

Ruxley Lane development on casting vote

9 January 2024



Properties on Ruxley Lane in Ewell with sizeable gardens will be demolished and replaced by 14 dwellings in two blocks. A tied vote of Councillors, at the Epsom and Ewell Planning Committee meeting of 14th December, on granting permission was resolved by the casting vote in favour of acting Chair Cllr Steven McCormick (RA Woodcote and Langley).

The committee approved the application, contingent upon the execution of a Section 106 Legal Agreement. This agreement includes a viability review mechanism to be activated if the development fails to reach the first-floor slab level on both buildings within 20 months of the decision date.

A critical provision in the decision is the requirement for the Section 106 Agreement to be completed by March 18, 2024. Failure to meet this deadline empowers the Head of Place Development to refuse the application based on non-compliance with Policy CS9 of the Core Strategy 2007.

Several conditions were imposed, including a three-year time limit for the commencement of development to comply with the Town and Country Planning Act. The approved plans, covering aspects such as site location, construction details, and landscaping, must be strictly adhered to throughout the development process.

Pre-commencement conditions were also established, such as the

submission and approval of a Construction Transport Management Plan, ensuring responsible construction practices and adherence to highway safety regulations.

Post-demolition and pre-above-ground conditions mandate the submission and approval of details related to external materials, access provisions, tracking details, sustainable drainage schemes, and more. These conditions aim to safeguard visual amenities, highway safety, and sustainable development principles.

Pre-occupation conditions cover various aspects, including access closure and remediation, parking and turning layouts, visibility splays, and the installation of electric vehicle charging points. These conditions align with the National Planning Policy Framework's sustainable transport objectives and local development policies.

The committee emphasized sustainability measures, requiring the provision of solar panels, drainage verification reports, and adherence to ecological and sustainable design measures.

During and post-development conditions focus on groundwater remediation strategies, tree protection, ecological considerations, and sustainable design measures. The approved development must comply with strict regulations to control significant harm from land contamination and ensure the preservation of biodiversity.

The decision also outlines specific conditions regarding construction hours, limitations on additional windows or openings, and the installation of facilities such as refuse/recycling stores and cycle storage.