

PLANNING COMMITTEE

13 December 2017 at 7.30 pm

MEMBERS: Councillor Samantha Bourne (Chair), Councillor Muhammad Sadiq (Vice-Chair) and Councillors Hamish Pollock, Jason Reynolds, Kevin Burke, Margaret Court, Vincent Galligan, Patrick McManus, Tony Shields and Graham Whitham

54. APOLOGIES FOR ABSENCE

There were no apologies.

55. MINUTES

The Minutes of the meeting held on 15 November 2017 were approved as a correct record, and signed by the Chair.

56. DECLARATIONS OF INTEREST

There were no declarations of interest.

Order of Items - The Chair confirmed that the agenda would be reordered and items 5 and 6 would be heard as the first items on the agenda.

57. APPLICATION NO.D2017/76510 - LINDBERGH PLAY CENTRE, LINDBERGH ROAD, WALLINGTON, SM6 9HB

The Committee considered a report on the above application for the construction of a single storey modular building to provide two additional classrooms with WCs and a quiet room.

This report was taken as read and Members moved to vote.

A poll vote on the officer's' recommendation to grant permission was held in accordance with Standing Order 31.4, when there voted:

**Planning Committee
13 December 2017**

To Grant (10) - Councillors Bourne, Burke, Court, Galligan, McManus, Pollock, Reynolds, Sadiq, Shields and Witham.

Against (0)

Abstained (0)

Resolved: That planning permission be granted for Application No.D2017/76510, subject to the conditions, reasons and informatives as set out in the Planning Schedule for this application.

58. APPLICATION NO.C2017/77955 - 80 WESTMEAD ROAD, SUTTON, SM1 4JF

The Committee considered a report on the above application to the change of use from Estate Agents (A2) to a Tattoo Parlour (Sui Generis).

The application had been de-delegated by Councillor Jill Whitehead.

Members enquired about reference being made to a previous application being refused and the number of treatment beds and expected customers.

Officers informed the Committee that the planning history had been checked and there were no references to any other tattoo parlour applications being refused with the exception of an invalid application that was never made valid. Officers also informed the Committee that the tattoo parlour would only be operating by appointment only.

Mr Patel, son of the land-owner and supporter addressed the meeting under Standing Order 31 and the applicant replied.

The principal issues raised by Mr Patel were: -

- The shop is owned by his father, who previously operated a Post Office in the area, but it had since been leased on and off to various types of businesses.
- A number of these businesses had gone bust and not paid rent over a period of time.
- The applicant is the first person to present a viable business plan.
- The business will not affect parking in the area and it is by appointment only.

Members enquired about the neighbouring shops and whether or not they were vacant.

Mr Patel confirmed that the shops were currently vacant.

The principal issues raised by Councillor Chris Williams were: -

- Councillor Jill Whitehead de-delegated the application as local councillors and residents were concerned that this business is not appropriate for a largely residential location.
- It is believed that the application is inappropriate as a tattoo parlour would not provide the kind of retail business that local residents would find useful and valued.
- The strategic objectives of the local plan include matching the resident expectations, the boroughs parade have a good range of high quality shops.
- The local area already has a range of businesses that serve local need.
- The area also has poor public transport links and car parking particularly in residential roads off Westmead Road are problematic.
- Residents have expressed to support retail outlets that can be reached by the local community on foot.
- Concerns have been expressed about the tattoo parlour increasing the demand for parking as the clientele will more than likely come from a wider area.

Members enquired about the difficulties of letting the unit in the past and whether or not there would be parking implications or differences between areas in the borough that already had existing tattoo parlours.

Councillor Williams informed the Committee that he was reporting fact that the tattoo parlour would increase the demand for parking in the area and these were concerns expressed by local residents in the immediate area and there are vacant properties in the area, but the majority of shops are occupied and are thriving. He also said that he had no knowledge about the clientele of a tattoo parlour and didn't think it was relevant, but was keen on meeting the objectives of the local plan.

The principal issues raised by the Applicant, Mr Giles were: -

- Been a tattoo artist for over 35 years.
- First registered in Sutton in the 1980s.
- 58 years old and married and love in the area.
- Spent most of his life-savings on shop to make it clean and tidy and replace the electrics and new flooring, air conditioning and heating and to decorate the shop.
- Good reputation in the area and wanted to open a shop in the area again.
- Spent up to £6,000 of savings
- Tattoo studio would not contribute to parking issues in the area.
- Only operate by appointment with up to 2 hours duration for an appointment.
- Introduced to other shop owners and everyone seems to be fine.
- Already in a contract for the shop and paying rent but unable to open it.

Members enquired about the type of clients that would be attending the tattoo parlour and if the premises were ready to be opened.

Mr Giles informed the Committee that he had previous clients from Barclays and Harrods and that clients would come from all walks of life. He also confirmed that there would only be one client at a time, as he was only able to work on one person at a time as he will not be employing anyone else and he also suffers from arthritis and would be proposing to be open from 11am - 6pm, Tuesdays to Saturdays. The shop has been halted for over 12 weeks.

Head of Planning, Andy Webber informed the Committee that the de-delegation rules are in the Constitution in terms of Scheme of Delegation and the Chair cannot overrule the Constitution. Officers should have contacted Councillor Whitehead about the de-delegation, and Officers normally encourage Councillors to contact planning officers to discuss the grounds for the de-delegation to see if it could be resolved.

A poll vote on the officer's' recommendation to grant permission was held in accordance with Standing Order 31.4, when there voted:

To Grant	(10) - Councillors Bourne, Burke, Court, Galligan, McManus, Pollock, Reynolds, Sadiq, Shields and Witham.
Against	(0)
Abstained	(0)

Resolved: That planning permission be granted for Application No.C2017/77955 subject to the conditions, reasons and informatives as set out in the Planning Schedule for this application.

59. APPLICATION NO.B2017/77476/FUL - 24-34 SUTTON COURT ROAD, SUTTON, SM1 4SY

The Committee considered a report on the above application for the erection of a residential development comprising of 165 flats in a part 10, 11, 20 and 21 storey building comprising ten studios, seventy seven 1- bedroomed, sixty eight 2- bedroomed and ten 3- bedroomed 'build to rent' residential units with 11 car parking spaces at lower ground level, new vehicle access from Sutton Court Road and internal cycle stores, refuse and recycling facilities, plant accommodation and associated hard and soft landscaping.

The officer presented the main points from the report.

Members enquired about the lack of parking spaces and the lack of affordable housing allocation within the scheme.

Head of Planning, Andy Webber informed the Committee that fees are nationally subscribed and the Council does not have a say in what the fees calculations are and the pre-application fees are published and available on the website. In terms of what the developer has paid the Council for advice and processing of application this is more than offset by CIL (community infrastructure levy) payments which is mandatory tax on development. The Council will receive funds of just over £2m in CIL contributions which will be used for improvements to infrastructure decided upon need and according to the impact of the development.

Don Ayiam, the Highways Officer informed the Committee that the deciding criteria is whether the development qualifies as a “car-free” development and within the Council’s own policies. It is an area with a PR rating of 6A, which is next to the best, and is within walking distance to Sutton station and as such qualifies as a “car-free” development. Council’s policy states that such a development is still subject to a Section 106 supplement, which then precludes the residents of the development from applying for on-street parking within the CPZ. The developer would then have to submit a travel plan to manage the needs of their future residents.

Members enquired about residents parking in the CPZ and enforcement in those areas for those taking properties in the development.

Don Ayiam, the Highways Officer informed the Committee that the Section 106 supplement is registered with Land Registry and any searches made would flag up the parking restrictions in the development relating to no on-street parking permits being issued. The Parking Strategy of the Council also extends the controlled parking zone periods till late in the day.

Members enquired about the threshold for the Mayor of London for affordable housing units and the benefit to the Sutton residents.

Head of Planning, Andy Webber informed the Committee that the draft London plan is proposing that private schemes provided 35% affordable housing, and 50% for all other schemes in the London plan, but the London plan is in draft consultation.

Planning Officers explained that the scheme is a build to rent scheme, different from a market scheme and is a new product to the market, first time in Sutton and if the Committee were to grant and go with officers recommendation then the GLA will need sight of this decision and then it will be up to the Mayor of London to whether it is acceptable based upon the new London plan.

The principal issues raised by the Applicant, Niall Malone and the Agent, Ben Wrighton were: -

- Proposed “build to rent” scheme, new and innovative concept.
- It is a new concept to provide affordable and high quality accommodation to hard-working people for professionally managed rented accommodation.
- Watkin Jones is investing in this concept.
- Experienced team of highly professional and contracts workers ready to start this scheme if agreed.
- Present high quality regeneration scheme, highly accessible and highly sustainable and it strongly supports planning policy.
- Responding to property market signals in the “build to rent” scheme.
- It is policy compliant.
- Increases the number of units being delivered, does not compromise the size of homes or standard.
- Extensive discussions have been had with officers the GLA and substantive changes have taken place.
- 100% London living rent mix, 12 units distributed across the scheme with 1, 2 and 3 bedroom options and would be tenure blind.
- Generous levels of cycling parking has been provided.
- No significant impact on residential amenity.
- Section 106 discussions with officers and the GLA are to be concluded.

Members enquired about the CPZ, “piling” times, lorries going in and out of the building site and the number of units allocated for affordable housing.

The Agent, Ben Wrighton informed the Committee that there will be on-site management schemes to inform residents, it will also be written into tenancy agreements. There is a construction management plan in place and according to Conditions 16 and 17, it would not be uncommon to have those conditions in place before approval. Discussions have been ongoing with officers and the GLA to negotiate the affordable housing units, but it is now at a stage where it will be recommended to the Mayor.

Officers informed the Committee that Condition 27 will apply in terms of the methodology and linked to Condition 16 and 17 and there is also a construction management plan in place.

Members also asked about the considerable amount of rent that would be generated and why consideration was not given to having 3 or 4 levels of basement car parking to alleviate the problems of overspill into other areas. As well as about the London living rent and how much it is and who determines it.

The Agent, Ben Wrighton informed the Committee that from a planning point of view, the public transport level was 6A and the scheme was recommended to be a car free scheme in policy terms and basement parking would be expensive and would harm the viability of the scheme. The London living rent is no more than £812 per

month for 1 bed, £903 per month for 2 beds and £993 per month for 3 beds as set out in the addendum report.

At debate Members noted that the scheme was a less than satisfactory deal for the Borough with a very poor affordable component and lack of parking space. There were concerns about the transition to tall buildings and the levels of affordable rent and the number of units. Members also commented that Sutton residents will pay local taxes and will get something out of it and that residents can take a share of the scheme as there is no difference between this scheme and the existing scheme, as it is less bulky and narrower with improved communal areas with longer term tenancies. It was also noted that TfL would not accept any more parking in the area.

Head of Planning, Andy Webber informed the Committee that the current development plan identifies this zone as being suitable for very tall buildings (11 storeys +) and is the only such zone in Sutton. As part of the consultation on the Draft Local Plan for the borough its future development over 15 years, residents preference was to intensify town and district centres so as to protect suburban areas, along with green and open spaces and open land. Policy permits and encourages very taller buildings in this location. In terms of transition, the former UCB house converted to residential from offices under a prior approval process and the same developer obtained planning permission for the extant permission on this site. The differences between the two schemes was not considered to be significant, and the transition from east to west, towards the town centre is perfectly acceptable. London living rent, the Mayor hands this down and the council have to be in general conformity with the Mayor's plan.

A poll vote on the officer's' recommendation to grant permission was held in accordance with Standing Order 31.4, when there voted:

To Grant	(7) - Councillors Bourne, Burke, Court, Gallican, Pollock, Reynolds and Siddiq
Against	(3) - Councillors McManus, Shields and Witham
Abstained	(0) - Councillors

Resolved: That planning permission be granted for Application No. B2017/77476/FUL subject to: -

1. Referral to the Greater London Authority (GLA).
2. Completion of a Section 106 agreement.
3. The conditions, reasons and informatives as set out in the Planning Schedule for this application.

60. ANY URGENT BUSINESS

There was no urgent business.

The meeting ended at 9.15 pm

Chair:

Date: