject to contamination risks. Land uses in close proximity to the site are predominantly residential and office uses, these uses also do not present a contamination risk.

The site and surrounding area has been developed for a significant number of years therefore the risk of contamination at above ground level is considered to be negligible. The above demonstrates that there will be no adverse 'contamination risks of the development' as required under Paragraph MA.2(b) of Class MA.



Flood Risk

The Environmental Agency's flood map shows that the site is located within Flood Zone 1 which represents a low risk of flooding from fluvial sources. The building is located in a medium surface water flood risk area.

As a permitted development proposal, this development only alters in the internal use of the existing building. The impermeable footprint of the site or external ground levels remain unaltered. As a result, there would be no alteration to the existing surface water drainage network and no impact as a result of the proposed development. No residential dwellings are proposed on the ground floor of the site. Therefore, the development will not increase flood risk.

The above demonstrates that there will be no adverse 'flood risk in relation to the building' as required under Paragraph MA.2(c) of Class MA.

Noise Assessment

The buildings that surround the site predominantly comprise of mixed use development with commercial, retail and residential uses. It is considered with the presence of residential properties surrounding the site that there is very little noise in the immediate area from commercial users.

To the east of the site is St John Ambulance First Aid Training Centre which is adjacent to a flatted residential development reflecting a low level of noise. Fennies Nursery and Pre-School is located towards thew west of the site where there is at least a 13metre distance from the site to the nursery and pre-school and a minimum 73m metre distance from the play areas to the site therefore it is unlikely there will be any noise impacts. The properties on the north boundary of Adelphi Road are much closer to the nursery so therefore it can be assumed the impact form noise is acceptable.

This demonstrates that there will be no adverse 'impacts of noise from commercial premises on the intended occupiers of the development' as required under Paragraph MA.2(d) of Class MA.

Provision of Natural Light

An Internal Daylight Assessment has been conducted by T16 Design. The Daylight Assessment has been undertaken in conformity to the methodology and criteria provided by the Building Research Establishment's (BRE) guidance 'Site layout planning for daylight and sunlight: A guide to good practice' (BRE 209 3rd edition, 2022), which in turn references the British Standard BS EN17037:2018 'Daylight in buildings'.

The Daylight Assessment uses the Daylight Illuminance Test utilises climactic data for the location of the site, based on a weather file for a typical or average year, to calculate the illuminance at points within a room on at least hourly intervals across a year. The illuminance is calculated across an assessment grid sat at the reference plane. Guidance provides target illuminance levels that should be achieved across at least half of the reference plane for half of the daylight hours within a year. For spaces with a shared use such as combined living kitchen and dining rooms or a studio dwelling the 'living room' target of 150 lux is used.

The results of the daylight illuminance assessment demonstrate that 11 (100%) of the 11 residential units surpass the BRE guidance criteria. The results of the technical analysis have shown that all rooms would receive lux levels in line with the illuminance targets.

This demonstrates that there will be 'adequate natural light in all habitable rooms of the dwellinghouses' as required under Paragraph MA.2(f) of Class MA.

Nationally Described Space Standards



The nationally described space standards require a one storey one bedroom (1 person) dwelling to be at least 39sqm in size (37sqm if there is a shower room instead of a bathroom). The nationally described space standards require a one storey one bedroom (2 person) dwelling to be 50sqm in size.

The proposed 1 storey one bedroom (1 person) dwellings range between 20 and 461sqm in size and the proposed 1 storey one bedroom (2 person) dwellings range between 52 and 69sq in size. As such, all proposed units comply with the minimum standards as described above.

Conclusion

The proposal comprises the change of use of the ground, first and second of One The Braccans from office floorspace (Class E) to provide 837 sqm of residential floorspace (Class C3). This proposal seeks to deliver 411self-contained units.

As required under Paragraph MA.2 of Class MA it has been demonstrated that there are no transport, contamination, flooding, noise, daylight access or dwelling size reasons why the development should not proceed.

Should you have any queries on the proposal, please do not hesitate to contact me.

Yours sincerely,

Emily Ingall-Tombs **Savills**